



**ZONING BOARD OF APPEALS**  
**CITY OF NOVI**  
**Community Development Department**

**Case No. PZ15-0002 Charneth Fen**

**Location: 50-22-10-400-021**

**Zoning District: RM-1, Low-Density Multiple Family District**

The applicant is requesting a variance from Section 28-6(2) to allow the placement of a twenty-four (24) square foot off-premises sign for an attached condominium subdivision. The property (sign) is located on the southwest corner of side of 12 ½ Mile Road and Novi Road.

**Ordinance Sections:**

CITY OF NOVI, CODE OF ORDINANCES, Section 28-6(2) allows off-premises advertising signs in the RM-1 Zoning District.

**City of Novi Staff Comments:**

The petitioner is requesting a variance to allow the placement of an off-premises sign of twenty-four (24) square feet near the southwest corner of 12 ½ Mile Road and Novi Road.

**Standards for Granting a Sign Variance**

CITY OF NOVI, CODE OF ORDINANCES, Section 28-16 addresses Sign Variance Appeals:

- The request is based upon circumstances or features that are exceptional and unique to the property and do not result from conditions that exist generally in the City or that are self-created, specifically\_\_\_\_\_.
- The failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return because\_\_\_\_\_.
- The grant of relief will not result in a use of structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is not inconsistent with the spirit of the ordinance because\_\_\_\_\_.

**Standards for Denying a Sign Variance**

CITY OF NOVI, CODE OF ORDINANCES, Section 28-16 addresses Sign Variance

Appeals:

- I move that we **deny** the variance in Case No. \_\_\_\_\_, sought by \_\_\_\_\_, for \_\_\_\_\_ because Petitioner has not shown practical difficulty requiring \_\_\_\_\_.
- The circumstances and features of the property including \_\_\_\_\_ are not unique because they exist generally throughout the City.
- The circumstances and features of the property relating to the variance request are self-created because \_\_\_\_\_.
- The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that \_\_\_\_\_.
- The variance would result in interference with the adjacent and surrounding properties by \_\_\_\_\_.
- Granting the variance would be inconsistent with the spirit and intent of the ordinance to \_\_\_\_\_.



45175 Ten Mile Road  
Novi, MI 48375  
(248) 347-0415 Phone  
(248) 735-5600 Facsimile  
www.cityofnovi.org

## ZONING BOARD OF APPEALS APPLICATION

**APPLICATION MUST BE FILLED OUT COMPLETELY**

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>					Application Fee: _____	
PROJECT NAME / SUBDIVISION CHARNETH FEN CONDOMINIUMS						
ADDRESS SIGN TO BE PLACED ON SIDWELL # BELOW					LOT/SUITE/SPACE #	
SIDWELL # 50-22-10 -400 -021			May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY 12 1/2 MILE, WEST OF NOVI ROAD						
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				REQUEST IS FOR: <input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input checked="" type="checkbox"/> SIGNAGE		
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO						
<b>II. APPLICANT INFORMATION</b>						
<b>A. APPLICANT</b>		EMAIL ADDRESS JCLARKE@ROBERTSONHOMES.COM			CELL PHONE NO.	
NAME JAMES V CLARKE				TELEPHONE NO. 248-282-1432		
ORGANIZATION/COMPANY ROBERTSON CHARNETH FEN, LLC				FAX NO. 248-282-1433		
ADDRESS 6905 TELEGRAPH ROAD, SUITE 200			CITY BLOOMFIELD HILLS		STATE MI	ZIP CODE 48301
<b>B. PROPERTY OWNER</b> <input checked="" type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER						
Identify the person or organization that owns the subject property:				EMAIL ADDRESS		CELL PHONE NO.
NAME				TELEPHONE NO.		
ORGANIZATION/COMPANY				FAX NO.		
ADDRESS			CITY		STATE	ZIP CODE
<b>III. ZONING INFORMATION</b>						
<b>A. ZONING DISTRICT</b>						
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input checked="" type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____						
<b>B. VARIANCE REQUESTED</b>						
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:						
1. Section		09-100.38 SEC 28-6(2)		Variance requested		OFF SITE SIGN
2. Section		_____		Variance requested		_____
3. Section		_____		Variance requested		_____
4. Section		_____		Variance requested		_____
<b>IV. FEES AND DRAWINGS</b>						
<b>A. FEES</b>						
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input checked="" type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600						
<b>B. DRAWINGS 1-COPY &amp; 1 DIGITAL COPY SUBMITTED AS A PDF</b>						
<ul style="list-style-type: none"> <li>• Dimensioned Drawings and Plans</li> <li>• Site/Plot Plan</li> <li>• Existing or proposed buildings or addition on the property</li> <li>• Number &amp; location of all on-site parking, if applicable</li> <li>• Existing &amp; proposed distance to adjacent property lines</li> <li>• Location of existing &amp; proposed signs, if applicable</li> <li>• Floor plans &amp; elevations</li> <li>• Any other information relevant to the Variance application</li> </ul>						





# ZONING BOARD OF APPEALS APPLICATION

## V. VARIANCE

### A. VARIANCE (S) REQUESTED

DIMENSIONAL     USE     SIGN

There is a five-(5) hold period before work/action can be taken on variance approvals.

### B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a **Mock-Up Sign** ten-(10) days before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

### C. ORDINANCE

#### City of Novi Ordinance, Section 3107 – Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is established within such a period; provided, however, where such use permitted is dependent upon the erection or alteration of a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

### D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING     ADDITION TO EXISTING HOME/BUILDING     SIGNAGE  
 ACCESSORY BUILDING     USE     OTHER \_\_\_\_\_

## VI. APPLICANT & PROPERTY SIGNATURES

### A. APPLICANT

Applicant Signature

1/9/2015  
Date

### B. PROPERTY OWNER

**If the applicant is not the owner, the property owner must read and sign below:**

The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

## VII. FOR OFFICIAL USE ONLY

### DECISION ON APPEAL:

GRANTED                       DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

\_\_\_\_\_  
Chairperson, Zoning Board of Appeals

\_\_\_\_\_  
Date



**REVIEW STANDARDS  
SIGN VARIANCE  
CITY OF NOVI  
Community Development Department  
(248) 347-0415**

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Sign Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Sign Variance.)

**Standard #1. Extraordinary Circumstances or Conditions.**

Explain how the circumstances or physical conditions applying to the property that do not apply generally to other properties in the same Zone District or in the general vicinity. Circumstances or physical conditions may include:

- a. **Shape of Lot.** A sign could not be placed in the location required by the Zoning Ordinance due to the physical shape, topography or other physical condition of a lot or due to the location of an existing structure.

Not Applicable     Applicable    If applicable, describe below:

*and/or*

- b. **Environmental Conditions.** A sign could not be placed in the location required by the Zoning Ordinance without removing or severely altering natural features, such as trees, topography, drainage courses or encroaching upon stormwater facilities.

Not Applicable     Applicable    If applicable, describe below:

*and/or*

- c. **Abutting Property.** A sign could not be reasonably seen by passing motorists due to the configuration of existing buildings, trees, signs or other obstructions on an abutting property.

Not Applicable     Applicable    If applicable, describe below:

The trees located on the property east of subject property and west of Novi Road obstruct any view of builder signage on property at Melanie Lane. Subject property is 0.2 miles from Novi Road off of 12 1/2 Mile and is designated as a natural beauty road and not paved.

d. **Scale of Building or Lot Frontage.** A sign that exceeds permitted dimensions for area and/or height could be considered appropriate in scale due to the length of the building frontage (wall sign only) or length of the lot frontage (ground sign only).

Not Applicable       Applicable      If applicable, describe below:

e. **Not Self-Created.** Describe the immediate practical difficulty causing the need for the Variance was not created by the applicant or any person having an interest in the sign, sign structure, or property.

Not Applicable       Applicable      If applicable, describe below:

The property was purchased from the banks after failing to sell sufficient homes due to marketing difficulties. Additionally, existing trees block view from Novi Road of community signage.

## Standard #2. Limit Use of Property.

Explain how the failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return.

Lack of visibility/visitors to our community is limiting our ability to service the community by providing new construction in the sought after Novi school district. The result of low traffic counts has delayed building/completion of the project; which in turn delays property tax income to the Novi community from completed, occupied homes.

## Standard #4. Adverse Impact on Surrounding Area.

Explain how the Sig Variance will not result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is not inconsistent with the spirit and intent of this chapter

The marketing sign at 12 1/2 mile/Novi Road will not interfere with the properties adjacent to the sign location due to the fact that they are vacant/wooded directly west (across Novi Road), and to the north and south. There are several realtor/sale signs on the west side of Novi Road between 12 1/2 and 13 mile. Permission to install a sign at the corner of 12 1/2 Mile and Novi Road was secured by the property owner. RB agrees to eliminate the marketing sign at the property in exchange for a visible sign on the neighboring property.

February 3, 2015

Robertson Brothers Homes

Attn: Jim Clarke

6905 Telegraph Road, Suite 200

Bloomfield Hills, MI 48301

Dear Jim:

This letter is to confirm that Robertson Charneth Fen has my permission to place the attached sign at the corner of my property at 12 1/2 Mile Road and Novi Road until such time as requested to remove it.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Ara J. Darakjian', with a long horizontal flourish extending to the right.

Ara J. Darakjian





Google earth



Sign Location



# Installed as a "V" Sign

4 x 6, 1-Sided



ATTACHED CONDOMINIUMS



COMING THIS SPRING

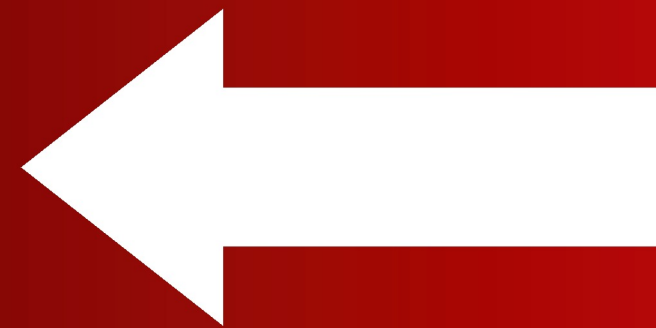
248-278-6089

JOIN OUR VIP LIST AT  
[WWW.ROBERTSONHOMES.COM](http://WWW.ROBERTSONHOMES.COM) 

4 x 6, 1-Sided



ATTACHED CONDOMINIUMS



COMING THIS SPRING

248-278-6089

JOIN OUR VIP LIST AT  
[WWW.ROBERTSONHOMES.COM](http://WWW.ROBERTSONHOMES.COM) 