



COMMUNITY DEVELOPMENT DEPARTMENT

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

ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals

ZONING BOARD APPEALS DATE: April 10, 2018

REGARDING: 44840 North Hills Valley, Parcel # 50-22-34-127-002 (PZ18-0008)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Detroit Metro Signs

Variance Type

Sign Variance

Property Characteristics

Zoning District:	Low-Density Multiple-Family
Location:	East of Taft Road and South of Nine Mile Road
Parcel #:	50-22-34-127-002

Request

The applicant is requesting a variance from the City of Novi Code of Ordinance Section 28.5(f) for the installation of a new proposed sign one foot from the right of way, ten feet required by code. This property is zoned Low-Density Multiple-Family (RM-1).

II. STAFF COMMENTS:

Sign will be installed at the same location. The right of way has increased over the years.

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we **grant** the variance in Case No. **PZ18-0008**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.

 - (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____.
 - (b) The property is unique because _____.
 - (c) Petitioner did not create the condition because _____.

(d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because_____.

(e) The relief if consistent with the spirit and intent of the ordinance because_____.

(f) The variance granted is subject to:

1._____.

2._____.

3._____.

4._____.

2. I move that we **deny** the variance in Case No. **PZ18-0008**, sought by _____ for _____ because Petitioner has not shown practical difficulty requiring _____.

(a) The circumstances and features of the property including _____ are not unique because they exist generally throughout the City.

(b) The circumstances and features of the property relating to the variance request are self-created because_____.

(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that _____.

(d) The variance would result in interference with the adjacent and surrounding properties by_____.

(e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to_____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler
Deputy Director Community Development
City of Novi



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ZONING BOARD OF APPEALS APPLICATION

RECEIVED

FEB 28 2018

CITY OF NOVI
COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$300.00
 Meeting Date: April 10th 2018
 ZBA Case #: PZ 18-

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION <u>NORTH HILLS Valley Apartments</u>			
ADDRESS <u>44840 North Hills Valley Dr.</u>		LOT/SIUTE/SPACE #	
SIDWELL # <u>50-22-</u>		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY <u>9 mile rd & North Hills Dr.</u>			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		REQUEST IS FOR: <input 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			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS <u>P.Ferguson 7469@gmail.com</u>	CELL PHONE NO. <u>248-722-0582</u>
NAME <u>Paul Ferguson</u>		TELEPHONE NO. <u>586-759-2700</u>	
ORGANIZATION/COMPANY <u>Detroit Metro Signs</u>		FAX NO. <u>metrodetroit signs.com</u>	
ADDRESS <u>11444 Kaitz</u>	CITY <u>Warren</u>	STATE <u>MI</u>	ZIP CODE <u>48089</u>
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS <u>ATLAS RN3 @ AOL.com</u>	CELL PHONE NO. <u>734-358-7600</u>
NAME <u>Rick Noel</u>		TELEPHONE NO. <u>248-442-7600</u>	
ORGANIZATION/COMPANY <u>ATLAS LEASING</u>		FAX NO.	
ADDRESS <u>39935 Grand River</u>	CITY <u>NOVI</u>	STATE <u>MI</u>	ZIP CODE <u>48375</u>
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<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 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. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>285 F3</u>	Variance requested <u>Entrance Sign 10' From R.O.W.</u>		
2. Section _____	Variance requested _____		
3. Section _____	Variance requested _____		
4. Section _____	Variance requested _____		
IV. FEES AND DRAWINGS			
A. FEES			
<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. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF			
<ul style="list-style-type: none"> • Dimensioned Drawings and Plans • Site/Plot Plan • Existing or proposed buildings or addition on the property • Number & location of all on-site parking, if applicable • Existing & proposed distance to adjacent property lines • Location of existing & proposed signs, if applicable • Floor plans & elevations • Any other information relevant to the Variance application 			



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 establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or 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

Paul Ferguson

Applicant Signature

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.

Richard Neal

Property Owner Signature
Richard

Date

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

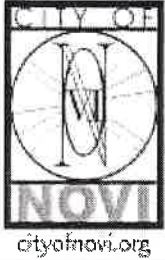
GRANTED

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



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**REVIEW STANDARDS
SIGN VARIANCE**

**CITY OF NOVI
COMMUNITY DEVELOPMENT**

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 shape, topography or other physical conditions of the lot or due to the location of an existing structure. **Describe below:**

The Shape of The lot a 10' From Row is a slope, that is naturally part of the topography, would put our sign @ Eight (8') Feet Below grade 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 storm water facilities. **Describe below:**

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. **Describe below:**

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). **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. **Describe below:**

This Hardship is a "Natural" Land Shape, the 10' From Rule, puts our Sign well below any usefull visual for TRAFFIC to see The Entrance to The Apt. Complex.

Standard #2. Limit Use of Property.

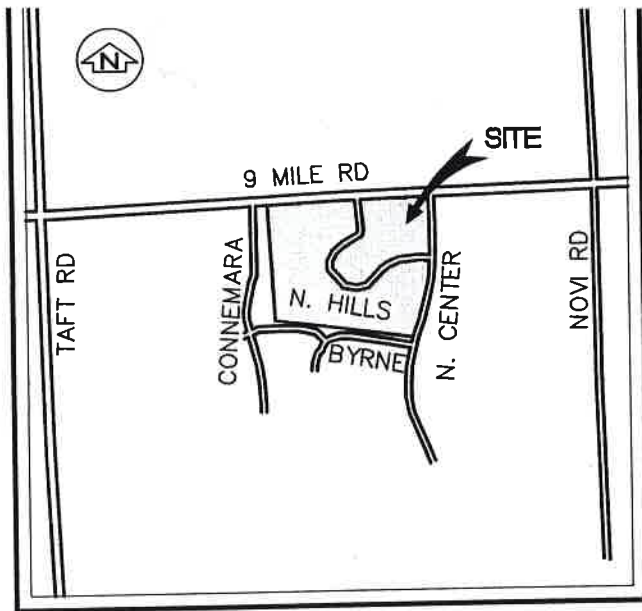
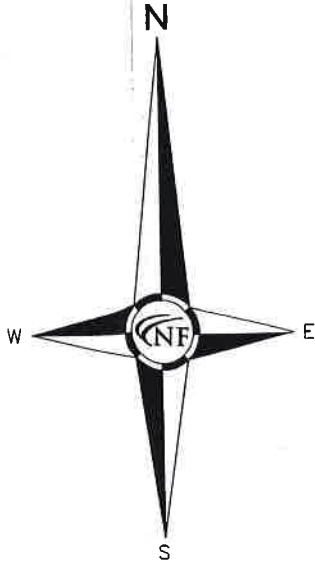
Explain how the failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return.

NO ONE would see The Entrance.

Standard #3. Adverse Impact on Surrounding Area.

Explain how the Sign 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 existing sign (old & now illuminated) is currently @ the desired location of The "New" Sign. It would Add To The visual Appearance of The Apartment complex Entrance and Look as contemporary as the New Subdivision Signs that are going in on 9mile



LOCATION MAP

LEGAL DESCRIPTION

Land Situated in the State of Michigan, County of Oakland, City of Novi, described as:

Lots 203 and 204, North Hills Estates Subdivision, as recorded in Liber 138, Pages 19, 20, 21, 22, and 23 of Plats, Oakland County Records.

Tax Parcel No.: 22-34-127-002

Tax Parcel No.: 22-34-127-003

Easement Parcel:

Together with all appurtenant easements, including, but not limited to a right and easement to use "Cumberland Park" and "Bedford Park", as described in that certain Declaration of Building Restrictions for North Hills Estates Subdivision, City of Novi, Oakland County, Michigan, recorded in Liber 6312, Page 130, Oakland County Records, as modified by Association-Approved Revisions to Declaration of Building Restrictions for North Hills Estates Subdivision, City of Novi, Oakland County, Michigan, recorded in Liber 40812, Page 705, Oakland County Records.

BASIS OF BEARING NOTE

The basis of bearing for this survey was established by the North line of Section 34 (N89°49'00"E) as recorded in North Hills Estates Subdivision, as recorded in Liber 138, Pages 19, 20, 21, 22, and 23 of Plats, Oakland County Records.

TITLE NOTES

2. Any facts, rights, interests or claims not shown by the Public Records but that could be ascertained by making inquiry of persons in possession thereof of the Land.
3. Easements, claim of easements or encumbrances that are not shown in the Public Records and existing water, mineral, oil and exploration rights.
8. Easement for sanitary sewer, drainage, Michigan Bell Telephone Company and public utilities as shown on the plat recorded in Liber 138, Pages 19 through 23, inclusive Plats, Oakland County Records. [SAID EASEMENT IS PLOTTED HEREON].
9. Easement for sanitary sewer granted to the Village (now City) of Novi recorded in Liber 5069, Page 741, Oakland County Records. [SAID EASEMENT IS PLOTTED HEREON].
10. Agreement for maintenance of parks, including maintenance charges to lot owner recorded in Liber 6070, Page 876, Oakland County Records. [SAID DOCUMENT DOES NOT DESCRIBE ANY PLOTTABLE EASEMENTS OR PLOTTABLE RESTRICTIONS].
11. Agreement and Restrictions with The Detroit Edison Company and Michigan Bell Telephone Company providing for the installation, operation, maintenance and owners of underground electric and communication facilities as recorded in Liber 6166, Page 403, Oakland County Records. [SAID DOCUMENT DOES NOT DESCRIBE ANY PLOTTABLE EASEMENTS OR PLOTTABLE RESTRICTIONS].
12. Declaration of Building Restrictions as recorded in Liber 6312, Page 130, as modified by Association-Approved Revisions recorded in Liber 40812, Page 705, Oakland County Records, as modified by Association-Approved Revisions recorded in Liber 6312, Page 130 and Liber 40812, Page 705, Oakland County Records.

ON 6'
NES

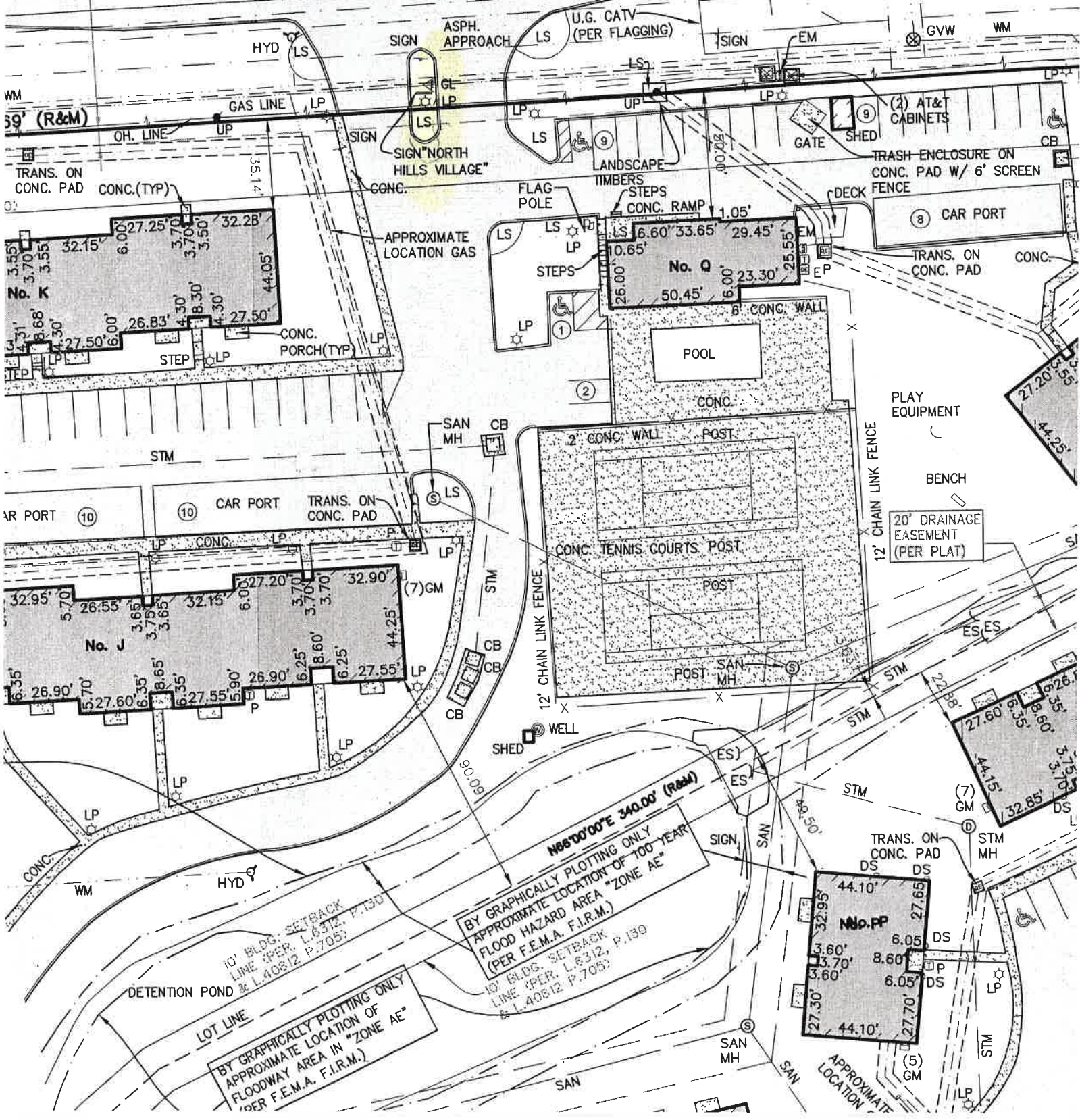
6' EASEMENT FOR PUBLIC UTILITIES (PER PLAT)

W. 9 MILE ROAD (120' R.O.W.)

ASPHALT PAVEMENT W/ CONC. CURB

U.G. ELEC. (PER FLAGGING)

U.G. PHONE (PER FLU)



39' (R&M)

TRANS. ON CONC. PAD

CONC. (TYP)

CONC. PORCH (TYP)

STEP

CONC. WALL

CONC.

CONC. TENNIS COURTS

CONC. WALL

CONC.

CONC. PORCH (TYP)

TRANS. ON CONC. PAD

CONC. (TYP)

CONC. WALL

CONC.

CONC. TENNIS COURTS

CONC. WALL

CONC.

CONC. PORCH (TYP)

TRANS. ON CONC. PAD

CONC. (TYP)

CONC. WALL

CONC.

CONC. TENNIS COURTS

APPROXIMATE LOCATION GAS

SIGN "NORTH HILLS VILLAGE"

ASPH. APPROACH

U.G. CATV (PER FLAGGING)

LANDSCAPE TIMBERS

CONC. RAMP

POOL

CONC.

CONC. TENNIS COURTS

CONC. WALL

CONC.

CONC. PORCH (TYP)

TRANS. ON CONC. PAD

CONC. (TYP)

CONC. WALL

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CONC. (TYP)

CONC. WALL

CONC.

CONC. TENNIS COURTS

CONC. WALL

CONC.

CONC. PORCH (TYP)

10' BLDG. SETBACK LINE (PER L.6312, P.130 & L.40812 P.705)

BY GRAPHICALLY PLOTTING ONLY APPROXIMATE LOCATION OF FLOOD HAZARD AREA (PER F.E.M.A. F.I.R.M.)

10' BLDG. SETBACK LINE (PER L.6312, P.130 & L.40812 P.705)

BY GRAPHICALLY PLOTTING ONLY APPROXIMATE LOCATION OF FLOODWAY AREA IN "ZONE AE" (PER F.E.M.A. F.I.R.M.)

12' CHAIN LINK FENCE

12' CHAIN LINK FENCE

12' CHAIN LINK FENCE

12' CHAIN LINK FENCE

12' CHAIN LINK FENCE

12' CHAIN LINK FENCE

20' DRAINAGE EASEMENT (PER PLAT)

20' DRAINAGE EASEMENT (PER PLAT)

20' DRAINAGE EASEMENT (PER PLAT)

20' DRAINAGE EASEMENT (PER PLAT)

20' DRAINAGE EASEMENT (PER PLAT)

20' DRAINAGE EASEMENT (PER PLAT)

APPROXIMATE LOCATION

APPROXIMATE LOCATION

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APPROXIMATE LOCATION

APPROXIMATE LOCATION

Site Plan 44840 North Hills Drive, Northville, MI



SITE NOTE
LANDSCAPE BOULDER &
LAMP POST MAY NEED TO
BE MOVED (BY OTHERS)

SCALE 1/32" = 1'



SITE NOTE
LAMP POST MAY NEED TO
BE MOVED (BY OTHERS)

SCALE 1/32" = 1'

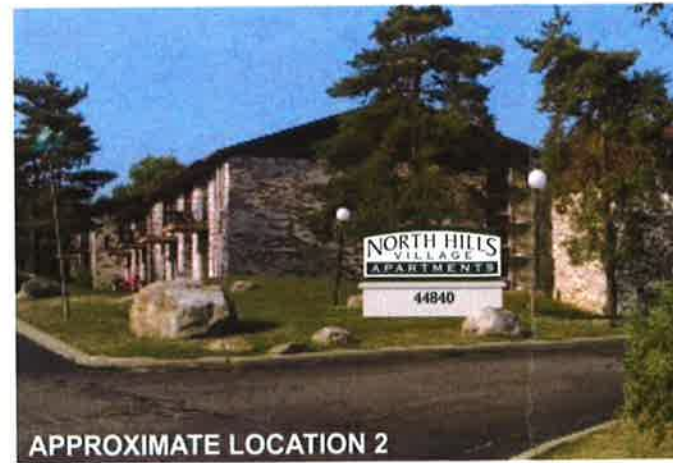
RECEIVED

FEB 28 2018

CITY OF NOVI
COMMUNITY DEVELOPMENT

APPROVED BY: _____
THIS DRAWING PROVIDED & INTENDED FOR CONCEPTUAL PURPOSES ONLY. THE FINISHED PRODUCT MAY BE SUBJECT TO MINOR & NECESSARY MODIFICATIONS TO AID OR ENABLE FABRICATION PROCEDURES

(2) Double Sided Replacement Monument Signs



NIGHT SIMULATION



3M GREEN



3M DUAL COLOR BLK/WHT



MAP SATIN WHITE



(2X) REQUIRED

BUILD & INSTALL THESE NEW LED ILLUMINATED MONUMENT SIGNS. SIGNS ARE FABRICATED ALUMINUM WITH ROUTED FACES & LIGHTED GRAPHICS. "BEDFORD SQUARE" IS 3M DUAL COLOR BLACK-DAY / WHITE-NIGHT. THE SIGN HAS DIMENSIONAL TOP ACCENT & REVEAL. IT IS INSTALLED ON A NEW WHITE BRICK BASE WITH A CAST CONCRETE CAP & FLAT CUT STUD MOUNTED ADDRESS.

SIGNS WILL EACH REQUIRE (1) 20a 120v DEDICATED CIRCUITS (BY OTHERS)

SCALE 3/4" = 1'

20 SQFT

# OF SETS	2	RETURN DEPTH	12"	RACEWAY COLOR	N.A.	DESIGNER	S WILKIE
FACE COLOR	SEE ABOVE	TYPE OF INSTALL	GROUND MONUMENT	TRANSFORMER	N.A.	DATE	08/15/17
RETURN COLOR	TO MATCH	TYPE OF FACE	ALUMINUM	BALLAST	N.A.	JOB NO.	9773
RETAINER COLOR	N.A. (BLIND)	RACEWAY D. H. L.	N.A.	COMMENTS:		JOB NAME	NRTH-HILS-APT-1
LED COLOR	WHITE	HOUSINGS	N.A.	SALESPERSON:	PAUL FERGUSON	ADDRESS:	44840 N Hills Dr, Northville, MI 48167

APPROVED BY: _____ DATE: _____

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(2) Double Sided Replacement Monument Signs



SCALE 3/4" = 1'

# OF SETS	2	RETURN DEPTH	12"	RACEWAY COLOR	N.A.	DESIGNER	S WILKIE
FACE COLOR	SEE ABOVE	TYPE OF INSTALL	GROUND MONUMENT	TRANSFORMER	N.A.	DATE	08/15/17
RETURN COLOR	TO MATCH	TYPE OF FACE	ALUMINUM	BALLAST	N.A.	JOB NO.	9773
RETAINER COLOR	N.A. (BLIND)	RACEWAY D. H.	L. N.A.	COMMENTS:		JOB NAME	NRTH-HILS-APT-1
LED COLOR	WHITE	HOUSINGS	N.A.	SALESPERSON: PAUL FERGUSON	ADDRESS: 44840 N Hills Dr, Northville, MI 48167		

APPROVED BY: _____ DATE: _____

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