

# 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 9, 2019

**REGARDING:**<u>48700 Grand River Ave, Parcels # 50-22-17-126-009 (PZ19-0013)</u>**BY:**Larry Butler, Deputy Director Community Development

#### . GENERAL INFORMATION:

<u>Applicant</u> Interior Environments Inc

<u>Variance Type</u> Dimensional

#### Property Characteristics

Zoning District:General BusinessLocation:East of Wixom Road and North of Grand River AvenueParcel #:50-22-17-126-009

#### <u>Request</u>

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.23.D for parking setbacks of less than 20 feet on the Twelve Mile Road (zero feet requested) and Grand River Avenue (16 feet requested), and a variance from Zoning Ordinance Section 5.3.12 for an end island less than 3 feet shorter than the adjacent parking space. This property is zoned General Business (B-3).

II. STAFF COMMENTS:

#### **III. RECOMMENDATION:**

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

1.	Ι	move	that	we	<u>grant</u>	the	variance	in	Case	No. P	Z19-00	<b>13</b> , sc	ought	- 5
														for
								_ b	ecause	Petitione	er has	shown	prac	tical
	di	fficulty re	equiring								·		•	

(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 <u>deny</u> the variance in Case No. PZ19-0013, 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



# PLAN REVIEW CENTER REPORT

January 25, 2019 Planning Review

Interior Environments Parking Expansion JSP 18-51

#### PETITIONER

Interior Environments

#### **REVIEW TYPE**

Preliminary Site Plan

#### **PROPERTY CHARACTERISTICS**

	Site Location:	Section 17; North of Grand River Avenue and East of Wixom Road
•	Site School District:	South Lyon Community School District
•	Site Zoning:	B-3: General Business District
٠	Adjoining Zoning:	West B-3: General Business
	-	East B-3: General Business
		North is in Wixom, Classified as B-3: General Business
		South I-1: Light Industrial
•	Site Use(s):	Interior Design Firm
•	Adjoining Uses:	West: Grand Diner; East: PNC Bank; North: Vehicle Dealership
		South: Granite Creations
•	Site Size:	1.36 acres
٠	Building Size:	9,810 sq. ft.
•	Plan Date:	12-17-2018

#### **PROJECT SUMMARY**

The applicant is proposing to expand their parking lot from 39 spaces to 59 spaces and reconfigure the existing stormwater detention area.

#### RECOMMENDATION

Approval of the **Preliminary Site Plan is conditionally recommended. Engineering, Landscaping and Planning** recommendations are conditioned on the applicant receiving the necessary approvals and waivers from various authorities noted in the review letters. The plan mostly conforms to the requirements of the Zoning Ordinance, with some modifications that could be made by the applicant in a revised Preliminary Site Plan submittal. <u>Planning Commission approval</u> <u>of the Preliminary Site Plan, Wetland Permit and Storm Water Management Plan is required.</u>

# After Planning Commission's approval, the plan would also require the applicant to seek certain deviations from the Zoning Board of Appeals.

#### **ORDINANCE REQUIREMENTS**

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3 (Zoning Districts), Article 4 (Use Standards), Article 5 (Site Standards), and any other applicable provisions of the Zoning Ordinance. <u>Please see the attached charts for information pertaining to ordinance requirements</u>. Items in **bold** below must be addressed and incorporated as part of the Final Site Plan submittal.

- 1. Parking Setbacks (Sec 3.1.23.D): The expansion to the parking lot would encroach 15 feet into the right-of-way (ROW) for Twelve Mile Road on the north side of the property, resulting in zero setback from the property line, and one parking space in the ROW. The applicant has provided an email from the Road Commission of Oakland County (RCOC) indicating the 15-foot encroachment into the ROW is acceptable. Parking is also proposed within the required parking setback on the south side adjacent to Grand River Avenue. The required parking setback of both frontages is 20 feet, so the applicant must request variances from the Zoning Board of Appeals. Staff recommends the applicant remove the one parking space that falls within the right-of-way.
- 2. End Islands (Sec. 5.3.12): Parking islands abutting traffic circulation aisles are generally required to be 3 feet shorter than the adjacent parking space. The applicant has indicated one end island on the western side of the south entrance needs to be 18 feet long to accommodate an existing light pole. The applicant should request a variance from the Zoning Board of Appeals for this deviation.
- 3. <u>Barrier Free Parking</u>: Two barrier-free parking spaces are existing/proposed on the site. For a parking lot with 51-75 parking spaces provided, a total of 3 barrier free parking spaces are required. **One additional barrier free space should be allocated to meet requirements.**
- 4. <u>Parking Bays</u>: One bay of parking is 19 spaces long, which exceeds the maximum of 15 allowed by the ordinance. **A Planning Commission waiver would be required if the parking bay is to remain as proposed.**
- 5. <u>Bicycle Parking Lot Layout (Sec. 5.16.5.A)</u>: A detail of the bicycle parking layout should be provided to verify compliance with the Zoning Ordinance.
- 6. <u>Phasing Plan:</u> Two phases are indicated on the site plan. Phase 1 includes the new parking area on the southwest corner of the site, while Phase 2 includes the northern parking area. If Phase 1 is completed before phase 2, the drive aisle on the western side of the building would be longer than 150 feet and would require a T-turnaround be constructed to allow fire apparatus to turn around. If the applicant intends to construct each phase separately, this design is not supported by staff. The applicant should clarify and provide a justification for the need for a phased development.
- 7. <u>Lighting Plan (Sec. 5.7.2.A)</u>: Provide a lighting and photometric plan at the time of Final Site Plan submittal to verify new parking areas meet lighting standards.

#### Other Reviews

- <u>Engineering Review</u>: Conditional approval is recommended pending an official letter of approval from RCOC regarding the use of their right-of-way. Additional comments to be addressed in the Final Site Plan submittal.
- Landscape Review: Approval is not recommended due to the large number of landscape waivers required. See letter for further details.
- <u>Wetland Review</u>: Approval is recommended with additional comments to be addressed in the final site plan submittal. See letter for further details.
- <u>Traffic Review</u>: Approval is recommended provided variances are granted and additional comments are addressed at the time of final site plan submittal. See letter for details.
- Fire Review: Approval is recommended.



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#### cityofnovcorg.

## ZONING BOARD OF APPEALS **APPLICATION**

APPLICATION MUST BE FILLED OUT COMPLETELY

MAR 08 2019

RECEIVED

CITY OF	NOVI
COMMUNITY DE	VELOPMENT

I. PROPERTY INFORMATION (Add	ress of subject ZBA C	(ase)	Application Fee: \$306.00				
PROJECT NAME / SUBDIVISION Interior Environments Parking Lot Expans							
ADDRESS		LOT/SIUTE/SPACE #	Meeting Date: April 9, 20	19			
48700 Grand River Avenue				(per , -			
SIDWELL # 50-22-17 _ 126 _ 009		obtain from Assessing ent (248) 347-0485	Meeting Date: <u>April 9, 2019</u> ZBA Case #: PZ <u>19-0013</u> (pc				
CROSS ROADS OF PROPERTY Grand River Avenue and Twelve Mile Road							
IS THE PROPERTY WITHIN A HOMEOWNER'S ASS	OCIATION JURISDICTION?	REQUEST IS FOR:					
TYES INO		🗆 RESIDENTIAL 🗹 CO	🗆 RESIDENTIAL 🗹 COMMERCIAL 🗆 VACANT PROPERTY 🗌 SIGNAGE				
DOES YOUR APPEAL RESULT FROM A NO	ICE OF VIOLATION OR	CITATION ISSUED?	yes 🗹 no				
II. APPLICANT INFORMATION							
A. APPLICANT	EMAIL ADDRESS kim@KTCAPELLOL	AW.com	CELL PHONE NO. 248-761-3702				
NAME Interior Environments, Inc.			TELEPHONE NO. 248-380-5122				
ORGANIZATION/COMPANY			FAX NO.				
ADDRESS			248-380-5175				
48700 Grand River Avenue		CITY Novi	STATE ZIP CODE MI 48375				
	ERE IF APPLICANT IS ALSO	D THE PROPERTY OWNER					
Identify the person or organization that owns the subject property:	EMAIL ADDRESS		CELL PHONE NO, 248-761-3702	_			
NAME Balco Properties, LLC			TELEPHONE NO. 248-380-5122				
ORGANIZATION/COMPANY			FAX NO. 248-380-5175				
ADDRESS 48700 Grand River Avenue		CITY Novi	STATE ZIP CODE				
III. ZONING INFORMATION			MI 48375				
A. ZONING DISTRICT							
□ R-A □ R-1 □ R-2	□ R-3 □ R-4	🗆 RM-1 🛛 RM-2	□мн				
□ I-1 □ I-2 □ RC	TC TC-1	OTHER B-3					
B. VARIANCE REQUESTED							
INDICATE ORDINANCE SECTION (S) AND 1. Section 3.1.23.D			nd River Avenue ROW				
21220	ariance requested						
5 2 1 2	ariance requested	Parking set back Twelve Mile Road Row					
	ariance requested	Traffic Circulation aisle Grand River Ave					
4. Section	anance requested						
IV. FEES AND DRAWNINGS							
A. FEES	_						
Single Family Residential (Existing	) \$200 🛛 (With Violo	ition) \$250 🗌 Single Fan	nily Residential (New) \$250				
Multiple/Commercial/Industrial	300 🗌 (With Viola	ition) \$400 🗌 Signs \$300	0 🗌 (With Violation) \$400				
House Moves \$300		eetings (At discretion of B	oard) \$600				
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF							
<ul> <li>Dimensioned Drawings and Plans</li> <li>Site/Plot Plan</li> <li>Existing &amp; proposed distance to adjacent property lines</li> <li>Location of existing &amp; proposed signs, if applicable</li> </ul>							
• Existing or proposed buildings or a	ddition on the prope	<ul> <li>Location of existin</li> <li>Floor plans &amp; eleve</li> </ul>					
<ul> <li>Number &amp; location of all on-site point</li> </ul>	arking, if applicable		tion relevant to the Variance applicat	on			



## 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** <u>ten-(10)</u> 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.

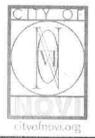
No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or a building such order 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

		3 HOME/BUILDING LI SIGN	AGE				
VI. APPLICANT & PROPERTY SIGNAT	URES						
A. APPLICANT Applicant Signature	Lapal		3-7-19 ate				
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	J Balconi	Do	31612019				
VII. FOR OFFICIAL USE ONLY							
DECISION ON APPEAL:							
GRANTEE		DENIED					
The Building Inspector is hereby directe	d to issue a permit to the /	Applicant upon the followin	g and conditions:				
Chairperson, Zoning Board of Appeals		Do	ate				



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

# REVIEW STANDARDS DIMENSIONAL VARIANCE

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional 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 Dimensional Variance.)

# Standard #1. Circumstances or Physical Conditions.

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

a. Shape of Lot. Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment.
 Not Applicable Applicable If applicable, describe below: The lot is an odd shaped lot abutting both Grand River Avenue and Twelve Mile Road. The OCRC has no objection to the infringement into the County ROW.

## and/or

Environmental Conditions. Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.
 Not Applicable Applicable If applicable, describe below:

### and/or

**c.** Abutting Property. The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirements of the Zoning Ordinance or would involve significant practical difficulties.
 I Not Applicable Applicable If applicable, describe below:

# Standard #2. Not Self-Created.

Describe the immediate practical difficulty causing the need for the Dimensional Variance, that the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created).

This was originally the Jimmy's Rustic Patio Furniture Store. Parking was adequate for the occupancy of warehousing and a showroom. Jimmy's went out of business leaving the sire vacant for several years. Interior Environments purchased the building several years ago. Its business has expanded and the staff has tripled since its original occupancy. Based upon IE's business methods and practices, there is no need to expand the existing building, however, parking has become a problem. There is no room for off-site expansion as the property lies between Twelve Mile Road and Grand River and the two adjoining parcels are fully developed.

# Standard #3. Strict Compliance.

Explain how the Dimensional Variance in strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

Since moving into its Novi location, IE's business has increased dramatically. IE's staff has tripled in size. It has opened branch offices, in Ann Arbor, Livonia, Detroit and Denver. IE maintains its world headquarters on Grand River Avenue in Novi. Based upon its business methods, IE does not need any additional floor space in the existing building, however, it does need additional parking. By granting the requested variances, IE will be able to keep its world headquarters here in Novi.

# Standard #4. Minimum Variance Necessary.

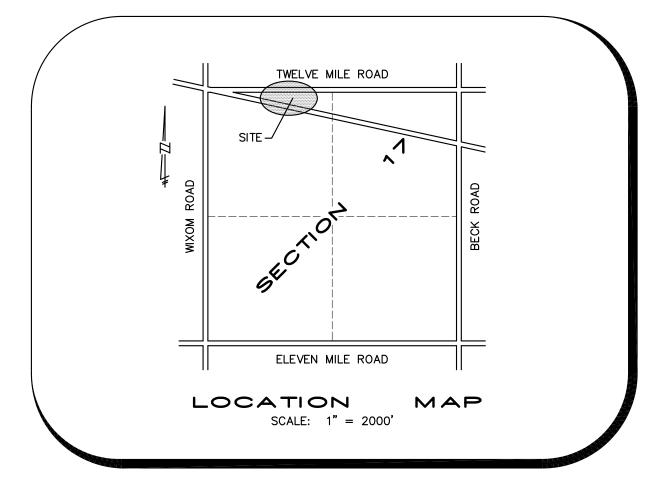
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

The variances requested will not interfere, or affect, either of the adjoining properties. The variances are within the County ROW on Grand River Avenue and on Twelve Mile Road. If the variances are granted they will not have any impact on traffic on either road, and will actually maintain a safer parking area on the premises. The Parking Lot Expansion Plan is the very minimum that IE needs to meet its parking demands. Unfortunately, anything less than the requested number of spaces will result in continued parking problems.

# Standard #5. Adverse Impact on Surrounding Area.

Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

The variances requested will not affect either of the two adjoining properties. The requested variances are within the ROW's of Grand River Avenue and Twelve Mile Road.



# LEGAL DESCRIPTION

### Legal Description: Tax id. 50-22-17-126-009

A part of the Northwest 1/4 of Section 17, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan; being more particularly described as beginning a point distant East, 863.25 feet and South 60.00 feet and East, 559.89 feet from the Northwest Section Corner; thence East, 280.00 feet; thence South 62.90 feet; thence South 25°08'00" West, 227.92 feet; thence North 70°04'59" West, 194.85 feet; thence North 202.86 feet, to the Point of Beginning.

# **BENCH MARKS**

Reference Bench Mark (x) on North Rim of GV&W located 430' South and 50' East from the Northwest Corner of Section 17, Elevation 974.22 USGS Datum (from Ambit Surveyors Job No. 12-09-05, Varsity Lincoln)

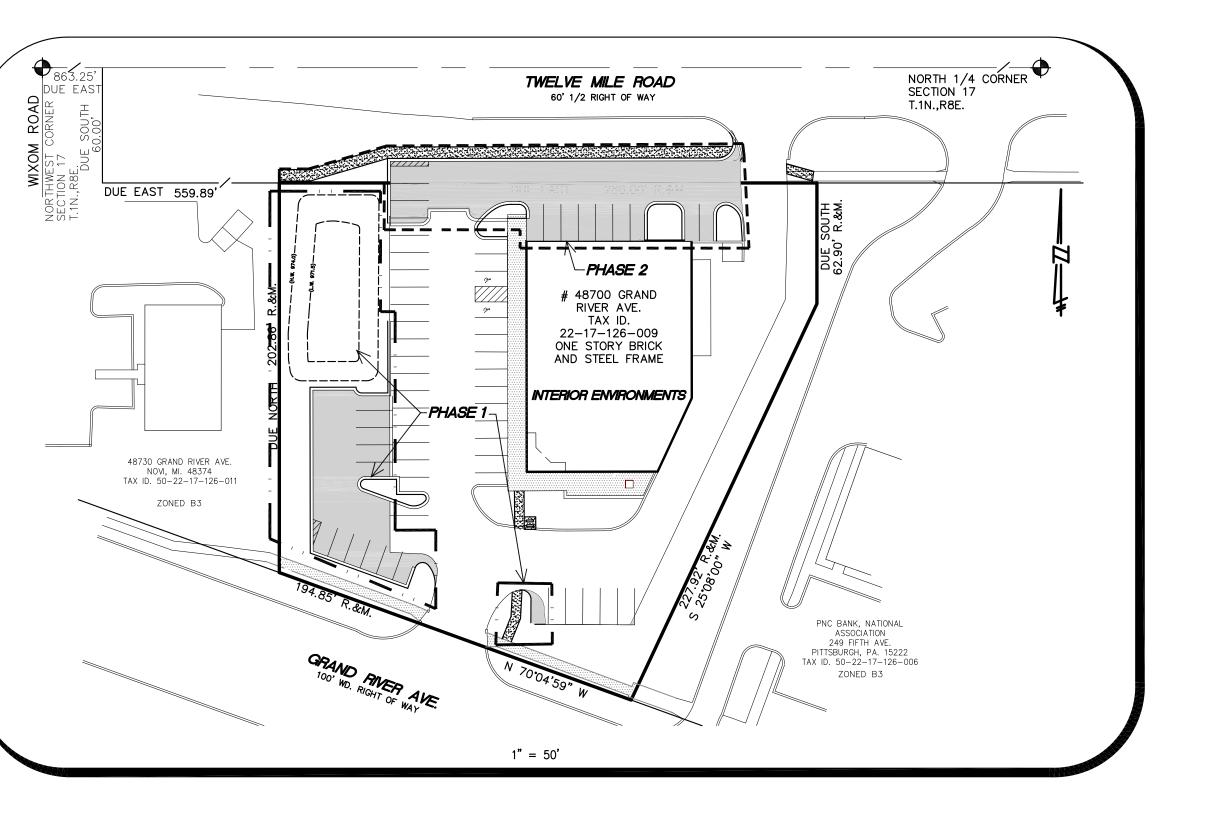
## Site Bench Mark

Traverse Point in Parking lot (PK Nail), located 19' S. and 16' W. of Catch Basin in parking lot of subject property. Elevation 976.13 USGS Datum SITE PLAN

# INTERIOR ENVIRONMENTS PARKING ADDITION

# PART OF THE NORTHWEST 1/4 SECTION 17, CITY OF NOVI OAKLAND COUNTY, MICHIGAN

PREPARED FOR: INTERIOR ENVIRONMENTS 48700 GRAND RIVER AVE. NOVI, MI 48374 248.213.3010





SEIBER, KEAST ENGINEERING, L.L.C.

CONSULTING ENGINEERS 100 MAINCENTRE • SUITE 10 • NORTHVILLE MI • 48167 PHONE: 248.308.8331

SURVEY PROVIDED BY: AMBIT LAND SURVEYORS, INC. 691 WING STREET PLYMOUTH, MICHIGAN 48170 PHONE: 734.455.5501 LANDSCAPE PLANS PREPARED BY: ALLEN DESIGN, LLC 557 CARPENTER NORTHVILLE, MICHIGAN 48167 PHONE: 248.467.4668

# SHEET INDEX

# ENGINEERING PLANS:

- 1. COVER SHEET
- 2. PRELIMINARY SITE PLAN
- 3. STORM WATER MANAGEMENT PLAN

# LANDSCAPE PLAN & LANDSCAPE DETAILS:

L-1 LANDSCAPE PLAN

# L-2 LANDSCAPE DETAILS

# NOTES

- 1. ALL WORK SHALL CONFORM TO THE CITY OF NOVI'S CURRENT STANDARDS AND SPECIFICATIONS.
- 2. THE CONTRACTOR MUST OBTAIN A PERMIT FROM THE CITY OF NOVI FOR ANY WORK WITHIN THE RIGHT-OF-WAY OF 12 MILE STREET.
- 3. ALL PAVEMENT MARKINGS, TRAFFIC CONTROL SIGNS, AND PARKING SIGNS SHALL COMPLY WITH THE DESIGN AND PLACEMENT REQUIREMENTS OF THE CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.

# FIRE DEPARTMENT NOTES

- 1. ALL FIRE HYDRANTS AND WATER MAINS SHALL BE INSTALLED AND IN SERVICE PRIOR TO ABOVE FOUNDATION BUILDING CONSTRUCTION.
- 2. ALL WEATHER ACCESS ROADS CAPABLE OF SUPPORTING A MINIMUM LOAD OF 35 TONS SHALL BE INSTALLED TO PROVIDE ACCESS TO ALL FIRE HYDRANTS AND BUILDING PRIOR TO ABOVE FOUNDATION CONSTRUCTION.
- 3. BUILDING ADDRESSES SHALL BE POSTED FACING THE STREET DURING ALL PHASES OF CONSTRUCTION. ADDRESSES SHALL BE A MINIMUM OF THREE INCHES IN HEIGHT ON A CONSTRASTING BACKGROUND.
- 4. PROVIDE 4-6" DIAMETER CONCRETE FILLED STEEL POST 48" ABOVE FINISH GRADE AT EACH HYDRANT AS REQUIRED.
- 5. FIRE LANES SHALL BE POSTED WITH "FIRE LANE NO PARKING" SIGNS IN ACCORDANCE WITH ORDINANCE #85.99.02.

	REVIS	IONS	6	ENGINE	EER'S	SEAL
NO.	ITEM		DATE			
1.	PER CITY CONSULTANTS	5	12-12-18			
DA	ATE: 08-13-18	DESIGNED	BY: A.A.	JOB NUM	BER:	13-004
DA	AIE: 00-13-10	CHECKED	BY: P.K.	DRAWING	FILE:	1-13004-CV-New.dwg

