## COMMUNTY DEVELOPMENTDEPARIMENT

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Fa c simile
www.c ityofnovi.org

## ZONING BOARD OFAPPEALS STAF REPORT

FOR: City of Novi Zoning Board of Appeals
ZONING BOARD APPEALS DATE: April 9, 2019
REG ARDING: $\frac{\mathbf{4 8 7 0 0} \text { Grand River Ave, Parcels \# 50-22-17-126-009 (PZ19-0013) }}{\text { La my Butler, Deputy Direc tor Community Development }}$
BY:

## I. GENERALINFORMATION:

## Applicant

Interior Environments Inc

## Variance Type

Dimensional

## Property Characteristics

Zoning District:
Location:
Parcel \#:

General Business
East of Wixom Road and North of Grand River Avenue
50-22-17-126-009

## Request

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 ( $\mathrm{B}-3$ ).
II. STAFFCOMMENIS:

## 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. PZ19-0013, sought by
$\qquad$
because Petitioner has shown practical diffic ulty requining
(a) Without the variance Petitioner will be unrea sonably prevented or limited with respect to use of the property because $\qquad$ .
(b) The property is unique because $\qquad$
$\qquad$ .
(c) Petitioner did not create the condition because $\qquad$
$\qquad$
(d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because $\qquad$
$\qquad$ .
(e) The relief if consistent with the spint and intent of the ordinance because
$\qquad$
(f) The variance granted is subject to:
2. $\qquad$ .
3. $\qquad$ .
4. $\qquad$ .
5. $\qquad$ .
6. I move that we deny the variance in Case No. PZ19-0013, sought by for practic al diffic ulty requining__ because Petitioner has not shown
(a) The circumstances and features of the property including $\qquad$ 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 $\qquad$
$\qquad$ .
(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial retum based on Petitioners statements that
$\qquad$ .
(d) The variance would result in interference with the adjacent and surrounding properties by $\qquad$ .
(e) Granting the variance would be inconsistent with the spint and intent of the ordinance to $\qquad$ .

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

La my Butler
Deputy Direc tor 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:
- Site School District:
- Site Zoning:
- Adjoining Zoning:
- Site Use(s):
- Adjoining Uses:
- Site Size:
- Building Size:
- Plan Date:

Section 17; North of Grand River Avenue and East of Wixom Road
South Lyon Community School District
B-3: General Business Distric $\dagger$
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
Interior Design Firm
West: Grand Diner; East: PNC Bank; North: Vehicle Dealership South: Granite Creations
1.36 acres

9,810 sq. ft.
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. Planning Commission approval of the Preliminary Site Plan, Wetland Permit and Storm Water Management Plan is required.

## 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. Please see the attached charts for information pertaining to ordinance requirements. 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. Barrier Free Parking: 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. Parking_Bays: 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. Bicycle Parking Lot Layout (Sec. 5.16.5.A): A detail of the bicycle parking layout should be provided to verify compliance with the Zoning Ordinance.
6. Phasing Plan: 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. Lighting Plan (Sec. 5.7.2.A): Provide a lighting and photometric plan at the time of Final Site Plan submittal to verlify new parking areas meet lighting standards.

## Other Reviews

- Engineering Review: 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.
- Wetland Review: Approval is recommended with additional comments to be addressed in the final site plan submittal. See letter for further details.
- Traffic Review: 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.

cityofmovicors

45175 Ten Mile Road Novi, Ml 48375
(248) 347-0415 Phone (248) 735-5600 Facsimile wow.cityotinoviorg

ZONING BOARD OF APPEALS
APPLICATION


## ZONING BOARD OF APPEALS APPLICATION

## V. VARIANCE

## A. VARIANCE (S) REQUESTED

$\checkmark$ DIMENSIONALUSE
$\square$ 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 Baard, 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 $\square$ CONSTRUCT NEW HOME/BUILDING $\square$ ADDITION TO EXISTING HOME/BUILDING $\square$ SIGNAGE
$\square$ ACCESSORY BUILDING
$\square$ USEOTHER $\qquad$

## VI. APPLICANT \& PROPERTY SIGNATURES


$\qquad$

## 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.


## VII. FOR OFFICIAL USE ONLY

## DECISION ON APPEAL:

> GRANTED

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

REVIEW STANDARDS

(248) 735-5600 Facsimile
www.cityofnovi.org

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.
$\square$ Not Applicable $\square$ 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

b. Environmental Conditions. Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.
$\square$ Not Applicable $\square$ 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.
$\square$ Not Applicable $\square$ 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.

## 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.
NoV4, M1.213.3010


ENGINEERING PLANS
. cover sheet
2. PRELMINARY SITE PLAN
3. storm water management plan

Landscape plan \& Landscape detalls: -1 Landscape plan
2 LandScape detals

## NOTES

All Mork shall conforw to the city of nov's cureent standaros



FIRE DEPARTMENT NOTES

 3. 4


SEIBER, KEAST ENGINEERING, L.L.C CONSULTING ENGINEERS 100 MAINCENTRE - SUITE 10 • NORTHYLLE MI • 48167

SURVEY PROVIDED BY: AMBIT LAND SURVEYORS, INC. 691 WING STREET PLYMOUTH, MICHIGAN 48170 PHONE: 734.455 .550

LANDSCAPE PLANS PREPARED BY: ALLEN DESIGN, LLC 557 CARPENTER
ORTHVILLE, MICHIGAN NORTHVLLE, MICHIGAN 48167
PHONE: 248.467 .4668




