



## COMMUNITY DEVELOPMENT DEPARTMENT

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

# ZONING BOARD OF APPEALS STAFF REPORT

**FOR:** City of Novi Zoning Board of Appeals      **MEETINGDATE:** April 14, 2026

**REGARDING:** **46460 Peary Court #50-22-04-378-018 (PZ26-0008)**

**BY:** Alan Hall, Deputy Director Community Development

### I. GENERAL INFORMATION:

#### **Applicant**

Innovative Research

#### **Variance Type**

Dimensional Variance

#### **Property Characteristics**

Zoning District:                      this property is zoned Light Industrial (I-1)

Location:                                east Hudson Drive, north of West Road

Parcel #:                                 50-22-04-378-018

#### **Request**

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.6.2.E to allow off-street parking within the front yard setback, whereas parking is permitted in the rear or side yard only (required 40 ft. setback, variance of 5.46 ft)

### II. STAFF COMMENTS:

*The applicant, Innovative Research, is seeking a dimensional variance to allow a 5.46-foot encroachment within the front yard setback.*

*This encroachment has the Planning Departments blessing which allows for better site circulation.*

### 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. **PZ26-0008**, 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 is 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. **PZ26-0008** 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.

Alan Hall – Deputy Director Community Development - City of Novi





# 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

Donny Dehelky  
Applicant Signature

2-19-25  
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



**Community Development Department**

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**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:

*and/or*

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

The front set back line is curved due to the cul-de-sac. We would like to put two parking spaces in the front setback because it matches two spaces on the adjacent parcel to the east. That parcel is under the same ownership, and the Owner prefers that the spaces be aligned. This will also enhance the appearance of both parking lots.

*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.  
 Not Applicable     Applicable    If applicable, describe below:

As stated above, the adjacent property is owned by the same person and he prefers that the parking spaces be aligned.

## **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 is an existing condition that was present when the property was purchased.

## **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.

With the encumbrance of the wetlands in the rear of the unit (effectively making the unit shorter) and the narrowness of the unit it is difficult to provide all the required ordinance items in a small area. This would prevent the property owner from fully developing the unit for the building size on another similar sized unit.

## **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.

Parking calculations have been provided to show we are only proposing the minimum number of parking spaces required. We are only requesting that two of the nine spaces be approved in the front setback.

## **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 site is in an existing industrial subdivision. Allowing two of the nine required parking spaces in the front setback will not have any impact on the neighboring parcels in value or use. These spaces will also be screened with landscaping from Peary Court.

# ZONING INFORMATION

THIS ZONING INFORMATION IS TAKEN FROM CITY OF NOVI ZONING ORDINANCE  
DATED: JAN 8TH, 2015

SUBJECT PARCEL ZONING: (I-1) LIGHT INDUSTRIAL	PROPOSED BUILDING		MAXIMUM BLDG HEIGHT IN FEET	BUILDING SETBACKS (FT)			PARKING SETBACKS (FT)			MAXIMUM % OF IMPERVIOUS SURFACE
	BLDG A AREA (SF)	BLDG B AREA (SF)		FRONT (S)	SIDE (E,W)	REAR (N)	FRONT (S)	SIDE (E,W)	REAR (N)	
REQUIRED	-	-	40	40	20	20	40	10	10	-
PROVIDED	8,993	-	±25.83	41.83	64.02, 20	86.87	25.5	10,12, 73.9	160	48.12%

## ADJACENT ZONING

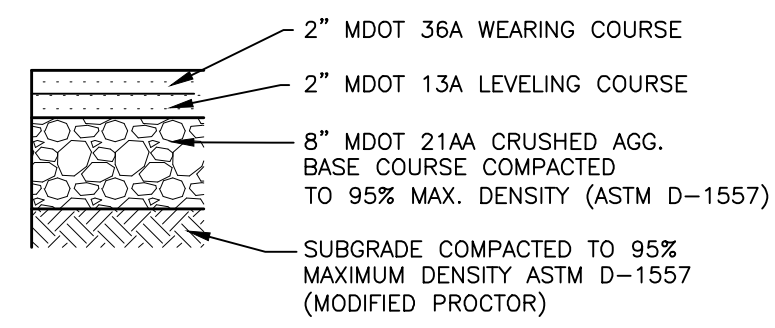
NORTH: (I-1) LIGHT INDUSTRIAL  
SOUTH: PEARY COURT (PUBLIC R/W)  
EAST: (I-1) LIGHT INDUSTRIAL  
WEST: (I-1) LIGHT INDUSTRIAL

## % OF IMPERVIOUS SURFACES

BUILDINGS AND IMPERVIOUS SURFACES:  
20,393 SF/42,383 SF = 48.12%

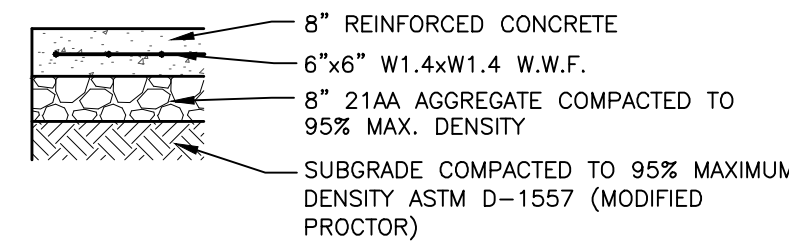
## STANDARD DUTY HMA PAVEMENT SECTION

Applies to: Parking Lot & Drive Aisles

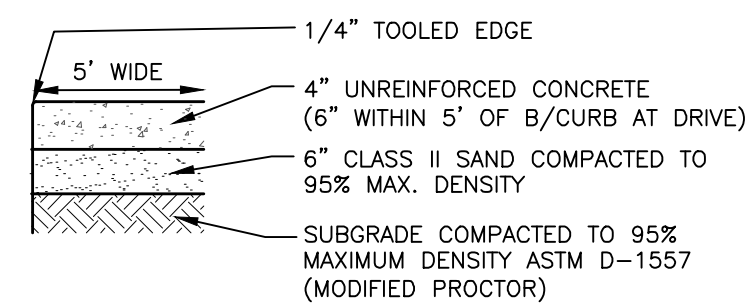


## CONCRETE PAVEMENT SECTION

Applies to: Concrete Apron and Generator, Storage & Dumpster Enclosure

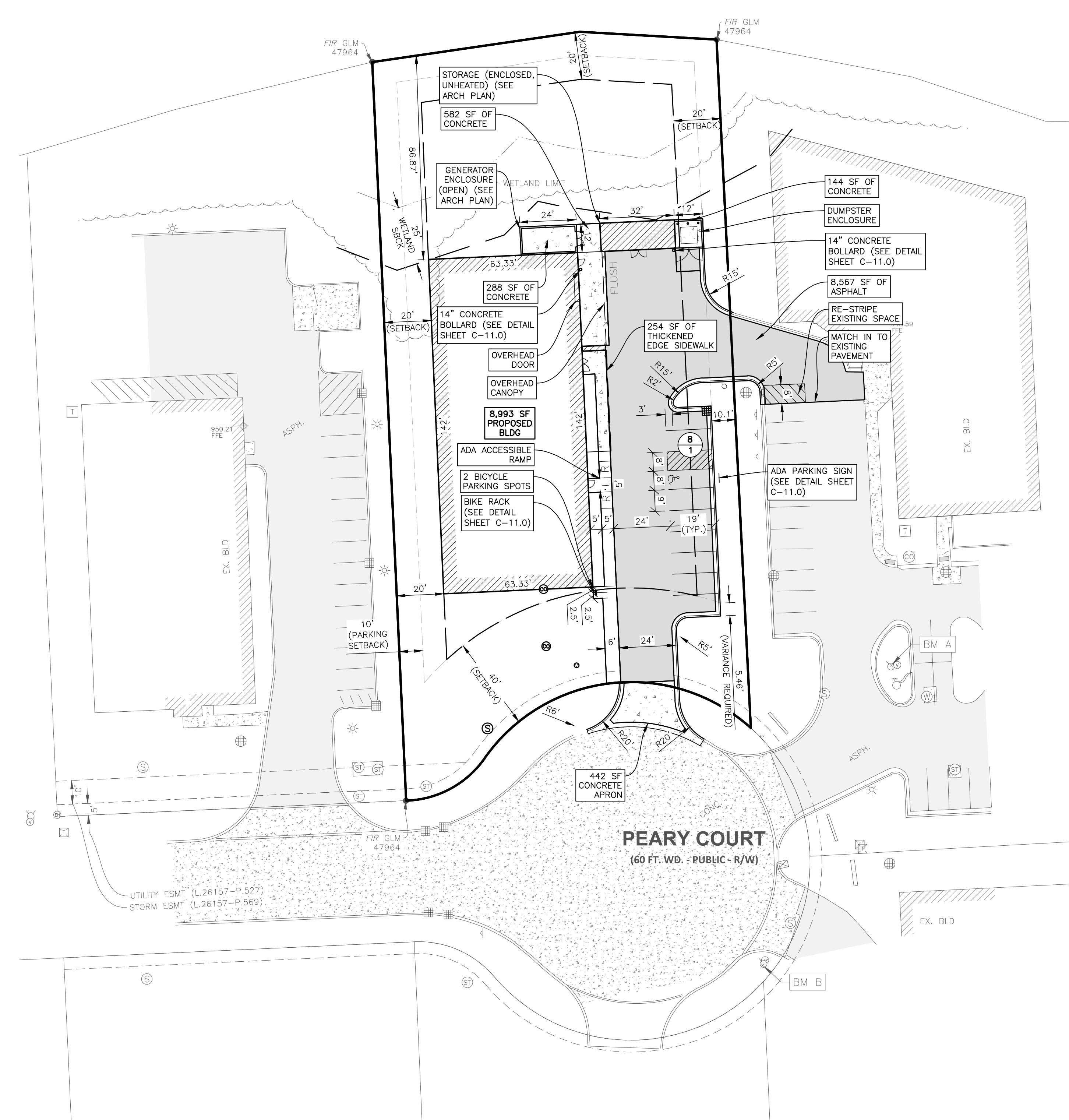
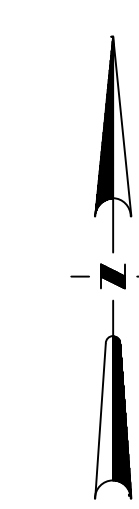
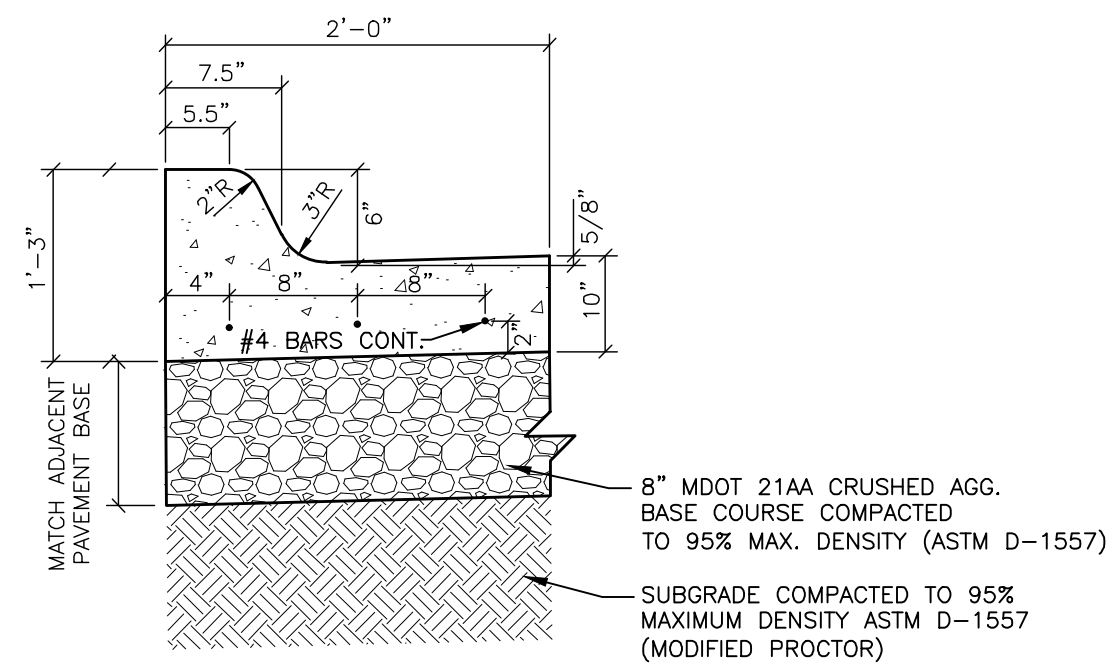


## THICKENED EDGE SIDEWALK SECTION

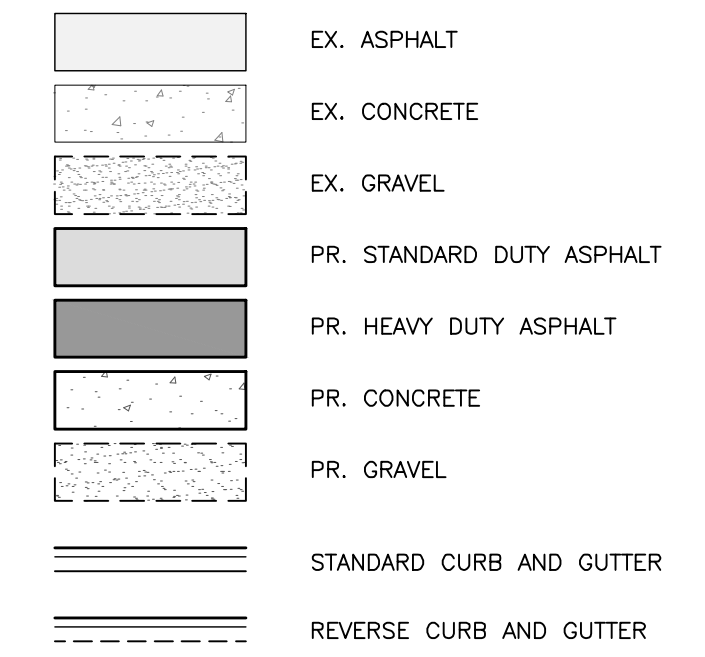


NOTE: PROVIDE 1.5" DEEP TOOLED OR SAW CUT (1/4" WIDE) CONTROL JOINTS AT INTERVALS EQUAL TO THE WIDTH OF THE SIDEWALK.

## CITY OF NOVI CONCRETE CURB AND GUTTER DETAIL



## PAVEMENT LEGEND



## PROPOSED PARKING

1 SPACE PER 700 SF OF UFA

8,993 SF PROP. BLDG \* (0.70 UFA) = 6,295 SF UFA  
6,295 SF UFA/700 = 9 SPACES

TOTAL PARKING REQUIRED: 9 SPACES

PARKING SPACES: 8 (XX) REGULAR SPACES  
BARRIER FREE SPACES: 1 (XX) BARRIER FREE SPACES

TOTAL PROPOSED PARKING PROVIDED: 9

REQUIRED BICYCLE PARKING = 2 SPACES REQUIRED

EX. BICYCLE PARKING SPACES: 0  
PR. BICYCLE PARKING SPACES: 2

TOTAL PARKING PROVIDED: 2 (1 BICYCLE RACK)

## NOTES

- DUMPSTER ENCLOSURES SHALL BE CONSTRUCTED OF THE SAME BRICK MATERIAL AS THE ADJACENT BUILDINGS.
- SCREENING SHALL BE PROVIDED FOR ALL MECHANICAL EQUIPMENT.
- PARKING LOT ISLANDS SHALL BE FINISHED IN GRASS, GROUND COVER OR MULCH.
- ALL RAMPS SHALL BE A MINIMUM OF 7', ALL LANDINGS SHALL BE A MINIMUM OF 5'.
- NO LONG-TERM DELIVERY TRUCK PARKING TO OCCUR ON SITE.
- WINDOWS AND DOORS OF NON-OFFICE AREAS SHALL NOT BE LEFT OPEN.
- HOURS OF OPERATION ARE 8AM TO 5PM, MONDAY THROUGH FRIDAY.
- NO NEW LIGHT POLES ARE PROPOSED.
- ALL WORK SHALL CONFORM WITH CURRENT CITY OF NOVI STANDARDS AND SPECIFICATIONS.

## DIMENSIONING NOTE

- RADI DIMENSIONS ARE TO THE BACK OF CURB UNLESS OTHERWISE SPECIFIED.
- ALL OTHER DIMENSIONS ARE TO THE FACE OF CURB OR EDGE OF PAVEMENT UNLESS OTHERWISE SPECIFIED.

BC = BACK OF CURB  
FC = FACE OF CURB

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THE LOCATIONS AND DEPTHS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE INDIVIDUALLY RESPONSIBLE FOR DETERMINING THE EXACT DEPTH, LOCATION AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

CLIENT:

**INNOVATIVE RESEARCH**  
46460 PEARY CT  
NOVI, MI 48337

**DIMENSION AND PAVING PLAN**

INNOVATIVE RESEARCH BUILDING  
46460 PEARY COURT, NOVI, MI, 48337  
PART OF THE SW 1/4, SECTION 4, T1N-R8E  
CITY OF NOVI, OAKLAND COUNTY, MI.

DATE	2/1/2026
PLAN SUBMITTALS/REVISIONS	2/19/2026
SITE PLAN SUBMITTAL	
PARKING VARIANCE	
CURRENT ISSUE DATE:	2/19/2026
PROJECT NO:	25-211
SCALE:	1" = 30'
FIELD:	RZ
DRAWN BY:	DAH
DESIGN BY:	DD, TB
CHECK BY:	AP, MEB

**C-10**

NOT FOR CONSTRUCTION



# ZONING BOARD OF APPEALS AGENDA

CITY OF NOVI

Regular Meeting

**Tuesday April 14, 2026 7:00 PM**

Council Chambers | Novi Civic Center | 45175 Ten Mile

## CALL TO ORDER

## PLEDGE OF ALLEGIANCE

## ROLL CALL

## PUBLIC HEARING FORMAT AND RULES OF CONDUCT

## APPROVAL OF MINUTES – MARCH 2026

## APPROVAL OF AGENDA

## PUBLIC REMARKS

## PUBLIC HEARINGS

**PZ26-0007 (Kirk Rasch) 40705 Village Wood Road, west of Haggerty Road, south of Ten Mile Road, Parcel 50-22-30-476-004** The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.5 for a rear yard setback of 28 ft. 75 in. (35 ft. required, variance of 6 ft. 25 in.). This property is zoned One Family Residential (R-4).

**PZ26-0008 (Innovative Research) 46460 Peary Court, east of Hudson Drive, north of West Road, Parcel 50-22-04-378-018** The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.6.2.E to allow off-street parking within the front yard setback, whereas parking is permitted in the rear or side yard only (required 40 ft. setback, variance of 5.46 ft) The property is zoned Light Industrial (I-1).

**PZ26-0009 (Jacy Headley) 44150 Stassen Ave, south of Eleven Mile Road, east of Clark Street, Parcel 50-22-22-202-009** The applicant is requesting variances from the City of Novi Zoning Ordinance, Section 4.19(E)(i), to allow the construction of a 900 sq. ft. detached garage resulting in a total of 1,380 sq. ft. of accessory structures on the property (maximum of 850 sq. ft. allowed, variance of 530 sq. ft.); and a building height of 15 ft. (required max height 14 ft., variance of 1 ft.). This property is zoned One-Family Residential (R-4).

**PZ26-0010 (City Center Office Plaza) 43675 Grand River Avenue, south of Grand River Avenue, west of Novi Road, Parcels 50-22-15-477-011 and 50-22-15-477-012.** The applicant is requesting variances from the City of Novi Zoning Ordinance: Section 3.1.25.D to permit a less than 20 ft parking setback on the east, west and south sides of the development (minimum 10 feet proposed); Section 3.27.1.D to allow parking in the exterior side yards on non-residential collector streets; and Section 5.4.2 to allow a reduction in the loading zone size (540 sf proposed, 940 sf required). This property is zoned Town Center-1 (TC-1).

**PZ26-0012 (Raising Cane's) 26245 Novi Road, on Novi Road, south of Crescent Boulevard, Parcel 50-22-15-476-049.** The applicant is requesting variances from the City of Novi Sign Ordinance Section 28-5(d) to allow for 4 additional wall signs and 1 additional ground sign (3 signs allowed, variance of 5 additional signs); and Section 28-5(a) chart to allow a 7 ft in height ground sign (6 ft maximum, variance of 1 ft). This property is zoned Town Center (TC).

**PZ26-0013 (Linda Laplatt) 1701 East Lake Drive, north of Thirteen Mile Road, west of Novi Road, Parcel 50-22-02-357-017.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 to allow a third story addition (2.5 stories permitted, .5 story variance). This property is zoned One Family Residential (R-4).

**PZ26-0014 (Adrian Harestiuc) 24235 Glenda Avenue, north of Ten Mile Road, east of Taff Road, Parcel 50-22-22-301-063.** The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.5 of a rear yard setback of 9ft. 3 in. (35 ft. required, variance of 25 ft. 5 in.). This property is zoned One Family Residential (R-4).

## OTHER MATTERS

## ADJOURNMENT