



ZONING BOARD OF APPEALS
CITY OF NOVI
Community Development Department
(248) 347-0415

Case No. PZ14-0041 Brightmoor Christian Church

Location: 40800 W. 13 Mile Road

Zoning District: RA, Residential Acreage District

The applicant is requesting variance from Section 2503.2.A of the Novi Zoning Ordinance to allow construction of scoreboards with a reduced yard setback of 34 ft. for the baseball field scoreboard and 70 ft. proposed for the softball field scoreboard. The property is located north side of 13 Mile Rd and west of M-5.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2503.2.A requires that all accessory structures must meet the setback requirements of the district, which in this case, requires a 75 foot setback in all exterior side yards.

City of Novi Staff Comments:

Please see the attached Plan Review Center Report from the Site Plan review process for the redevelopment.

Standards for Granting Dimensional Variances:

A variance may be granted if a practical difficulty exists due to all of the following:

- There are unique circumstances or physical conditions of the property such as narrowness, shallowness, shape, water, topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty because_____.
- The need is not self-created because_____.
- 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 because_____.
- The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district because_____.
- The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district because_____.



PLAN REVIEW CENTER REPORT

August 14, 2014

Planning Review

Brightmoor Christian Church Scoreboard and Shed
Additions
JC14-77

Petitioner

Constantine George Pappas AIA

Review Type

Preliminary/Final Site Plan

Property Characteristics

- Site Location: 40800 W. 13 Mile Rd. (Section 1)
- Zoning: RA, Residential Acreage
- Adjoining Zoning: North and West: RM-1 (Low Density Low-Rise Multiple-Family Residential); East: OST (Planned Office Service Technology); South: RA
- Site Use(s): Brightmoor Christian Church
- Adjoining Uses: North: Lenox Park; East (across M-5): Haggerty Corridor Corporate Park; West: Fox Run Village; South (across 13 Mile Rd.): various single-family residential

Project Summary

The applicant is proposing to construct two storage sheds and two scoreboards at the facilities at the existing Brightmoor Christian Church. One shed (121 sq. ft.) and scoreboard is proposed at the existing baseball field bordering M-5 at the northeast corner of the property. One shed (121 sq. ft.) and one scoreboard is proposed for the existing softball field bordering M-5 at the southeast corner of the property.

Recommendation

Approval of the **Preliminary/Final Site Plan** is recommended. **The applicant needs to receive the necessary variances from the Zoning Board of Appeals for the location of the sheds and scoreboards in the exterior side yard and the deficient setback for both scoreboards.** Upon receipt of the variances, plans submitted for review will be used for Stamping Set approval.

Ordinance Requirements

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3 (RA Residential Acreage District), Article 24 (Schedule of Regulations), Article 25 (General Provisions) and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed by the applicant.

1. Accessory Structure – Location (Sec. 2503.1.B): Accessory structures must be located in the rear yard. The proposed sheds and scoreboards are all located in the exterior side yard near the existing ball fields. The Zoning Ordinance requires all accessory structures and buildings to be located in the rear yard. It is staff's understanding the sheds are intended to store sports equipment for use on the ball fields. **The applicant should seek variances from the Zoning Board of Appeals for these deficiencies.** Because of the use of the sheds and scoreboard and the fact that they are bordering a major freeway, staff would support the requested variances.

2. Accessory Structure – Setback (Sec. 2503.2.A): Accessory structures must meet the setback requirements of the district, which in this case, requires a 75 foot setback in all exterior side yards. The proposed sheds are setback appropriately. However, the setback of the proposed scoreboards is deficient (34 feet proposed for the baseball field scoreboard and 70 feet proposed for the softball field scoreboard). **The applicant should seek variances from the Zoning Board of Appeals for these deficiencies.** Because of the nature of the proposed use and location of the existing fields and the fact that they are bordering a major freeway, staff would support the required variances.
3. Site Plan Approval (Sec. 2516.c(7)): The addition of accessory structures under 1,000 sq. ft. can be approved administratively.

Stamping Set Approval

Stamping sets are still required for this project. Since no changes to the plan are required, after having received the approval of the Zoning Board of Appeals for the required variances, the plans submitted for review will be used for final Stamping Set approval.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0586 or kkapelanski@cityofnovi.org.



Kristen Kapelanski, AICP – Planner



ZONING BOARD OF APPEALS APPLICATION

CITY OF NOVI

Community Development Department

(248) 347-0415

For Official Use Only

ZBA Case No. _____

ZBA meeting date _____

Check# _____ Include payment with cash or check written to "City of Novi"

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

***Please submit one original full set of all documentation relevant to the appeal plus 14 additional complete sets.

Applicant's Name _____ Date _____

Company (if applicable) _____

Address* _____ City _____

State _____ Zip code _____ *Where all case correspondence is to be mailed

Applicant's E-mail address _____

Phone number _____ Fax number _____

Request is for:

Residential Vacant property Commercial Signage

Address of subject ZBA case _____ Zip code _____

Cross roads of property _____

Sidwell number 50-22-_____ May be obtained from Assessing Department (248) 347-0485

Is the property within a Homeowner's Association jurisdiction? Yes No

Zoning (Please circle one) MH R-A I-1 I-2 R-1 R-2 RC R-3 TC R-4 TC-1 RM-1 RM-2 Other

Property owner name (if other than applicant) _____

Does your appeal result from a Notice of Violation or Citation issued? Yes No

Indicate Ordinance section(s) and variances requested:

- 1. Section _____ Variance requested _____
- 2. Section _____ Variance requested _____
- 3. Section _____ Variance requested _____
- 4. Section _____ Variance requested _____

Please submit an accurate, scaled drawing of the property showing:

- a. All property lines and dimensions correlated with the legal description.
- b. The location and dimensions of all existing and proposed structures and uses on property.
- c. Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
- d. Dimensions necessary to show compliance with the regulations of this Ordinance.

State the practical difficulties which prevent conformance with the Zoning Ordinance requirements (attach separate sheet if necessary):

Describe any unique circumstances regarding the property (i.e., shape, topography, etc.) which are not common to other properties in the area and which prevent strict compliance with the Zoning Ordinance:

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

SIGN CASES ONLY:

Your signature on this application indicates that you agree to install a **Mock-Up Sign** ten (10) days before the scheduled ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next scheduled ZBA meeting, or cancelled. A mock-up sign is **NOT** to be the 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.

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.

PLEASE TAKE NOTICE:

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

- Construct new home/building
- Accessory building
- Use
- Addition to existing home/building
- Signage
- Other

Applicants Signature

Date

Property Owners Signature

Date

DECISION ON APPEAL

_____ Granted

_____ Denied

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

Chairperson, Zoning Board of Appeals

Date

August 12, 2014
Ms. Angela Pawlowski
Community Development Department
City of Novi
45175 W. Ten Mile Road
Novi, MI 48375
P: (248) 347-0415

RE: Zoning Board of Appeals

PROJECT: Brightmoor Christian Church
40800 W. 13 Mile Road
Novi, MI 48377

DOCUMENTS: Zoning Board of Appeals Application
Aerial photographs

Ms. Pawlowski,

The existing softball, baseball, and soccer fields were all approved in their present location and are in need of electronic scoreboards. It is proposed that two (2) new electronic scoreboards will be installed on the site. One scoreboard for the softball field located on the southeast portion of the site, and one scoreboard to be shared between the baseball field and the soccer field on the northeast portion of the site. In our overall investigation of recreation facilities, we have found that scoreboards should be placed within the cone of vision of the playing area. Placing the scoreboards within the cone of vision of the playing area allows the scoreboards to be visible to athletes competing in the events and spectators observing the events. Our investigation included three fields all located in Novi, MI; ITC Community Sports Park Facility and Activity Areas, Novi High School, and Detroit Catholic Central High School. In all three cases the scoreboard was located within the cone of vision of the playing area (see attached aerial photographs).

We are recommending that the new scoreboards for Brightmoor Christian Church remain consistent with the results of our investigation and be located within the cone of vision of the playing area. In order to achieve this, the location of the scoreboards need to be in one of the outfield corners for the softball field and in the right field corner of the baseball field so that it can be used for soccer events as well. In order for the scoreboard to be visible to spectators and athletes at the softball field it must encroach 4'-4" into the required 75' setback for accessory structures. In order for one scoreboard to be shared between the soccer and baseball fields (in lieu of one scoreboard for each field) and be visible to spectators and athletes at both events it must encroach 31'-4" into the required 75' setback for accessory structures.

Thank you,

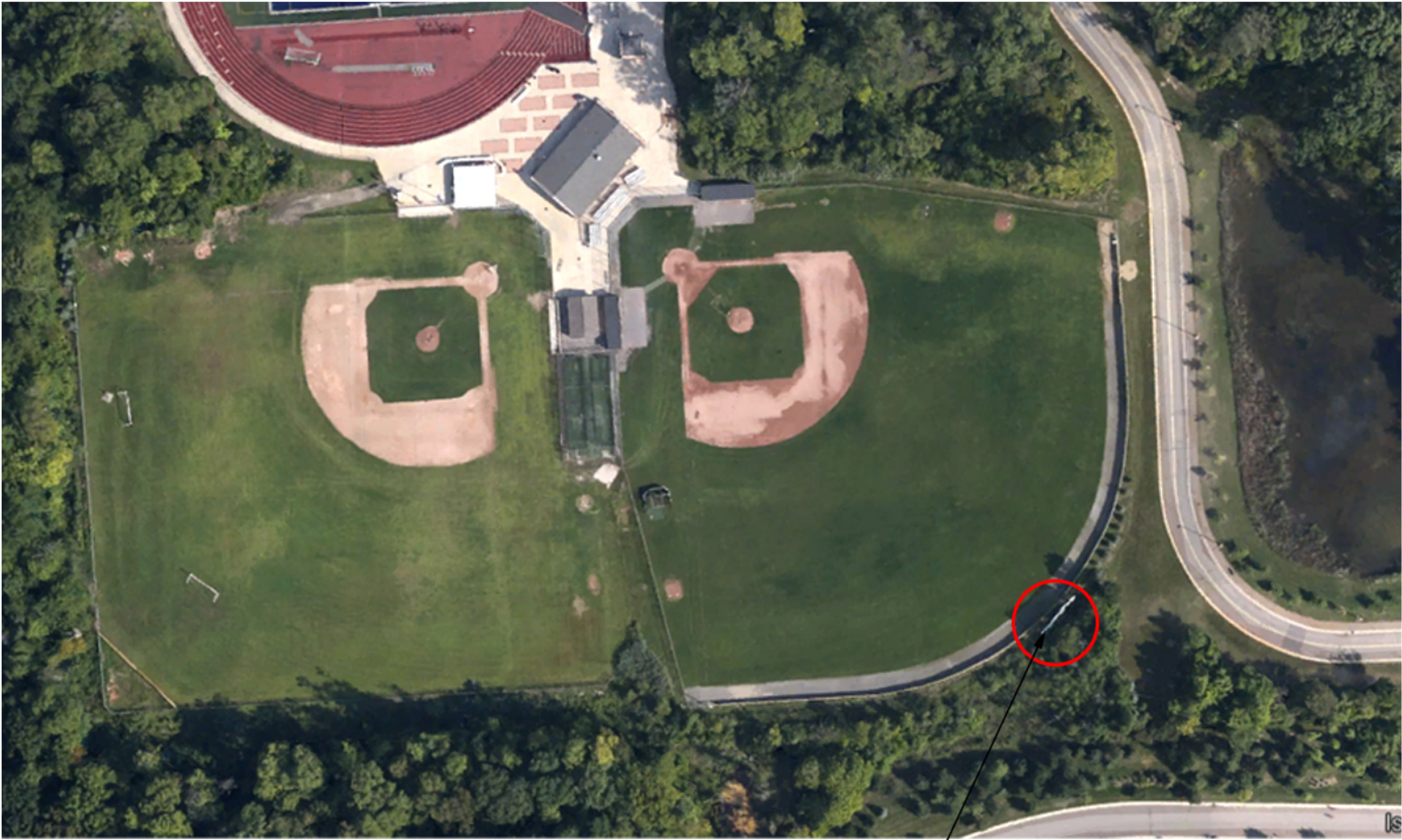
Constantine George Pappas AIA
Architecture/Planning

Scoreboard Location



Scoreboard Location



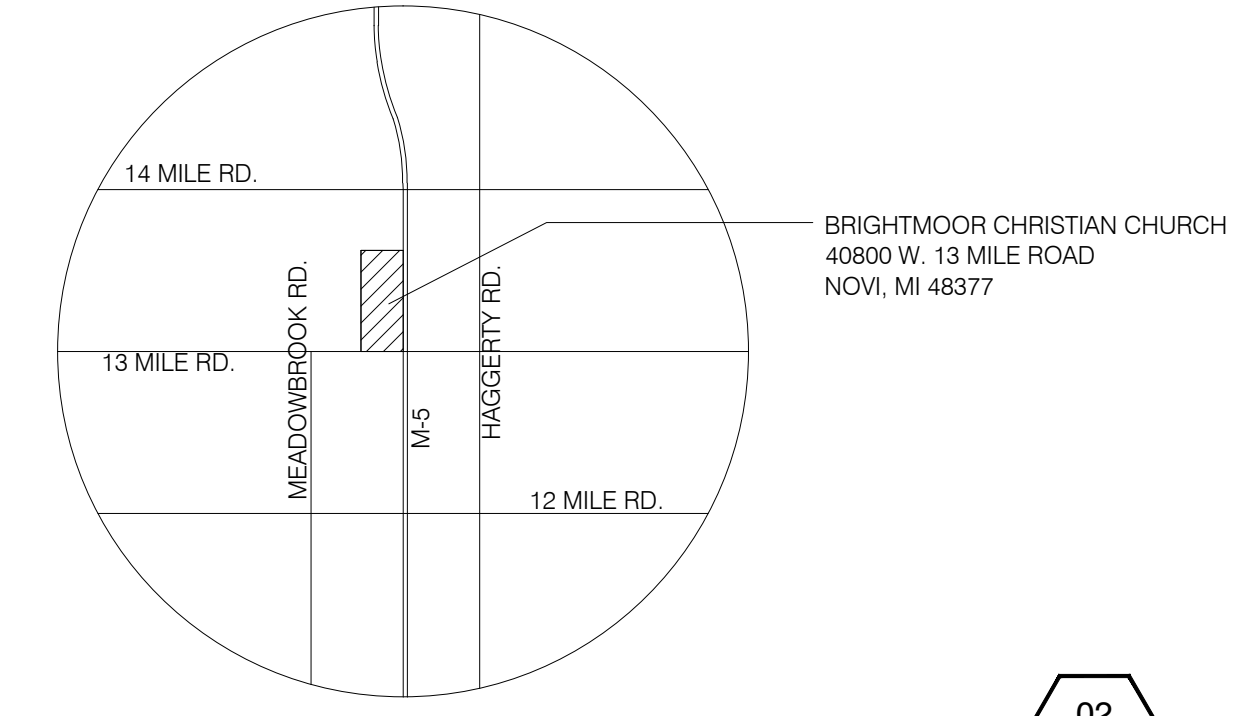


Scoreboard Location

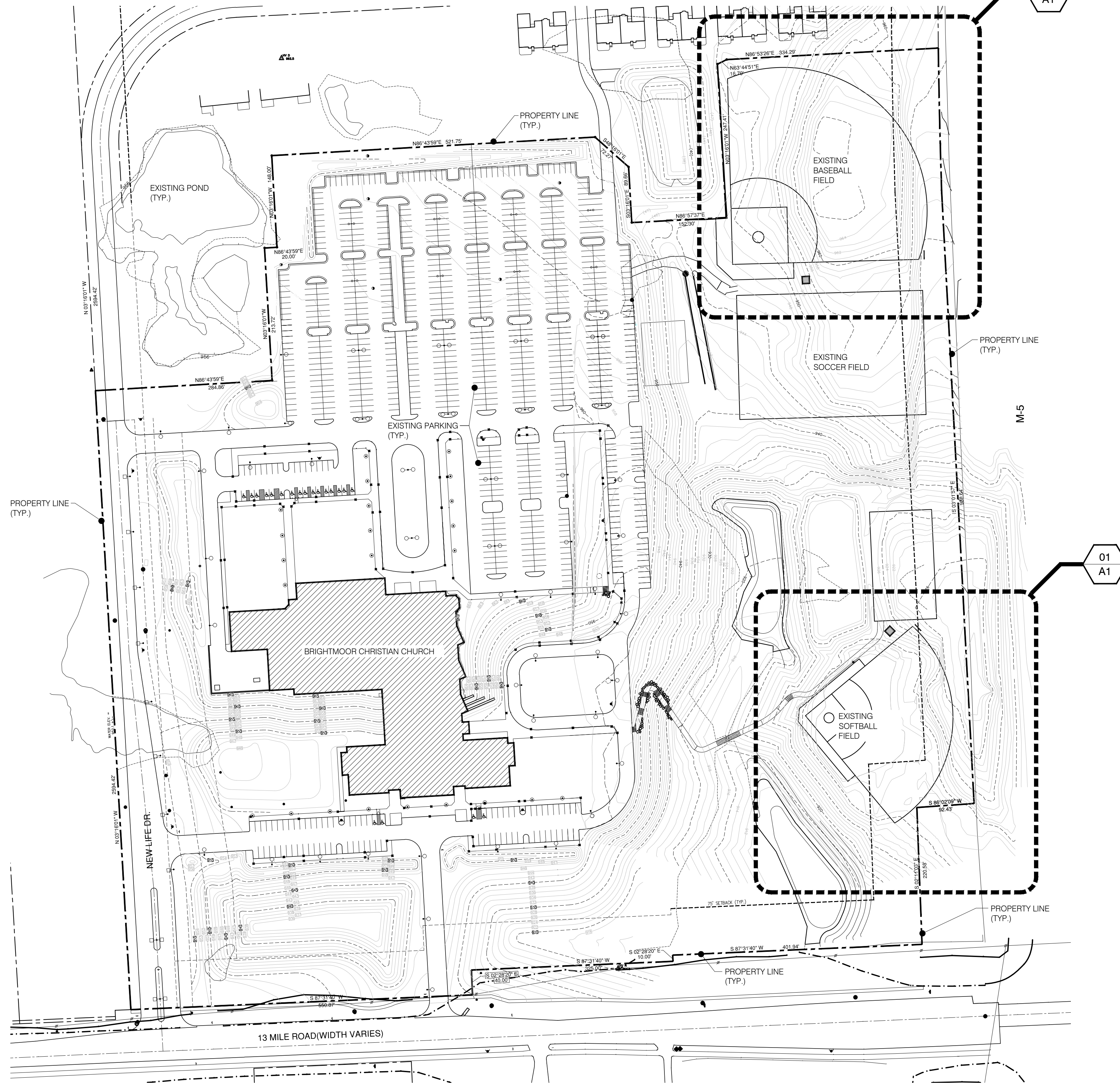
LEGAL DESCRIPTION:
 Commencing the South 1/4 corner of said Section 1 and proceeding along the North and South 1/4 line of said Section 1, N 03°02'24" W 342.99 feet to the Point of Beginning; thence S 85°58'05" W 89.71 feet; thence S 01°18'24" E 220.58 feet to the North right-of-way line of Thirteen Mile Road; thence the following (5) courses along said North right-of-way line; S 87°31'40" W 402.44 feet; thence S 02°28'20" E 10.00 feet; thence S 87°31'40" W 325.00 feet; thence S 02°28'20" E 40.00 feet; thence S 87°31'40" W 549.59 feet; thence N 86°43'59" E 20.00 feet; thence N 03°16'01" W 148.00 feet; thence N 86°43'59" E 521.75 feet; thence S 48°16'01" E 72.27 feet; thence S 03°16'01" E 89.66 feet; thence N 86°57'37" E 152.30 feet; thence N 03°16'01" W 247.41 feet; thence N 63°44'51" E 16.70 feet; thence N 86°53'26" E 334.29 feet; thence N 86°53'26" E 18.07 feet; thence along a curve to the left, radius 11730.16 feet, chord bearing S 01°53'54" E 229.19 feet, an arc distance of 229.02 feet; thence S 02°27'29" E 988.62 feet; thence S 85°58'05" W 3.49 feet to the Point of Beginning.

EXCEPT:
 Commencing at the Southwest corner of said Section 1 and proceeding along the South line of said Section 1 N 87°31'40" E 1375.66 feet and N 03°16'01" W 70.01 feet to a point along the North right-of-way of West 13 Mile Road (variable width) and N 03°16'01" W 945.50 feet to the Point of Beginning; thence N 03°16'01" W 52.81 feet; thence N 86°43'59" E 193.95 feet; thence S 03°16'01" E 73.28 feet; thence S 86°43'59" W 124.95 feet; thence 33.66 feet along the arc of a curve to the right, said curve having a radius of 23.10 feet, central angle 83°28'43" and a chord that bears N 51°31'40" W 30.76 feet; thence S 86°43'59" W 46.05 feet to the said Point of Beginning. Parcel contains 39.9 acres (net area)

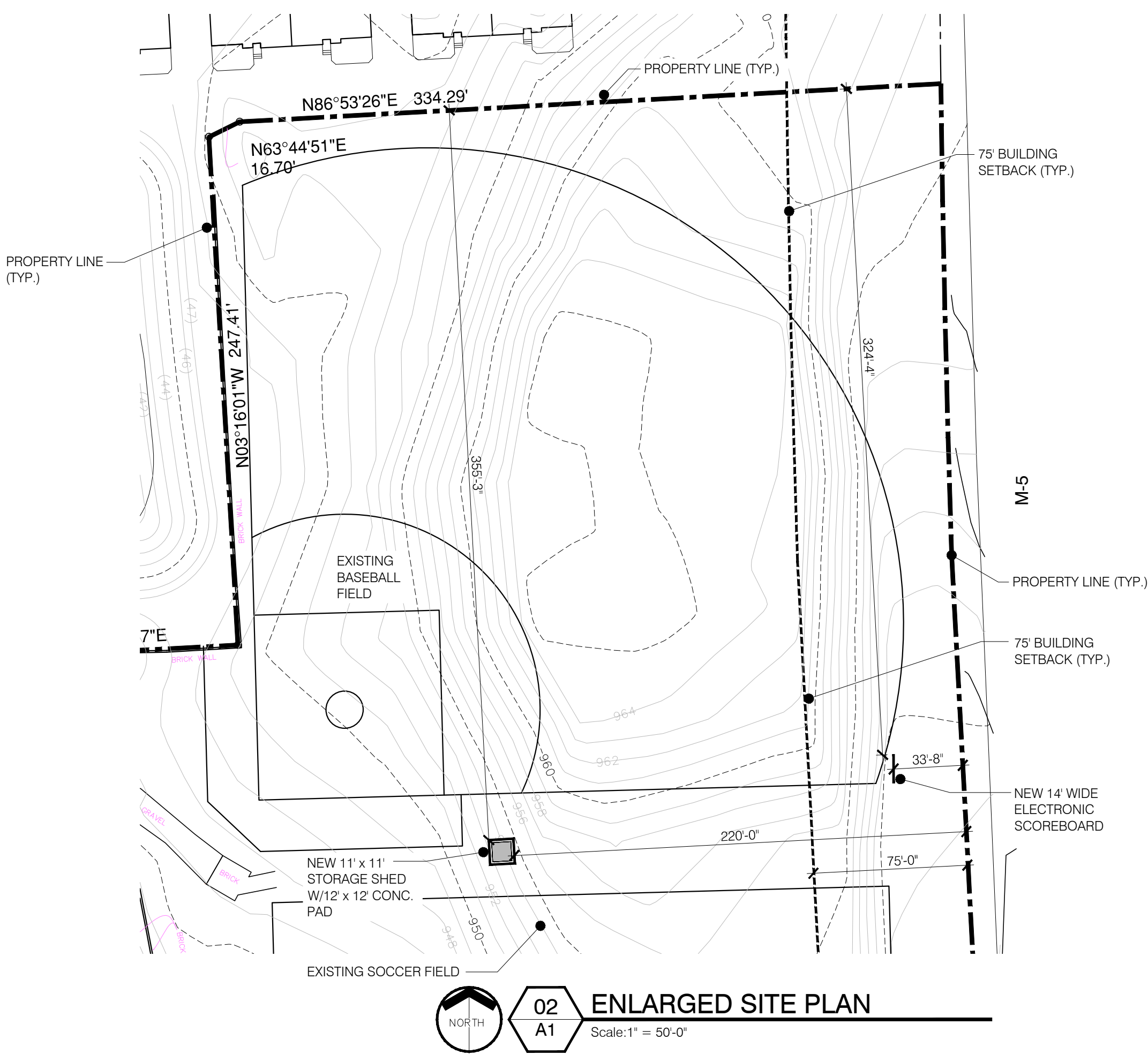
LOCATION MAP
 Scale: 1"=120'-0"



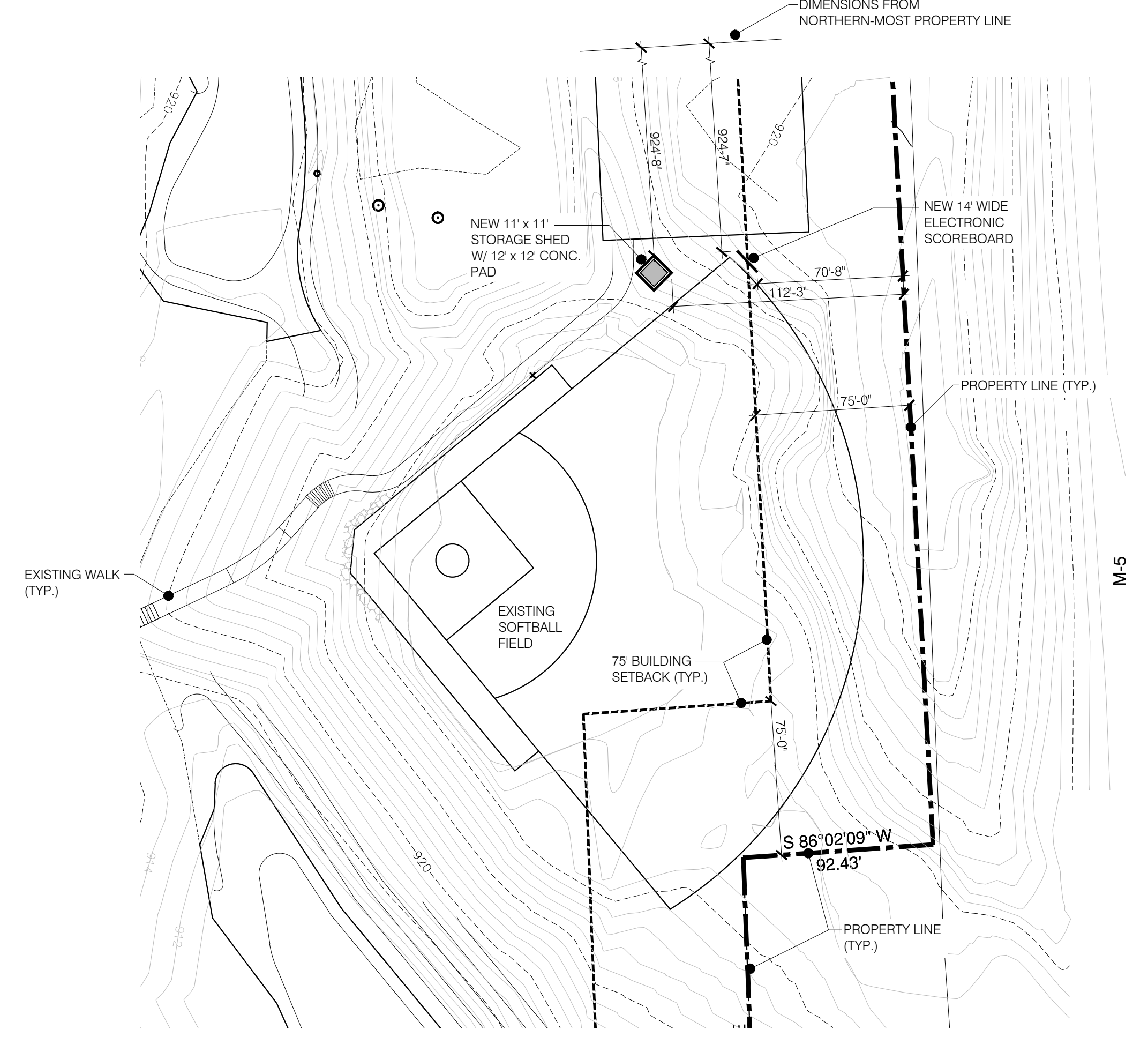
02
A1



OVERALL SITE PLAN
 Scale: 1"=100'-0"



ENLARGED SITE PLAN
 Scale: 1"=50'-0"



ENLARGED SITE PLAN
 Scale: 1"=50'-0"

Sheet Title	Project	Revisions
Site Plan	Brightmoor Christian Church Scoreboard and Shed Additions	
Drawn / Checked C.B.A. / C.G.P.		Application for Site Plan Approval - July 28, 2014
Approved: C.G.P.		Zoning Board of Appeals - August 13, 2014
Date: July 28, 2014		###
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THIS REGISTRATION SEAL IS FOR THE DRAWINGS ONLY AND DOES NOT SATISFY ANY INDIVIDUAL REQUIREMENTS NEEDED FOR EACH ENGINEER DISCIPLINE.

Constantine George Pappas AIA
 Architecture / Planning
 1025 S. Washington Ave. Royal Oak, MI 48067
 P. 248.629.8998 F. 248.298.3192
 www.egg-architecture.com