

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: December 13, 2022

REGARDING: 48735 Grand River Ave, Parcel # 50-22-17-101-014 (PZ22-0057)

BY: Larry Butler, Deputy Director Community Development

GENERAL INFORMATION:

Applicant

Moiseev, Gordon Associates

Variance Type

Dimensional Variance

Property Characteristics

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

Location: South Lake Drive, east of West Park Drive

Parcel #: 50-22-17-101-014

<u>Request</u>

The applicant is requesting two variances from the City of Novi Zoning Ordinance Section 3.1.18 and 4.19 to erect an accessory structure and generator in the front yard; and for a front yard setback of 30 feet (40 feet minimum required, variance of 10 feet). The property is zoned Light Industrial (I-1).

II. STAFF COMMENTS:

III. RECOMMENDATION:

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

1.	I	move	that	we	<u>grant</u>	the	variance	in	Case	No.	PZ22-0057	, sough	t by for
								_ b	ecause	Petitic	ner has st	nown pro	
	di	fficulty re	equiring	J							·		
		. ,			iance Po operty b		er will be ur e	nreas	onably	preven	ted or limite —	ed with re	spect
		(b) The	e prope	erty is u	unique b	ecaus	se				·		

(248) 347-0417.

	(0	C)	Petitioner did not create the condition because	
	(4		The relief granted will not unreasonably interfere with adjacent or surroun properties because	ding
	(4	e)	The relief if consistent with the spirit and intent of the ordinance become	ause
	(1	f)	The variance granted is subject to:	
			1 2	
			3	
			4	
2.			ve that we <u>deny</u> the variance in Case No. PZ22-0057 , sought	
			because Petitioner has not sh cal difficulty requiring	_∙
	(4		The circumstances and features of the propincluding are not unique because exist generally throughout the City.	oerty they
	(1		The circumstances and features of the property relating to the variance request self-created because	are
	(4		The failure to grant relief will result in mere inconvenience or inability to attain his	gher that
	(4		The variance would result in interference with the adjacent and surrounding property	erties
	(•	e)	Granting the variance would be inconsistent with the spirit and intent of the ordina	ance
			to	

Should you have any further questions with regards to the matter please feel free to contact me at

Larry Butler - Deputy Director Community Development - City of Novi



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ZONING BOARD OF APPEALS APPLICATION

RECEIVED

OCT 10 2022

CITY OF NOVI

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Add	Case)	Application Fee: 4300							
PROJECT NAME / SUBDIVISION Fiber Hut 123.net		Meeting Date: 12/13/22							
ADDRESS 48735 Grand River		LOT/SIUTE/SPACE #							
SIDWELL #				2-0057					
50-22-17 -101 -014 CROSS ROADS OF PROPERTY	Departm	nent (248) 347-0485							
Grand River and 12 Mile Road IS THE PROPERTY WITHIN A HOMEOWNER'S ASS	OCIATION JUDISDICTIONS	REQUEST IS FOR:							
YES NO	OCIATION JURISDICTION?		MERCIAL 🗆 VACANT PR	operty 🗆 signage					
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED?									
II. APPLICANT INFORMATION	12-8								
A. APPLICANT	EMAIL ADDRESS andrewm@mga-ard	hitects net	CELL PHONE NO. 248.318.5029						
NAME	andrownieghiga are	S. S	TELEPHONE NO.						
Andrew J Moiseev, RA ORGANIZATION/COMPANY			248.549.4500 FAX NO.						
Moiseev/Gordon Associates, Inc			248.549.7300						
ADDRESS 4351 Delemere Court		CITY Royal Oak	STATE MI	ZIP CODE 48073					
B. PROPERTY OWNER	ERE IF APPLICANT IS ALS	O THE PROPERTY OWNER							
Identify the person or organization that owns the subject property:	email address dsi@123.net		CELL PHONE NO.						
NAME	usi@125.fiet		TELEPHONE NO.						
Dan Irvin			888.440.0123						
ORGANIZATION/COMPANY NOVI CARTAGE LLC			FAX NO.						
ADDRESS 24700 Northwestern Highway Suite 70	0	CITY Southfield	STATE MI	ZIP CODE 48075					
III. ZONING INFORMATION				10070					
A. ZONING DISTRICT									
□ R-A □ R-1 □ R-2	□ R-3 □ R-4	\square RM-1 \square RM-2 [□ MH						
	☐ TC ☐ TC-1	OTHER							
B. VARIANCE REQUESTED									
INDICATE ORDINANCE SECTION (S) AND Y			s building in front .	rond					
1. Section 419	ariance requested	to erect an accessory	building in front y	/ard					
	ariance requested	1							
3. SectionV									
4. SectionV	ariance requested	û =							
IV. FEES AND DRAWNINGS		A 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Lux, Fig. 1, The	1W _ U N					
A. FEES		· · · · · · · · · · · · · · · · · · ·							
☐ Single Family Residential (Existing									
✓ Multiple/Commercial/Industrial §	300 🗌 (With Viole	ation) \$400 \square Signs \$300	\square (With Violation) \$4	100					
House Moves \$300		eetings (At discretion of Bo	ard) \$600						
 B. DRAWINGS 1-COPY & 1 DIGIT Dimensioned Drawings and Plans 	TAL COPY SUBMITTED	A\$ A PDFExisting & proposed	distance to adjacent	proporty lines					
Site/Plot Plan		 Location of existing 							
Existing or proposed buildings or action of all on site por		erty • Floor plans & elevat	ions						
Number & location of all on-site po	urring, ii applicable	Any other information	on relevant to the Var	idrice 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 to meeting. Failure to install a mock-up sign may result in your case not being heard by the schedule ZBA meeting, or cancelled. A mock-up sign is NOT to be actual sign. Upon agreemoved within five-(5) days of the meeting. If the case is denied, the applicant is respremoval of the mock-up or actual sign (if erected under violation) within five-(5) days of	ne Board, postponed to the next oproval, the mock-up sign must be onsible for all costs involved in the						
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 lo building permit for such erection or alteration is obtained within such period and such 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 ACCESSORY BUILDING OTHER erect accessory building in front yard							
LI ACCESSORY BUILDING DUSE Y OTHER elect accessory building							
VI. APPLICANT & PROPERTY SIGNATURES							
VI. APPLICANT & PROPERTY SIGNATURES	g in front yard						
VI. APPLICANT & PROPERTY SIGNATURES							
VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT	y in front yard /o - 10 - 22 Date property described in this						
APPLICANT & PROPERTY SIGNATURES A. APPLICANT Applicant signature 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 application, and is/are aware of the contents of this application and related enclosure	Jo-10-22 Date Date property described in this ass.						
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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, shallown in existence on the effective date of the Zonin Not Applicable 	
and/or	
b. Environmental Conditions. Exceptional topographer extraordinary situations on the land, build Not Applicable Applicable	dina or structure.
and/or	
c. Abutting Property. The use or development of to the subject property would prohibit the literation of the Zoning Ordinance or would involve significantly the Laboratory of the Zoning Ordinance or would involve significantly the Laboratory of the Zoning Ordinance or would involve significantly the Laboratory of the Zoning Ordinance or Would involve significantly the Laboratory of the Zoning Ordinance or Would involve significantly the Laboratory of the Zoning Ordinance or Would involve significantly the Laboratory of the Zoning Ordinance or Would involve significantly the Laboratory of the Zoning Ordinance or Would involve significantly the Laboratory of the Zoning Ordinance or Would involve significantly the Laboratory of the Zoning Ordinance or Would involve significantly the Laboratory of the Zoning Ordinance or Would involve significantly the Laboratory of the Zoning Ordinance or Would involve significantly the Laboratory of the Zoning Ordinance or Would involve significantly the Laboratory of the Zoning Ordinance or Would involve significant the Laboratory of the Zoning Ordinance or Would involve significant the Laboratory of the Zoning Ordinance or Would involve significant the Laboratory of the Zoning Ordinance or Would involve significant the Laboratory of the Zoning Ordinance or Would involve significant the Laboratory of the Lab	al enforcement of the requirements ificant practical difficulties.

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 LOCATION IS CLOSEST TO TITE KEALSTING FIBERL LOCATED AT THE REAL OF GAM'S CLUB & A DOMMELLIAL GRUP CENTER CLOSETO A DIMPSTON

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.

TO CAMPY 7HS FISON LINES TO THE ROOM OF THE \$175 WOULD BEEN A BURDEN AND WOULD NOT SOME THE PUBLIC GOOD IN ANYWAY. THE SITE IS BOUNDED BY HEAVY VEGETATION ANDIC NOT VISIBLE FROM THE STREET

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 PROPOSED LOCATION IS CLOSEST TO THE EXISTING FIBER LINGS AND DOES NOT INTEFERE WITH THE EXISTING FUNCTION OF THE PROPERTY WITHOUT BEING TOO CLOSE OR VISIBLE TO NEIGHBORING PROPERTIES.

Standard #5. Adverse Impact on Surrounding Area.

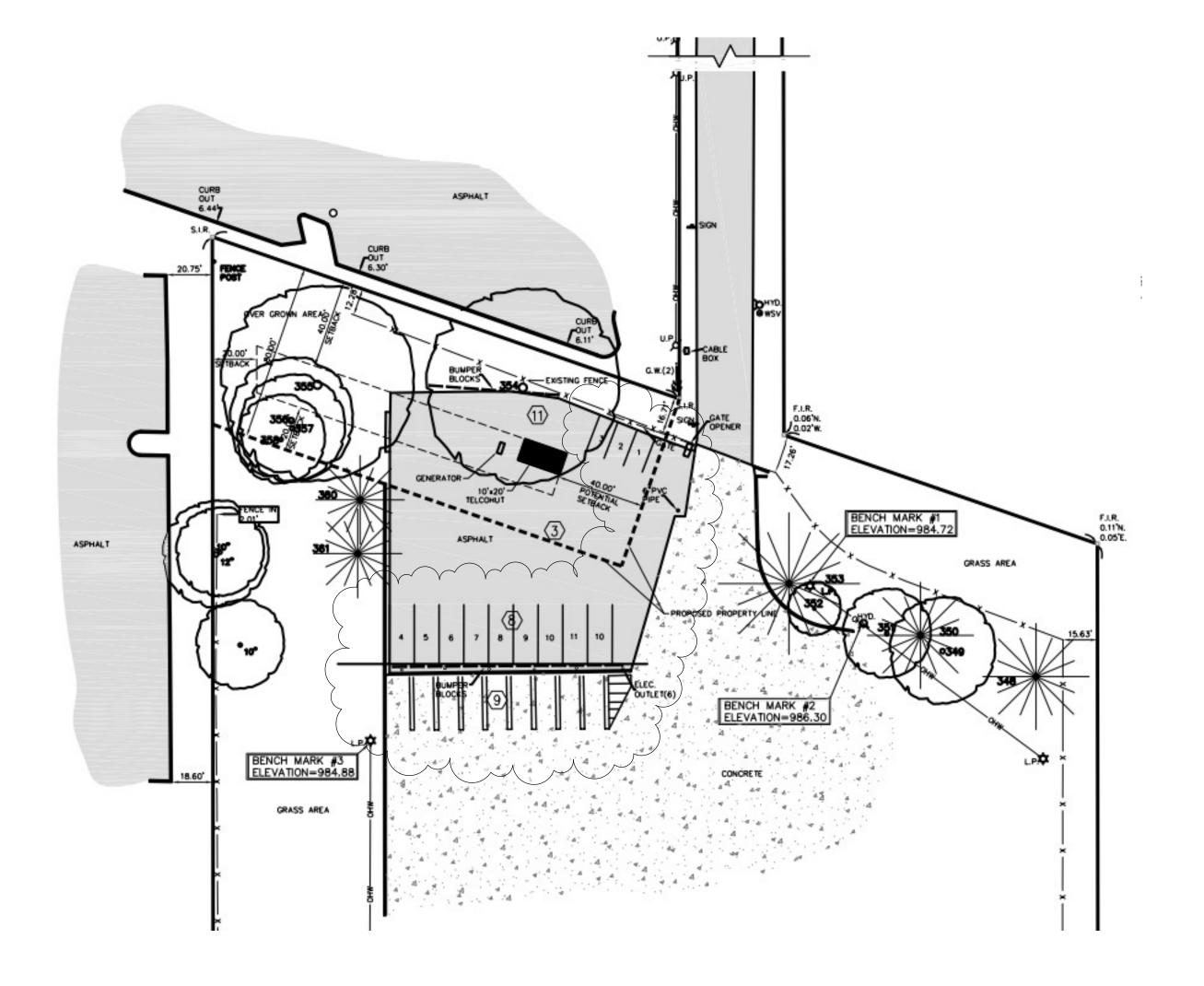
Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

THE IMMEDIATELY SURROUDING ANEA IS THOO REAR OF A COMMERCIAL STRIP CRINTER, ITS DRING THIN AND DUMPSTON AS NECL AS THOO REAR OF SAM'S CLUB. THE SITE IS SET BACK FROM THE ROAD AND THE PROPOSED STRUCTURE WILL NOT BE VISIBLE FROM GRAND RIVER

Fiber hut

Novi, Michigan

Drau	ving Schedule	Issued	Issued	Issued	Issued	Issued	Issued	Issued	Issued
		SITE PLAN APPROVAL							
SP-1	TITLE SHEET	9-29-22							
	BOUNDARY & TOPO	9-29-22							
A-1	FIRST FLOOR PLAN	9-29-22							
A-2	ELEVATIONS	9-29-22							
A-3	SECTIONS								



Site Plan Overall Scale: 1" = 30'-0"



LOCATION MAP

Scale: 1/4" = 1'-0"

ZONING I-1 LIGHT INDUSTRIAL DISTRICT MAXIUM HEIGHT: 40' TO MID POINT

MAXIUM LOT COVERAGE: 40%

EXISTING LOT COVERAGE: 23.8%

SIDWELL NUMBER: 22-17-101-014

PARCEL ACREAGE: 5.9 ACRES

NO PARKING WILL BE ADDED OR REMOVED FROM THE SITE

PROJECT NUMBER: JSP22-0049



Moiseev/Gordon Associates, Inc. **4351 Delemere Court** Royal Oak, MI 48073

248,549,4500 voice 248,549.7300 facs.

www.mga-architects.net

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Client:

123.NET

24700 Northwestern Suite 700

Southfield, MI 48075

Project Title:

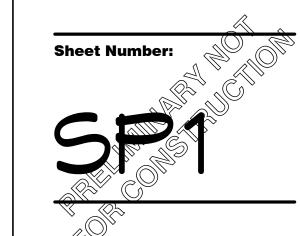
Fiber Hut

48735 Grand River Novi, MI

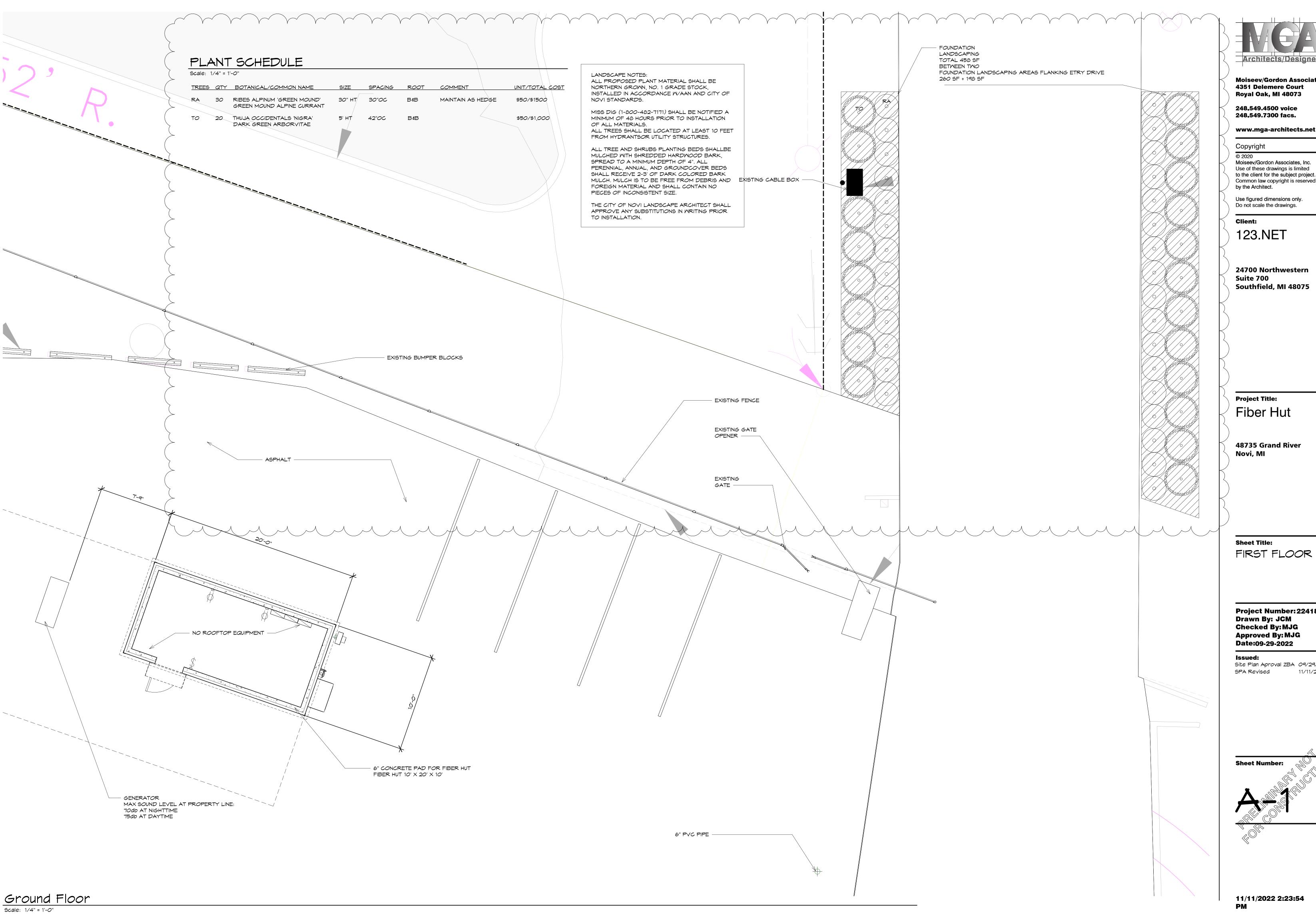
TITLE SHEET

Project Number: 22418 Drawn By: JCM Checked By: MJG Approved By: MJG Date:09-29-2022

Site Plan Aproval ZBA 09/29/2022 SPA Revised



11/11/2022 2:23:53 PM



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Project Title:

Fiber Hut

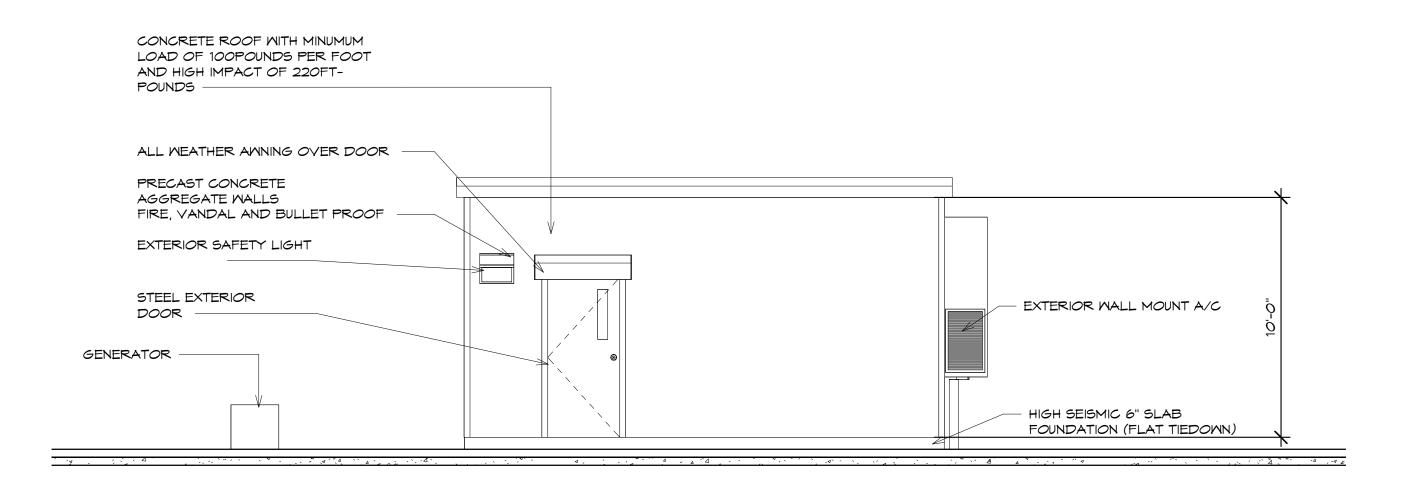
48735 Grand River Novi, MI

Sheet Title:

Project Number: 22418 Drawn By: JCM Checked By: MJG Approved By: MJG

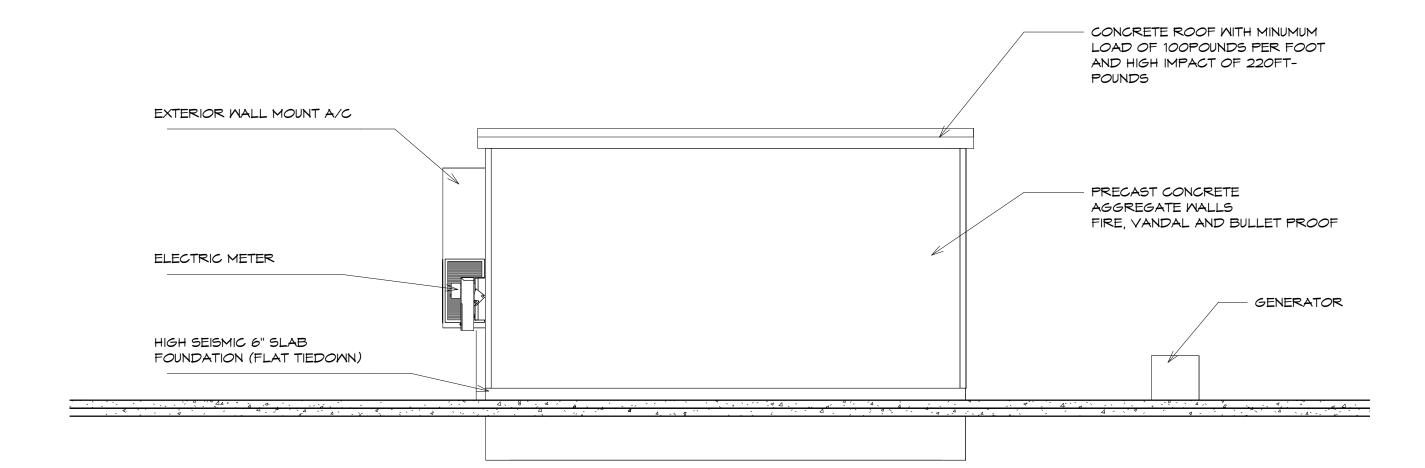
Site Plan Aproval ZBA 09/29/2022 SPA Revised 11/11/2022

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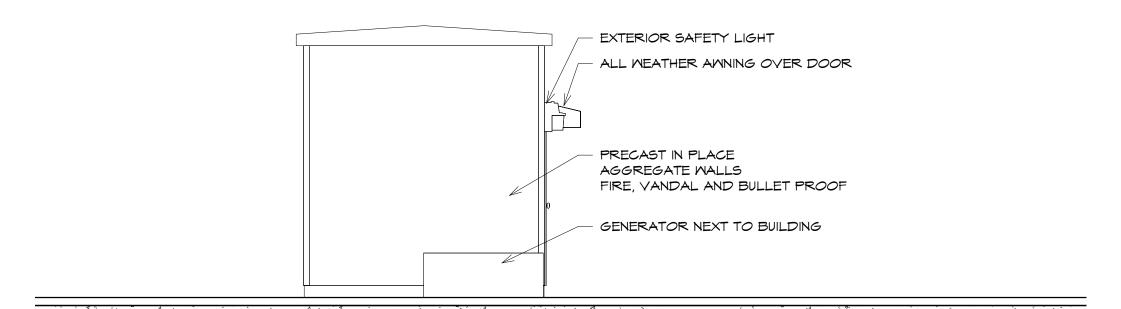
FRONT ELEVATION

Scale: 1/4" = 1'-0"



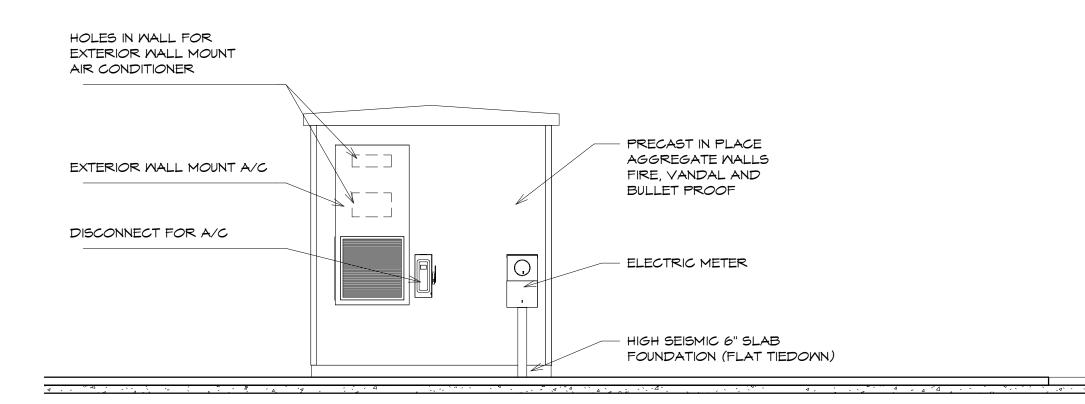
REAR ELEVATION

Scale: 1/4" = 1'-0"



LEFT ELEVATION

Scale: 1/4" = 1'-0"



RIGHT ELEVATION

Scale: 1/4" = 1'-0"



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Client:

123.NET

24700 Northwestern Suite 700 Southfield, MI 48075

Project Title: Fiber Hut

Novi, MI

48735 Grand River

ELEVATIONS

Sheet Title:

Project Number: 22418
Drawn By: JCM
Checked By: MJG
Approved By: MJG
Date:09-29-2022

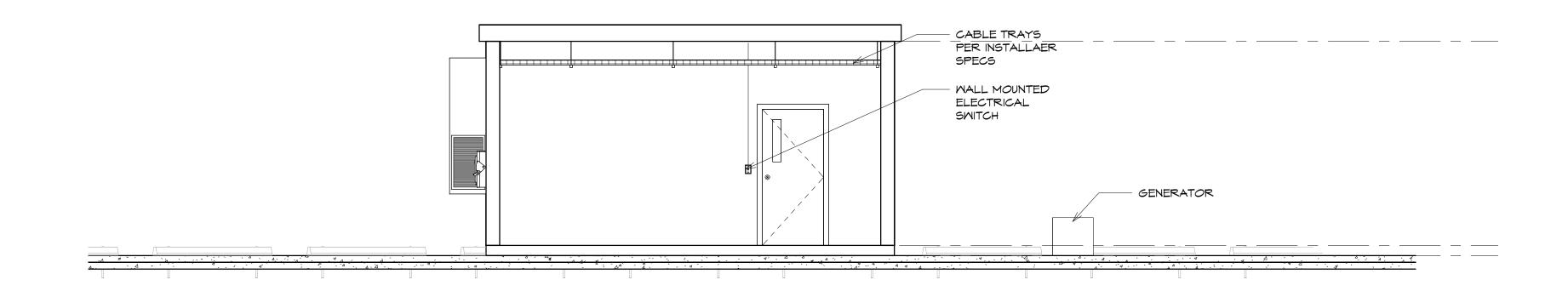
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Site Plan Aproval ZBA 09/29/2022



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Section 2 Scale: 1/4" = 1'-0"

