

## 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 Appeal MEETING DATE: January 13, 2026

REGARDING: 44488 Grand River Avenue #50-22-15-326-012 (PZ25-0068)

BY: Alan Hall, Deputy Director Community Development

## **GENERAL INFORMATION:**

## **Applicant**

Consumer's Energy

## **Variance Type**

**Dimensional Variance** 

## **Property Characteristics**

Zoning District: This property is zoned General Industrial (I-2)

Location: west of Novi Road, north of Grand River Avenue

Parcel #: 50-22-15-326-012

## Request

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.19.D for an east side setback of 9 ft. (50 ft. required, variance of 41 ft.); and a west side setback of 16 ft. 4 in. (50 ft. required, variance of 33 ft. 6 in.).

## **II. STAFF COMMENTS:**

The applicant, Consumer's Energy, is seeking (2) dimensional variances for a new utility building. The existing building currently on the site will be demolished for this new construction.

- 1) A 41-foot east side yard setback.
- 2) A 33.5-foot east side yard setback.

The property is a narrow nonconforming lot in the I-2 zoning district which is currently encompassed with an existing chain linked fence.

Case # PZ25-0068

## III. RECOMMENDATION:

The Zoning Board of Appeals may to	ake one of the t	followina	actions:
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	(b)Th —	e proj	perty	is unic	que b	ecause_							
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	(e)Th	e relie	ef if c	onsiste	nt wi	th the sp	irit a	nd inte	nt of	the ordi	nan	ce becc	 esuk
	(f) Th	e vari	ance	grant	ed is	subject t	o:						•
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Case # PZ25-0068

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-	(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 Petitioner statements that
	(c)The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioner

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





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# ZONING BOARD OF APPEALS APPLICATION

DEC U 1 ZUZb

COMMUNITY DEVELOPMENT

## APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of	ase)	Application Fee:	330°00	
PROJECT NAME / SUBDIVISION Novi and Wixom City Gate Rebuild		Meeting Date:	113/26	
ADDRESS		LOT/SIUTE/SPACE #		110100
44488 Grand River Ave. SIDWELL #	May be o	btain from Assessing	ZBA Case #: PZ	5-0068
50-22-15 - 326 - 012  CROSS ROADS OF PROPERTY		ent (248) 347-0485		
		V 222 122 12 22		
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION  YES  NO	ON JURISDICTIONS	REQUEST IS FOR:	AMERCIAL TOVACANT PR	POPERTY TI SIGNIAGE
DOES YOUR APPEAL RESULT FROM A NOTICE OF		_		COLECTI EL SIGNAGE
II. APPLICANT INFORMATION	VIOLATION OK	CITATION ISSUED 9		
A APPLICANT EMA	IL ADDRESS		CELL PHONE NO.	
NAME			TELEPHONE NO.	
Amy Gilpin ORGANIZATION/COMPANY	_		FAX NO.	
Consumers Energy			TAX NO.	
ADDRESS One Energy Plaza		CITY Jackson	STATE MI	ZIP CODE 49201
	APPLICANT IS ALSO	THE PROPERTY OWNER	-	1.0201
Identify the person or organization that EMA	AIL ADDRESS	THE PROPERTY OWNER	CELL PHONE NO.	
owns the subject property:  NAME			TELEPHONE NO.	
Amy Gilpin			TEEET HONE NO.	
ORGANIZATION/COMPANY Consumers Energy			FAX NO.	
ADDRESS		CITY	STATE	ZIP CODE
One Energy Plaza		Jackson	MI	49201
III. ZONING INFORMATION  A. ZONING DISTRICT		and the second second		
□ R-A □ R-1 □ R-2 □ R-	-3 □ R-4	□ RM-1 □ RM-2	□мн	
□  -1	C   TC-1	OTHER	=	
B. VARIANCE REQUESTED				
INDICATE ORDINANCE SECTION (S) AND VARIA			la aathaale	
1. Section 3.1.19.D Varian	-	not less than 9' east sid		
2. Section 3.1.19.D Varian	ice requested	not less than 16'-4" wes	st side setback	
3. SectionVarian	ice requested	-		
4. SectionVarian	ice requested			
IV. FEES AND DRAWNINGS	THOMS. IS	p-1 /4 may new /s	Mary Mary Street	
A. FEES	_			
Single Family Residential (Existing) \$22				1
Multiple/Commercial/Industrial \$330	_ `	ation) \$440 $\square$ Signs \$330	, , ,	5440
House Moves \$330		eetings (At discretion of B	oard) \$660	
<ul> <li>B. DRAWINGS 1-COPY &amp; 1 DIGITAL C</li> <li>Dimensioned Drawings and Plans</li> </ul>	OPA 20BWILLED		d distance to adjacer	nt property lines
Site/Plot Plan		<ul> <li>Location of existing</li> </ul>	ng & proposed signs, if	
Existing or proposed buildings or addition     Number & location of all on-site parking			ations tion relevant to the Va	riance application



## **ZONING BOARD OF APPEALS APPLICATION**

A. VARIANCE (S) REQUESTED	
☑ dimensional □ use □ sign	
There is a five-(5) hold period before work/action can be taken on variance approv	rals.
B. SIGN CASES (ONLY) Your signature on this application indicates that you agree to install a Mock-Up Sign meeting. Failure to install a mock-up sign may result in your case not being heard by schedule ZBA meeting, or cancelled. A mock-up sign is NOT to be actual sign. Upon removed within five-(5) days of the meeting. If the case is denied, the applicant is removal of the mock-up or actual sign (if erected under violation) within five-(5) days	y the Board, postponed to the next a approval, the mock-up sign must be esponsible 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 perio building permit for such erection or alteration is obtained within such period and supproceeds 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 peighty-(180) days unless such use is establish within such a period; provided, however dependent upon the erection or alteration or a building such order shall continue in for such erection or alteration is obtained within one-(1) year and such erection or a completion in accordance with the terms of such permit.	er, where such use permitted is n force and effect if a building permit
D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL	
PLEASE TAKE NOTICE:	
The undersigned hereby appeals the determination of the Building Official / Inspec	tor or Ordinance made
☐ CONSTRUCT NEW HOME/BUILDING ☐ ADDITION TO EXISTING HOME/BUILDING	☐ SIGNAGE
□ ACCESSORY BUILDING □ USE □ OTHER	= %
VI. APPLICANT & PROPERTY SIGNATURES	
A. APPLICANT	
( ) mw Silon	11/26/2025
Applicant Signature	11/26/2025
(Brown Silper	
(Brown Silper	
Applicant Signature  B. PROPERTY OWNER	Date
Applicant Signature  B. PROPERTY OWNER  If the applicant is not the owner, the property owner must read and sign be The undersigned affirms and acknowledges that he, she or they are the owner(s) of	Date  low: if the property described in this
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B. PROPERTY OWNER  If the applicant is not the owner, the property owner must read and sign be The undersigned affirms and acknowledges that he, she or they are the owner(s) of application, and is/are aware of the contents of this application and related enclo  Property Owner Signature	Date  low: if the property described in this
B. PROPERTY OWNER  If the applicant is not the owner, the property owner must read and sign be The undersigned affirms and acknowledges that he, she or they are the owner(s) of application, and is/are aware of the contents of this application and related enclo  Property Owner Signature  VII. FOR OFFICIAL USE ONLY	low:  f the property described in this sures.
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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:

	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 property width is 50'. The side setback for I-2 is 50'. The narrowness of the property would not
	allow for a building in zone I-2 without a setback variance.
	and/or
b.	Environmental Conditions. Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.  Not Applicable
	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

## 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).

The property width is 50'. The side setback for I-2 is 50'. The narrowness of the property would not allow for a building in zone I-2 without a setback variance.

## 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.

The property width is 50'. The side setback for I-2 is 50'. The current side setbacks are located at the opposite side property lines. Strict compliance with the I-2 side setback would not allow for a building of any size to be constructed on this property.

## 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.

Requesting to locate the proposed building not less than 9' from the east property line. The proposed building location is driven by the location of an existing underground gas line to the west and the proposed underground gas line between the heater and filter separator, routed alongside the existing gas line. The building is located to one side of the site to avoid conflict with existing and proposed underground gas lines and to allow for improved access to the north side of the site where the heater is located. In the easement to the west of the property, a proposed drive is planned to access the north side of the building and heater.

## 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 existing building is located 13.63' from the east property line. The proposed building is located at minimum 9.00' from the east property line, a change of approximately 4.63'. The proposed building abuts a parking lot on the neighboring property to the east. The building on the neighboring property to the east is located about 55' from the proposed building. The neighboring building facade to the east, at the building's proposed location, appears utilitarian in nature, with overhead doors, man doors, meters, and no windows. The front face of the proposed building is also setback about 75' from the front face of the neighboring building to the east. The proposed building would not detract from the street facing frontage of the



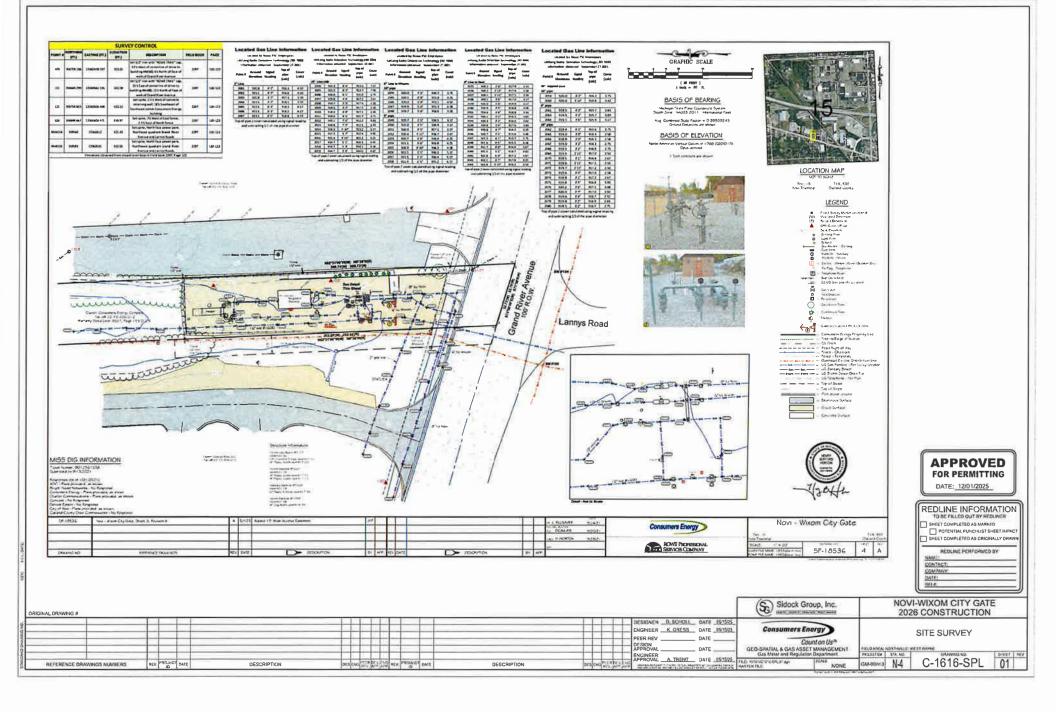
Existing Site Viewed from Grand River Ave. (looking north)



Existing Site and West Elevation of Building on Neighboring Property to the East (looking east)



Existing Site and Neighboring Property to the West (looking north)





LOCATION MAP



COUNTY LOCATION

## CONSUMERS ENERGY **NOVI-WIXOM CITY GATE**

44488 GRAND RIVER AVE NOVI\_MI 48375 42\*2901.0\*N 83\*29\*13.9\*W

### DRAWING LIST

401616C1616-PMT.01 401616C1516-PMT.02 401616C1516-PMT.02 401616C1616-PMT.04 401616C1616-SPL.01

PERMIT COVER SHEET SITE GENERAL NOTES EXISTING SITE & REMOVALS PLAN SITE SURVEY GRADING PLAN SESC PLAN SESC DETAILS SITE DETAILS SITE DETAILS

401616C1616-SPL 03 401616C1616-SAD 05

REGULATION BUILDING FLOOR PLAN REGULATION BUILDING EXTERIOR ELEVATIONS 401616C1616-VEN-11

### PROPERTY TAX DESCRIPTION

### EASEMENTAREA

A PART OF PARCEL OF LAND BEING IN THE CITY OF NOVI, COUNTY OF OAKLAND, AND STATE OF MICHIGAN, DESCRIBED AS:

A 75.00 FEET NORTH-SOUTH BY 150.00 FEET EAST-WEST PORTION OF THE COWNERS LAND, TOTALING 258 ACRES, WHICH LIES DIRECTLY EAST OF AND ADULTS THE NORTH-ERN PROPERTY LINE.

### DESCRIPTION OF PREMISES

A PARCEL OF LAND BEING IN THE CITY OF NOVI, COUNTY OF OAKLAND, AND STATE OF MICHIGAN, DESCRIBED AS:

OAKLAND, AND STATE OF MICHIGAN, DESCRIBED AS:

APARCEL OF LAND LOCATED IN THE SOUTHWEST 140 OF SECTION 15,

TOWNSHIP I NORTH, RANGE & EAST, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT NORTH OR DEGREES 22 MINUTES 40 SECONDS WEST

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INSTEAD STATES AND STATES AS A SECONDS

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WEST 58,19 FEET. THENCE SOUTH 57 DEGREES 27 MINUTES 38 SECONDS

EAST 142,61 FEET. THENCE SOUTH 50 DEGREES 27 MINUTES 38 SECONDS

EAST 142,61 FEET. THENCE SOUTH DO DEGREES 27 MINUTES 38 SECONDS

WEST 437,19 FEET. THENCE SOUTH DO DEGREES 27 MINUTES 38 SECONDS

WEST 437,19 FEET. THENCE NORTH DO DEGREES 37 MINUTES 38 SECONDS

WEST 437,19 FEET. THENCE NORTH AS DEGREES 45 MINUTES

SECONDS EAST 98 FEET, THENCE NORTH 35 DEGREES 14 MINUTES

SECONDS EAST 98 FEET, THENCE NORTH 35 DEGREES 14 MINUTES

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### NOTES

1, FEMA FLOOD HAZARD AREAS SHOWS THIS SITE IS IN A MINOR FLOOD PLAIN AREA

CONSUMERS ENERGY WILL PERFORM A COMPLETE REBUILD OF AN EXISTING CITY CATE SITE, PROJECT WILL DEMOLSH THE EXISTING BUILDING, PRING, AND COMPONENTS, REMOYE AND REPLACE A PORTION OF THE EXISTING FENCE, RELOCITE THE EXISTING HEATER, ADD A NEW REGULATION BUILDING, PILITER SEPARATOR, AND REWORKED FROM STUDY OF THE WILL BE EXPANDED FOR A DRIVEWOY OF THE WASTING GRAND GIVER DRIVEWAY AND AN ENTRANCE CATE MENT STUDY OF THE MENT OF THE STUDY OF THE STUDY

### OWNER INFORMATION

CONSUMERS ENERGY 1945 W. PARNALL RD. JACKSON, MI 49201 ANTHONY STEPKE [269] 308-2800

### **ENGINEER INFORMATION**

SIDOCK GROUP, INC. 379 W. WESTERN AVE. SUITE 200 MUSKEGON, MI 49440 (231) 722-4902

### SURVEYOR INFORMATION

PROVIDED BY ROWE PROFESSIONAL SERVICES COMPANY HENRY B. HORTON, PS

### LOCAL AGENCY AND UTILITIES INFORMATION

CITY OF NOVI COMMUNITY DEVELOPMENT BARB MCBETH, CITY PLANNER (248) 347-0475 LINDSEY BELL, PLANNER SITE PLAN REVIEW SESC PERMIT (248) 347-0484 NOVI CIVIC CENTER 45175 TEN MILE RD, NOVI, MI 48375

### ZONING INFORMATION

ZONING	SETBACKS	SITEAREA	PROPOSED	SITE COVERAGE
I-2 GENERAL	FRONT: 100 SIDE: 50'	1.09 AC.	BUILDING FLOOR AREA	1.66%
INDUSTRIAL	REAR: 50'		789 SF	
I-1 LIGHT INDUSTRUAL	FRONT-40' SIDE: 20' REAR: 20'	15' EASEMENT		

ow what's below. Call before you dig.

CAUTION IF INSTALLATION ANNOT BE COMPLETED AS DESIGNED CONTACT PROJECT ENGINEER BEFORE PROCEEDING

**APPROVED** FOR PERMITTING DATE: 12/01/2025

REDLINE INFORMATION SHEET COMPLETED AS WARKED POTENTIAL PUNCHLIST SHEET IMPAC SHEET COMPLETED AS ORIGINALLY DRA

CONTACT COMPANY

Sidock Group, Inc. Consumers Energy

GEO-SPATIAL & GAS ASSET MANAGEMENT Gas Meter and Regulation Department

2026 CONSTRUCTION PERMIT COVER SHEET

NOVI-WIXOM CITY GATE

DATE:

RSIE

C-1616-PMT

DESCRIPTION

DESCRIPTION OF THE REV. PROMET BATE

DESCRIPTION

DESIGN DATE ENGINEER ATRENT DATE 1578/25 SERVICE AND THE PARTY OF THE PA

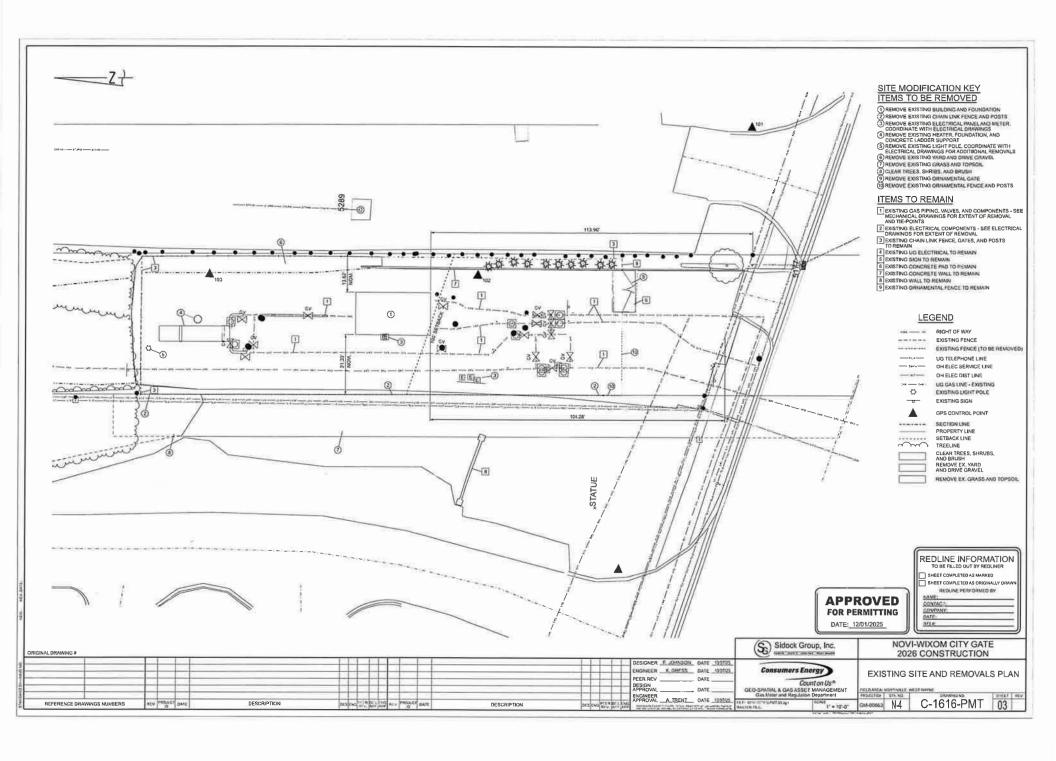
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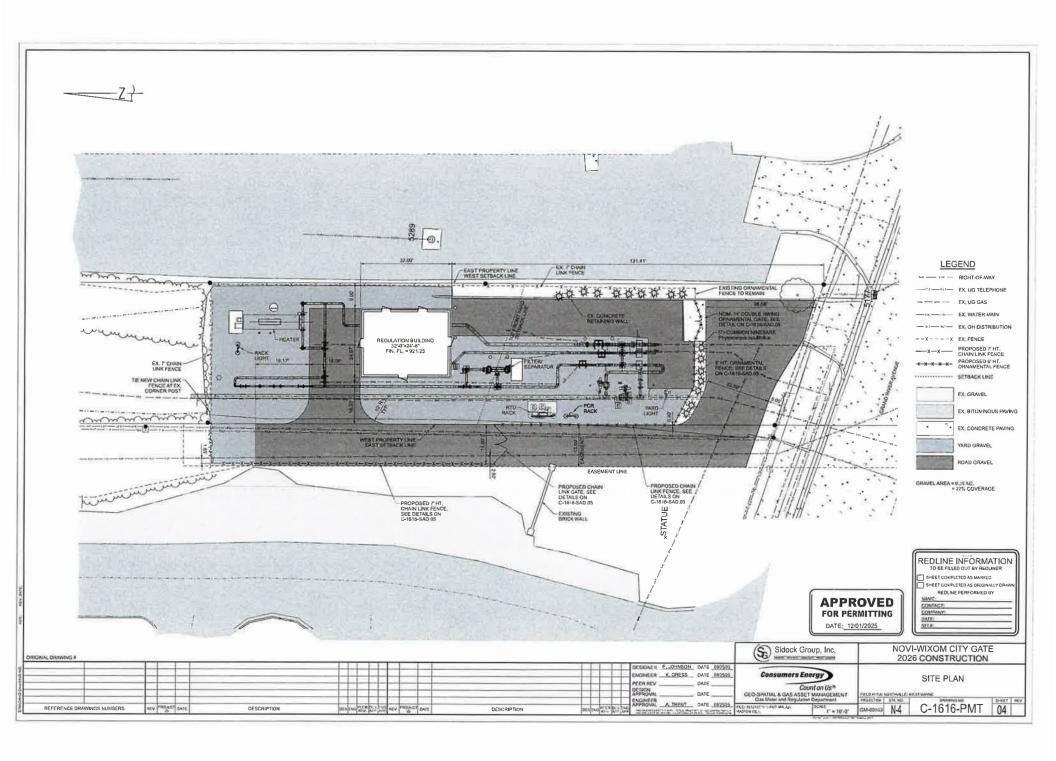
DESIGNER D. SCHOLL DATE 152902

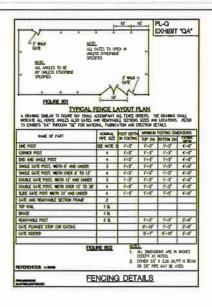
ENGINEER K. GRESS DATE 150000

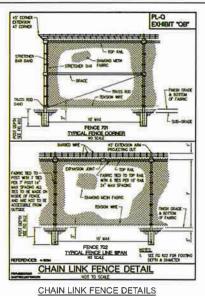
DATE

Count on Us\* NONE







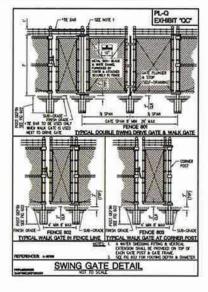


SCALE: NONE

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- Statement





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### SOILS MAP. SCALE: NONE



NON-WOVEN GEOTEXTILE FABRIC SEPARATOR

NOTES.

1. NON-WOVEN GEOTEXTILE FABRIC SEPARATIOR SHALL BE MIRAFI 180N OR APPROVED EQUAL.

2. THIS DETAIL USED FOR ENTIRE SITE LESS AREAS DESIGNATED AS DRIVERGOAD.

### YARD AREA AGGREGATE SURFACE DETAIL



6", MOGT 21AA CRUSHED LIMESTONE SURFACE.

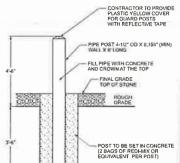
NON-WOVEN GEOTEXTILE FAIRIC SEPARATOR EXISTING SUBGRADE

NOTES:

1, NON-MOVEN GEOTEXTILE FABRIC SEPARATOR
SHALL BE MIRAFI HP 370 OR APPROVED EQUAL

2, THIS DETAIL USED FOR ALL DRIVEMBBILE PAD
SURFACES SEE PLAN ON SIEET PMT 04.

### DRIVEWAY AGGREGATE SURFACE DETAIL SCALE: NONE





DATE: 12/01/2025

REDLINE INFORMATION TO BE FILLED OUT BY REDLINER
SHEET COMPLETED AS MARKED
POTENTIAL PUNCHLIST SHEET IMPACT
SHEET COMPLETED AS ORIGINALLY DRAWN

REDLINE PERFORMED BY

COMPANY

DATE: NOVI-WIXOM CITY GATE

BOLLARD NOT TO SCALE

2026 CONSTRUCTION SITE DETAILS

DESIGNER E, JOHNSON DATE 1956/2 ENGINEER K. GRESS DATE 197675 PEER REV DATE \_ DESIGN

REFERENCE DRAWINGS NUMBERS NEW PRESENT DATE DESCRIPTION

10 () IN SET | SENS SEEN IN SET OF SE

44

ORNAMENTAL FENCE DETAILS SCALE: NONE ORIGINAL DRAWING #

AMERISTAR® Take OF 2411

AMERISTAR

DESCRIPTION

ENGINEER A. TRENT DATE 19560

GEO-SPATIAL & GAS ASSET MANAGEMENT Gas Meter and Regulation Department

Consumers Energy

Count on Us

Gм-00863 N-4

C-1616-SAD 05

