

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, 2016

REGARDING: 48600 Grand River Ave., PARCEL # 50-22-17-126-012

BY: Larry Butler, Deputy Director Community Development

. GENERAL INFORMATION:

Applicant

THE GODDARD SCHOOL OF NOVI

Variance Type

DIMENSIONAL AND SIGN VARIANCE

Property Characteristics

Zoning District: B-3 (GENERAL BUSINESS)

Location: NORTH OF GRAND RIVER AVE. AND EAST OF WIXOM ROAD

Parcel #: 50-22-17-126-012

Request

The applicant is requesting a variance from the CITY OF NOVI Code of Ordinances; The applicant is requesting a variance from the CITY OF NOVI Code of Ordinance; Sections 4.12.2.9 to allow a 113.04 square feet of recreation space/child, Section 5.4.2 to omit separate loading space, 4.19.2F to allow dumpster in side/front yard (do not have a rear yard), 4.19 to allow accessory play structures in side and front yard, 28-5.1.d.1to allow two ground signs and one wall sign one sign permitted. This property is zoned B-3 (General Business).

II. STAFF COMMENTS:

Proposed Changes

The applicant is requesting variances from the CITY OF NOVI Code of Ordinance; Sections 4.12.2.9 to allow a 113.04 square feet of recreation space/child, Section 5.4.2 to omit separate loading space, 4.19.2F to allow dumpster in side/front yard (no rear yard), 4.19 to allow accessory play structures in side and front yard, 28-5.1d.1 to allow two ground signs one allowed and one wall sign one sign permitted. This property is zoned B-3 (General Business).

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.	PZ16-005	55 , so	ught	by for
								b	ecause	Petition	er has	shown	prac	
	di	fficulty re	eauirino	I										

	(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 if consistent with the spirit and intent of the ordinance because
	(f)	The variance granted is subject to:
		1
		2
		3
		4
2.	I mo	ove that we <u>deny</u> the variance in Case No. PZ16-0055 , sought by
	for	because Petitioner has not shown cal difficulty requiring
	practi	cal 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

Zoning Board Of Appeals

The Goddard School of Novi Case # PZ16-0055 December 13, 2016 Page 3 of 3

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

Larry Butler Deputy Director Community Development City of Novi



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ZONING BOARD OF APPEALS APPLICATION

RECEIVED

OCT 04 2016

APPLICATION MUST BE FILLED OUT COMPLETELY

CITY OF NOVI

COMMUNITY DEVELOPMENT

I. PROPERTY INFORMATION (Addi	ress of subject 78A C	Case)	Application Fee: \$30	0.00		
PROJECT NAME / SUBDIVISION						
The Goddard School of Novi			Meeting Date: 11-15) ⁻ 16		
ADDRESS		LOT/SIUTE/SPACE #	rate ching balo.			
48600 Grand River Avenue			ZBA Case #: PZ 16-0	055		
SIDWELL # 50-22-17 126 = 012		obtain from Assessing nent (248) 347-0485	ZBA Case W. FZ TO C	030		
CROSS ROADS OF PROPERTY Grand River between Wixom Road and Back Road						
IS THE PROPERTY WITHIN A HOMEOWNER'S ASS	OCIATION JURISDICTION?					
☐ YES ☑ NO	☐ YES ☐ NO ☐ RESIDENTIAL ☐ COMMERCIAL ☐ VACANT PROPERTY ☐ SIGNAGE					
DOES YOUR APPEAL RESULT FROM A NOT	ICE OF VIOLATION OR	CITATION ISSUED?	YES NO			
II. APPLICANT INFORMATION						
A. APPLICANT	EMAIL ADDRESS DoeMl@gsi-ano.com		CELL PHONE NO.			
NAME Derick Doe			TELEPHONE NO.			
ORGANIZATION/COMPANY			(614) 636-3363 FAX NO.			
The Goddard School of Novi			N/A			
ADDRESS		CITY		CODE		
9255 Red Maple Court		Plymouth	MI 481	70		
		O THE PROPERTY OWNER	T CELL BUONE NO			
Identify the person or organization that owns the subject property:	EMAIL ADDRESS N/A		CELL PHONE NO. N/A			
NAME		TELEPHONE NO.				
Frank Pellerito ORGANIZATION/COMPANY			N/A FAX NO.			
Lakeside Oakland Development, LLC			N/A			
ADDRESS		CITY		CODE		
30295 Embassy Drive		Beverly Hills	MI 480	025		
III. ZONING INFORMATION						
A. ZONING DISTRICT						
□ R-A □ R-1 □ R-2	□ R-3 □ R-4	□ RM-1 □ RM-2	□ MH			
□ I-1 □ I-2 □ RC		✓ OTHER B-3				
B. VARIANCE REQUESTED						
INDICATE ORDINANCE SECTION (S) AND	variance requested					
	ariance requested	27/200	itdoor Recreation space/chil	d		
2. Section 5.4.2 V	ariance requested	Omit separate loading				
3. Section 4.19.2F V	'ariance requested	Allow dumpster in side/front yard (do not have rear yard)				
4. Section 4.19 V	ariance requested	Allow (2) accessory struct	ures in side & front yard (play struc	ctures)		
IV. FEES AND DRAWNINGS 5. Sign	n Section 28-5.1.d.1	1 Variance requested:	Allow (2) ground signs.	-		
A. FEES 6. Sign	n Section 28-5.1.d.	1 Variance requested: A	llow (1) wall sign.	=		
☐ Single Family Residential (Existing	g) \$200 🗌 (With Viole	ation) \$250 🗌 Single Fo	amily Residential (New) \$250			
☑ Multiple/Commercial/Industrial \$	300 🗆 (With Viole	ation) \$400 🗌 Signs \$3	300 🗌 (With Violation) \$400			
☐ House Moves \$300		leetings (At discretion of	Board) \$600			
	TAL COPY SUBMITTED			. 1 12		
Dimensioned Drawings and PlansSite/Plot Plan			sed distance to adjacent prop ing & proposed signs, if applic			
Existing or proposed buildings or aNumber & location of all on-site po		erty • Floor plans & ele				



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 OTHER Dimensional for Outdoor Recreation					
✓ ACCESSORY BUILDING ☐ USE ✓ OTHER ☐ Dimensional for Outdoor Recreation					
VI. APPLICANT & PROPERTY SIGNATURES A. APPHCANT Applicant Signature Date					
VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT A. APPLICANT SAPT 29, 2016					
VI. APPLICANT & PROPERTY SIGNATURES A. APPHCANT 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 property described in this					
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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, shin existence on the effective date of the ✓ Not Applicable 	e Zoning Ordinance or amendment.				
• Not Applicable Applicable	ii applicable, desenbe belew.				
and/	or				
 b. Environmental Conditions. Exceptional to other extraordinary situations on the land of the land o					
Outdoor Recreation Variance - Due to the existing grading of the site, we have located the detention basin in the most practical location on the site to avoid more grading and retaining walls. The site could hold more Outdoor Recreation space if the existing grading were less of an impact on the layout.					
and/	or				
 c. Abutting Property. The use or development to the subject property would prohibit the of the Zoning Ordinance or would involve	ne literal enforcement of the requirements				

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).

Outdoor Recreation Variance - Goddard's standards for playground safety and size along with site constraints have limited the Outdoor Recreation area to keep the children safely away from the detention basin and parking lot areas.

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.

Outdoor Recreation Variance - Strict compliance with the Ordinance prevents the school from using the site as the Goddard standards do not allow a vast open space for the children to play due to safety concerns and site slopes. If the Outdoor Recreation space met the Ordinance size requirement, the school would be required to provide a secondary fence to create a smaller portion of play area within the fenced in Outdoor Recreation area to conform to the Goddard school standards.

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.

Outdoor Recreation Variance - Goddard requires that the play areas are on flat ground and in a safe condition. We have worked with Goddard to provide the maximum acceptable Outdoor Recreation area based on their standards for safety in the areas where we have flat ground available on the site. The State (LARA) requirements for Outdoor Recreation area are 1,200 SF. We are providing 16,956 SF total of Outdoor Recreation space.

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.



Playground Safety Policy

Last modified 7/5/2016 4:37 PM

Policy Updated: July 2016

- The playground position charts and playground schedules must be placed beside each door leading to the playground.
- Playground schedules should reflect time for each class to be outside in the morning and afternoon; each class should have their own playground time. This practice allows proper supervision while minimizing potential injuries.
- The playground position chart illustrates equipment placement and where teachers should position themselves by the equipment.
- The orientation process for faculty members must include training on playground positions, interactions with the children and supervision techniques.
- A faculty member must be within arm*s length of the climbing equipment anytime the children are playing on the equipment.
- Faculty members should not socialize with their co-workers during this time. They should engage
 the children and extend their learning outdoors.
- The teachers must supervise the children by sight and sound at all times.
- The director must monitor what the faculty does and how well the faculty members supervise the children every day.
- The director must review the playground schedule every month to ensure that every age group is using the playground properly.
- Prior to the children going outside each morning, the School's management team must inspect
 the outdoor play spaces every day using Goddard Systems, Inc.'s playground checklists and
 report
- Safety hazards must be removed immediately before the children may go outside.
- Playground gate alarms must be operational; if alarms are not working the playground areas cannot be used until the alarms are operational.

Supporting Documents

Type Name Modified

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·	s, shallowness or shape of a specific property the Zoning Ordinance or amendment. If applicable, describe below:				
Mat/Applicable	п арривавте, авзотые ветем.				
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Playground Safety Policy

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Policy Updated: July 2016

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- Playground schedules should reflect time for each class to be outside in the moming and afternoon; each class should have their own playground time. This practice allows proper supervision while minimizing potential injuries.
- The playground position chart illustrates equipment placement and where teachers should position themselves by the equipment.
- The orientation process for faculty members must include training on playground positions, interactions with the children and supervision techniques.
- A faculty member must be within arm*s length of the climbing equipment anytime the children are playing on the equipment.
- Faculty members should not socialize with their co-workers during this time. They should engage
 the children and extend their learning outdoors.
- The teachers must supervise the children by sight and sound at all times.
- The director must monitor what the faculty does and how well the faculty members supervise the children every day.
- The director must review the playground schedule every month to ensure that every age group is using the playground properly.
- Prior to the children going outside each morning, the School's management team must inspect
 the outdoor play spaces every day using Goddard Systems, inc.'s playground checklists and
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- Safety hazards must be removed immediately before the children may go outside.
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Standard #1. Extraordinary Circumstances or Conditions.

Explain how the circumstances or physical conditions applying to the property that do not apply generally to other properties in the same Zone District or in the general vicinity. Circumstances or physical conditions may include:

a.	Ordinance due to the shape, topography or other physical conditions of the lot or due to the location of an existing structure.				
	□ Not Applicable	Applicable	If applicable, describe below:		
	Ground Sign Variance- The site has frontage on (2) roa entrances.	ads, Grand River Ave. and 12 Mile Rd. \	We would like to have a ground sign at both driveway		
		and/or			
b.	b. Environmental Conditions. A sign could not be placed in the location required to the Zoning Ordinance without removing or severely altering natural features, such as trees, topography, drainage courses or encroaching upon stormwater facilities.				
	☐ Not Applicable	☐ Applicable	If applicable, describe below:		
		and/or			
c.	c. Abutting Property. A sign could not be reasonably seen by passing motorists due the configuration of existing buildings, trees, signs or other obstructions on an abutting property.				
	✓ Not Applicable	☐ Applicable	If applicable, describe below:		

d.	Scale of Building or Lot Frontage. A sign that exceeds permitted dimensions for area and/or height could be considered appropriate in scale due to the length of the building frontage (wall sign only) or length of the lot frontage (ground sign only).			
	■ Not Applicable	☐ Applicable	If applicable, describe below:	
e.	e. Not Self-Created. Describe the immediate practical difficulty causing the need for			
			ant or any person having an interest in	
	the sign, sign structu	ire, or property.		
	✓ Not Applicable	□ Applicable	If applicable, describe below:	

Standard #2. Limit Use of Property.

Explain how the failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return.

Outdoor Recreation Variance - Goddard requires that the play areas are on flat ground and in a safe condition. We have worked with Goddard to provide the maximum acceptable Outdoor Recreation area based on their standards for safety in the areas where we have flat ground available on the site. The State (LARA) requirements for Outdoor Recreation area are 1,200 SF. We are providing 16,956 SF total of Outdoor Recreation space.

Standard #3. Adverse Impact on Surrounding Area.

Explain how the Sign Variance will not result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is not inconsistent with the spirit and intent of this chapter.

NOVI cityofnovi.org

Community Development Department

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

REVIEW STANDARDS SIGN VARIANCE

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Sign 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 Sign Variance.)

Standard #1. Extraordinary Circumstances or Conditions.

Explain how the circumstances or physical conditions applying to the property that do not apply generally to other properties in the same Zone District or in the general vicinity. Circumstances or physical conditions may include:

a.	Shape of Lot. A sign could not be placed in the location required by the Zoning Ordinance due to the shape, topography or other physical conditions of the lot or due to the location of an existing structure.				
	□ Not Applicable	Applicable	If applicable, describe below:		
	Ground Sign Variance- The site has frontage on (2) roa entrances.	ds, Grand River Ave. and 12 Mile Rd. W	e would like to have a ground sign at both driveway		
		and/or			
b. Environmental Conditions. A sign could not be placed in the location required to the Zoning Ordinance without removing or severely altering natural features, surest trees, topography, drainage courses or encroaching upon stormwater facility.					
	■ Not Applicable	☐ Applicable	If applicable, describe below:		
		and/or			
C.	c. Abutting Property. A sign could not be reasonably seen by passing motorists due t the configuration of existing buildings, trees, signs or other obstructions on an abutting property.				
	✓ Not Applicable	Applicable	If applicable, describe below:		

u.	area and/or height could be considered appropriate in scale due to the leng the building frontage (wall sign only) or length of the lot frontage (ground sign only).			
	☐ Not Applicable	☐ Applicable	If applicable, describe below:	
e.			te practical difficulty causing the need for oplicant or any person having an interest in	
	the sign, sign structu		oplicant of any person having an interest in	
	✓ Not Applicable		If applicable, describe below:	

d Scale of Building or Lot Frontage A sign that exceeds permitted dimensions for

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16-712



100 SF SIGN PER CITY OF NOVI CALCULATIONS

-"S-'S-

02 CAST STONE WALL SIGN - COLORED ELEVATION

WHITE PANEL WITH BLUE CARVED LETTERS

10 SF SIGN EACH SIDE OF BASE

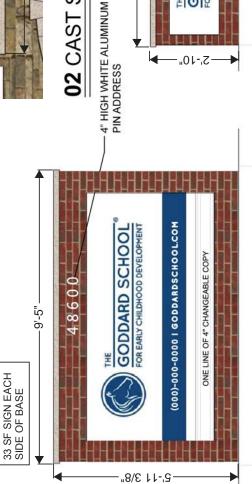
GODDARD SCHOOL
FOR EARLY CHILDHOOD DEVELOPMENT

-۱0

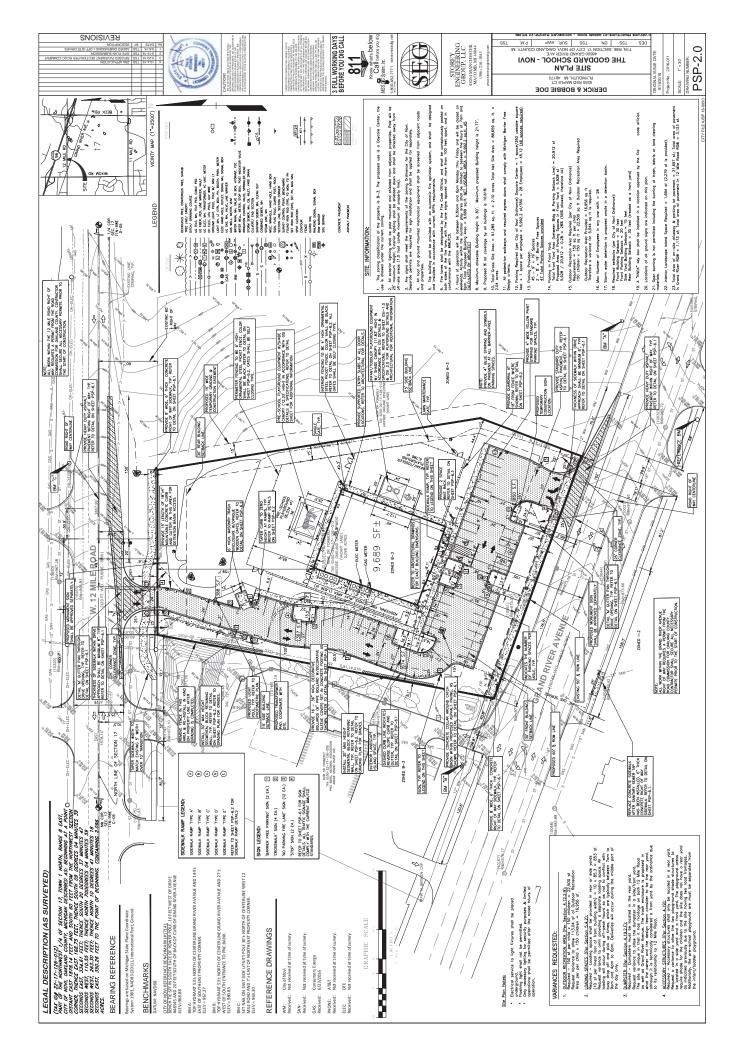
BRICK TO MATCH BUILDING

- CAST STONE CAP

-.6-9



01 BRICK GROUND SIGNS - COLORED ELEVATION



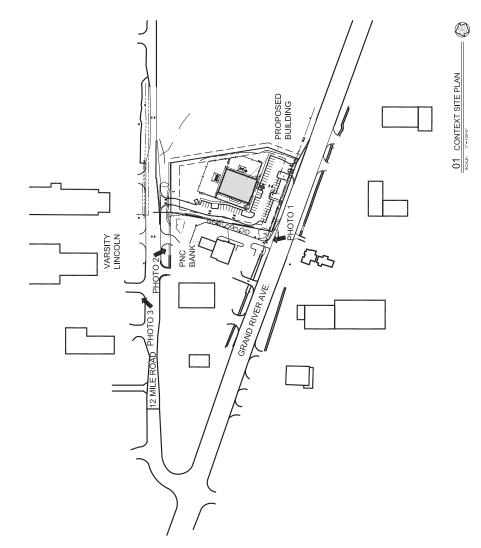


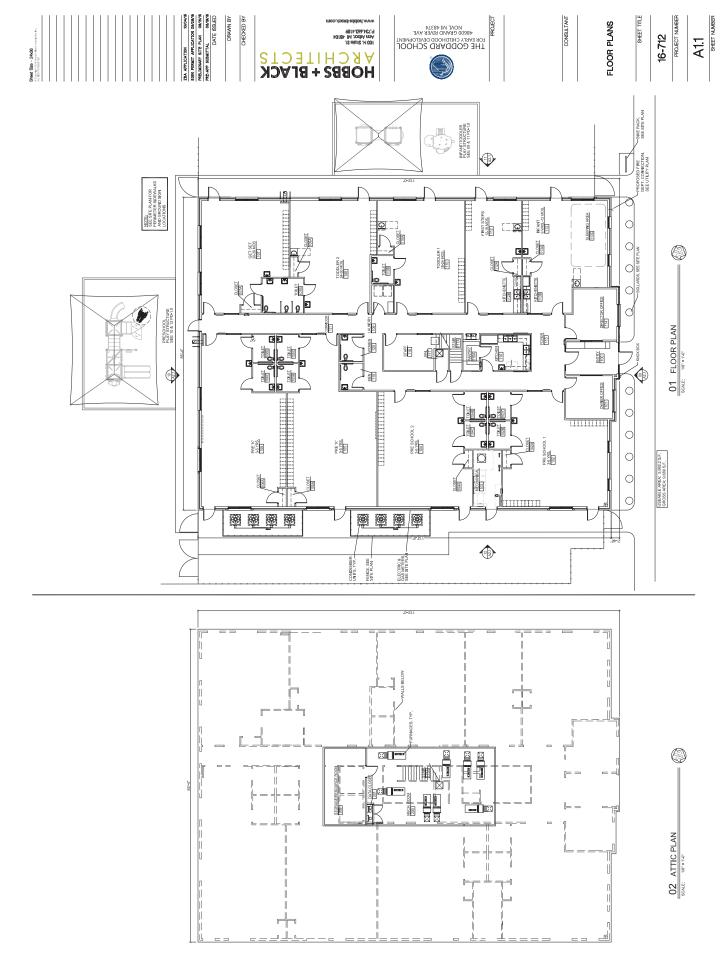


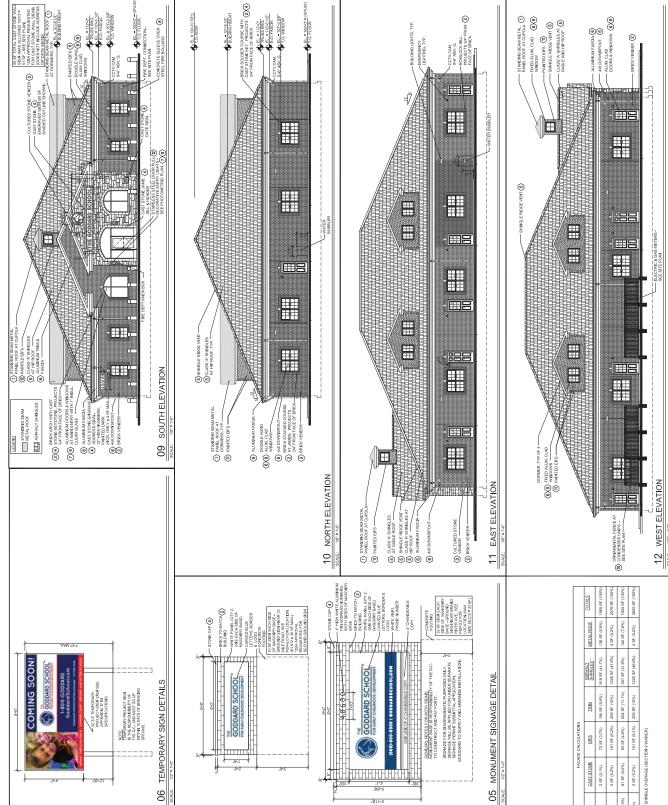
PHOTO 1 - PNC BANK - GRAND RIVER AVE. VIEW (1) GROUND SIGN + (1) WALL SIGN

SHEET NUMBER



PHOTO 3 - VARSITY LINCOLN - 12 MILE ROAD VIEW (1) GROUND SIGN + (2) WALL SIGNS





90

BRICK STONE NATURAL CLAY

SIDE EAST

5 SF (0.2%) 5 SF (0.2%) 81 SF (4.5%)

942 SF (36.1%) 896 SF (34.8%) 546 SF (30%)

189 SF (10.3%) 12 SF (0.5%)

SOUTH WEST

28 SF (1%)

