

## 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: June 13, 2017

REGARDING: PARCEL # 50-22-01-200-044 (PZ17-0018)

BY: Larry Butler, Deputy Director Community Development

#### . GENERAL INFORMATION:

#### **Applicant**

Northern Equities Group

#### Variance Type

**Dimensional Variance** 

#### **Property Characteristics**

Zoning District: Office Service Technology

Location: West of Haggerty Road, North of 13 Mile Road

Parcel #: 50-22-01-200-044

### Request

The applicant is requesting a variance from the City of Novi Code of Ordinance Section 4.19.2.F for a setback of 51.66 feet for a proposed dumpster.

This property is zoned Office Service Technology (OST).

### **II. STAFF COMMENTS:**

Enclosure is provided and exceeds the than 10 feet required distance from the building. Building and site not constructed still in design phase.

### 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.	PZ17-0018	, sought	,
	dif	ficulty re	equiring	J							oner has st	nown prac	for ctical
							ner will be ui e		,	•	nted or limit	ed with res	pect
		(b) The	e prope	erty is u	ınique b	ecaus	se				·		

	(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)	f) The variance granted is subject to:								
		1								
		2								
		3								
		4								
2. I	mo	ve that we <u>deny</u> the variance in Case No. <b>PZ17-0018</b> , sought by								
for because Petitioner has										
pra	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.

Larry Butler Deputy Director Community Development City of Novi



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# ZONING BOARD OF APPEALS APPLICATION

## APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFO		ase)	Application Fee: $\_\_$			
PROJECT NAME / SUBDIVI	SION					
NEG Spec Building ADDRESS			LOT/SIUTE/SPACE #	Meeting Date:		
39000 Country Club Drive						
SIDWELL # 50-22-01	_ 200 _ 044		obtain from Assessing ent (248) 347-0485	ZBA Case #: PZ		
CROSS ROADS OF PROPINorth of 13 Mile Road, West of Hagg						
		OCIATION JURISDICTION?	REQUEST IS FOR:			
YES	<b>☑</b> NO		☐ RESIDENTIAL ☑ COM	MERCIAL TVACANT PR	OPERTY SIGNAGE	
		FICE OF VIOLATION OR				
II. APPLICANT INFO		IICE OF VIOLATION OR V	CHAHON 1930ED\$	3 HNO		
	MMANON	EMAIL ADDRESS		CELL PHONE NO.		
A. APPLICANT		mssosin@noreq.com		248-802-1137		
NAME	Abiliary va villar i bu .			TELEPHONE NO.		
Matthew S. Sosin				248-848-6400		
ORGANIZATION/COMPAN	ΙΥ			FAX NO.		
Northern Equities Group				248-848-6700	1	
ADDRESS 39000 Country Club Drive			CITY Farmington Hills	STATE MI	ZIP CODE 48331	
B. PROPERTY OWN		ERE IF APPLICANT IS ALSO		1111	1.0001	
		EMAIL ADDRESS	J THE PROPERTY OWNER	CELL PHONE NO.		
Identify the person or o		mssosin@noreq.com	n	248-802-1137		
NAME						
Matthew S. Sosin			248-848-6400			
ORGANIZATION/COMPAN	IY			FAX NO.		
HCP Land LLC				248-848-6400	T 710 0005	
ADDRESS 39000 Country Club Driv	Δ		CITY Farmington Hills	STATE ZIP CODE 48331		
III. ZONING INFOR					1 .000	
A. ZONING DISTRI						
□ R-A □ R-		□ R-3 □ R-4	□ RM-1 □ RM-2	□MH		
		☐ TC ☐ TC-1	OTHER OST	-		
B. VARIANCE REQ						
l .		VARIANCE REQUESTED:		<i>c</i>	,	
1. Section <u>4.19</u>	.2.F	Variance requested	51.66' setback variance	for the proposed du	mpster	
2. Section	\	Variance requested				
2 Soction					AQQ11-00-00-00-00-00-00-00-00-00-00-00-00-0	
3. Section	······································	Variance requested				
4. Section		Variance requested				
4. Section		·				
4. Section  IV. FEES AND DRAI		·			The spirit spiri	
4. Section  IV. FEES AND DRAY A. FEES	VNINGS	Variance requested	ation) \$250 $\square$ Single Fam	ilv Residential (New) \$	250	
4. Section  IV. FEES AND DRAY  A. FEES  Single Family Re	VNINGS sidential (Existing	Variance requested  g) \$200 □ (With Viola	ation) \$250 🗆 Single Fam			
4. Section  IV. FEES AND DRAY  A. FEES  Single Family Re  Multiple/Comm	VNINGS sidential (Existing	variance requested g) \$200 □ (With Viole \$300 □ (With Viole	ation) \$400 🗆 Signs \$300	$\square$ (With Violation) \$		
4. Section  IV. FEES AND DRAY A. FEES  Single Family Re Multiple/Comm House Moves \$3	WNINGS sidential (Existing ercial/Industrial	yariance requested g) \$200	ation) \$400 $\square$ Signs \$300 eetings (At discretion of Bo	$\square$ (With Violation) \$		
4. Section  IV. FEES AND DRAY  A. FEES  Single Family Re  Multiple/Comm House Moves \$3  B. DRAWINGS	NNINGS sidential (Existing ercial/Industrial to the total of the total	yariance requested  g) \$200	ation) \$400 \(\sigma\) Signs \$300 eetings (At discretion of Bo) <b>AS A PDF</b>	☐ (With Violation) \$ pard) \$600	400	
4. Section  IV. FEES AND DRAY  A. FEES  Single Family Re  Multiple/Comm House Moves \$3  B. DRAWINGS Dimensioned Dray	NNINGS sidential (Existing ercial/Industrial to the total of the total	yariance requested  g) \$200	etings (At discretion of Bo • Existing & proposed	☐ (With Violation) \$ pard) \$600  d distance to adjacen	.400 It property lines	
4. Section  IV. FEES AND DRAY  A. FEES  Single Family Re  Multiple/Comm House Moves \$3  B. DRAWINGS Dimensioned Dray Site/Plot Plan	NNINGS sidential (Existing ercial/Industrial 1000 I-COPY & 1 DIG wings and Plans	yariance requested  g) \$200	etings (At discretion of Bo • Existing & proposed	☐ (With Violation) \$ pard) \$600  d distance to adjacen g & proposed signs, if o	.400 It property lines	



# **ZONING BOARD OF APPEALS APPLICATION**

V. VARIANCE							
A., VARIANCE (S) REQUESTED							
DIMENSIONAL SUSE SIGN	rkon en verience enprovels						
There is a five-(5) hold period before work/action can be to	aken on variance approvais.						
meeting. Failure to install a mock-up sign may result in your schedule ZBA meeting, or cancelled. A mock-up sign is <b>NO</b>	to install a <b>Mock-Up Sign</b> <u>ten-(10)</u> days before the schedule ZBA case not being heard by the Board, postponed to the next of to be actual sign. Upon approval, the mock-up sign must be denied, the applicant is responsible for all costs involved in the colation) 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 are 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 perm 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:	
							Building Official / Inspector or Ordinance made  KISTING HOME/BUILDING SIGNAGE  HER
VI. APPLICANT & PROPERTY SIGNATURES							
A. APPLICANT							
	5-8-17						
Applicant Signature	Date						
B. PROPERTY OWNER  If the applicant is not the owner, the property owner  The undersigned affirms and acknowledges that he, she o application, and is/are aware of the contents of this applic	r they are the owner(s) of the property described in this						
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. Describe below:

OR

**b. Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. **Describe below:** 

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. **Describe below:** 

## 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).

## 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.

# 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.

# 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.









