



CITY OF NOVI CITY COUNCIL
SEPTEMBER 8, 2025

SUBJECT: Approval of the request from the builder of 41380 Eight Mile Road (parcel no. 50-22-36-353-002) for a variance from the Design and Construction Standards in Section 11-256 (b) to dismiss the sidewalk requirement along Meadowbrook Road, and pay into the City Sidewalk Fund.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

KEY HIGHLIGHTS:

- Variance requested to pay into sidewalk fund due to obstacles/constructability

BACKGROUND INFORMATION:

A builder, Cranbrook Custom Homes, is completing new home construction at 41380 Eight Mile Road (parcel no. 50-22-36-353-002). Section 11-256 (b) of the Code of Ordinances outlines the requirement to construct a sidewalk along the Meadowbrook Road side of the property. The ordinance states that the property owner/builder may request an administrative variance from this requirement. The petitioner is requesting this variance due to there being no existing sidewalk on the east side of Meadowbrook Rd within 500-feet and difficulty in constructing the sidewalk due to obstacles such as utility poles, ditches, brick entrance walls, signs, and trees along the road. The petitioner shall pay \$9,009.96 into the City Sidewalk Fund in lieu of constructing the sidewalk, and the property owner has been asked to provide a sidewalk easement to the City in case of future construction.

RECOMMENDED ACTION: Approval of the request from the builder at 41380 Eight Mile Road for a variance from the Design and Construction Standards in Section 11-256 (b) to dismiss the sidewalk requirement along Meadowbrook Road.

41380 8 Mile Rd.

Sidewalk Variance Map

Meadowbrook Rd

Variance requested to eliminate need for this sidewalk segment.

41380 8 Mile Rd.

Eight Mile Rd

Map Author: Jeff Van Curler
Date: 8/15/2024
Project: 41380 8 Mile Rd.
Version: 1.0

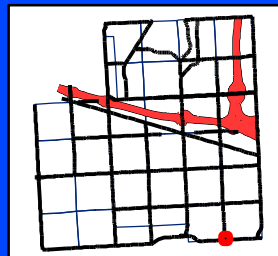
Amended By:
Date:
Department:

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

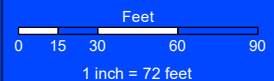
Legend

- Major Roads
- Minor Roads
- Sidewalk Location
- Development Location



City of Novi

Engineering Division
Department of Public Works
26300 Lee BeGole Drive
Novi, MI 48375
cityofnovi.org





CITY OF NOVI
Engineering Division
MEMORANDUM

To: Charles Boulard, Community Development Department
 Ben Croy, PE; Department of Public Works

From: Jeff Van Curler; Department of Public Works

Date: May 15, 2024

Re: Variance from Design & Construction Standards
 41380 Eight Mile Rd. Sidewalk Variance Request

Attached is a request for a Variance from the Design and Construction Standards. Please review for a future City Council Agenda. In accordance with Section 11-10 of the Ordinance, the following three conditions **must be met** for a variance to be granted by Council:

- 1) A literal application of the substantive requirement would result in exceptional, practical difficulty to the applicant.
- 2) The alternative proposed by the applicant would be adequate for the intended use and would not substantially deviate from the performance that would be obtained by strict enforcement of the standards; and,
- 3) The granting of the variance would not be detrimental to the public health, safety or welfare, nor injurious to adjoining or neighboring property.

Following review of the variance, check the appropriate box below and provide your signature. If you have no basis for recommending either approval or denial, please check the "No Exceptions Taken" box. If you are recommending approval or denial of the request, **please also complete the matrix on the reverse of this form.** Please return to my attention by **May 31, 2024.**

ROUTING

Delivered To	Returned On	RECOMMENDED ACTION			Signature
		Approval*	Denial*	No Exceptions Taken	
Ben Croy (Public Works)					
Charles Boulard (Comm. Development)				X *	<i>Charles Boulard</i>

* SEE REVERSE

** PROVIDER'S PAYMENT IS MADE.*



CITY OF NOVI
Engineering Division

MEMORANDUM

To: Charles Boulard, Community Development Department
 Ben Croy, PE; Department of Public Works

From: Jeff Van Curler; Department of Public Works

Date: May 15, 2024

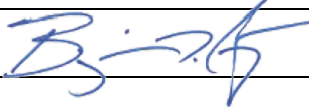
Re: Variance from Design & Construction Standards
 41380 Eight Mile Rd. Sidewalk Variance Request

Attached is a request for a Variance from the Design and Construction Standards. Please review for a future City Council Agenda. In accordance with Section 11-10 of the Ordinance, the following three conditions **must be met** for a variance to be granted by Council:

- 1) A literal application of the substantive requirement would result in exceptional, practical difficulty to the applicant.
- 2) The alternative proposed by the applicant would be adequate for the intended use and would not substantially deviate from the performance that would be obtained by strict enforcement of the standards; and,
- 3) The granting of the variance would not be detrimental to the public health, safety or welfare, nor injurious to adjoining or neighboring property.

Following review of the variance, check the appropriate box below and provide your signature. If you have no basis for recommending either approval or denial, please check the "No Exceptions Taken" box. If you are recommending approval or denial of the request, **please also complete the matrix on the reverse of this form.** Please return to my attention by **May 31, 2024.**

ROUTING

Delivered To	Returned On	RECOMMENDED ACTION			Signature
		Approval*	Denial*	No Exceptions Taken	
Ben Croy (Public Works)	6/13/2024	X			
Charles Boulard (Comm. Development)					

*** SEE REVERSE**

If recommending approval or denial, please complete the following:

1. Would a literal application of the substantive requirement of the ordinance result in an exceptional, practical difficulty to the application? Yes No

Explain:

Yes, because there is not a contiguous pathway on the east side of Beck Rd in this area.

2. Would the alternative proposed by the applicant be adequate for the intended use and not deviate from the performance that would be obtained by strict enforcement of the standards? Yes No

Explain:

It would make more sense to collect funds now, and establish an easement now, then construct this segment in the future when the pathway network is expanded to this area.

3. Would granting the variance not be detrimental to public health, safety, or welfare, and not injurious to adjoining or neighboring property? Yes No

Explain:

Since there isn't a pathway in this area, it would not be creating a gap in the pathway network.



Request for Variance Design and Construction Standards

Applicant Information

Name: Clint Hall (Cranbrook Custom Homes)

Address: 13001 23 Mile Rd. Ste 200

Shelby Township, MI 48315

Phone No: 248-721-3438

Engineer Information

Name: Horizon Engineering

Address: PO Box 182158

Shelby Township, MI 48318

Phone No: 586-453-8097

Applicant Status (please check one):

- Property Owner Developer Developer / Owner Representative
 Other _____

Project Name Dabish

Project Address/Location 41380 Eight Mile Rd.

Variance Request Sidewalk deferral

Justification (attach additional pages if necessary)

* No connection walk within 500' of property

* Not connecting in foreseeable future

* Several obstacles in installing city sidewalk on East side of Meadowbrook Rd. Utility poles, ditches, grade, brick entrance walls, signs, and trees.

INTERNAL USE

Date Submitted: _____

Code Section from which variance is sought: _____

Submittal Checklist: One (1) copy of plan on 8.5 x 11 size paper
 \$100 Filing Fee (No fee for driveway width variance requests)

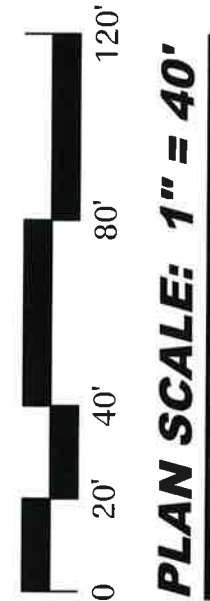
Request Status: APPROVED DENIED

Authorized By: _____

Authorization Date: _____

Plot Plan

Page 1 of 2



REVISIONS:
2-23-24 REVISED PER CITY.

CLIENT:
BENINATI POOL & SPA INC.
6991 AUBURN ROAD
UTICA, MI 48317

JOB NO: 19-037
DATE: 2-8-24
DRAWN BY: N.P.R.

HORIZON
ENGINEERING LLC
CIVIL ENGINEERING, SITE PLANNING & LAND DEVELOPMENT CONSULTING
P.O. Box 182158, Shelby Township, Michigan 48318
Phone 586.453.8097



RECEIVED
FEB 26 2024
CITY OF NOVI
COMMUNITY DEVELOPMENT

NOTE
REFER TO PAGE 2
FOR ADDITIONAL
NOTES AND DETAILS.

SOUTH 1/4 CORNER OF SECTION 36,
TOWN 1 NORTH, RANGE 8 EAST,
CITY OF NOVI, OAKLAND COUNTY,
MICHIGAN. FOUND REMONSTRATION
CAP #24598 IN MONUMENT BOX AS
RECORDED IN LIBER 15526, PAGE
786 OF OAKLAND COUNTY RECORDS.

PROJECT:
Dabish Residence
#41380 8 MILE ROAD
PARCEL 22-36-353-002
PART OF THE SW 1/4 OF SECTION 36, T.1N., R.8E.
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

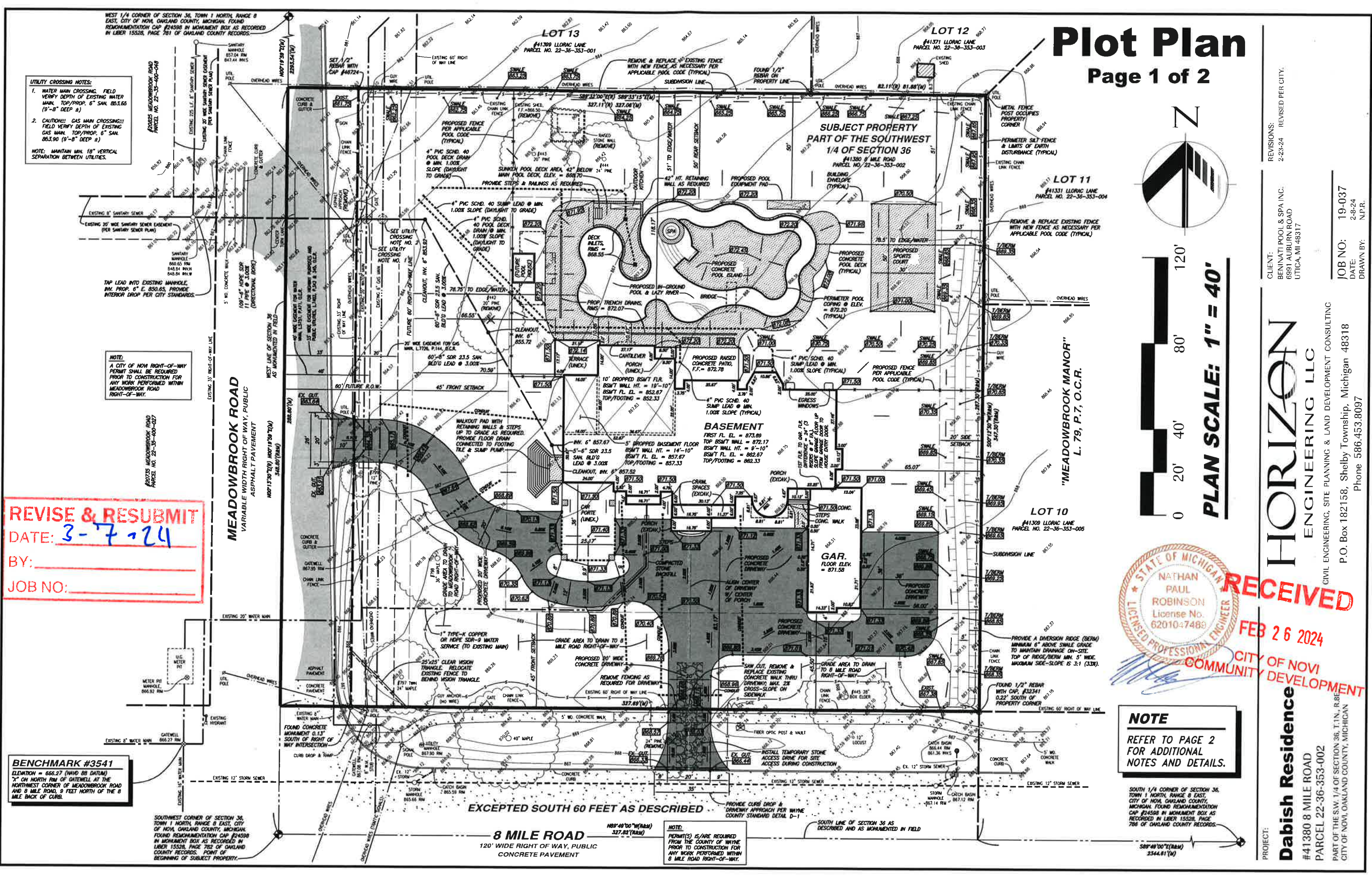
UTILITY CROSSING NOTES:
1. WATER MAIN CROSSING: FIELD
VERIFY DEPTH OF EXISTING WATER
MAIN. TOP/PROP. 6" SAN. 80.3.65
(9'-8" DEEP ±)
2. CAUTION!!! GAS MAIN CROSSING!!!
FIELD VERIFY DEPTH OF EXISTING
GAS MAIN. TOP/PROP. 6" SAN.
80.3.90 (9'-8" DEEP ±)
NOTE: MAINTAIN MIN. 18" VERTICAL
SEPARATION BETWEEN UTILITIES.

NOTE:
A CITY OF NOVI RIGHT-OF-WAY
PERMIT SHALL BE REQUIRED
PRIOR TO CONSTRUCTION FOR
ANY WORK PERFORMED WITHIN
MEADOWBROOK ROAD
RIGHT-OF-WAY.

REVISE & RESUBMIT
DATE: 3-7-24
BY: _____
JOB NO: _____

BENCHMARK #3541
ELEVATION = 866.27 (NAD 83 DATUM)
7" ON NORTH RM OF GATEWELL AT THE
NORTHWEST CORNER OF MEADOWBROOK ROAD
AND 8 MILE ROAD, 9 FEET NORTH OF THE 8
MILE BACK OF CURB.

SOUTHWEST CORNER OF SECTION 36,
TOWN 1 NORTH, RANGE 8 EAST, CITY
OF NOVI, OAKLAND COUNTY, MICHIGAN.
FOUND REMONSTRATION CAP #24598
IN MONUMENT BOX AS RECORDED IN
LIBER 15526, PAGE 782 OF OAKLAND
COUNTY RECORDS. POINT OF
BEGINNING OF SUBJECT PROPERTY.



EXCEPTED SOUTH 60 FEET AS DESCRIBED

8 MILE ROAD
120' WIDE RIGHT OF WAY, PUBLIC
CONCRETE PAVEMENT

NOTE:
PERMITS IS/ARE REQUIRED
FROM THE COUNTY OF WAYNE
PRIOR TO CONSTRUCTION FOR
ANY WORK PERFORMED WITHIN
8 MILE ROAD RIGHT-OF-WAY.

FBR240073

SOILS FROM COUNTY SOILS MAP

"15B" - SPINKS LOAMY SAND, 0 TO 6 PERCENT SLOPES.

SOIL EROSION NOTES

1. INSTALL SOIL EROSION CONTROL MEASURES PRIOR TO CONSTRUCTION AND EARTH MOVEMENT.
2. A TEMPORARY CRUSHED STONE ACCESS DRIVE SHALL BE PROVIDED FOR CONSTRUCTION ACCESS TO THE SITE. ACCESS TO THE BUILDING SITE SHALL BE LARGE ENOUGH TO ACCOMMODATE FOR ALL CONSTRUCTION TRAFFIC. SITE ACCESS SHALL BE MAINTAINED THROUGHOUT ALL CONSTRUCTION PHASES.
3. MAINTAIN ALL CONTROL MEASURES UNTIL EARTH MOVEMENT IS COMPLETED.
4. RIGHT-OF-WAY MUST BE STABILIZED PRIOR TO FINAL GRADE INSPECTION.
5. ALL SWALE AREAS, ALL SLOPES GREATER THAN 1:5 AND 10' AROUND STORM STRUCTURES MUST BE STABILIZED PRIOR TO FINAL GRADE INSPECTION.
6. AFTER PERMANENT EARTH STABILIZATION IS COMPLETED, REMOVE EROSION CONTROL MEASURES.

SOIL EROSION MAINTENANCE & SEQUENCE OF CONSTRUCTION

1. INSTALL ALL TEMPORARY SOIL EROSION CONTROL MEASURES AS PER PLAN.
2. BEGIN NEW HOUSE CONSTRUCTION.
3. INSTALL UNDERGROUND UTILITIES TO NEW HOUSE.
4. INSTALL DRIVEWAY AND PAVED AREAS.
5. COMPLETE HOUSE CONSTRUCTION AND ESTABLISH FINISH GRADE ON ALL DISTURBED AREAS AND STABILIZE WITH VEGETATIVE COVER.
6. REMOVE TEMPORARY SOIL EROSION CONTROL MEASURES.

NOTE: THE SOIL EROSION MEASURES WILL BE MAINTAINED WEEKLY AND AFTER EVERY STORM EVENT BY THE BUILDER. ANY DAMAGED SOIL EROSION MEASURES SHALL BE IMMEDIATELY REPAIRED.

CONTRACTOR'S NOTE

The locations of existing underground utilities are shown in an approximate way only. The contractor shall determine the exact location of all existing utilities before commencing work. He agrees to be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all underground utilities.

3 WORKING DAYS |
BEFORE YOU DIG
CALL MISS DIG
 1-800-482-7171
 (TOLL FREE) for the location
 of underground utilities

The contractor shall be responsible for adhering to all applicable local, state, and federal standards, specifications, and guidelines for construction.

PROPERTY DESCRIPTION

PARCEL NO. 22-36-353-002
 PART OF THE SOUTHWEST 1/4 OF SECTION 36, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN DESCRIBED AS; BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 36, THENCE NORTH 00 DEGREES 13 MINUTES 30 SECONDS EAST 348.80 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 00 SECONDS EAST 327.11 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 30 SECONDS WEST 347.30 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 00 SECONDS WEST 327.82 FEET TO THE POINT OF BEGINNING, EXCEPTING THE SOUTH 60 FEET FOR ROAD PURPOSES.

LEGEND

	EXISTING GRADE		EXISTING ASPHALT PAVEMENT TO REMAIN
	EXISTING CONTOURS, 1' INTERVAL		EXISTING CONCRETE PAVEMENT TO REMAIN
	PROPOSED GRADE		PROPOSED PAVED DRIVING SURFACES
	AS-BUILT GRADE		PROPOSED PAVED WALKING SURFACES
	DIRECTION OF SURFACE DRAINAGE		SILT FENCE & LIMITS OF EARTH DISTURBANCE

BENCHMARK

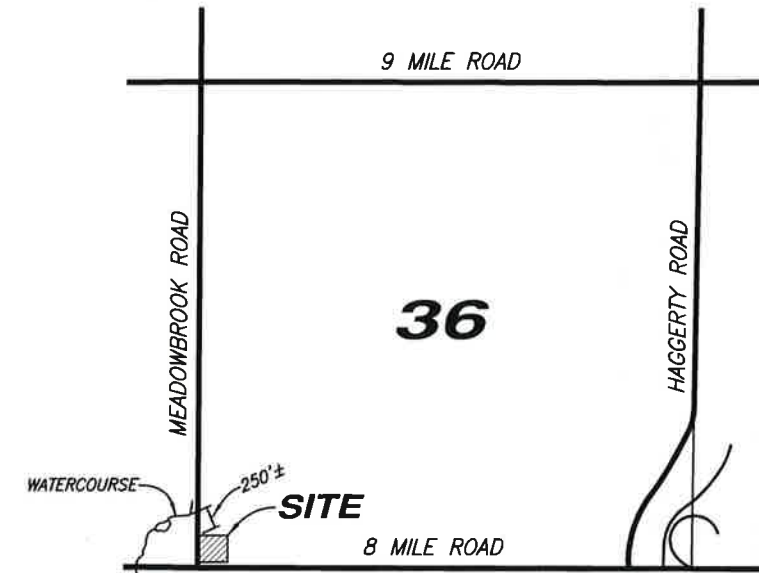
CITY OF NOVI BENCHMARK #3541
 ELEVATION = 666.27 (NAVD 88 DATUM)
 "X" ON NORTH RIM OF GATEWELL AT THE NORTHWEST CORNER OF MEADOWBROOK ROAD AND 8 MILE ROAD, 9 FEET NORTH OF THE 8 MILE BACK OF CURB.

NOTES

1. THE CONTRACTOR SHALL VERIFY THE EXISTENCE OF ALL UNDERGROUND UTILITIES AND CONTACT "MISS DIG" PRIOR TO START OF CONSTRUCTION.
2. ALL CONSTRUCTION MATERIALS SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE LOCAL MUNICIPALITY, COUNTY, AND STATE.
3. THE CONTRACTOR SHALL VERIFY HOUSE DIMENSIONS & FINISH FLOOR ELEVATIONS WITH FINAL APPROVED BUILDING CONSTRUCTION DRAWINGS.
4. THE OWNER AND/OR BUILDER SHALL REVIEW THIS PLAN WITH THE SUBDIVISION ASSOCIATION, IF APPLICABLE, AND OBTAIN THEIR APPROVAL PRIOR TO THE START OF CONSTRUCTION.
5. SUBJECT PROPERTY IS LOCATED WITHIN ZONE X, AREAS OUTSIDE OF THE 0.2% ANNUAL CHANCE (500-YEAR) FLOOD PLAIN AS PER FLOOD INSURANCE RATE MAP NUMBER 26125C0629F, DATED SEPTEMBER 29, 2006, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.



Plot Plan
 Page 2 of 2



LOCATION MAP

SCALE: 1"=2000'

SITE CRITERIA

- **PARCEL SUMMARY:**
 ADDRESS: #41380 8 MILE ROAD
 PARCEL ID NO.: 22-36-353-002
 EXISTING ZONING: R-A (RESIDENTIAL ACREAGE)
 AREA OF PARCEL: 94,300 S.F. (2.165 ACRES.)
 AREA OF EARTH DISTURBANCE: 1.85 ACRE
 TOTAL PROPOSED BUILDING FOOTPRINT: 10,676 S.F.
 TOTAL POOL FOOTPRINT (WATER SURFACE): 3,115 S.F.
 ALLOWABLE LOT COVERAGE: 25%
 PROPOSED LOT COVERAGE (HOUSE ONLY): 11.3%
 PROPOSED LOT COVERAGE (HOUSE AND POOL): 14.6%
 DISTANCE TO NEAREST BODY OF WATER: 250' ± TO WATERCOURSE TO THE NORTHWEST (REFER TO LOCATION MAP ABOVE).
- **SETBACK SUMMARY:**
 FRONT: 45'
 REAR: 50'
 SIDE: 20' MIN., 50' TOTAL

REVISIONS:
 2-23-24 REVISED PER CITY.

CLIENT:
 BENINATI POOL & SPA INC.
 6991 AUBURN ROAD
 UTICA, MI 48317

JOB NO: 19-037
 DATE: 2-8-24
 DRAWN BY: N.P.R.

HORIZON
 ENGINEERING LLC

CIVIL ENGINEERING, SITE PLANNING & LAND DEVELOPMENT CONSULTING
 P.O. Box 182158, Shelby Township, Michigan 48318
 Phone 586.453.8097

PROJECT:
Dabish Residence
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 PART OF THE S.W. 1/4 OF SECTION 36, T.1N., R.8E.,
 CITY OF NOVI, OAKLAND COUNTY, MICHIGAN