# NOVI cityofnovi.org

#### 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: September 12, 2023

REGARDING: 24295 Haggerty Road, Parcel # 50-22-24-476-030 (PZ23-0032)

**BY:** Alan Hall, Deputy Director Community Development

#### **GENERAL INFORMATION:**

#### **Applicant**

Nowak & Fraus Engineers/ Audi

#### Variance Type

**Dimensional Variance** 

#### **Property Characteristics**

Zoning District: This property is zoned General Business (B-3)

Location: West of Haggerty Road, North of Ten Mile

Parcel #: 50-22-24-476-030

#### Request

The applicant is requesting a variance from City of Novi Zoning Ordinance Section 3.10.3.a to allow one overhead door to face a major thoroughfare (Ten Mile Road). This property is zoned General Business (B-3).

#### II. STAFF COMMENTS:

This property was previously the Jaguar Dealership which is now being re-designed for Audi. The overhead door is constructed of aluminum and glass which is screened by the building from Haggerty Road. The overhead door will be visible from Ten Mile Road.

#### III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following action
--

1.	I	mo	ve	that	we	<u>grant</u>	the					PZ23-0032,	_	
	be	caus	e	Pe	tition	er	has					difficulty		
		(a)					etition	er will be ui	nrea	sonably	prever	nted or limited	l with res	pect
		(b)	The	e prope	erty is	s uniqu	e beca	use						•
		(c)	Pet	itioner	did n	ot creat								
		(d)			_				•			adjacent or		_
		(e)	The					·				f the ordina		
		(f)	The			anted is								•
				1.	_									
				2.	_									
				3. 4.	_									•
2.	I	mo	ve		we	deny	the	variance		Case	No.	PZ23-0032,	sought	by
		caus quiri		Р	etitio		has	not		showi	n	practical	diffi	culty
		(a)	The	e ci	ircum	stances	an	nd featu	ıres	of	the	property	inclu	 ding

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	e failure to	_						e or inat	•		highe tha
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Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0423.

Alan Hall – Deputy Director Community Development - City of Novi



# Community Development Department V = D 45175 Ten Mile Road

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

JUL 3 1 2023

# ZONING BOARD OF APPEALS APPLICATION

CITY OF NOVI
COMMUNITY DEVELOPMENAPPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Add	ress of subject ZBA C	Case)	Application Fee:	300.00
PROJECT NAME / SUBDIVISION				
Audi Novi			Meeting Date:	ep 12 202
ADDRESS		LOT/SIUTE/SPACE #	mooning Dutci	
24295 Haggerly Road			TRA Care H. D7	23-0032
SIDWELL # 50-22-24 476 _ 030		obtained from the Department -0485	ZBA Case #: PZ_	25 0002
CROSS ROADS OF PROPERTY Haggerty Road and 10 Mile Road	(10)	100		
IS THE PROPERTY WITHIN A HOMEOWNER'S ASS	OCIATION JURISDICTION?	REQUEST IS FOR:		
☐ YES  ✓ NO	AHIS	'	MMERCIAL VACANT	PROPERTY SIGNAGE
DOES YOUR APPEAL RESULT FROM A NOT	ICE OF VIOLATION OR	CITATION ISSUED?	YES INO	
II. APPLICANT INFORMATION				
A. APPLICANT	EMAIL ADDRESS  Jlonghurst@nfe-engr.com		CELL PHONE NO.	
NAME			TELEPHONE NO.	
Jason R. Longhurst, P.E.			248-332-7931	
ORGANIZATION/COMPANY			FAX NO.	
Nowak and Fraus Engineers ADDRESS				
46777 Woodward Avenue		CITY	STATE	ZIP CODE
	ERE IE ADDI ICANIT IS ALSO	O THE PROPERTY OWNER	М	48342
Identify the person or organization that	EMAIL ADDRESS	THE PROPERTY OWNER	T OFFI BUONENO	
owns the subject property:	abreck@lithia.com		CELL PHONE NO.	
NAME			TELEPHONE NO.	
Anne Breck			541-734-3043	
ORGANIZATION/COMPANY Lithia Motors			FAX NO.	
ADDRES\$		CITY	STATE	ZIP CODE
150 N. Bartleti Sireel		Medford	OR	97501
III. ZONING INFORMATION				
A. ZONING DISTRICT				
□R-A □R-1 □R-2	∏R-3	□RM-1 □ RM-2	Пмн	
□I-1 □I-2 □RC				
		OTHER B-3		
B. VARIANCE REQUESTED				
INDICATE ORDINANCE SECTION (S) AND	VARIANCE REQUESTED:			
	'ariance requested	Variance Requested to allow overhead doors ted		
2. SectionV				
3. SectionV				
4. SectionV	'ariance requested	·		
IV. FEES AND DRAWNINGS	HEROTE THE PARTY OF			
A. FEES				
Single Family Residential (Existing	ı) \$200 🔲 (With Viole	ation) \$250 🔲 Single Far	mily Residential (New)	\$250
✓ Multiple/Commercial/Industrial \$	300 [(With Viole	ation) \$400 🔲 Signs \$30	0 (With Violation)	\$400
☐ House Moves \$300	□Special M	eetings (At discretion of E	3oard) \$600	
	TAL COPY SUBMITTED	AS A PDF		
Dimensioned Drawings and Plans			ed distance to adjace	
Site/Plot Plan		<ul> <li>Location of existing</li> </ul>	ig & proposed signs, if	f applicable
Existing or proposed buildings or a	ddition on the prope			
<ul> <li>Number &amp; location of all on-site per</li> </ul>	arking, if applicable	<ul> <li>Any other information</li> </ul>	<u>ition relevant to the V</u>	ariance 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 appr	ovals.
B. SIGN CASES (ONLY) Your signature on this application indicates that you agree to install a Mock-Up Signature on this application indicates that you agree to install a Mock-Up Signature to install a mock-up sign may result in your case not being he schedule ZBA meeting, or cancelled. A mock-up sign is NOT to be an actual sign, be removed within five (5) days of the meeting. If the case is denied, the application the removal of the mock-up or actual sign (if erected under violation) within five	ard by the Board, postponed to the next Upon approval, the mock-up sign must nt is responsible for all costs involved in
C. ORDINANCE	
City of Novi Ordinance, Section 7.10 – Miscellaneous	
No order of the ZBA permitting the erection of a building shall be valid for a period building permit for such erection or alteration is obtained within such period and and proceeds to completion in accordance with the terms of such permit.	d longer than one (1) year, unless a such erection or alteration is started
No order of the ZBA permitting a use of a building or premises shall be valid for a peighty (180) days unless such use is established within such a period; provided, how dependent upon the erection or alteration of a building such order shall continue for such erection or alteration is obtained within one (1) year and such erection or completion in accordance with the terms of such permit.	wever, where such use permitted is e in 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 / Inspe	ctor or Ordinance made
· <del></del>	
$ \;$	∃ USIGNAGE
ACCESSORY BUILDING USE OTHER	SIGNAGE
ACCESSORY BUILDING USE OTHER	SIGNAGE
	SIGNAGE
VI. APPLICANT & PROPERTY SIGNATURES	
VI. APPLICANT & PROPERTY SIGNATURES  A. APPLICANT	2023-07-27
VI. APPLICANT & PROPERTY SIGNATURES	
VI. APPLICANT & PROPERTY SIGNATURES  A. APPLICANT  Applicant Signature	2023-07-27
VI. APPLICANT & PROPERTY SIGNATURES  A. APPLICANT  Applicant Signature  B. PROPERTY OWNER	2023-07-27 Date
VI. APPLICANT & PROPERTY SIGNATURES  A. APPLICANT  Applicant Signature	2023-07-27  Date  elow: of the property described in this
VI. APPLICANT & PROPERTY SIGNATURES  A. APPLICANT  Applicant signature  B. PROPERTY OWNER  If the applicant is not the owner, the property owner must read and sign b  The undersigned affirms and acknowledges that he, she or they are the owner(s) of the owner of the owner of the owner of the owner(s) of the owner owner owner(s) of the owner owner(s) of the owner owner(s) of the owner(s) owner(s) of the owner(s) owner(s) of the owner(s) owner(s) of the owner(s) owner(s) of the owner(s) owner(	2023-07-27  Date  elow: of the property described in this losures.
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#### **Community Development Department**

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

### 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:

We are proposing to remove two existing overhead doors at the service drive entry and replace with a single overhead door in the same location. Additionally, the dealership is subject to a Corporate Branding Requirement. That mandates arrangement of the showroom with adjacency to the service department, and the requirement for drive through service.

OR

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

The primary goal for this property is two fold; first to utilize as much of the existing structure as possible, and second to develop a new Audi dealership that is in compliance with the brand requirements. Maintaining an overhead door at the existing service drive with the same orientation as the existing condition accomplishes both of these goals.

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).

The dealership is subject to a Corporate Branding Requirement where the orientation and adjacency of the service drive in relation to the showroom are mandated by the agreement. Further, the proposal is to reuse as much of the existing building as possible, including the existing relationship between the showroom and the service drive.

#### 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 dealership is subject to a Corporate Branding Requirement. The arrangement of the showroom with adjacency to the service department, and the requirement for drive through service, are mandated by Audi. Due to these requirements and the corner lot condition, any re-orientation of the building would still not comply with the requirement in Section 3.10.3.A.

#### 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.

Due to the brand requirements and the corner lot condition, any re-orientation of the building would still not comply with the requirement in Section 3.10.3.A. To have a clearly identifiable service drive location available for customers that visit the site, we are requesting a variation to allow overhead doors to face 10 Mile Road.

#### 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.

This site is located at the intersection of 10 Mile Road and Haggerty Road, directly adjacent to other business sites in all directions. When considering the existing building conditions, proposed building, as well as proposed landscape conditions, the granting of this variance will in no way negatively impact surrounding properties.

#### Owner

LITHIA MOTORS, INC. 150 N. BARTLETT STREET MEDFORD, OREGON 97501

CONTACT: MS. ANNE BRECK PHONE: (541) 734-3043 EMAIL: ABRECK@LITHIA.COM

#### Civil Engineer

NOWAK & FRAUS ENGINEERS 46777 WOODWARD AVENUE PONTIAC, MICHIGAN 48342 CONTACT:

MR. JASON R. LONGHURST, P.E. PHONE: (248) 332-7931

EMAIL: JLONGHURST@NFE-ENGR.COM

#### Architect

STUDIO DETROIT 2111 WOODWARD AVEUNE **SUITE 1001** 

DETROIT, MICHIGAN 48201 CONTACT:

MR. SHANE BURLEY AIA, NCARB PHONE: (313) 919-5886

EMAIL: SHANE@STUDIO-DETROIT.COM

#### Landscape Architect

NOWAK & FRAUS ENGINEERS 46777 WOODWARD AVENUE PONTIAC, MICHIGAN 48342 CONTACT: MR. GEORGE OSTROWSKI PHONE: (248) 332-7931

EMAIL: GOSTROWSI@NFE-ENGR.COM

#### LEGAL DESCRIPTION

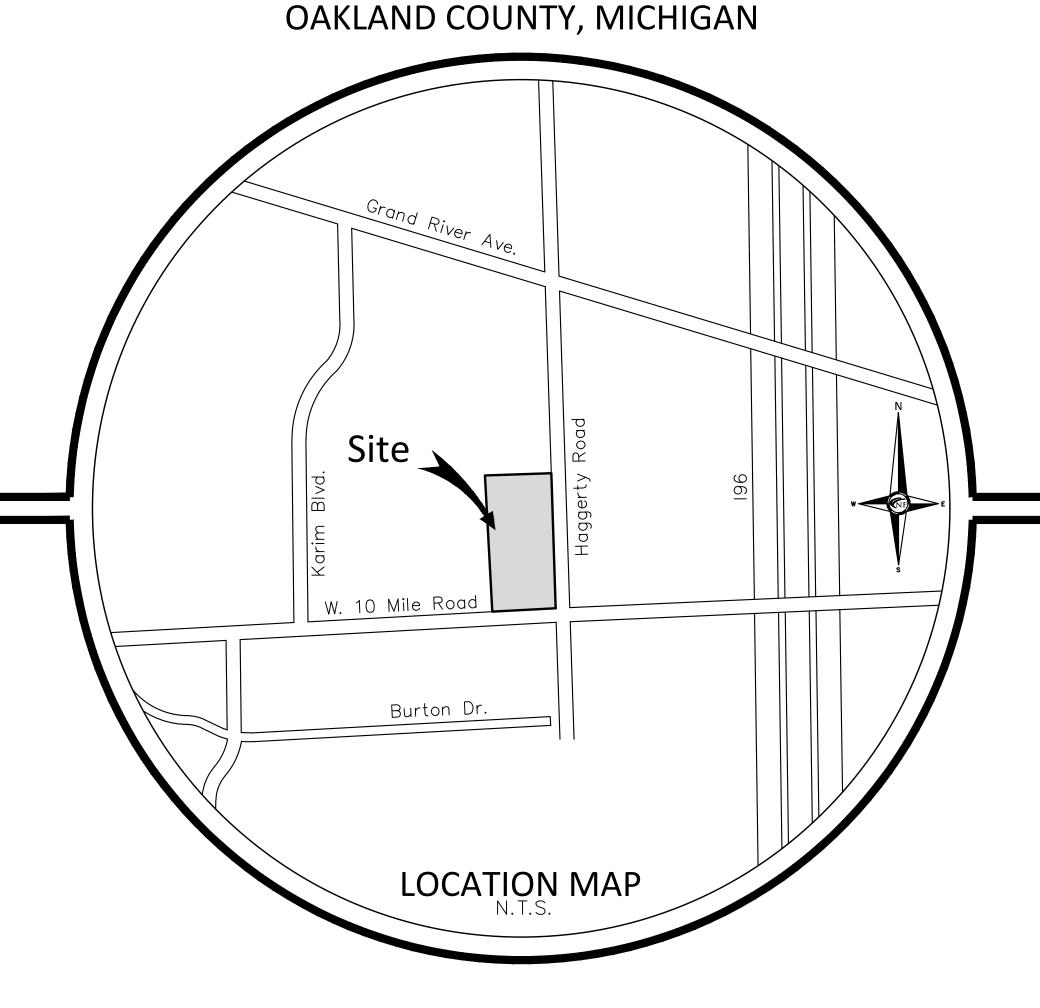
LAND SITUATED IN THE STATE OF MICHIGAN, COUNTY OF OAKLAND CITY OF NOVI

A PART OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 24, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 24: THENCE S.88°40'57"W., (RECORDED AS S.88°26'40"W.) 60.02 FEET TO A POINT ON THE WESTERLY LINE OF HAGGERTY ROAD: THENCE N.00°03'40"E., 583.59 FEET (RECORDED AS 571.73 FEET) ALONG THE WESTERLY LINE OF SAID HAGGERTY ROAD TO THE POINT OF BEGINNING: THENCE S.88°26'40"W., 800.00 FEET; THENCE N.00°03'40"E., 190.00 FEET; THENCE N.49°33'57"E., 150.25 FEET; THENCE S.89°56'20"E., 685.42 FEET TO THE WESTERLY LINE OF SAID HAGGERTY ROAD; THENCE S.00°03'40"W., 265.00 FEET ALONG THE WESTERLY LINE OF SAID HAGGERTY ROAD TO THE POINT OF BEGINNING.

**CONTAINING 3.93 ACRES** APN: 22-24-476-030

City of Novi, Oakland County, Michigan Final Site Plan Prepared For Lithia Motors, Inc.

PART OF THE SE 1/4 OF SECTION 24, T.1N., R.8E., NOVI,



Project Name

# Audi Novi 24295 Haggerty Road

#### SHEET INDEX

CO	Cover Sneet
C1	Boundary, Topographic, and Tree Survey
C2	Tree Survey
C3	Demolition Plan
C4	Engineering Plan
CE	Charma Duafilas and Calaulatians

Storm Profiles and Calculations Soil Erosion and Sedimentation Control Plan

**Notes and Details** 

Notes and Details

Fire Truck Turning - Hydrant Coverage Plan

Tree Preservation Plan

Landscape Plan Landscape Notes and Details

SP1.1 Site Plan SP1.2 Site Plan Details Composite Floor Plan A2.1 **Building Elevations** 

1 of 1 Photometric Plan

#### City of Novi Standard Details

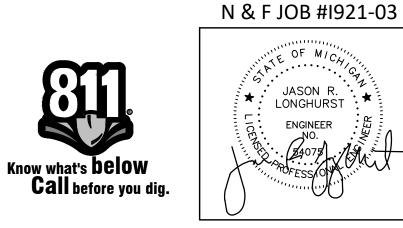
1 of 2	Paving Details
2 of 2	Paving Details
1 of 3	Sanitary Details
2 of 3	Sanitary Details
3 of 3	Sanitary Details
1 of 2	Storm Sewer Details
2 of 2	Storm Sewer Details
1 of 5	Water Main Details
2 of 5	Water Main Details
3 of 5	Water Main Details
4 of 5	Water Main Details
5 of 5	Water Main Details

Soil Erosion and Sedimentation Control Details

**REVISIONS:** 

2023-03-17 ISSUED FOR OWNER REVIEW 2023-04-14 ISSUED FOR PSP/FSP REVIEW 2023-06-07 ISSUED FOR PSP/FSP REVIEW 2023-07-06 REVISED PER SESC REVIEW

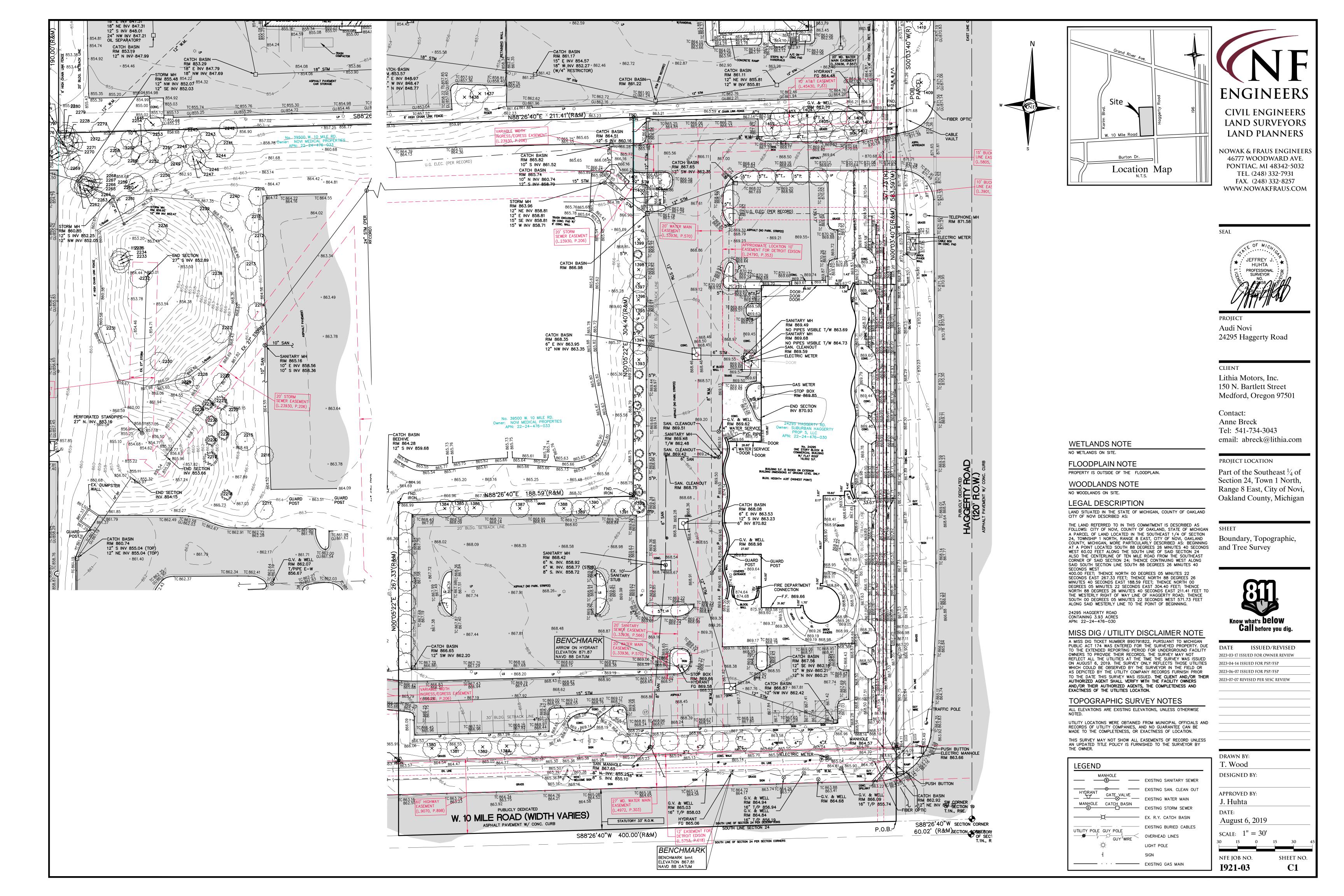


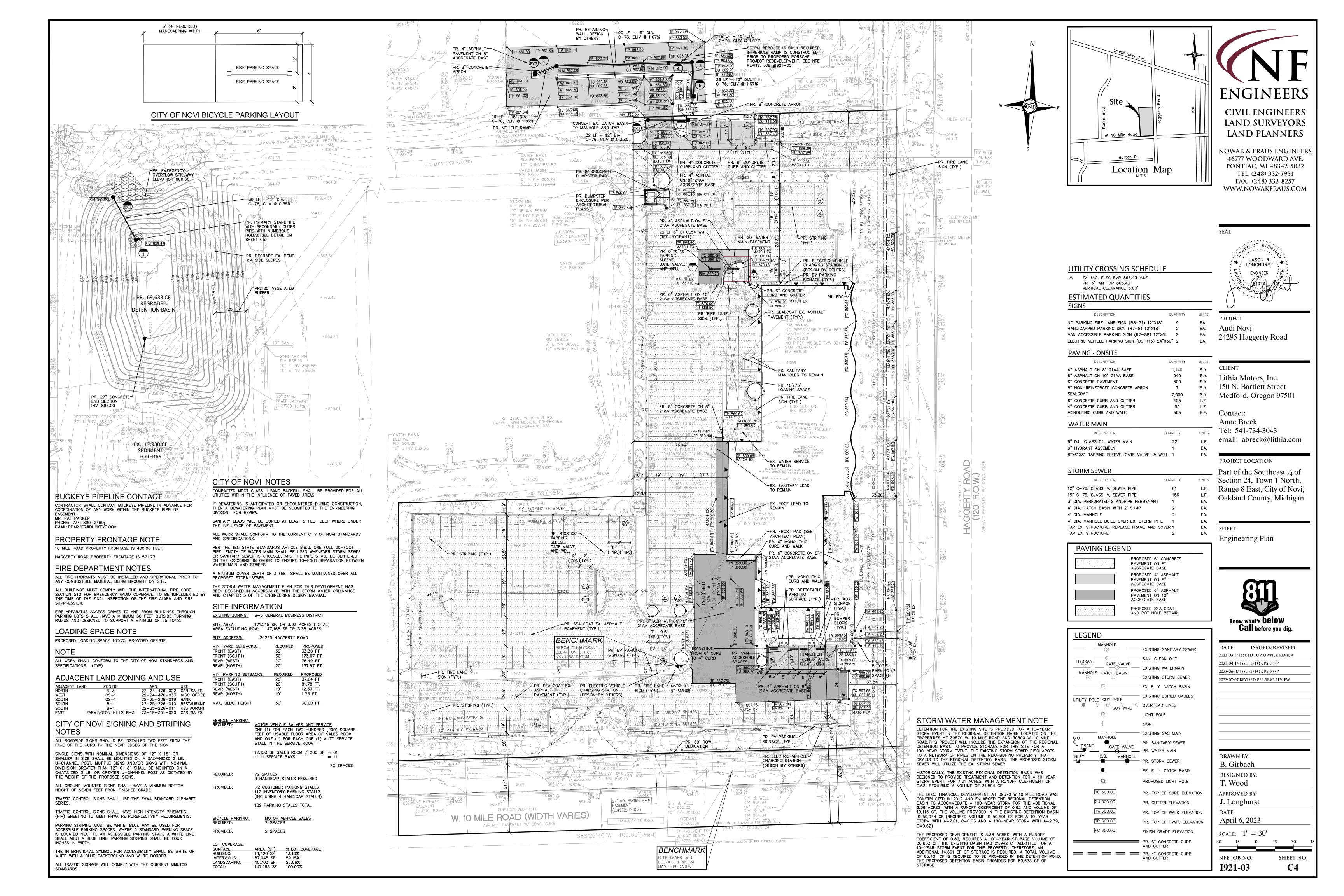




LAND SURVEYORS LAND PLANNERS

NOWAK & FRAUS ENGINEERS 46777 WOODWARD AVE. PONTIAC, MI 48342-5032 TEL. (248) 332-7931 FAX. (248) 332-8257 WWW.NOWAKFRAUS.COM





DEPARTMENT	LEVEL	AREA (NSF)
BACK OF HOUSE	FIRST FLOOR	1,114 SF
		1,114 SF
PARTS	FIRST FLOOR	1,235 SF
PARTS	MEZZANINE	1,616 SF
		2,851 SF
SALES	FIRST FLOOR	5,251 SF
		5,251 SF
SERVICE	FIRST FLOOR	7,745 SF
SERVICE	MEZZANINE	184 SF
		7,929 SF
SERVICE RECEPTION	FIRST FLOOR	2,976 SF
		2,976 SF
TOTAL (NSF)		20,121 SF

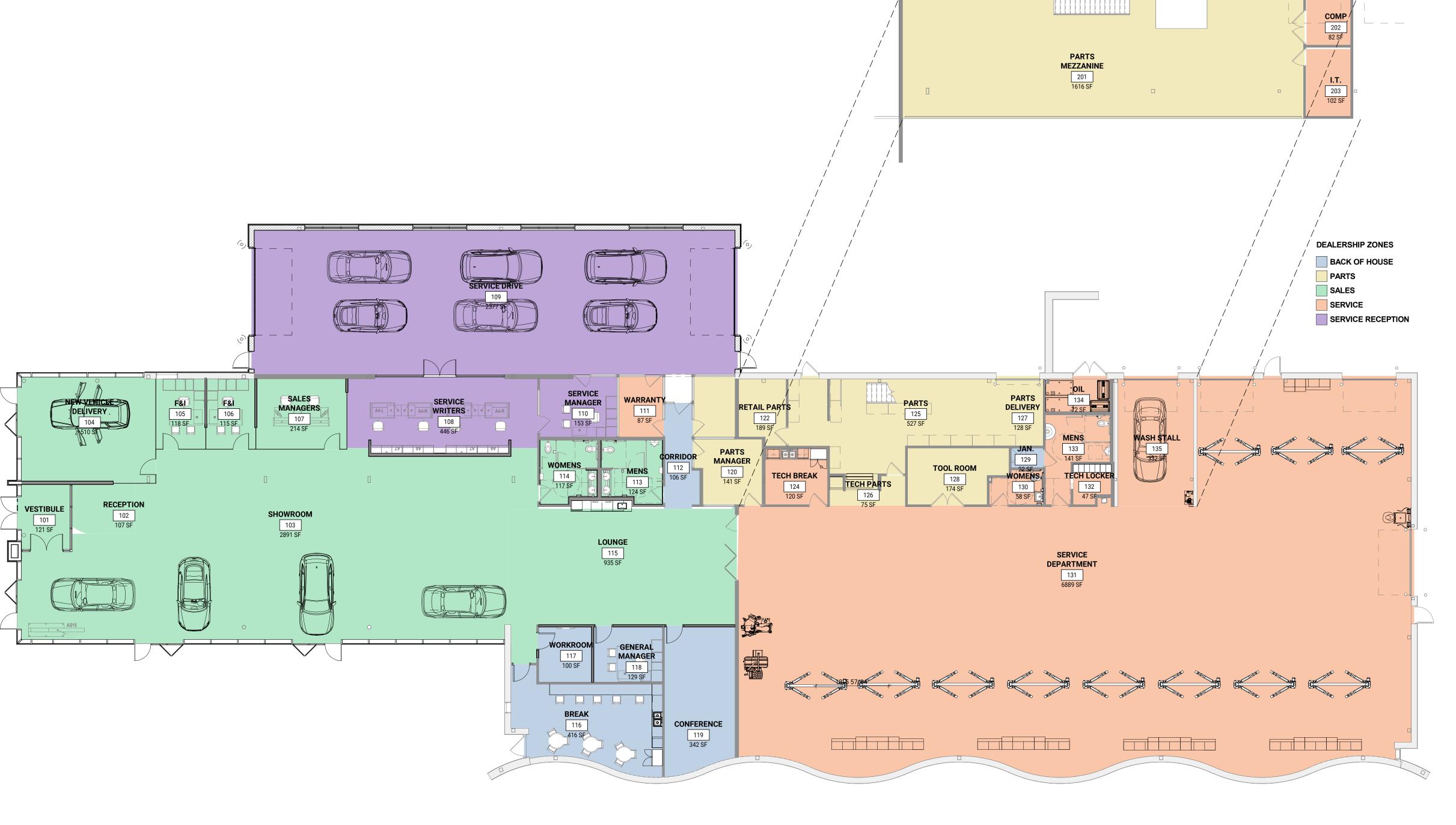
MEZZANINE

TOTAL BUILDING AREA (GSF)

# FIRST FLOOR

1,918 SF

21,378 SF



COMPOSITE FLOOR PLAN
3/32" = 1'-0"

# STUDIO DETROIT ARCHITECTS

2040 PARK AVENUE, SUITE 200 DETROIT, MICHIGAN 48226 313.919.5886 - 313.909.3607 STUDIO-DETROIT.COM

DO NOT SCALE DRAWINGS

04.10.23 OWNER REVIEW - SPA 04.14.23 PRELIM/FINAL SPA 06.06.23 SPA RESUBMITTAL

**DRAWN** JMR

CHECKED SHF

SEAL



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CLIENT

**LITHIA MOTORS** ANNE BRECK 150 N. BARTLETT ST MEDFORD, OR 97504

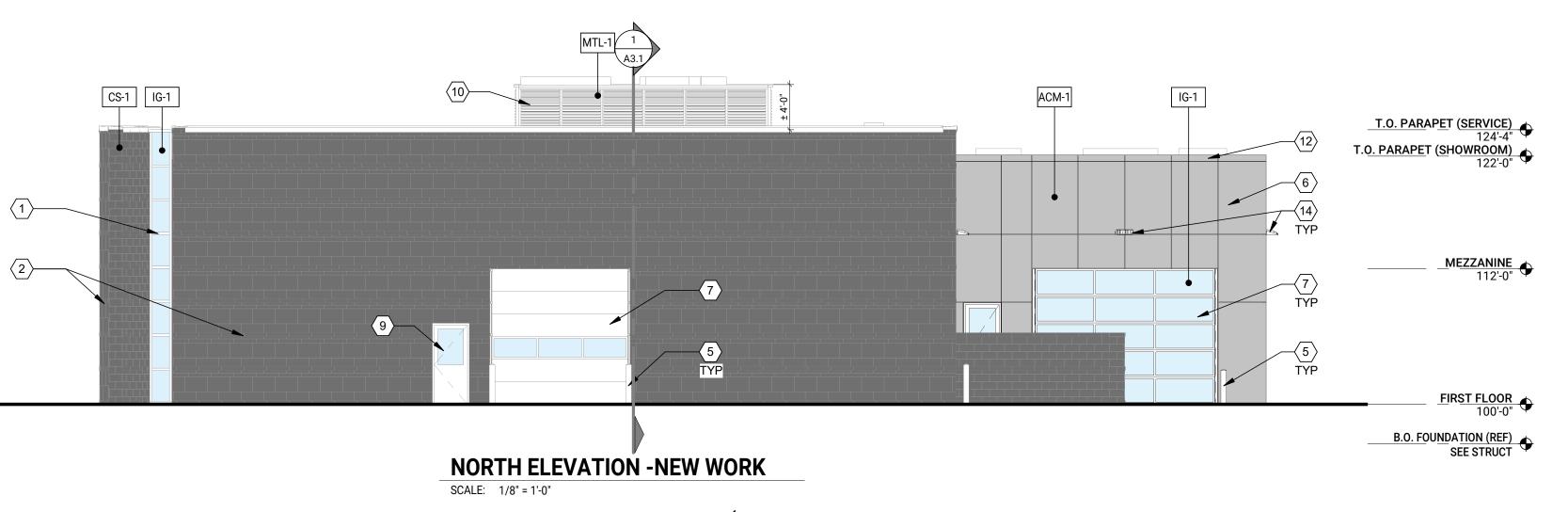
PROJECT 2038

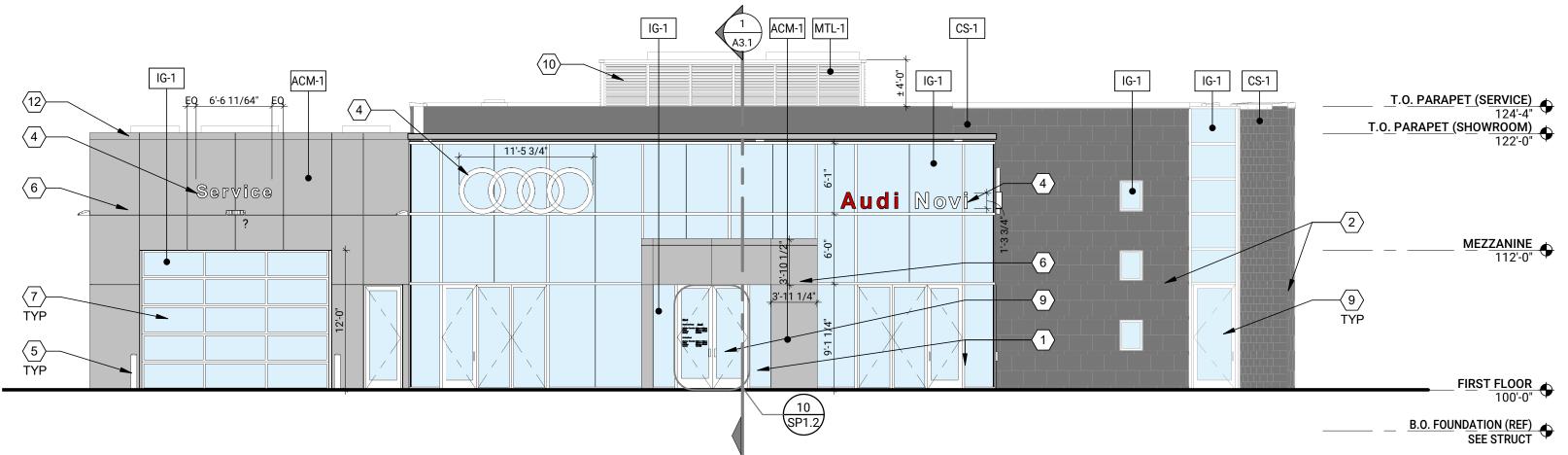
**SUBURBAN AUDI OF NOVI** 

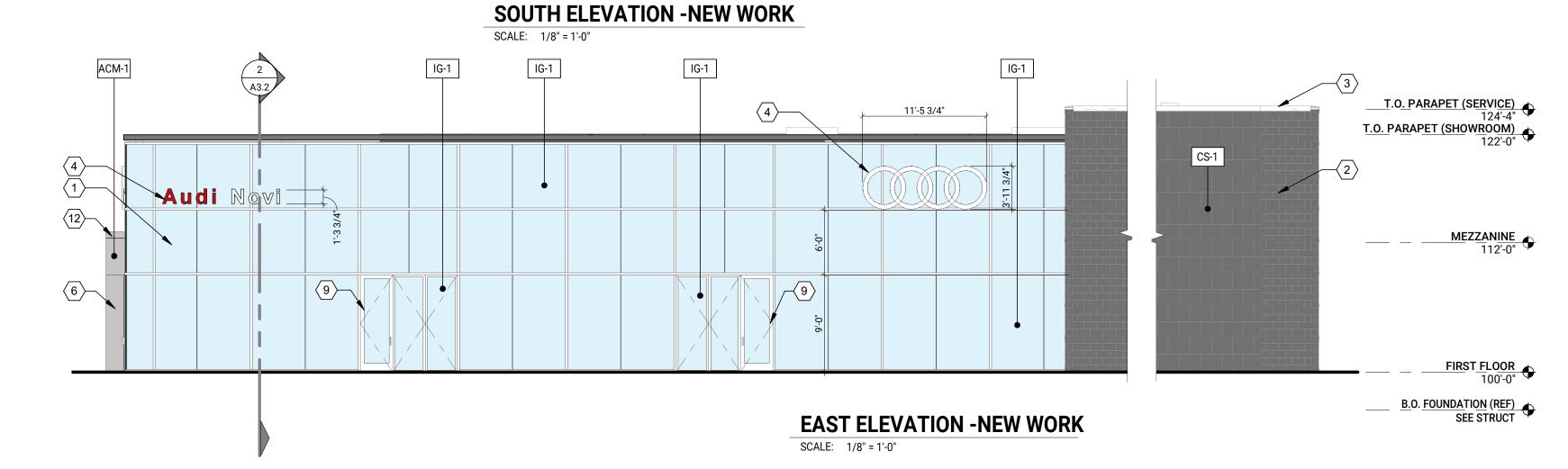
24295 HAGGERTY RD NOVI, MI 48375

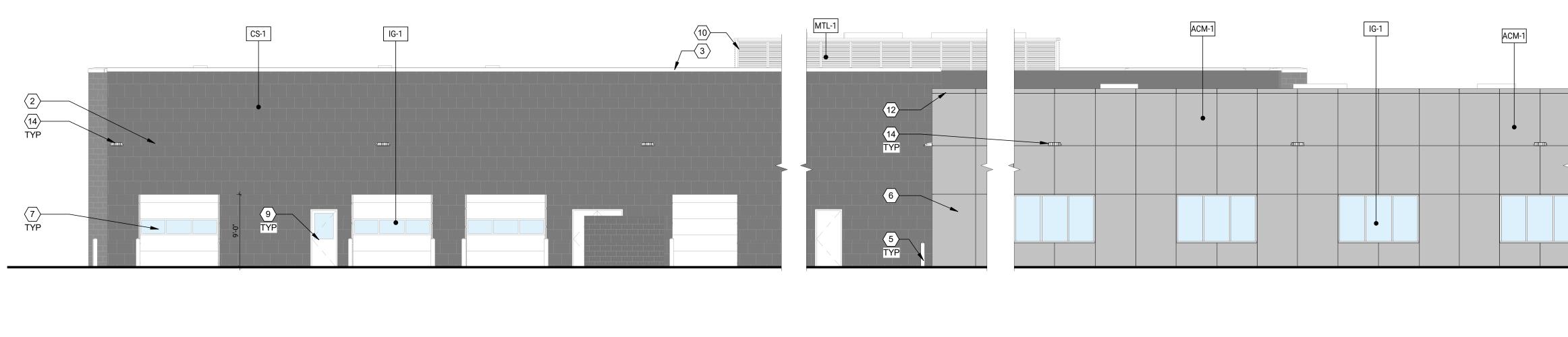
**COMPOSITE FLOOR** 

**TS1.5** 









	EXTERIOR MATERIALS							
PATTERN	TAG	MATERIAL	FINISH					
	CS-1	EXISTING CAST STONE & BURNISHED BLOCK	EXISTING CAST STONE AND BURNISHED BLOCK VENEER; STAINED TO MATCH "PEWTER MICA"					
	ACM-1	ALUMINUM COMPOSITE PANEL SYSTEM (ACM)	APOLIC ACM RAINSCREEN; SILVERSMITH, MATTE FINISH w/ MAX. 1/2" DRY JOINT					
	CW-1	CURTAINWALL	KAWNEER 1600 SYSTEM 2, w/ ALTERNATING BUTT- GLAZED CORNERS, CLEAR ANODIZED FINISH					
	IG-1	1" INSULATED GLAZING	VITRO SOLARBAN 72 w/ STARPHIRE GLASS W/ LOW E- COATING ON SECOND SURFACE					
	MTL-1	MECHANICAL SCREEN	LOUVERED MECHANICAL SCREEN					

#### **EXTERIOR ELEVATION KEY NOTES:** (TYPICAL THIS SHEET ONLY)

 $\langle$  1  $\rangle$  GLASS AND ALUMINUM STOREFRONT/ CURTAINWALL

 $\langle 2 \rangle$  BRICK VENEER

(3) PREFINISHED METAL COPING

4 BUILDING MOUNTED SIGNAGE

 $\langle 5 \rangle$  6" CONC. FILLED STL PIPE BOLLARD w/ PLASTIC COVER

6 ALUMINUM COMPOSITE PANEL SYSTEM (ACM)

 $\langle 7 \rangle$  GLASS & ALUMINUM OVERHEAD DOOR

(8) INDICATES NEW REINF. CONC. FOOTING/ FOUNDATION WALL

9 DOOR & FRAME

(10) FLUSH METAL PANEL MECHANICAL SCREEN

11) ENTRY ELEMENT SIGNAGE, SEE SP1.2 (12) FORMED ACM COPING

(13) FIRE DEPARTMENT CONNECTION

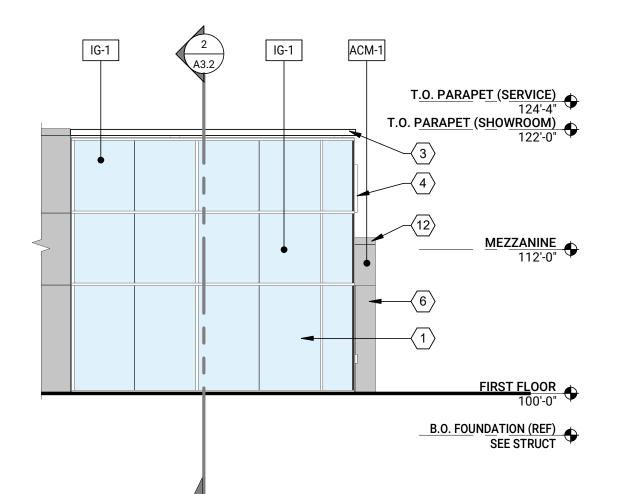
(14) WALL-MOUNTED EXTERIOR LIGHT FIXTURE AS SCHEDULED

SOUTH FACADE EXT. MAT. CALCS - TOTAL AREA 1,245 S.F.						
MATERIAL	% MAX	MATERIAL AREA	% PROPOSED			
EXISTING BRICK / CAST STONE VENEER	100% MAX / 30% MIN	658 S.F.	51.4%			
CAST STONE	25% MAX	0 S.F.	0.0%			
PERFORATED METAL PANEL ON ACM		0 S.F.	0.0%			
ALUMINUM COMPOSITE PANEL SYSTEM (ACM)	50% MAX	537 S.F.	42 %			
MECHANICAL SCREEN		84 S.F.	6.6 %			

MATERIAL	% MAX	MATERIAL AREA	% PROPOSED
EXISTING BRICK / CAST STONE VENEER	100% MAX / 30% MIN	1,747 S.F.	79.5%
CAST STONE	25% MAX	0 S.F.	0.0%
PERFORATED METAL PANEL ON ACM		0 S.F.	0.0%
ALUMINUM COMPOSITE PANEL SYSTEM (ACM)	50% MAX	367 S.F.	16.7%
MECHANICAL SCREEN		83 S.F.	3.8%

MATERIAL	% MAX	MATERIAL AREA	% PROPOSED
EXISTING BRICK / CAST STONE VENEER	100% MAX / 30% MIN	4,299 S.F.	94.3%
CAST STONE	25% MAX	0 S.F.	0.0%
PERFORATED METAL PANEL ON ACM		0 S.F.	0.0%
ALUMINUM COMPOSITE PANEL SYSTEM (ACM)	50% MAX	24 S.F.	0.5%
MECHANICAL SCREEN		237 S.F.	5.2%

WEST FACADE EXT. MAT. CALCS - TOTAL AREA 5,780 S.F.			
MATERIAL	% MAX	MATERIAL AREA	% PROPOSED
EXISTING BRICK / CAST STONE VENEER	100% MAX / 30% MIN	3,255 S.F.	57.0%
CAST STONE	25% MAX	0 S.F.	0.0%
PERFORATED METAL PANEL ON ACM	50% MAX	0 S.F.	0.0%
ALUMINUM COMPOSITE PANEL SYSTEM (ACM)		2,225 S.F.	39.0%
MECHANICAL SCREEN		232 S.F.	4.0%



STUDIO DETROIT ARCHITECTS

2040 PARK AVENUE, SUITE 200 DETROIT, MICHIGAN 48226 313.919.5886 - 313.909.3607 STUDIO-DETROIT.COM

DO NOT SCALE DRAWINGS

ISSUED

04.10.23 OWNER REVIEW - SPA PRELIM/FINAL SPA 06.06.23 SPA RESUBMITTAL

**DRAWN** JMR

CHECKED SHF



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CLIENT

**LITHIA MOTORS** ANNE BRECK 150 N. BARTLETT ST MEDFORD,

PROJECT 2038

OR 97504

**SUBURBAN AUDI OF NOVI** 

24295 HAGGERTY RD NOVI, MI 48375

**EXTERIOR ELEVATIONS** 

**WEST ELEVATION - NEW WORK** SCALE: 1/8" = 1'-0"