NOV 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: May 10, 2022

REGARDING: 43043 West Nine Mile Road, Parcel # 50-22-35-101-022 (PZ22-0016)

BY: Larry Butler, Deputy Director Community Development

. GENERAL INFORMATION:

Applicant

Anchor Printing

Variance Type

Use Variance

Property Characteristics

Zoning District: This property is zoned Light Industrial (I-1)

Location: East of Novi Road and South of 9 Mile Road

Parcel #: 50-22-35-101-022

<u>Request</u>

The applicant is requesting variances from the Novi Zoning Ordinance Section 3.14.5.B.ii for allowance of a loading area less than 100 feet from a residential zoning district and from the Novi Zoning Ordinance Section 3.14.5.A for the allowance of two overhead doors and a loading dock proposed on or in a wall of a building that faces an abutting residential zoning district. The ordinance states "loading/unloading and transport shall be not closer than 100 feet from the boundary of a residential district" and "no truck well, loading dock or door, shall be permitted on or in the wall of the building which faces the abutting residential district."

This property is zoned Light Industrial (I-1).

II. STAFF COMMENTS:

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.	PZ22-0016,	sought	by for
	di	fficulty re	equiring	J				_ b	ecause	Petitic	oner has sho	wn prac	tical
		. ,			iance Poperty b			nreas	onably	preven	ted or limited	d with resp	pect

	() The p	roper	ty is u			e								
	(c) Petitic	oner c	did no	t create		onditior							_	
	(•		-			unreas	-				-	cent o	r surrol	unding
	(e) The	relief	if c	onsister	nt with	n the	spirit (and	inten	t of	the (- ordinar -	ice be	cause
	(1	The v			anted is		ct to:						_•		
2.	l m	ove tl					varian		ı Co	ase	No.	PZ22	-0016, 	sough	ıt by
		ical diff													
		a) The includ	ding_	circur		es	and	f	eatur	es	0	F	the		operty
	(1	o) The c	ircum	nstanc	ces and	l featu	res of t						varianc —	e reque	est are
	(The fo	omic	or	ant reli finar	ef will ncial	result in return		incon		ence			attain ements	higher that
	(· .	arian	ce wo		ult in ir	nterferer		h the	adjo	cent	and su	urround	ing pro	perties
	(4	•					be inco					nd int	ent of t	he ordi	nance
													_•		

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



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

ZONING BOARD OF APPEALS APPLICATION

RECEIVED

APR 0 1 2022

CITY OF NOVI COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Cas	se)	application Fee: $\underline{\mathcal{S}}$	00-
ANCHOY PYINTINA		Neeting Date:	AU 10,20
ADDRESS 43043 W. 9 MILE Rd	LOT/SIUTE/SPACE #	17.0	2-001/
50-22-23 - 101 - 000 Departmen	tain from Assessing It (248) 347-0485	BA Case #: PZ_27	2-0016
CROSS ROADS OF PROPERTY			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?	REQUEST IS FOR:		
YES NO		MERCIAL VACANT PRO	PERTY LI SIGNAGE
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CIT II. APPLICANT INFORMATION	TATION ISSUED?	NO NO	
A. APPLICANT EMAIL ADDRESS WEITTIG	zuchorpradi	CELL PHONE NO.	
ORGANIZATION COMPANY PYINGUNA	sident	FAX NO.	5.7440
ADDRESS 2790 Haslip Dr. C	Novi	STATE /	ZIP 300 375
B. PROPERTY OWNER CHECK HERE IF APPLICANT IS ALSO T	HE PROPERTY OWNER	, .,	
Identify the person or organization that owns the subject property:		CELL PHONE NO.	
Sama as about		243. 335	7440
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS C	ITY	STATE	ZIP CODE
III. ZONING INFORMATION			
A. ZONING DISTRICT		_	
		Эмн	
	OTHER		
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:		11 . 10	" 54 .
1. Section 5.4.3. A Variance requested	loading loss	than loo fro	m K-3 and
2. Section	1 / 1		
3. Section 3.14.5. A Variance requested	two overne	ad doors -	t loading
4. SectionVariance requested _	on a well f	acing era	by Hing
IV. FEES AND DRAWNINGS	16: 30NIV	a /	
A. FEES			
Single Family Residential (Existing) \$200 (With Violation	on) \$250 🗌 Single Famil	y Residential (New) \$25	60
Multiple/Commercial/Industrial \$300 ☐ (With Violation	on) \$400 🗆 Signs \$300	☐ (With Violation) \$40	00
	etings (At discretion of Bo	ard) \$600	
 B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED A Dimensioned Drawings and Plans 		aliatanaa ta maliana sii tii	Manus and Alter and
Site/Plot Plan		distance to adjacent p & proposed signs, if ap	
• Existing or proposed buildings or addition on the propert	y • Floor plans & elevat	ons	
 Number & location of all on-site parking, if applicable 	 Any other information 	on relevant to the Vario	ince application



ZONING BOARD OF APPEALS APPLICATION

VARIANCE	
V. VARIANCE	
A. VARIANCE (S) REQUESTED	
□ DIMENSIONAL XUSE □ SIGN	
There is a five-(5) hold period before work/action can be tal	ken on variance approvals.
meeting. Failure to install a mock-up sign may result in your of schedule ZBA meeting, or cancelled. A mock-up sign is NOT	to be actual sign. Upon approval, the mock-up sign must be enied, the applicant is responsible 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	Ithin such period and such erection or alteration is started and
eighty-(180) days unless such use is establish within such a p dependent upon the erection or alteration or a building suc for such erection or alteration is obtained within one-(1) year completion in accordance with the terms of such permit.	nises shall be valid for a period longer than one-hundred and eriod; provided, however, where such use permitted is ch order shall continue in force and effect if a building permit ar and such erection or alteration is started and proceeds to
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 EX	ISTING HOME/BUILDING SIGNAGE
	HER
ACCESSORY BUILDING USE USE	1CN
VI. APPLICANT & PROPERTY SIGNATURES	
A. APPLICANT	
A. AITEGAR	2/21/22
	3/31/22
Applicant Signature	Date
B. PROPERTY OWNER	
If the applicant is not the owner, the property owner	must read and sian below:
The undersigned affirms and acknowledges that he, she or	they are the owner(s) of the property described in this
application, and is are aware of the contents of this application.	cation and related enclosures.
	2/-/-
011	3/3//22
Property Owner Signature	Date /
THE PART OF THE PARTY	
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.
94-7	
Chairperson, Zoning Board of Appeals	Date



Community Development Department

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

REVIEW STANDARDS USE VARIANCE

For Use Variances: A use variance may be granted by the Zoning Board of Appeals only in cases where the applicant demonstrates in the official record of the public hearing that undue hardship exists by showing all of the following:

In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards.

Standard #1. Cannot Be Reasonably Used.

Explain how the land, building or structure cannot be reasonably used for any of the uses permitted by right or by special land use permit in the zoning district in which it is located.

Because the north end of the existing Industrial building is physically separated from the remaining southern portion of the building, there exists no other location further away from the current adjacent residential property than what is proposed for the loading area and O.H. doors. Any farther south and the proposed loading doors would not have access to the northern space of the building. The northern Tenant has no other loading access available for his business operations.

Standard #2. Circumstances or Physical Conditions.

Explain how the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, topography, or similar physical conditions and is not due to the applicant's personal or economic hardship.

The current location requested on the building for the new O.H. Doors and loading area can not be physically located any further south away from the adjacent Residentially zoned Cemetery property and serve the current occupant. Because of the heavily treed separation and metal building structure on the property line no element of the proposed loading area will be visible from the adjacent property. Due to the use of the adjacent property as a cemetery no full time residential structure is currently or is likely to reside on the property surrounded by Industrial businesses.

Standard #3. Character of the Neighborhood.

Explain how the proposed use will not alter the essential character of the neighborhood.

The current Industrial zoned building is surrounded by other industrial buildings on all sides except for the small cemetery property to the northeast. The proposed use of the building and loading area would be typical of the other surrounding buildings and neighborhood activities and would have no adverse affect on the surrounding industrial neighbors or the uninhabited cemetery property.

Standard #4. Not Self-Created.

Explain how 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 small residentially zoned Cemetery property remains in the context of the surrounding industrial zoned properties as an outlier from a zoning stand point to allow for the preservation of the current use. The current building which has existed for many decades as a properly zoned industrial use by its nature would typically have such a requested loading area and would not be denied such an area except for the preserved residentially zoned parcel as a cemetery. If not a cemetery the existing residential property would likely have been purchased and rezoned to the surrounding industrial zoning.

PROPOSED BUILDING RENOVATION FOR:

CONDITIONS OF WORK

CONSTRUCTION COORDINATION:

1. ALL CONTRACTORS SHALL REVIEW ALL DRAWINGS & ARE RESPONSIBLE FOR A COMPLETE REVIEW & SITE VISIT. ITEMS AFFECTING ALL TRADES ARE PLACED THROUGHOUT SET & NO "EXTRAS" FOR MISSED ITEMS IN OTHER SECTIONS WILL BE PERMITTED. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY ARCHITECT OF ANY AMBIGUITY, INCONSISTENCY OR ERRORS WHICH THEY DISCOVER UPON EXAMINATION OF DOCUMENTS, THE SITE OR LOCAL CONDITIONS.

3. THE CONTRACTOR BY COMMENCING WORK ACCEPTS THE CONDITIONS OF THE SITE & THE COMPLETENESS OF CONTRACT DOCUMENTS. ANY CONTRACTOR OR SUBCONTRACTOR BY SUBMITTING A BID WARRANT'S THAT HE HAS SITED THE SITE AND IS AWARE OF ANY AND ALL SITE CONDITIONS AFFECTING HIS BID.

5. ANY MATERIAL OR LABOR NEITHER SHOWN ON THE DRAWINGS NOR SPECIFIED, BUT WHICH IS OBVIOUSLY NECESSARY TO COMPLETE THE WORK IN A WORKMANLIKE MANNER SHALL BE FURNISHED WITHOUT COST TO THE OWNER. 4. FIELD VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT. DO NOT SCALE DRAWINGS USE FIGURED DIMENSIONS ONLY.

6. ALL MATERIALS FURNISHED AND INSTALLED BY THE GENERAL CONTRACTOR SHALL BE FREE FROM DEFECTS. ALL WORK SHALL BE GUARANTEED FOR A PERIOD OF (1) YEAR FROM DATE OF ACCEPTANCE OF WORK. DURING THIS PERIOD THE GENERAL CONTRACTOR SHALL CORRECT ANY PROBLEMS DUE TO DEFECTIVE MATERIALS OR FAULTY WORKMANSHIP AT NO COST TO THE OWNER. ANY PROBLEM THAT OCCURS DURING CONSTRUCTION SHALL IMMEDIATELY BE CORRECTED TO THE SATISFACTION OF THE OWNER.

7. NO SUBSTITUTIONS OF SPECIFIED MATERIAL OR EQUIPMENT WILL BE ACCEPTED UNLESS WRITTEN REQUEST FOR APPROVAL HAS BEEN RECEIVED BY THE ARCHITECT AND CONTRACTOR HAS RECEIVED WRITTEN APPROVAL FROM ARCHITECT.

DURING AND AT THE COMPLETION OF THE CONTRACTOR'S DAILY WORK, CONTRACTOR IS ESPONSIBLE FOR THE CLEANING UP AND REMOVAL OF ALL RUBBISH AND DEBRIS BEFORE AVING THE PROJECT JOB SITE.

PERMITS & SAFETY: GENERAL CONTRACTOR SHALL APPLY & SUBMIT FOR BUILDING PERMIT.

3. GENERAL CONTRACTOR SHALL PROVIDE ADEQUATE PROTECTION OF WORK, MATERIALS, FIXTURES, ETC. IN LEASED SPACE FROM LOSS OR DAMAGE FROM FIRE, THEFT OR VANDALISM. 2. GENERAL CONTRACTOR SHALL OBTAIN "ALL RISK" INSURANCE AND ALL CUSTOMARY STATUTORY INSURANCE FOR COMPREHENSIVE GENERAL LIABILITY, ETC. AS REQUIRED BY OWNER/LANDLORD.

A. ANY COMBUSTIBLE MATERIALS ABOVE FINISHED CEILING OR IN ANY NON-SPRINKLED -OCATIONS. 4. ALL WORK SHALL BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA). THE FOLLOWING ARE STRICTLY PROHIBITED WORK PRACTICES.

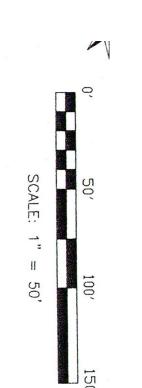
B. IMPOSING ANY STRUCTURAL LOAD, TEMPORARY OR PERMANENT ON ANY PART OF THE LANDLORD'S WORK OR STRUCTURE WITHOUT PRIOR WRITTEN APPROVAL.

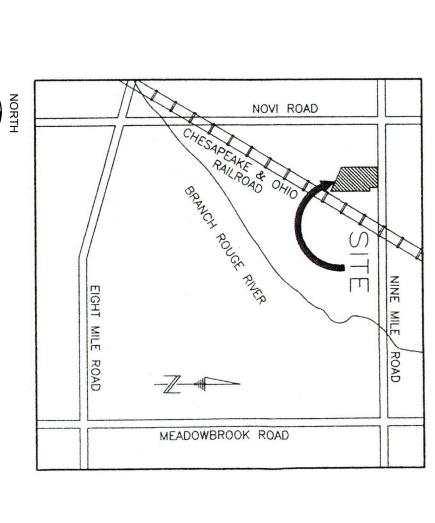
C. CUTTING ANY HOLES IN LANDLORD'S EXISTING FLOOR SLABS, WALLS OR ROOF WITHOUT PROPER APPROVAL'S PROPER APPROVALS FROM LANDLORD. BEFORE STARTING ANY UNDERSLAB WORK CONTRACTORS MUST CHECK WITH THE LANDLORD OR SUPERINTENDENT OF THE LANDLORD'S GENERAL CONTRACTOR TO DETERMINE IF ANY COMMON UTILITY OR OTHER TENANT UTILITY LINES EXIST WITHIN THE SPACE.

FIRE SUPPRESSION NOTE:

THE BUILDING IS PROVIDED WITH A FULL AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEM (FIRE SUPPRESSION SYSTEM) WHICH WILL BE DESIGNED TO MEET M.B.C. REQUIREMENTS AND CITY OF NOVI INSPECTION AND PERMIT APPROVAL. SPRINKLER CONTRACTOR SHALL BE FULLY LICENSED AND BE RESPONSIBLE FOR PREPARATION OF ENGINEERING DRAWING, SUBMISSION OF DRAWINGS TO ALL LOCAL AND STATE AGENCIES FOR APPROVAL, AND FOR COORDINATION OF REQUIREMENTS WITH OWNERS AND TENANTS INSURANCE CARRIER. BUILDING TO BE EQUIPPED WITH A FIRE ALARM SYSTEM (PER SPECIFICATIONS PAID FOR BY TENANT)AS REQUIRED PER N.F.P.A. 72-2015 BASED ON BUILDING OCCUPANCY. TYPE 2A FIRE EXTINGUISHERS SHALL BE PROVIDED AND SPACED A MAX. OF 75' APART PER SECTION 906.1 OF THE 2013 INTERNATIONAL FIRE CODE AND / OR BY THE DIRECTION OF THE FIRE MARSHAL. FIRE PROTECTION SYSTEM FOR THE BUILDING EQUAL TO ORDINARY HAZARD N.F.P.A. NO 13 CRITERIA WITH ONE (1) 6" D.I. BUILDING SERVICE PROVIDED. PROTECTION BASED ON TENANT WAREHOUSING 12'-0" A.F.F.

> 10. ALL LUNCHROOM APPLIANCES TO BE PROVIDED BY TENANT. TO COMPLY WITH ADA-ICC/A117.1-2009 (TYP.) REQUIREMENTS, DISHWASHERS MUST FIT UNDER A 34" HIGH (32 1/4" CLEAR UNDER) COUNTERTOP, THE REFRIGERATOR MUST BE A SIDE-BY-SIDE OR BOTTOM FREEZER UNIT, AND ALL MICROWAVE CONTROLS TO BE NO HIGHER THAN 46" A.F.F. TO MEET OBSTRUCTED HIGH SIDE REACH REQUIREMENTS. 8. ALL ENTRANCE AND EXIT DO WITH ICC/A117.1-2009. 2. FIRE EXTINGUISHERS SHALL BE PROVIDED BY G.C. AND INSTALLED PER THE FIRE MARSHALL'S INSTRUCTIONS. 11. SIGNAGE INDICATING ACCESSIBILITY PROVISIONS SHALL BE PROVIDED AT EACH DOOR TO AN EXIT DISCHARGE. A TACTILE SIGN STATING EXIT AND COMPLYING WITH ICC/ANSI A117.1-2009 SHALL BE PLACED ADJACENT TO THE DOOR. PLEASE REFER TO SHEET A. 601 FOR ADDITIONAL INFORMATION AND LOCATION. 4. INTERIOR FINISHES IN EXIT ACCESS CORRIDORS, OTHER EXIT WAYS, ROOMS, AND ENCLOSED SPACES IN USE GROUPS "B" AND "S" IN SPRINKLED BUILDINGS ARE REQUIRED TO HAVE AT LEAST A CLASS C: FLAME SPREAD 76-200; SMOKE DEVELOPED 0-450; RATING AS LISTED IN THE 2015 MICHIGAN BUILDING CODE. I. WORK INDICATED IS TO BE EXECUTED IN APPLICABLE CODES. . TO COMPLY WITH ADA - ICC/A117.1-2009 (TYP.) REQUIREMENTS, CHANGES IN LEVEL REATER THAN 1/2" SHALL BE RAMPED AND CHANGES IN LEVEL BETWEEN 1/4" AND 1/2" SHAL E BEVELED A MAXIMUM OF 1:2. SAFETY GLAZING MUST HAVE PERMANENT IDENTIFICATION IN ACCORDANCE WITH THE 2015 ICHIGAN BUILDING CODE. ALL WALL FINISHES TO MEET CLASS III FLAME SPREAD RATINGS IN ACCORDANCE WITH BC-2012 CHAPTER 8. ALL REQUIREMENTS OF THE MICHIGAN BARRIER FREE ACT & THE AMERICAN'S WITH SABILITIES ACT SHALL BE MAINTAINED TO COMPLY WITH ICC/A117.1-2009. ALL OFFICE FURNITURE & EQUIPMENT TO BE PROVIDED BY TENANT- SHOWN FOR LAYOUT RPOSES ONLY. TO COMPLY WITH ADA- ICC/A117.1-2009 (TYP.) REQUIREMENTS, A MINIMUM 5%, BUT NOT LESS THAN (1) OF THE LUNCHROOM TABLES AND EMPLOYEE WORKSTATIONS BICLES) SHALL BE ACCESSIBLE. ACCESSIBLE TABLE AND WORKSTATION TOPS SHALL BE 1 MIN. TO 34" MAX. A.F.F. KNEE AND TOE CLEARANCES AS FOLLOWS SHALL ALSO APPLY-1. MIN. HIGH, 17" MIN. TO 25" MAX. DEPTH, AND 30" MIN. WIDE. KNEE: 27" MIN. HIGH, 11" EP @ 9" HIGH TO 8" DEEP @ 27" HIGH, AND 30" MIN. WIDE. S SHALL HAVE BAI ACCORDANCE WITH THE LATEST EDITIONS OF AL ITY TO COMPLY





LOCATION PLAN

Contact Person: Kevin Biddison e.mail: kb@biddison-ad.com 320 Martin Street Birmingham, MI 248.554.9500 Suite

48009

10

0

43043 W 9 MILE ROAD NOVI, MICHIGAN 48375

PROJECT ADDRESS

CONTACT PERSON: APPLICANT INF ORMATION

22790 Heslip Drive Novi, Michigan 48375 248-335-7440 ANDREW WEITZ

SHEE INDEX

aweitz@anchorprinting.com

SP.101 T.101 SITE PL TITLE SHEET Ž

A.101

FLOOR PLAN

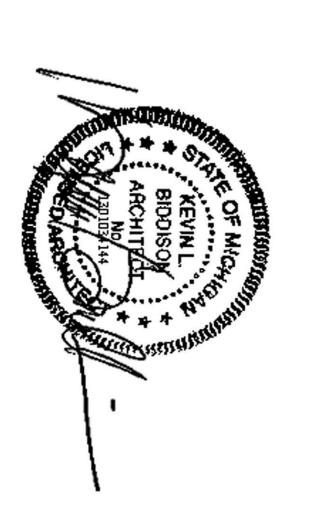
A.201

ENLARGED FLOOR PLAN AND ELEVATION

GOVERNING CODES:

2015 MICHIGAN BUILDING CODE
2015 MICHIGAN PLUMBING CODE
2015 MICHIGAN MECHANICAL CODE
2012 MICHIGAN MEHABILITATION CODE
2012 INTERNATIONAL FUEL GAS CODE
MICHIGAN ELECTRICAL CODE, 2014 N.E.C.
W/ PART 8 STATE AMENDMENTS
ICC/ANSI A117.1-2015 AND MICHIGAN
BARRIER FREE DESIGN LAW OF PUBLIC
ACT 1 OF 1966 AS AMENDED.
MICHIGAN UNIFORM ENERGY CODE RULES
PART 10 WITH ANSI/ASHRAE/IESNA
STANDARD 90.1-2015
2013 INTERNATIONAL FIRE CODE
NFPA 13 - 2010

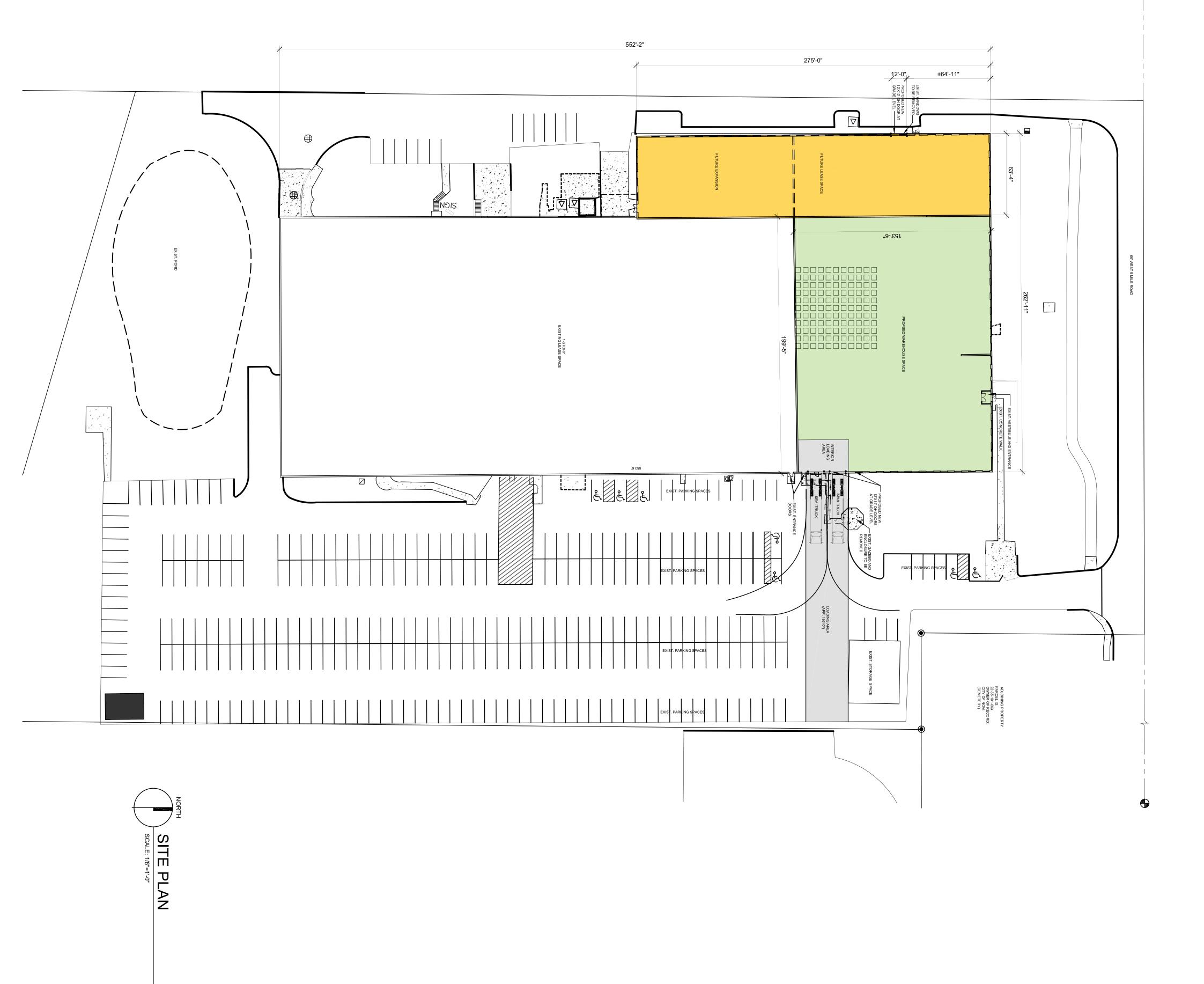
ZONING: L-1 LIGHT INDUSTRIAL

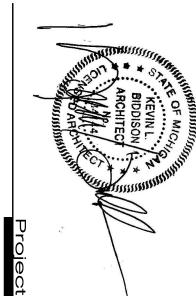


Sheet no.	2082-21
Project no.	
01.11.22 03.31.22	SITE PLAN REVIEW ZBA APPROVAL

T.101





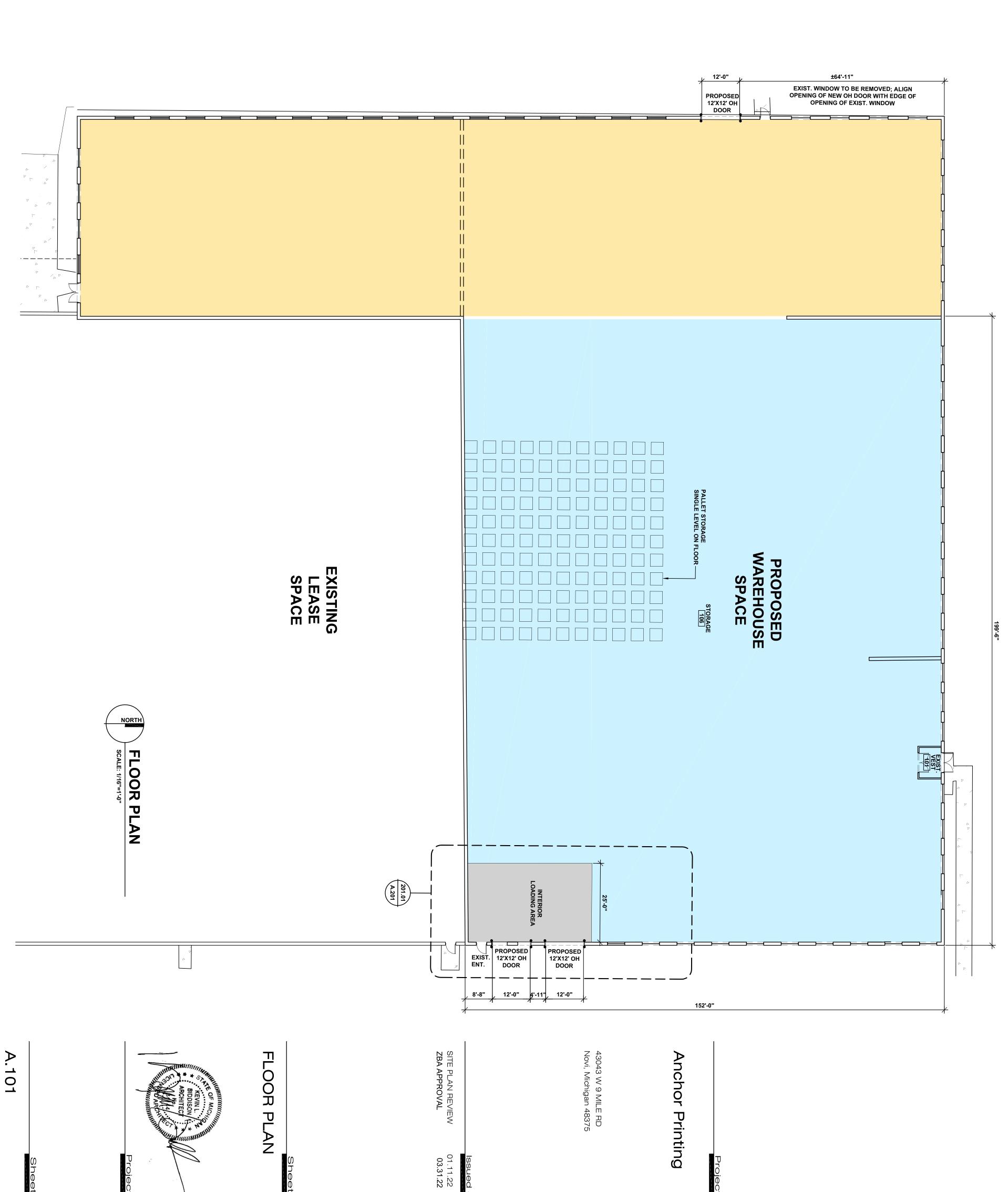


SITE PLAN

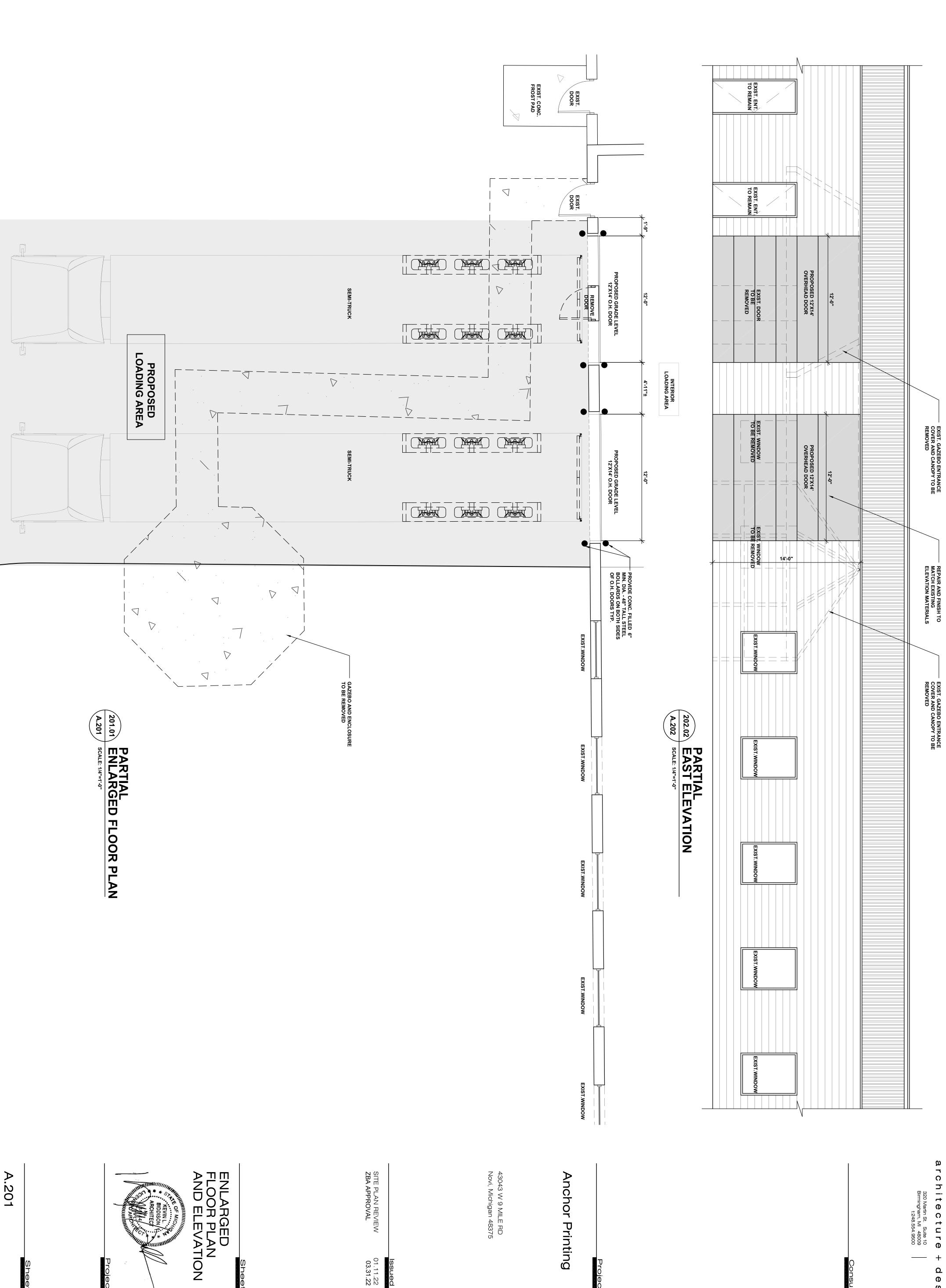
SITE PLAN REVIEW ZBA APPROVAL 01.11.22 03.31.22 43043 W Nine Mile Road Novi, Michigan 48375

Anchor Printing

biddison | arrciheiqteret⊢udreigh design 320 Martin St. Suite 10 Birmingham, MI 48009 t:248.554.9500



biddison architecture design



01.11.22 03.31.22

biddison
architecture

320 Martin St. Suite 10
Birmingham, MI 48009
t:248.554.9500

design