



cityofnovi.org

ZONING BOARD OF APPEALS
CITY OF NOVI
Community Development Department
(248) 347-0415

Case No. PZ12-0055

Location: 39595 Ten Mile Road

Zoning District: OS-1, Office Service District

The applicant is requesting a variance from the CITY OF NOVI, CODE OF ORDINANCES, Section 3004 to allow continued placement of a mobile medical diagnostic trailer on the site for 2 days (48 hours total) each week. The property is located west of Haggerty Road and south of 10 Mile Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 3004 allows approval of temporary uses for a maximum of 1 year with a 1 year extension on developed parcels.

City of Novi Staff Comments:

The existing office development was previously granted Temporary Use Permit 02-022 to allow temporary placement of a diagnostic equipment trailer for limited periods on a weekly basis. Following exhaustion of the allowable time periods for administrative approval, the owners of the property appealed to the Z BA and were granted further approval in case ZBA 03-027. The time period allowed in that case expired some time ago. The new owner of the property is requesting further approval for temporary location of the diagnostic trailer for a maximum of 48 hours per week. Staff suggests consideration of a specific time period.

Standards for Granting a Use Variance:

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:

- (a) The property 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.
- (b) That 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.
- (c) That the proposed use will not alter the essential character of the neighborhood.
- (d) 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)

In granting a variance, the Board may attach thereto such conditions regarding the location, character and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this Ordinance.



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RECEIVED
NOV 7 2012
CITY OF NOVI
COMMUNITY DEVELOPMENT

For Official Use Only

ZBA Case No: P212-0055 ZBA Date: 1/8/13 Payment Received: \$ (Cash)

Check # Include payment with cash or check written to "City of Novi."

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

Please submit one original signed application and 13 copies of all supporting documentation relevant to the appeal,

Applicant's Name Edna Zaid Date 11/7/12

Company (if applicable) Regency Capital Holdings of Novi

Address* 3135 Union Lake Rd City Commerce Twp MI ZIP 48382

Applicant's E-mail Address: ednazaid@yahoo.com

Phone Number (248) 730-6748 FAX Number (248) 360-6608

Request is for:

Residential Construction (New/ Existing) Vacant Property [X] Commercial [] Signage

1. Address of subject ZBA case: 31595 W. 10 Mile Rd #102 ZIP 48375

2. Sidwell Number: 5022 - 25 - 226 - 012 may be obtained from Assessing Department (248) 347-0485

3. Is the property within a Homeowner's Association jurisdiction? Yes [] No [X]

4. Zoning: [] RA [] R-1 [] R-2 [] R-3 [] R-4 [] RT [] RM-1 [] RM-2 [] MH [X] OS-1 [] OS-2 [] OSC [] OST [] OTHER

5. Property Owner Name (if other than applicant)

6. Does your appeal result from a Notice of Violation or Citation Issued? [] Yes [X] No

7. Indicate ordinance section(s) and variances requested:

- 1. Section 1102 Variance requested Mobile trailer on site for 2 days or 2 nights per week
2. Section Variance requested
3. Section Variance requested
4. Section Variance requested

8. Please submit an accurate, scaled drawing of the property showing:

- a. All property lines and dimensions correlated with the legal description.
b. The location and dimensions of all existing and proposed structures and uses on property.
c. Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
d. Dimensions necessary to show compliance with the regulations of this Ordinance.

- Called Edna - 12/12/12 - left message - address total (week)? use.
- confirm w/ call back (message) from Edna 12/12/12 - 48 hours max.

9. State the practical difficulties which prevent conformance with the Zoning Ordinance requirements (attach separate sheet if necessary):

Business provides diagnostic services (MRI, CT scans) from this trailer 2 days a week and will need to relocate if not possible

10. Describe any unique circumstances regarding the property (i.e., shape, topography, etc.) which are not common to other properties in the area and which prevent strict compliance with the Zoning Ordinance:

Expensive electrical (underground) work was done to use this trailer at this location. Variance was previously granted, but prior owner did not get it renewed.

SIGN CASES ONLY:

Your signature on this application indicates that you agree to install a Mock-Up Sign ten (10) days before the scheduled ZBA meeting.

Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next scheduled ZBA meeting, or cancelled. A mock-up sign is NOT to be the 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.

Variance approval is void if permit not obtained within one hundred eighty (180) days of date of decision.

There is a five (5) day hold period before work/action can be taken on variance approvals. All property owners' within 300 feet of ZBA property address will be notified of the ZBA case and variance requests.

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official/ Inspector or Ordinance Officer made

- Construct New Home/Building, Addition to Existing Home/Building, Accessory Building, Use, Signage, Other

Edna Gaid
Applicants Signature

Date

Edna Gaid
Property Owners Signature

Date

DECISION ON APPEAL

Granted Denied Postponed by Request of Applicant Board

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following items and conditions:

Chairperson, Zoning Board of Appeals

Date



Regency Capital Holdings of Novi

3133 Union Lake Road, Commerce, MI (248) 360-2145

November 7, 2012

TO: City of Novi Zoning Board of Appeals
FROM: Rajae and Edna Zaid d/b/a Regency Capital Holdings
RE: Variance for property located at 39595 W. Ten Mile Road
National Diagnostic Services LLC

To whom it may concern:

We recently acquired the Holly Hill Professional Village and are applying for a Variance to prevent one of the larger tenants from locating elsewhere outside of Novi. The nature of their business is to provide diagnostic examinations of which many are done in the Mobile Trailer we are seeking the variance for to remain on the property for two days.

These buildings have been neglected and are in poor condition and only 50% occupied at this time. We are currently working on plans for remodeling the exterior of the buildings to attract new tenants but would very much like to keep the ones we already have. Aside from improving the curb appeal, we are going to update the parking lot and landscaping.

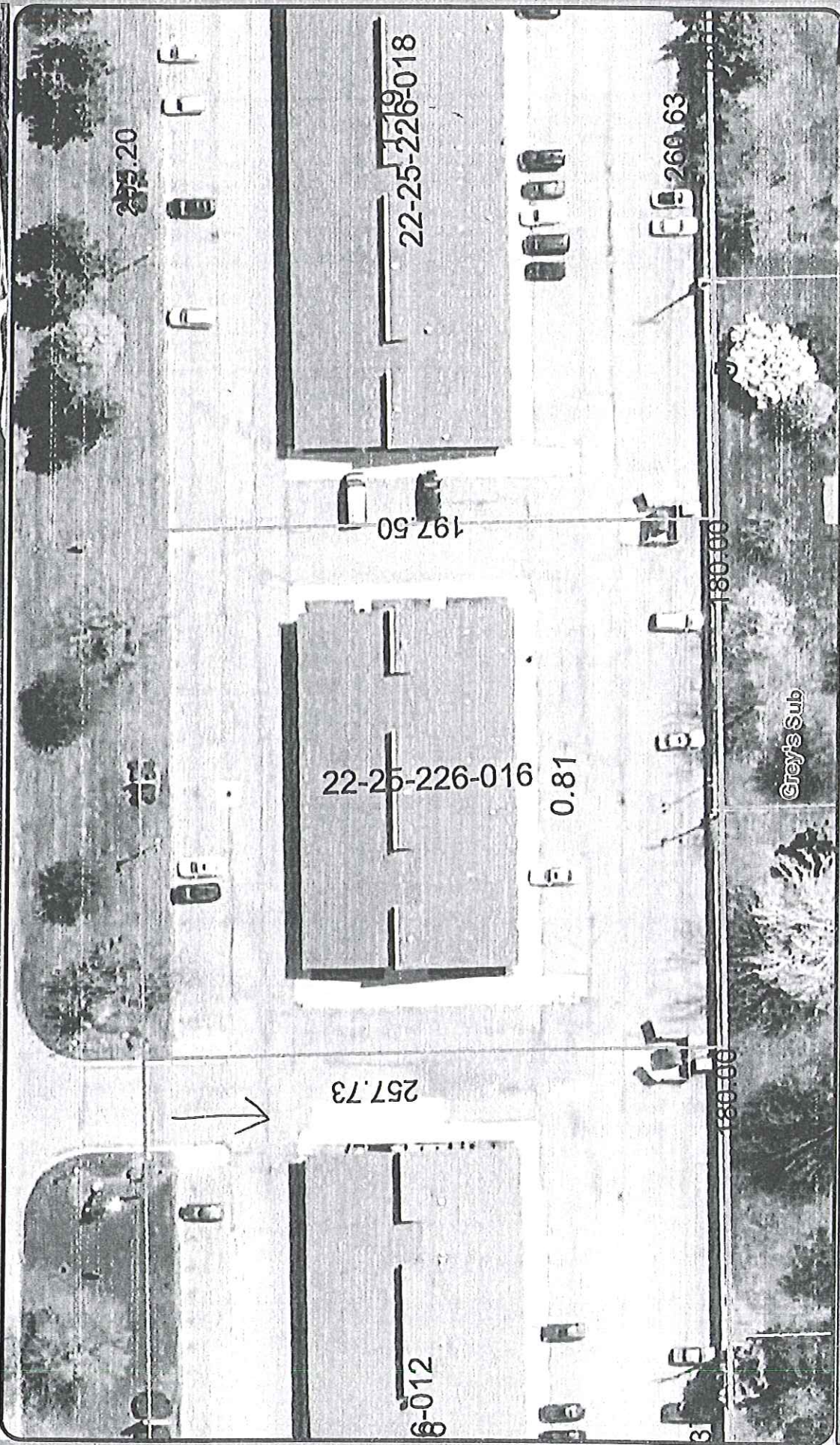
We hope you will help us to keep this tenant who has been an asset to the City of Novi as well. This variance has been approved in the past as indicated in our application, however, was never renewed by the prior owners of this complex.

If further information is needed, please do not hesitate to contact us.

Warm regards,

Raja and Edna
Raja and Edna Zaid

Holly Hills Professional Buildings



Map Produced Using the
City of Novi, Michigan
Internet Mapping Portal

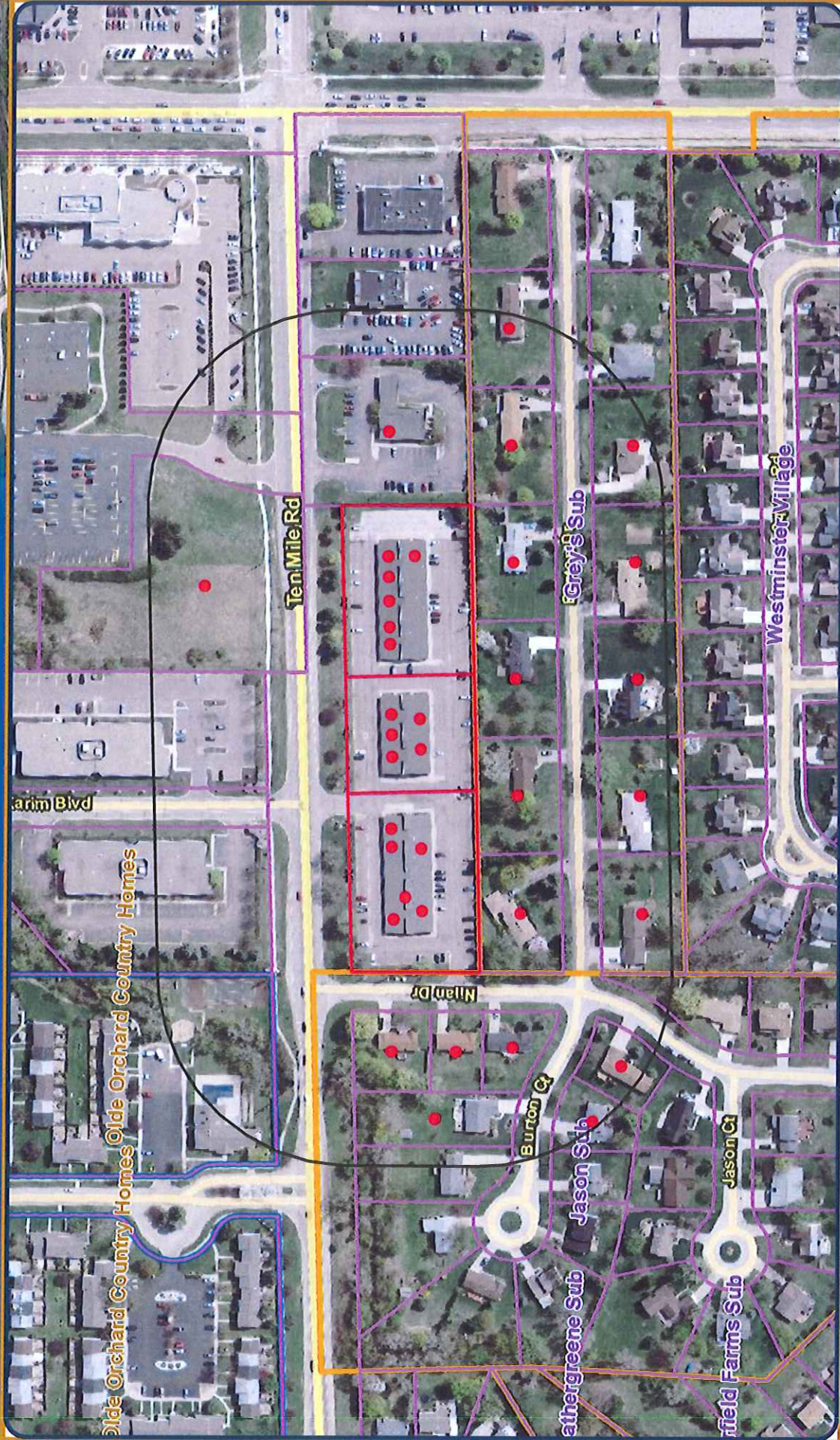


Date: 11/07/2012

MAP INTERPRETATION NOTICE

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City of Novi
39595 10 Mile



Map Produced Using the
City of Novi, Michigan
Internet Mapping Portal



Date: 12/17/2012



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