



**CITY OF NOVI CITY COUNCIL
NOVEMBER 20, 2023**

SUBJECT: Approval of the request from Goddard School Annex (JSP22-0059) at 48600 Grand River Avenue (parcel no. 50-22-17-126-013) for a variance from the Design and Construction Standards Section 11-256(b) to eliminate the sidewalk requirement along 12 Mile Road.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

BACKGROUND INFORMATION:

The property owner is adding approximately 16,000 square feet to an existing building, 12,000 square feet of associated parking and a paved playground area at 48600 Grand River Avenue (parcel no. 50-22-17-126-013). Section 11-256 (b) of the Code of Ordinances outlines the requirement to construct a sidewalk along their 12 Mile Road frontage. The ordinance indicates the property owner may request an administrative variance from this requirement if a pathway does not exist within 300 feet. The property owner is requesting a variance to eliminate the requirement to construct the sidewalk or pay into the sidewalk fund due to a lack of sidewalk within 300-feet and the difficulty in constructing the sidewalk through a wetland area.

Engineering Division staff supports this variance request since there is no sidewalk to the east of the parcel, and because the City has no plans to construct the sidewalk in this area. The Community Development Department also reviewed this request and has does not object.

RECOMMENDED ACTION: Approval of the request from Goddard School Annex (JSP22-0059) at 48600 Grand River Avenue (parcel no. 50-22-17-126-013) for a variance from the Design and Construction Standards Section 11-256(b) to eliminate the sidewalk requirement along 12 Mile Road.



Request for Variance Design and Construction Standards

Applicant Information

Name: Derick Doe

Address: 48600 Grand River Avenue

Novi, MI, 48374

Phone No: 248-938-0400

Engineer Information

Name: Al Pruss

Address: 298 Veterans drive

Fowlerville, MI, 48836

Phone No: 517-223-3512

Applicant Status (please check one):

- Property Owner Developer Developer / Owner Representative
 Other _____

Project Name Goddard School Annex

Project Address/Location 48600 Grand River Avenue Novi, MI, 48374

Variance Request Additional sidewalk along 12 Mile Road

Justification (attach additional pages if necessary)

The property to the east is a wetland. Phase 1 of Goddard School already constructed the sidewalk on 12 Mile Road as far as possible without disturbing the wetland. There is no sidewalk east of the property for the entire length of 12 Mile Road to where it ends, approximately 2000 feet to the east behind Home Depot, and probably never will be due to the entire length being wetland.

The City ordinance allows for waiving construction of the sidewalk in lieu of paying the value of the not constructed sidewalk into the City's sidewalk fund. In this case, however, the owner also has to construct sidewalk (or pay into the fund as required) for the sidewalk along the Grand River Avenue frontage. Being a parcel with dual frontages on main roads, this creates an inequitable burden on the property owner, and as such, the applicant requests to have the donation for 12 Mile Road (the lesser of the two frontages) waived.

INTERNAL USE

Date Submitted: 10/30/2023

Code Section from which variance is sought: 11-10

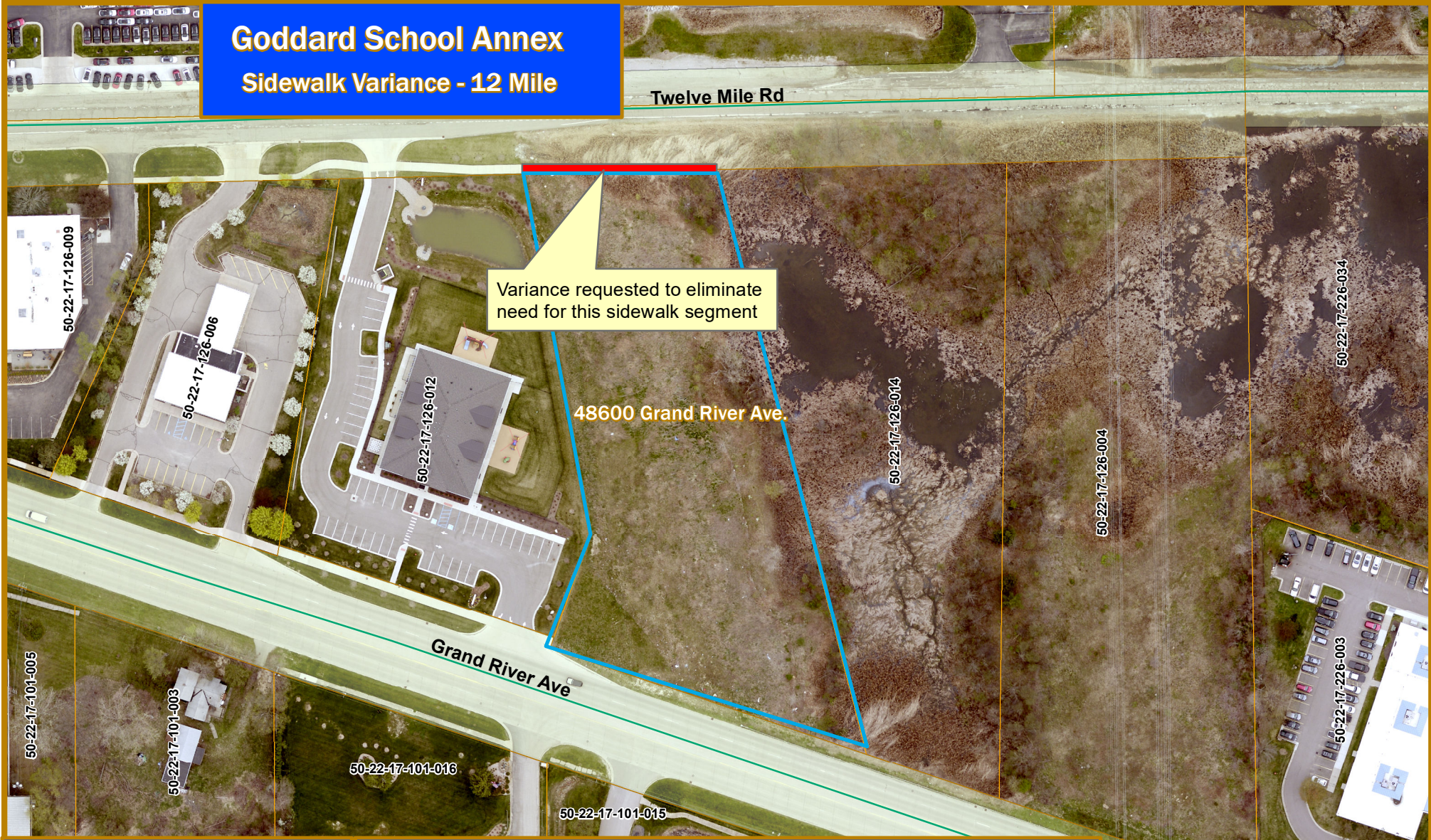
Submittal Checklist: One (1) copy of plan on 8.5 x 11 size paper
 \$100 Filing Fee (No fee for driveway width variance requests)

Request Status: APPROVED DENIED

Authorized By: Ben Croy Digitally signed by Ben Croy

Authorization Date: _____ Date: 2023.11.08 14:43:55 -05'00'

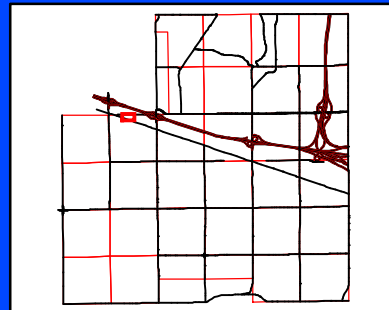
Goddard School Annex Sidewalk Variance - 12 Mile



Map Author: Adam Yako
Date: 10/31/2023
Project: JSP22-0059
Version #: 1.0

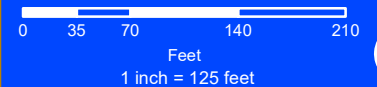
MAP INTERPRETATION NOTICE

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.



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

From: Adam Yako, Engineering Division

Date: October 31, 2023

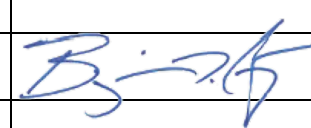
Re: Variance from Design & Construction Standards
 Goddard School Annex JSP22-0059 – 12 Mile Road Sidewalk

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 **November 02, 2023**

ROUTING

Delivered To	Returned On	RECOMMENDED ACTION			Signature
		Approval*	Denial*	No Exceptions Taken	
Ben Croy (Engineering)		X			
Charles Boulard (Comm Dev.)					

*** 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:

There is no future plan to extend sidewalk along 12 Mile, and therefore would not make sense to construct this segment at this time.

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:

Yes, see above.

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:

Yes, see above.



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CITY OF NOVI
Engineering Division

MEMORANDUM

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

From: Adam Yako, Engineering Division

Date: October 31, 2023


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*** SEE REVERSE**