



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 12, 2020

REGARDING: 44050 W Twelve Mile Road, Parcel # 50-22-10-452-001 (PZ20-0015)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Acqaira Realty Holdings

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Office Service
Location:	West of Novi Road and North of Twelve Mile Road
Parcel #:	50-22-10-452-001

Request

The applicant is requesting a variance from the City of Novi Zoning Code Section 5.4.1 proposing to convert (3) of the seven existing loading zones into (6) parking spaces. This will continue to allow ample space for loading/unloading and would not adversely affect the flow of traffic and or loading/unloading of or deliveries. This property is zoned Office Service (OS-1).

II. STAFF COMMENTS:

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we **grant** the variance in Case No. **PZ20-0015**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.

 - (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____.
 - (b) The property is unique because _____.

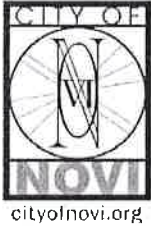
- (c) Petitioner did not create the condition because_____.
- (d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because_____.
- (e) The relief if consistent with the spirit and intent of the ordinance because_____.
- (f) The variance granted is subject to:
 - 1. _____.
 - 2. _____.
 - 3. _____.
 - 4. _____.

2. I move that we **deny** the variance in Case No. **PZ20-0015**, sought by _____, for _____ because Petitioner has not shown practical difficulty requiring _____.

- (a) The circumstances and features of the property including _____ are not unique because they exist generally throughout the City.
- (b) The circumstances and features of the property relating to the variance request are self-created because_____.
- (c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that _____.
- (d) The variance would result in interference with the adjacent and surrounding properties by_____.
- (e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to_____.

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



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ZONING BOARD OF APPEALS APPLICATION

RECEIVED

MAR 13 2020

CITY OF NOVI
COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$300.00
 Meeting Date: May 2020
 ZBA Case #: PZ 20-0015

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION STONERIDGE OFFICE PARK			
ADDRESS 44050-44170 W. 12 Mile Rd.		LOT/SIUTE/SPACE #	
SIDWELL # 50-22- <u>SEE ATTACHED</u>		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY 12 Mile Rd. and Novi Rd.			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		REQUEST IS FOR: <input type="checkbox"/> RESIDENTIAL <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE	
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS pbuesching@acquirarealty.com	CELL PHONE NO. 248-378-5131
NAME Patti Buesching		TELEPHONE NO. same	
ORGANIZATION/COMPANY Acquira Realty Holdings		FAX NO. 248-262-5968	
ADDRESS 44090 W. 12 Mile Rd.	CITY Novi	STATE MI	ZIP CODE 48377
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS jschimizzi@acquirarealty.com	CELL PHONE NO. 248-470-7572
NAME Joe Schimizzi		TELEPHONE NO. same	
ORGANIZATION/COMPANY Stoneridge Investment Group, LLC		FAX NO.	
ADDRESS 44090 W. 12 Mile Rd.	CITY Novi	STATE MI	ZIP CODE 48377
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input checked="" type="checkbox"/> OTHER <u>OS-1</u>			
B. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>5.4.1</u>	Variance requested	<u>Convert (3) striped loading zones into (6) parking spaces</u>	
2. Section _____	Variance requested _____	_____	
3. Section _____	Variance requested _____	_____	
4. Section _____	Variance requested _____	_____	
IV. FEES AND DRAWINGS			
A. FEES			
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input checked="" type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600			
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF			
<ul style="list-style-type: none"> • Dimensioned Drawings and Plans • Site/Plot Plan • Existing or proposed buildings or addition on the property • Number & location of all on-site parking, if applicable 		<ul style="list-style-type: none"> • Existing & proposed distance to adjacent property lines • Location of existing & proposed signs, if applicable • Floor plans & elevations • Any other information relevant to the Variance 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 approvals.

B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a **Mock-Up Sign** ten-(10) days before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be 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.

C. ORDINANCE

City of Novi Ordinance, Section 3107 – Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

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 EXISTING HOME/BUILDING SIGNAGE
 ACCESSORY BUILDING USE OTHER Parking Variance

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Patti Borieschung
Applicant Signature

3/10/2020
Date

B. PROPERTY OWNER

If the applicant is not the owner, the property owner must read and sign 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 and related enclosures.

[Signature]
Property Owner Signature

3/11/2020
Date

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:

Chairperson, Zoning Board of Appeals

Date



Community Development Department

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Novi, MI 48375
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**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.

Not Applicable Applicable If applicable, describe below:

Current build-out of lots are as far out as can be; cannot expand out any further.

and/or

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

Not Applicable Applicable If applicable, describe below:

and/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.

Not Applicable Applicable If applicable, 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).

Currently, there are 235 parking spaces; however, the Zoning Ordinance prohibits the leasing of available building space to an additional medical facility, per Section 5.2.12 of the Zoning Ordinance. The required parking spaces to accommodate the added medical facility, and medical/general office mix would be 240 spaces. This limits leasing and revenue potential.

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.

Currently, the Landlord is restricted from leasing current available building space to another medical facility based solely on parking space medical/general office space ratio which reduces leasing potential and revenue.

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.

The Dimensional Variance will not cause an adverse impact by reducing the number of loading zones. We are proposing three of the seven loading zones be rezoned as six additional parking spaces. This would still allow ample space for loading/unloading (see site plan, spaces highlighted). These proposed zones are near handicap parking spaces and ramps and would not adversely effect the flow of traffic and/or loading/unloading of passengers or deliveries.

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.

The rezoning of three loading zones to six parking spaces will not cause adverse impact on property values. Four loading zones would provide more than adequate space for the purposes of loading/unloading.

BLDG A - 44050 50-22-10-452-001
002
003
004

BLDG B - 44170 50-22-10-452-005
006
007
008

BLDG D - 44130 50-22-10-452-012
013
014
015

BLDG E - 44110 50-22-10-452-016
017
018

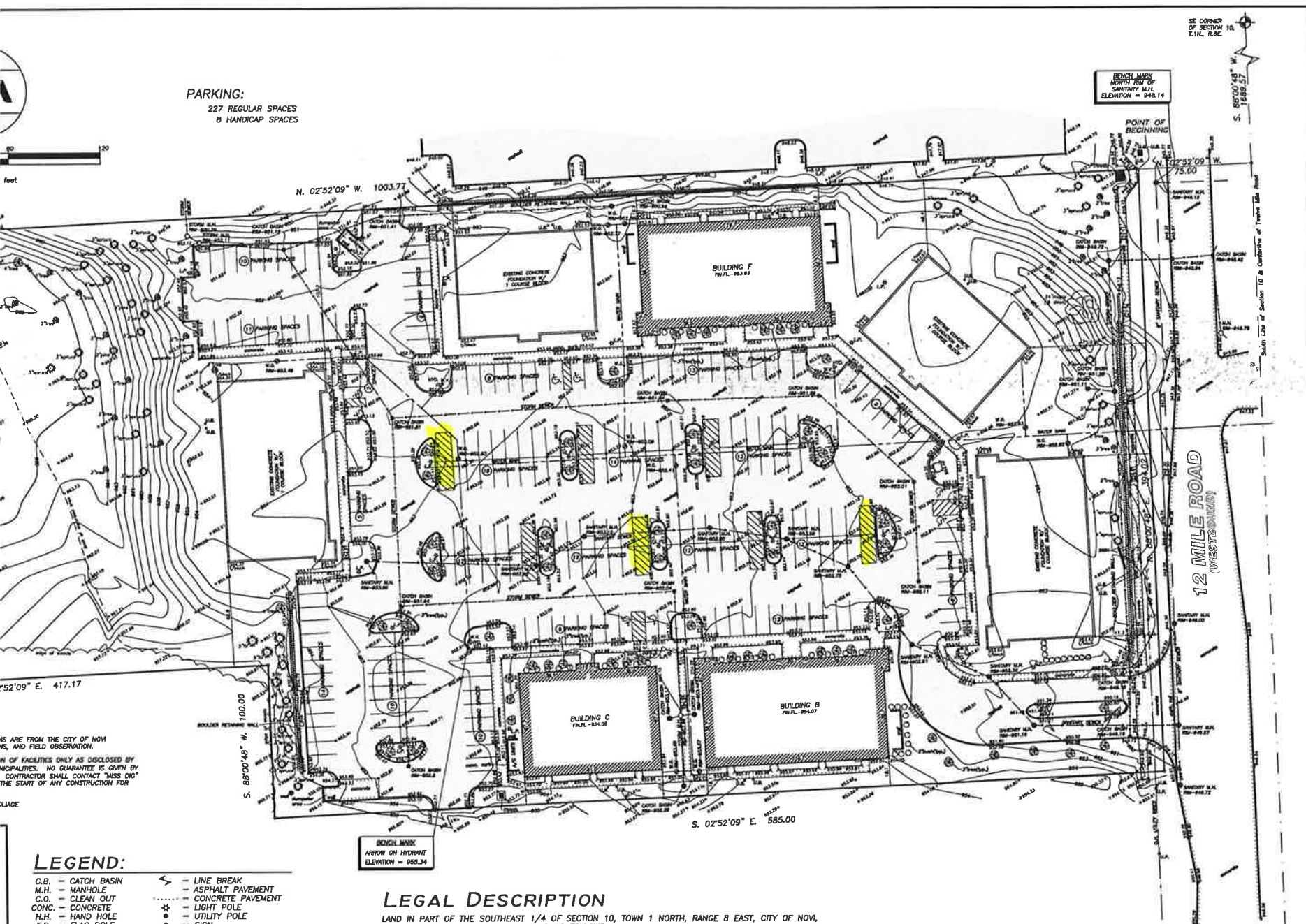
BLDG F - 44090 50-22-10-452-019
020
021
022

BLDG G - 44070 50-22-10-452-023
024
025

PARKING:
227 REGULAR SPACES
8 HANDICAP SPACES



feet



BENCH MARK
NORTH RIM OF
SANITARY MANHOLE
ELEVATION = 848.14

POINT OF BEGINNING

12 MILE ROAD
(WESTSIDE)

BENCH MARK
ARROW ON HYDRANT
ELEVATION = 858.34

75°52'09" E. 417.17

N. 02°52'09" W. 1003.77

S. 02°52'09" E. 585.00

SE CORNER
OF SECTION 10
T.1N. R.8E

S. 88°00'48" W.
1689.57

ALL DATA ARE FROM THE CITY OF NOVI
PLANS, AND FIELD OBSERVATION.
USE OF FACILITIES ONLY AS DISCLOSED BY
LOCAL AGENCIES. NO GUARANTEE IS GIVEN BY
CONTRACTOR SHALL CONTACT "MISS DIG"
AT THE START OF ANY CONSTRUCTION FOR
UTILITY LOCATIONS.

LEGEND:

- | | |
|----------------------|-----------------------------|
| C.B. - CATCH BASIN | — LINE BREAK |
| M.H. - MANHOLE | — ASPHALT PAVEMENT |
| C.O. - CLEAN OUT | — CONCRETE PAVEMENT |
| CONC. - CONCRETE | — LIGHT POLE |
| H.H. - HAND HOLE | — UTILITY POLE |
| F.P. - FLAG POLE | — SIGN |
| O.H. - OVERHEAD | FIP - FOUND IRON PIPE |
| U.C. - UNDERGROUND | FSB - FOUND STEEL BAR |
| HYD. - HYDRANT | SSB - SET STEEL BAR |
| GEN. - GENERATOR | SSC - SET RIVET IN CONCRETE |
| TRANS. - TRANSFORMER | 1 ACRE - 43,560 SQUARE FEET |
| U.B. - UTILITY BOX | R - RECORDED |
| L.P. - LIGHT POLE | M - MEASURED |
| U.P. - UTILITY POLE | C - CALCULATED |
| B.P. - BOLLARD POST | — DECIDUOUS TREE |
| W.G. - WATER GATE | — CONIFEROUS TREE |
| W.S. - WATER STOP | — BUSH |
| W.V. - WATER VALVE | |

LEGAL DESCRIPTION

LAND IN PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 10, LOCATED SOUTH 88 DEGREES 00 MINUTES 48 SECONDS WEST 1889.57 FEET ALONG THE SOUTH LINE OF SECTION 10 AND CENTERLINE OF TWELVE MILE ROAD AND NORTH 02 DEGREES 52 MINUTES 09 SECONDS WEST 75.00 FEET FROM THE SOUTHEAST CORNER OF SECTION 10; THENCE NORTH 02 DEGREES 52 MINUTES 09 SECONDS WEST 1003.77 FEET; THENCE SOUTH 87 DEGREES 42 MINUTES 05 SECONDS WEST 294.00 FEET; THENCE SOUTH 02 DEGREES 52 MINUTES 09 SECONDS EAST 417.17 FEET; THENCE SOUTH 88 DEGREES 00 MINUTES 48 SECONDS WEST 100.00 FEET; THENCE SOUTH 02 DEGREES 52 MINUTES 09 SECONDS EAST 585.00 FEET; THENCE NORTH 88 DEGREES 00 MINUTES 48 EAST 394.02 FEET BACK TO THE POINT OF BEGINNING.

3 WORKING DAYS |
BEFORE YOU DIG
CALL MISS DIG
1-800-482-7171
(TOLL FREE)

AS-BUILT SURVEY

"STONERIDGE OFFICE PARK"
PART OF THE SOUTHEAST 1/4 OF SECTION 10,
TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN.

PREPARED FOR: RON JONA & ASSOCIATES
JEKABSON & ASSOCIATES, P.C.
Professional Land Surveyors
1320 Goldsmith, Plymouth, MI 48170
(734) 414-7200 (734) 414-7272 fax

DATE
05 MAR 2012
JOB NO.
12-02-004
SCALE
1" = 30'
DRAWN
JRN
CHECKED
LJ
SHEET
1 OF 1