



# COMMUNITY DEVELOPMENT DEPARTMENT

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

## ZONING BOARD OF APPEALS STAFF REPORT

**FOR:** City of Novi Zoning Board of Appeals      **ZONING BOARD APPEALS DATE:** October 11, 2022

**REGARDING:** **41671 Ten Mile Road, Parcel # 50-22-26-228-005 (PZ22-0049)**

**BY:** Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**

Saadia Rao

**Variance Type**

Dimensional Variance

**Property Characteristics**

Zoning District: This property is zoned Single Family Residential (R-4)

Location: Ten Mile Road and east of Meadowbrook Road

Parcel #: 50-22-26-228-005

**Request**

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 4.12.1.B.i.c. for the lack of secure fencing and screening of the recreation area from any adjoining lot in any residential district. This variance will accommodate the use of the site as a Montessori Center in a portion of the building. This property is zoned Single Family Residential (R-4).

### 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. **PZ22-0049**, 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 is 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. **PZ22-0049**, 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 Petitioner's 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**

AUG 31 2022

APPLICATION MUST BE FILLED OUT COMPLETELY

CITY OF NOVI  
 COMMUNITY DEVELOPMENT

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>				Application Fee: <u>300</u>	
PROJECT NAME / SUBDIVISION <u>Novi United Methodist Church</u>				Meeting Date: _____	
ADDRESS <u>41671 W. Ten Mile Rd</u>		LOT/SIUTE/SPACE #		ZBA Case #: <u>PZ 22-0049</u>	
SIDWELL # <u>50-22-26-228-005</u>		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY <u>Ten Mile / Meadowbrook</u>					
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					
<b>II. APPLICANT INFORMATION</b>					
<b>A. APPLICANT</b>		EMAIL ADDRESS <u>raosadik@live.com</u>		CELL PHONE NO. <u>248-946-9166</u>	
NAME <u>Saadia Rao</u>		TELEPHONE NO.			
ORGANIZATION/COMPANY <u>Montessori Dei BAMBINI</u>		FAX NO.			
ADDRESS <u>39252 Kennedy Dr</u>		CITY <u>Farmington Hills MI</u>		STATE <u>MI</u>	
				ZIP CODE <u>48331</u>	
<b>B. PROPERTY OWNER</b> <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER					
Identify the person or organization that owns the subject property:		EMAIL ADDRESS <u>admin@umknovi.com</u>		CELL PHONE NO.	
NAME <u>Keith Tappan</u>		TELEPHONE NO. <u>248 349 2652</u>			
ORGANIZATION/COMPANY <u>Novi United Methodist Church</u>		FAX NO.			
ADDRESS <u>41671 W. Ten Mile Rd</u>		CITY <u>Novi</u>		STATE <u>MI</u>	
				ZIP CODE <u>48375</u>	
<b>III. ZONING INFORMATION</b>					
<b>A. ZONING DISTRICT</b>					
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input checked="" 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 type="checkbox"/> OTHER _____					
<b>B. VARIANCE REQUESTED</b>					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section <u>4.12.1.B.i.c</u> Variance requested <u>Lack of fence</u>					
2. Section _____ Variance requested _____					
3. Section _____ Variance requested _____					
4. Section _____ Variance requested _____					
<b>IV. FEES AND DRAWINGS</b>					
<b>A. FEES</b>					
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250					
<input 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>B. DRAWINGS 1-COPY &amp; 1 DIGITAL COPY SUBMITTED AS A PDF</b>					
• Dimensioned Drawings and Plans		• Existing & proposed distance to adjacent property lines			
• Site/Plot Plan		• Location of existing & proposed signs, if applicable			
• Existing or proposed buildings or addition on the property		• Floor plans & elevations			
• Number & location of all on-site parking, if applicable		• Any other information relevant to the Variance application			





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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:

*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).

requirement of section 5.5 to opaque screening for outside activities in residential district.

## 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.

N/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.

N/A

## 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 is not going to affect the neighbour. All classrooms are not coming out at the same time. In Montessori environment we always tell children to use their soft voice. They keep their voices low even they are playing outside. The distance between the playground and neighbour ~~are~~ is enough to keep the children voice disturb any neighbours

**Montessori Dei Bambini Response Letter**  
**Project Name JSP 22-25 Montessori Dei Bambini**

**Outside Recreation Area**

*(Sec 4.12.1.B.i)*

We are requesting a fence variance

**Licensing**

*(Sec 4.12.1.B.v)*

Fire inspection has been conducted

**Noise Impact Statement**

*(Sec 4.12.1.B.vii)*

Will provide a noise impact statement will be included with the preliminary site plan

**Noise Impact Statement**

*(Sec 4.12.1.B.vii)*

Will provide a noise impact statement will be included with the preliminary site plan

**Drive-Through Stacking**

*(Sec 5.3.11.i)*

Drive-Through Stacking space is shown on the site plan

**Non Residential Fences**

*(Sec 5.11.2.c-d)*

Fence variance is being requested, no fence proposed at this time

**Maintenance**

*(Sec 5.11.3.b)*

Fence variance is being requested, no fence proposed at this time

**Barrier Free Signs**

*(Sec 5.11.3.b)*

As shown on the old church plan

**Development/Business Sign**

*(Sec 5.11.3.b)*

No new signs will be added



## **Project Name JSP 22-25 Montessori Dei Bambini**

Request for permission to operate a Montessori Center at 41671 W 10 Mile Rd, Novi

I, Saadia Rao, would like to operate a Montessori center at the Novi United Methodist Church. I am a certified Montessori teacher with the credentials and experience to run a program. I am passionate about the Montessori philosophy and love to teach children. I will be leasing this space (room 5, room 3, and room 2, map provided), for this program. The center will run from 7am - 6pm and will have room for up to 40 children, the specific number will be decided once LARA completes their inspection. Once LARA grants their permission, I believe this church facility will satisfy all the requirements for the city of Novi.

We are requesting a variance to have no fence for the playground. Currently there is a Novi Co-op operating for more than 30 years in the same location, we will be using their playground according to the leasing agreement with the church. LARA has inspected and licensed the playground to be safe for the children to play.

In addition to the city requirements, LARA will also conduct a separate fire, playground, and environment inspections. In regards to noise impact, Montessori classrooms are known for their peaceful and quiet environments. Our parents are often surprised at how quiet the building is when they visit and jokingly ask "Are there children here?" I am confident

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that the program will meet the requirements. This space is well equipped to provide an ideal Montessori environment for children in the community.

Thank you in advance for your time and consideration.

Best,

Saadia Rao

## **Noise Impact Statement**

### **Project Name JSP 22-25 Montessori Dei Bambini**

We will abide by the rules at all times. Montessori Dei Bambini is located away from other businesses and residences. The only noise impact we foresee is from children attending recess on the homes near the playground. We propose to mitigate this by taking the children out in two groups at different times so that noise levels remain low and do not disrupt the community.

At all other operating times the children will remain in the building far away from businesses and residences, this ensures that our neighbors will not be disturbed with noise or any other disruptions.

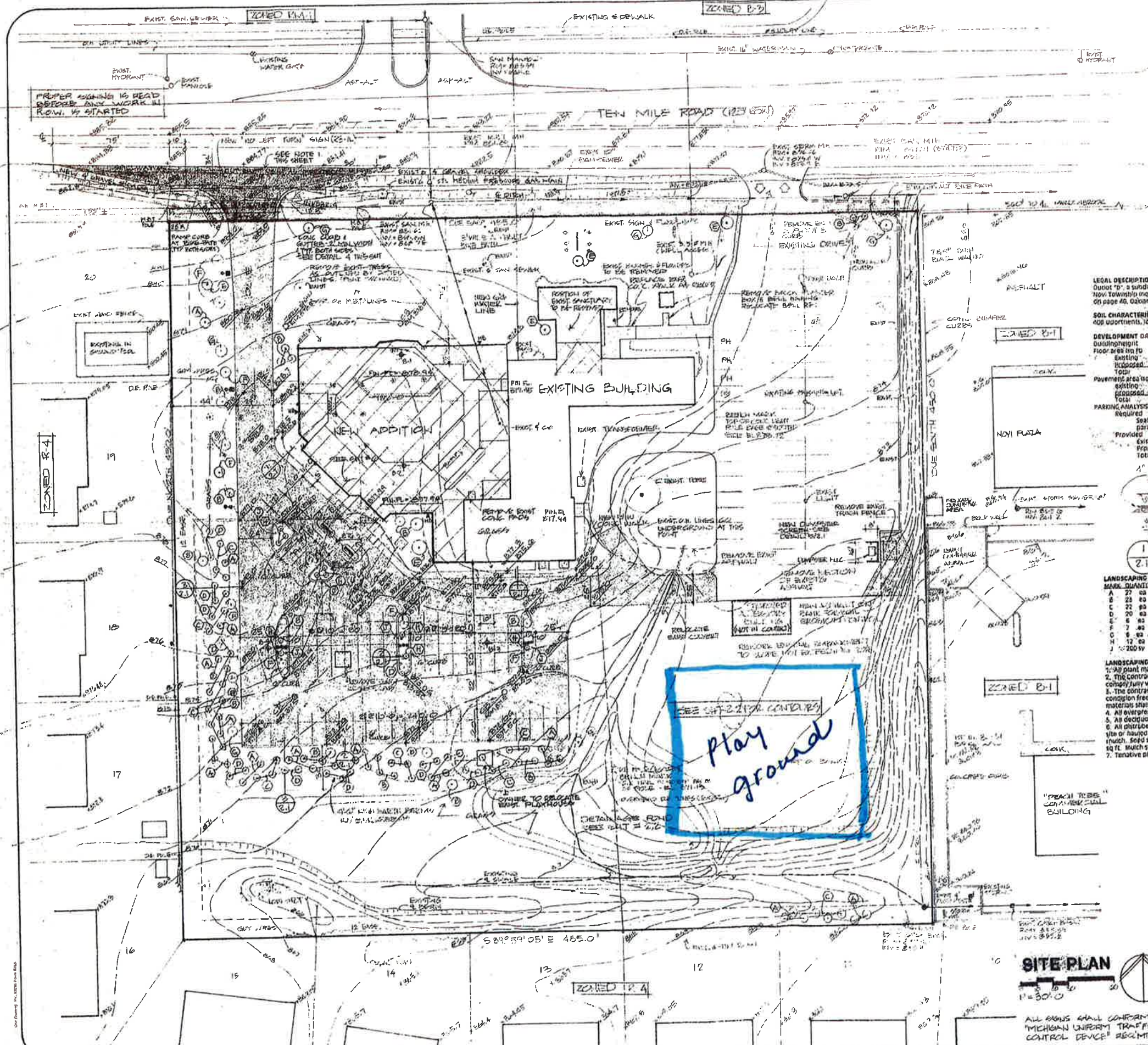
Montessori classrooms are known for their peaceful and quiet environments. Our parents are often surprised at how quiet the building is when they visit and jokingly ask "Are there children here?" I am confident that the program will meet the requirements. This space is well equipped to provide an ideal Montessori environment for children in the community.

Thank you,  
Saadia Rao

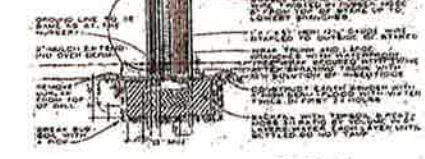


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JUL 19 2022



CITY OF NOVI COMMUNITY DEVELOPMENT



TYPICAL PLANTING DETAIL

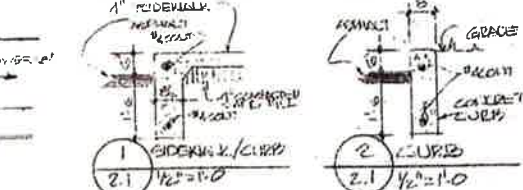
LEGAL DESCRIPTION: Outlot 'D', a subdivision of part of the N.E. 1/4 of section 29, town 1 north, range 8 east, Novi Township, now City of Novi, Oakland County, Michigan recorded in Liber 86 of plat 69 page 40, Oakland Co record, containing 218.276 sq ft, 5.0100 acres.

SOIL CHARACTERISTICS: 408 subunits, loamy, undulating, fill material per Soil Survey of Oakland Co

DEVELOPMENT DATA: Building height 30'-0" peak 28' median

Floor area in sq ft: Existing 9700 (after demolition), Proposed 14780, Total 24480

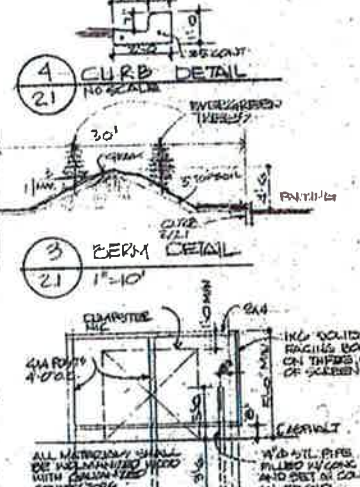
PARKING ANALYSIS: Required: Seating @ 24' = 145, parking = 245 / 3 = 82 spaces. Provided: Existing 88, Proposed 58, Total 127



LANDSCAPING PLAN SCHEDULE table with columns: MARK, QUANTITY, COMMON NAME, BOTANICAL NAME. Includes items like Australian Pine, Toy Blue Spruce, White Fir, Red Pine, Red Maple, Honeylocust, Red Oak, Creeping Juniper, and Deep Friezed hardwood bark.

LANDSCAPING NOTES AND SPECIFICATIONS: 1. All plant materials shall meet current American Association of Nurseryman Standards. 2. The contractor shall become familiar with all City of Novi landscaping standards and comply fully with them.

Table with columns: ITEM NO., DESCRIPTION, QTY. Includes items like 'NOVI UNITED METHODIST CHURCH' and 'NOVI PLAZA'.



NOTES: NEW SURFACE MATERIAL AS INDICATED BY DASH OR HATCH TO BE 2" MIN. (MIDW. 4" MIN.) COMPACTED SUBGRADE.

CITY OF NOVI PLANNING DEPARTMENT Final Approval stamp with date 7/19/22 and signature S. Loh.

SITE PLAN stamp with scale 1"=30'-0" and north arrow.

RECEIVED stamp from NOVI UNITED METHODIST CHURCH PLANNING DEPT. with date 7/19/22.