



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: November 20, 2018

REGARDING: 46001 GRAND RIVER AVE. #50-22-16-451-054 (PZ18-0052)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Brian Adams

Variance Type

Sign

Property Characteristics

Zoning District:	Light Industrial
Location:	West of Taft Road and South of Grand River Ave.
Parcel #:	50-22-16-451-054

Request

The applicant is requesting a variance from the City of Novi Code of Ordinances Section 28-5(a) for one additional proposed 10 square foot wall sign. One 65 square feet max wall sign allowed by right and has been installed. This property is zoned Light Industrial (I-1).

II. STAFF COMMENTS:

Building does have a long parking lot of approximately 28 spaces located behind the building.

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. **PZ18-0052**, 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. **PZ18-0052**, 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

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: _____	
PROJECT NAME / SUBDIVISION ADAMS SPORTS MEDICINE & PHYSICAL THERAPY				Meeting Date: _____	
ADDRESS 46001 GRAND RIVER NOVI 48374		LOT/SIUTE/SPACE #		ZBA Case #: PZ _____	
SIDWELL # 50-22- _____		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY GRIVER W. OF TAFT					
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 Brian @ ADAMS SPORTS MEDICINE .COM		CELL PHONE NO. 734 730 5353	
NAME BRIAN ADAMS				TELEPHONE NO. 248-513-3003	
ORGANIZATION/COMPANY ADAMS SPORTS MEDICINE				FAX NO. 248 513-3004	
ADDRESS 46001 GRAND RIVER		CITY NOVI		STATE MI	ZIP CODE 48374
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		CELL PHONE NO.	
NAME Paradise Property - Eric Giller				TELEPHONE NO. 248 352-0401	
ORGANIZATION/COMPANY 23800 W. 8 mile				FAX NO. 248 352 0410	
ADDRESS ↓		CITY Southfield		STATE MI	ZIP CODE 48033
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 checked="" 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. VARIANCE REQUESTED					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section _____ Variance requested _____					
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 type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input checked="" 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 • 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 of 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 _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

[Signature]
Applicant Signature Benjamin Adams

9-25-18
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 Benjamin Adams // ERIC GILLEN

9/26/18
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

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
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**REVIEW STANDARDS
SIGN VARIANCE**

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Sign 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 Sign Variance.)

Standard #1. Extraordinary Circumstances or Conditions.

Explain how the circumstances or physical conditions applying to the property that do not apply generally to other properties in the same Zone District or in the general vicinity. Circumstances or physical conditions may include:

- a. **Shape of Lot.** A sign could not be placed in the location required by the Zoning Ordinance due to the shape, topography or other physical conditions of the lot or due to the location of an existing structure.

Not Applicable Applicable If applicable, describe below:

WEST FACING wall, towards parking lot, GIVES NO INDICATION OF BUSINESS or entrance. CROSS TRAFFIC FROM CROSSFIT : Surrounding Businesses : VISA VERSA. and/or

- b. **Environmental Conditions.** A sign could not be placed in the location required by the Zoning Ordinance without removing or severely altering natural features, such as trees, topography, drainage courses or encroaching upon stormwater facilities.

Not Applicable Applicable If applicable, describe below:

and/or

- c. **Abutting Property.** A sign could not be reasonably seen by passing motorists due to the configuration of existing buildings, trees, signs or other obstructions on an abutting property.

Not Applicable Applicable If applicable, describe below:

AS PER ABOVE. All signage faces North to Grand River but NOT WEST TO ACTUAL parking lot : other entrances. SEE ATTACHED

d. **Scale of Building or Lot Frontage.** A sign that exceeds permitted dimensions for area and/or height could be considered appropriate in scale due to the length of the building frontage (wall sign only) or length of the lot frontage (ground sign only).

Not Applicable Applicable If applicable, describe below:

e. **Not Self-Created.** Describe the immediate practical difficulty causing the need for the Variance was not created by the applicant or any person having an interest in the sign, sign structure, or property.

Not Applicable Applicable If applicable, describe below:

Limited building Access due to location of parking spaces : adjacent businesses.

Standard #2. Limit Use of Property.

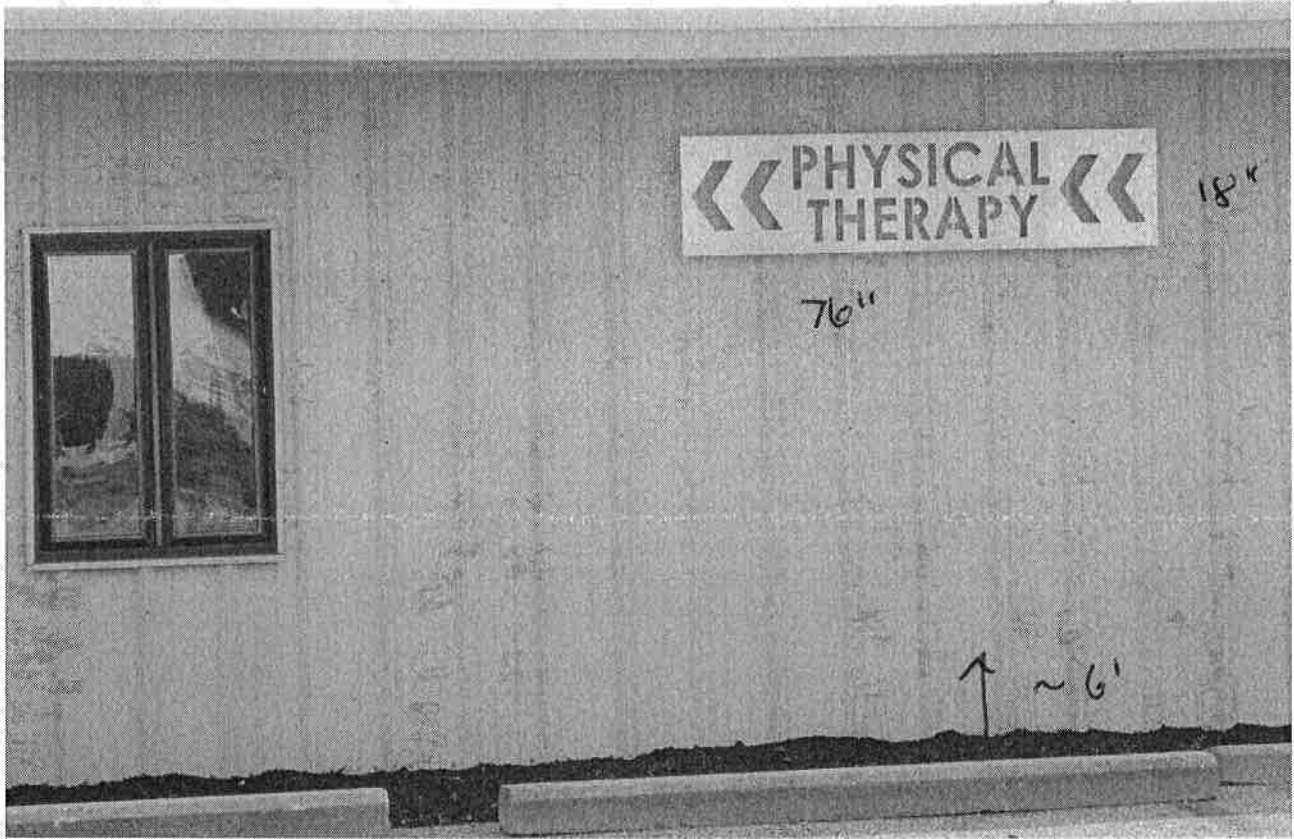
Explain how the failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return.

DECREASED patient experience by confusing entrances (client)
: Lack of signage, pt-arriving at wrong entrance, being turned away or arriving outside of OTHER business hours : Considering our Business to be closed.

Standard #3. Adverse Impact on Surrounding Area.

Explain how the Sign Variance will not result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is not inconsistent with the spirit and intent of this chapter.

Unique sign that directs clients to our specific space (wayward) ; keeping within the design of the building - pleasing to the eye : community.

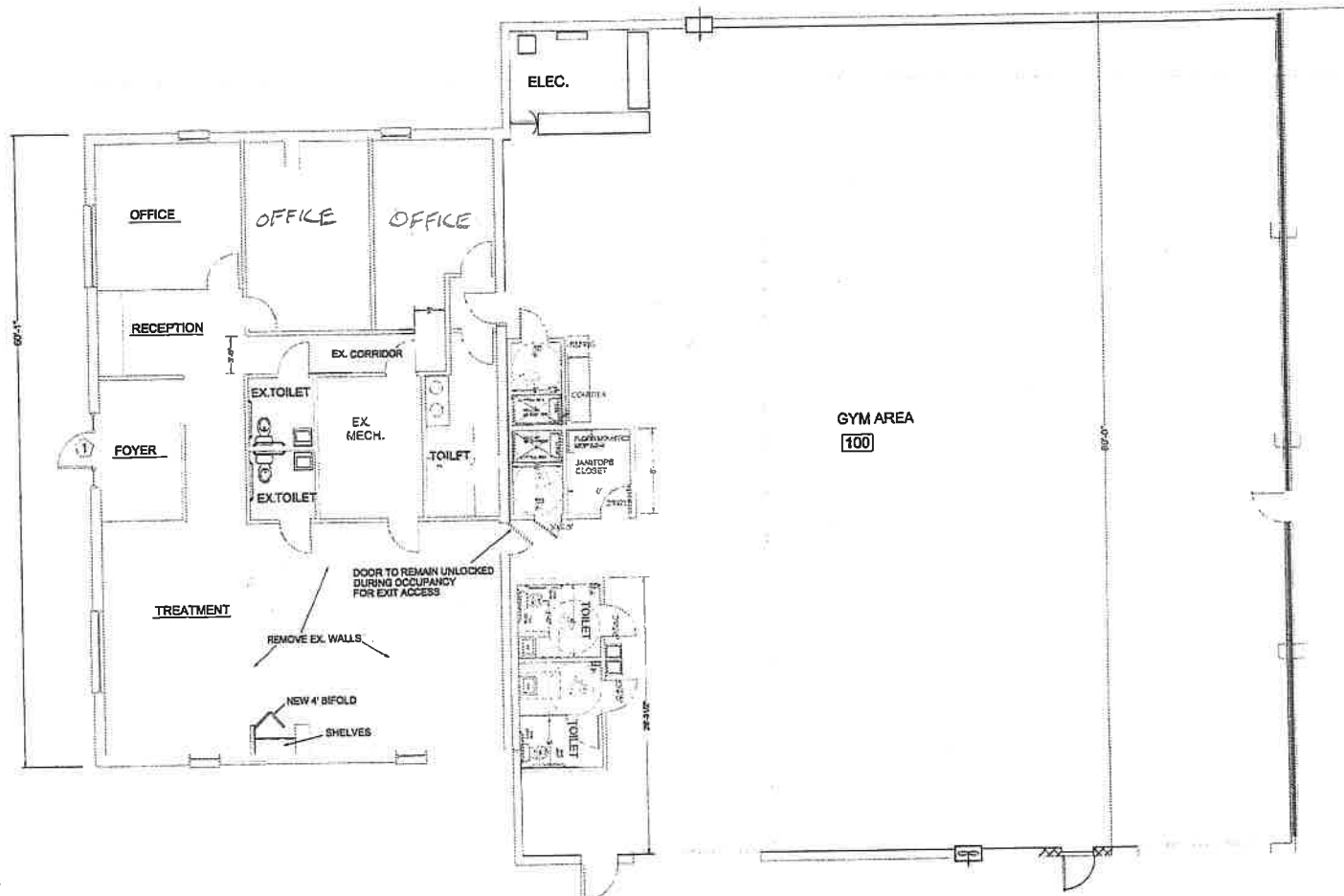


PHYSICAL THERAPY

76''

18''

↑ ~6'



BUILDING CODE ANALYSIS

ZONING 1-1
 TENANT SPACE AREA (ADAMS PHYSICAL THERAPY) 2200 SF
 PARKING REQUIRED 6 CARS/1000 SF OR 12 SPACES

STATE OF MICHIGAN BUILDING CONSTRUCTION CODE 2009
 TOTAL BUILDING AREA 12,552 1 STORY
 USE GROUP A-3 GYMNASIUM (W/O SEATING)
 CONSTRUCTION TYPE 2-B
 HEIGHT/AREA LIMITATIONS 9500 SF 2 STORY
 AREA MODIFICATIONS $I_f = 9500sf + (8500 \times .5) + (0) = 14250 SF$ ALLOWABLE

FIRE RESISTANCE RATING PRIMARY STRUCTURAL FRAME 0 HR. EXT. NON BEARING WALLS 0 HR.
 AREA MODIFICATIONS NON BEARING WALL AND PARTITIONS 0 HR. ROOF AND FLOOR 0 HR.

FLOOR PLAN
 SCALE 3/16" = 1'-0"

SHEET A-2	JOB NO.	John Stewart ARCHITECTS 1645 N. MILFORD RD. MILFORD, MICHIGAN 48301 248-625-0975	ADAMS PHYSICAL THERAPY 4600 I GRAND RIVER AVE. NOVI, MICHIGAN	ISSUE/REVISIONS ISSUED	DATE 03/19/13
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711

Taft Road

9 00 59'30" W (M.) 1328.31' (M.)
 EAST LINE OF SECTION 16
EAST 1/4 CORNER SECTION 16
 T.1N., R.8E.,
 CITY OF NOVI
 FOUND 1/2" RE-ROD W/ REMON CAP
 FOUND PK W/ REMON TAG N.W. SIDE
 8" MAPLE - N.36E. 85.54'
 FOUND PK W/ REMON TAG SOUTH SIDE
 10" CEDAR - S.88E. 41.79'
 FOUND PK W/ REMON TAG NORTH SIDE
 POWER POLE - S.82E. 20.84'
 FOUND PK W/ REMON TAG NORTH SIDE
 POWER POLE - S.88E. 27.28'
 (PENDING REMON PEER GROUP APPROVAL)

2070.07' (M.)
 EAST & WEST 1/4 LINE SECTION 16
CENTER CORNER SECTION 16
 T.1N., R.8E.,
 CITY OF NOVI
 FOUND 1/2" IRON ROD
 FENCE POST - S.05W. 28.78'
 CENTERLINE BOLT ON HYDRADRANT
 - S.88E. 98.82'
 FOUND PK EASTERLY FACE
 POWER POLE - N.06E. 77.70'
 SOUTH EDGE OF ASPHALT
 PAVEMENT - NORTH 13.07'

TOTAL AREA PARCELS 1, 2 & 3
 344,253 S.F. OR 7.873 ACRES

SOUTH 1/4 CORNER SECTION 16
 T.1N., R.8E.,
 CITY OF NOVI
 FOUND 1/2" RE-ROD IN MONUMENT BOX
 FOUND PK W/ REMON TAG EAST SIDE
 28" OAK - N.18W. 28.04'
 FOUND PK W/ REMON TAG SOUTH SIDE
 22" APPLE - N.77E. 78.89'
 FOUND PK W/ REMON TAG SOUTHWEST
 SIDE 16" WALNUT - S.83E. 103.82'
 FOUND PK W/ REMON TAG EAST SIDE
 TELEPHONE POLE - S.01W. 32.07'
 (LCRC 2516, L.12051 5.781 OCR)
 (PENDING REMON PEER GROUP APPROVAL)

PROPOSED ADAMS PHYSICAL THERAPY

- GENERAL NOTES:**
1. ALL WORK SHALL CONFORM TO THE CURRENT CITY OF NOVI STANDARDS AND SPECIFICATIONS.
 2. DIMENSIONS OF PARKING STALLS ABUTTING A CURB OR SIDEWALK ARE TO THE FACE OF THE CURB OR SIDEWALK. ALL OTHER DIMENSIONS ARE TO THE BACK OF THE CURB UNLESS OTHERWISE INDICATED.
 3. ALL PARKING STALL ARE 18 FEET BY 8 FEET, UNLESS NOTED DIFFERENT.

ZONED I-1
 45815 GRAND RIVER

PARCEL 3 ZONED I-1
 (22-16-451-054)

PARCEL 1 ZONED I-1
 (22-16-451-054)

ZONED I-1
 (22-16-451-043)
 48089 GRAND RIVER

PARKING REQUIREMENT

PARKING REQUIRED FOR TOTAL SPORTS	100 CARS
PARKING REQUIRED FOR CROSSFIT GYM	11 CARS
PARKING REQUIRED FOR ADAMS PHYSICAL THERAPY	12 CARS
TOTAL REQUIRED PARKING	123 CARS
SPACES SHOWN ON EXISTING PLAN	112 CARS

11 ADDITIONAL PARKING SPACES REQUIRED

112 CARS NOW SHOWN ON PLAN

ADAMS PHYSICAL THERAPY PARKING

SCALE 1" = 40'

SURVEYOR: MOHEELY & LINCOLN ASSOCIATED, INC.
 37741 PENBROOK
 LIVONIA, MICHIGAN 48162
 PHONE: 734-433-1777

DATE: 3/19/13
 ISSUANCE: ISSUED
 ADAMS PHYSICAL THERAPY
 JEFF HEYN - DEVELOPER
 46001 GRAND RIVER AVE. NOVI, MICHIGAN
 John Stewart ARCHITECTS
 1415 N. METROPOLIS, WARREN, MICHIGAN 48091 248-656-0278
 JOB NO. A-1
 SHEET



ZONING BOARD OF APPEALS PUBLIC HEARING NOTICE

The City of Novi Zoning Board of Appeals will conduct a public hearing at **7:00PM on Tuesday, November 20, 2018**, in the Council Chambers of the Novi Civic Center located at 45175 W. Ten Mile Road, Novi, MI, 48375 to consider the following matter:

46001 GRAND RIVER AVE. #50-22-16-451-054 (PZ18-0052)

Applicant

Brian Adams

Variance Type

Sign Variance

Property Characteristics

Zoning District: Light Industrial
Location: West of Taft Road and South of Grand River Ave.
Parcel #: 50-22-16-451-054

Request

The applicant is requesting a variance from the City of Novi Code of Ordinances Section 28-5(a) for one additional proposed 10 square foot wall sign. One 65 square feet max wall sign allowed by right and has been installed. This property is zoned Light Industrial (I-1).

*****IN ACCORDANCE WITH MCL 125.3103, THE MANAGER OR OWNER OF A SINGLE STRUCTURE CONTAINING MORE THAN 4 DWELLING UNITS OR OTHER DISTINCT SPATIAL AREAS OWNED OR LEASED BY DIFFERENT PERSONS, IS HEREBY REQUESTED TO POST THE NOTICE AT A PRIMARY ENTRANCE TO THE STRUCTURE (S). *****

The applicant's petition and all supporting materials are available for your inspection in the Community Development Department. Your comments may be directed to the Board during the Audience Participation section of the public hearing. Comments regarding this case (response form on back) may be mailed, sent by fax to (248) 735-5600 with a cover sheet to my attention or via email to koppermann@cityofnovi.org. Written comments must be submitted by **November 19, 2018, before 3:00 p.m.** All written comments may be read at the meeting and will become part of the record. Unsigned or anonymous comments will not be considered.

CITY OF NOVI ZONING BOARD OF APPEALS
Larry Butler
Deputy Community Development Director

TO: CITY OF NOVI
ZONING BOARD OF APPEALS
45175 TEN MILE ROAD
NOVI, MI 48375

Please note my comments to:

46001 GRAND RIVER AVE. #50-22-16-451-054 (PZ18-0052)

Please note my: (Approval) (Objection) to the requested variance.

Comments:

48 parking spaces + 2 Handicapped
for a wellness center (that has no
handicapp parking) and Sports Medicine/
Physical Therapy Center? No refuse dumpster
only 1 shared with other businesses Total Roller
Hockey + Total Sports? And that one projects into
wetland. Debris in wetland + woodland area, NO problem

(PLEASE PRINT CLEARLY)

Name: Steven Bobinckak

Address: 45900 W 11 Mile

Date: 11/13/18

with sign but where will they park
where will they put trash. Will there
be hazardous waste (needles)?

Zoning Board of Appeals meetings are broadcast live on Bright House channel 13-1 and AT&T U-verse channel 99. They are also streamed live on the City's website at cityofnovi.org.