

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

Case No. PZ13-0024 48700 Grand River Ave

Location: 48700 Grand River Ave

Zoning District: B-3, General Business District

The applicant is requesting exceptions from Section 2400 of the Novi Zoning Ordinance to allow a reduction of the 20 ft. required exterior side yard parking setback to 16.5 ft. along the north side of the site and from Section 2505.16a to allow land banked parking for a site with 43 required parking spaces vs. the standard threshold of 45 spaces minimum. The property is located north of Grand River Ave. and east of Wixom Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires a minimum 20 ft. exterior side yard parking setback. Section 2505.16a establishes a minimum required parking field of 45 spaces for application of the land banked parking provisions.

City of Novi Staff Comments:

The applicant is proposing to remodel and occupy an existing commercial building. The site is bordered by Grand River Ave. on the south and 12 Mile Road on the north. Installation of land banked parking specified on the previous Site Plan requires a variance under the current standards as the parking will extend 3.5 ft. into the required exterior side yard parking setback along the 12 Mile Road frontage. The second variance is needed because the Zoning Ordinance allows application of the land banked parking provisions to sites with a calculated parking requirement of 45 spaces or more. In this case, the calculated required parking for the site is 43 spaces. The applicant requests an exception to allow application of the land banked parking option to this slightly smaller lot. Staff supports these requests based on the unique shape and location of the parcel between Grand River and 12 Mile and the minimal deviation from the required 45 space parking lot size.

Standards for Granting a Non-Use or Dimensional Variance:

A variance may be granted if a practical difficulty exists due to all of the following:

- There are unique circumstances or physical conditions of the property such as narrowness, shallowness, shape, water, topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty
because _____.
- The need is not self-created
because _____.
- because _____.

- The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district because _____.
- The requested variance will not cause an odverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district because _____.



cityofnovi.org

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 (248) 347-0415

For Official Use Only

ZBA Case No: 1230024 ZBA Date: 6/11/13 Payment Received: \$ 300 (Cash)

RECEIVED

Check # 10 Include payment with cash or check written to "City of Novi."

APR 11 2013

TO BE COMPLETED BY APPLICANT - PLEASE PRINT
 Please submit one original signed application and 13 copies of all supporting documentation relevant to the appeal.

CITY OF NOVI
 COMMUNITY DEVELOPMENT

Applicant's Name KIM T. CAPELLO Date APRIL 8, 2013

10/3

Company (if applicable) _____

Address* 26444 TAFT ROAD City NOVI ST MI ZIP 48375
*Where all case correspondence is to be mailed.

Applicant's E-mail Address: KIM@KTCAPELLOLAW.COM

Phone Number (248) 380 5122 FAX Number (248) 380 5175

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 48700 GRAND RIVER AVE NOVI ZIP 48374

2. Sidwell Number: 5022-17-126-009 may be obtained from Assessing Department (248) 347-0485

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

4. Zoning: RA R-1 R-2 R-3 R-4 RT RM-1 RM-2 MH OS-1 OS-2 JSC OST OTHER B-3

5. Property Owner Name (if other than applicant) BALCO PROPERTIES, LLC

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

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

- 1. Section 2400 Variance requested PARKING SETBACK
- 2. Section _____ Variance requested 45 space minimum instead of 45 feet
- 3. Section _____ Variance requested landbanking - SEE ATTACHED
- 4. Section _____ Variance requested "AMENDED APPLICATION"

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.

AMENDED APPLICATION FOR VARIANCE FROM THE ZONING BOARD OF APPEALS

RECEIVED

Applicant: Balco Properties, LLC

APR 17 2013

Property address: 48700 Grand River Avenue, Novi, Michigan, 48374

CITY OF NOVI
COMMUNITY DEVELOPMENT

Applicant hereby amends his previously filed Application for Variance submitted to the City of Novi to add an additional request for a variance.

Applicant intends to apply to the Planning Commission for approval to landbank four parking spaces. Parking can be landbanked for up to 25% of the required parking. The minimum number of spaces required for a site to be eligible for landbanking is 45 spaces. Applicant has 43 spaces (including the landbanked spaces). Applicant seeks a second variance from the Zoning Board of Appeals to qualify under the ordinance to utilize the landbank ordinance for a site that contains only 43 spaces, instead of the required 45 spaces.

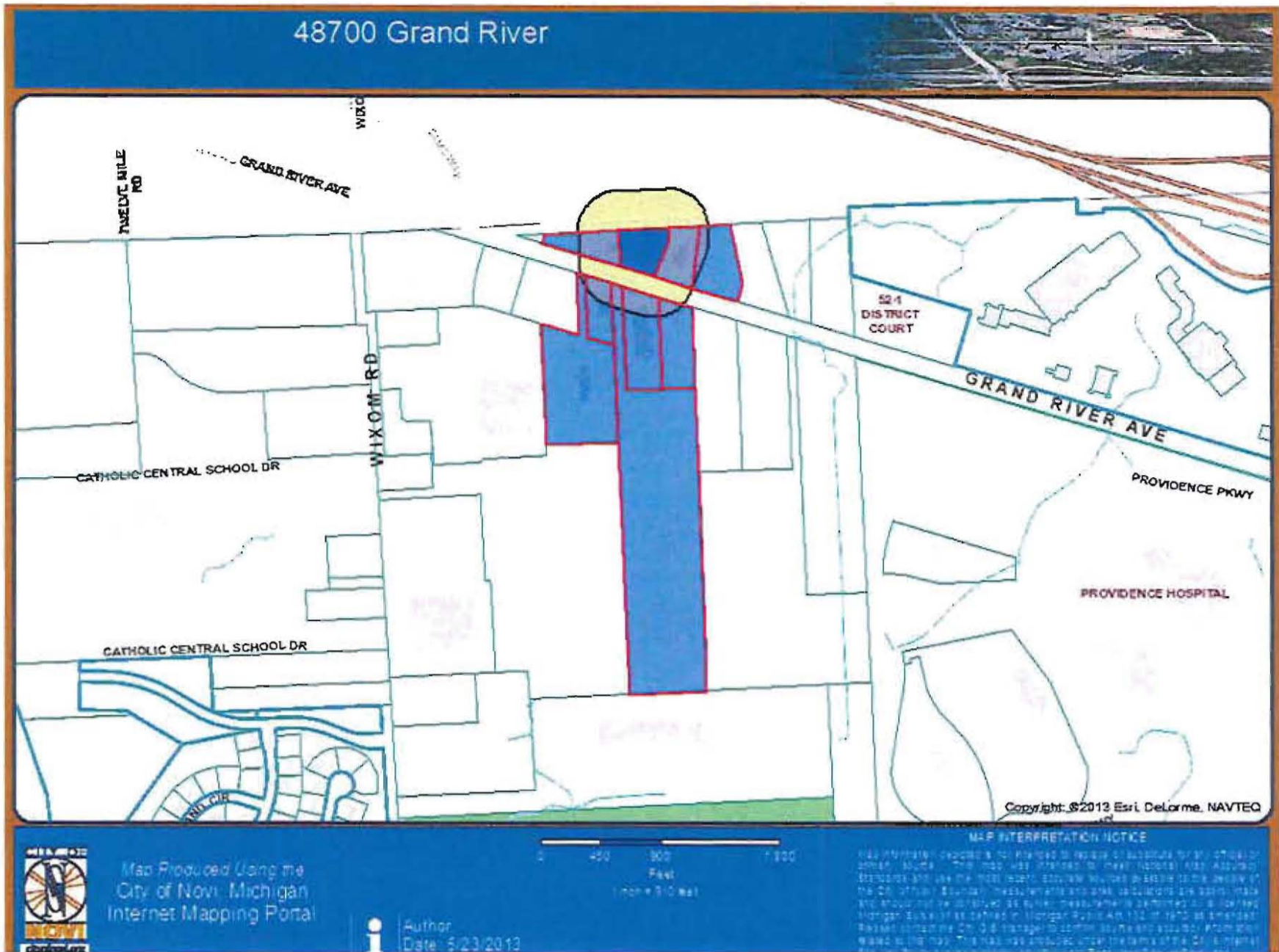
Applicant's specific use of the property will not need more than 35 parking spaces at any given time. The landbanked spaces are located at the front of the building (visible from Grand River Avenue) and will enhance the natural beauty of the building by providing open space, green space and landscaping where asphalt would otherwise be.

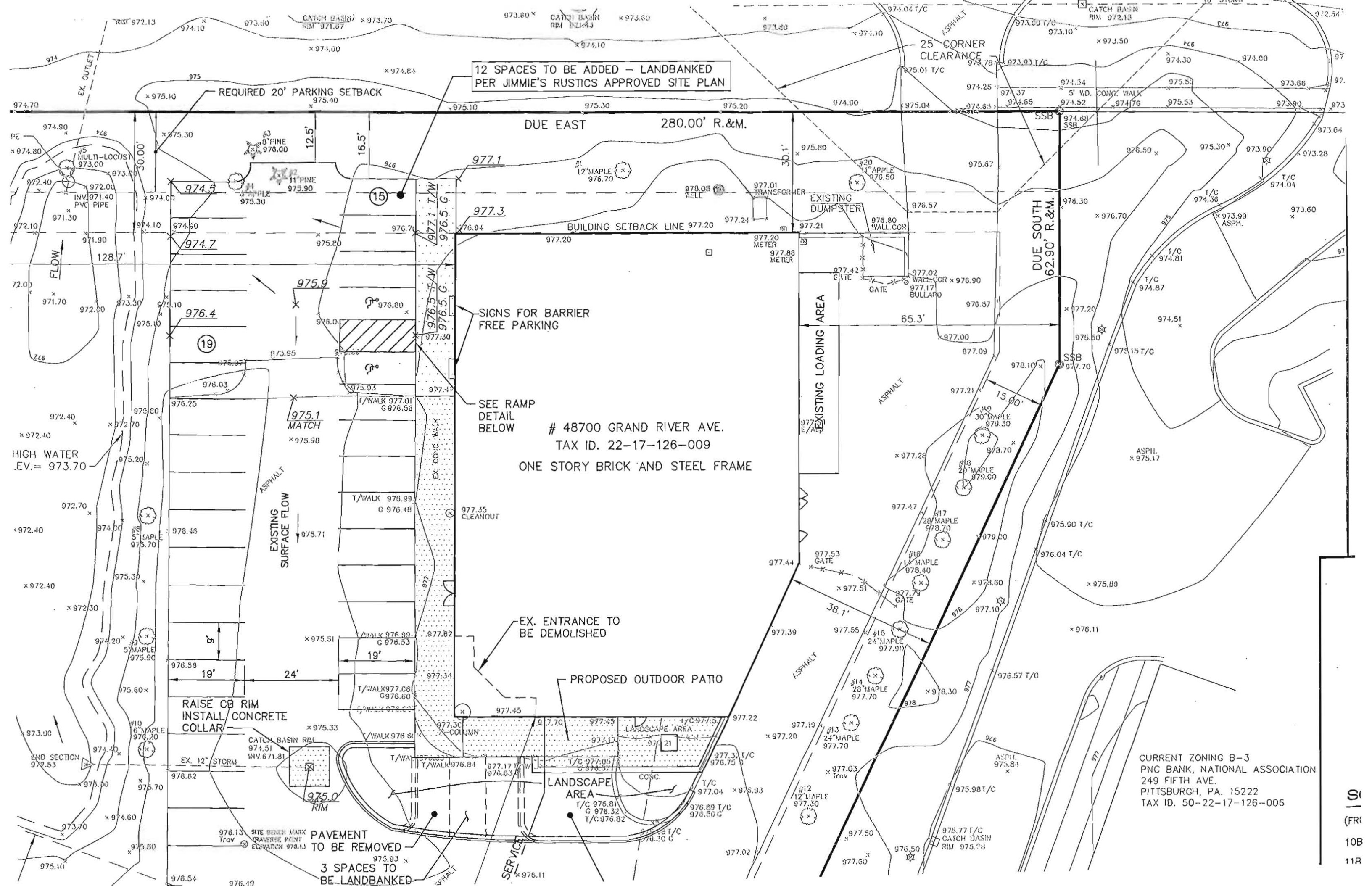
April 16, 2013


Kim Thomas Capello

Balco Properties, LLC


By Randy Balconi, Managing member





12 SPACES TO BE ADDED - LANDBANKED PER JIMMIE'S RUSTICS APPROVED SITE PLAN

REQUIRED 20' PARKING SETBACK

DUE EAST 280.00' R.&M.

DUE SOUTH 62.90' R.&M.

48700 GRAND RIVER AVE.
TAX ID. 22-17-126-009
ONE STORY BRICK AND STEEL FRAME

SIGNS FOR BARRIER FREE PARKING

SEE RAMP DETAIL BELOW

EX. ENTRANCE TO BE DEMOLISHED

PROPOSED OUTDOOR PATIO

RAISE CB RIM
INSTALL CONCRETE COLLAR

PAVEMENT TO BE REMOVED
3 SPACES TO BE LANDBANKED

CURRENT ZONING B-3
PNC BANK, NATIONAL ASSOCIATION
249 FIFTH AVE.
PITTSBURGH, PA. 15222
TAX ID. 50-22-17-126-006

SC
FR
10B
11R