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

**Case No. PZ13-0043 Eberspaecher North America**

**Location: 43700 Gen-Mar Dr**

**Zoning District: I-1, Light Industrial District**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, 2505 to allow a reduction in the required number of parking spaces from 223 to 185, Section 2507 to allow loading and unloading between 8 pm and 7 am and Section 1905.b(2) to allow installation of a 1,500 gallon bulk argon gas storage tank with alternate screening. The property is located at the east end of Gen Mar west of Novi Road.

**Ordinance Sections:**

CITY OF NOVI, CODE OF ORDINANCES, Section 2505 requires minimum quantities of parking spaces for specific uses and occupancies, Section 2507 limits loading and unloading operations and Section 1905 limits accessory structures and requires screening.

**City of Novi Staff Comments:**

Please see the attached Plan Review Center Report from the Site Plan review process for the redevelopment.

**Standards for Granting Dimensional Variances:**

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\_\_\_\_\_.
- 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 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 adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district because\_\_\_\_\_.

### **Standards for Granting a Non-Use Variance**

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

- The variance is not due to the applicant's personal or economic difficulty because \_\_\_\_\_
- The need is not self-created 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 adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district because \_\_\_\_\_



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RECEIVED

MAR 18 2013

For Official Use Only

ZBA Case No: R2130043 ZBA Date: 9/10/13 Payment Received: \$ (Cash)

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

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

Please submit one original signed application and 13 copies of all supporting documentation relevant to the appeal,

Applicant's Name Chris Coleman Date

Company (if applicable) Eberspaecher North America, Inc.

Address\* 2035 Charles Orndorf Drive City Brighton ST MI ZIP 48116

\*Where all case correspondence is to be mailed.

Applicant's E-mail Address: chris.coleman@eberspaecher.com

Phone Number (248) 635-1761 FAX Number ( )

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 43700 Gen Mar ZIP 48375

2. Sidwell Number: 5022 - 22-276-012 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 OSC OST I-1 OTHER

5. Property Owner Name (if other than applicant) Stag II Sterling Heights, LLC

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

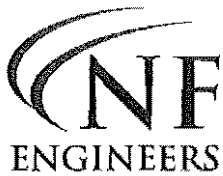
7. Indicate ordinance section(s) and variances requested:

- 1. Section 2505 Variance requested Reduce Number of Parking Spaces
2. Section 2507 Variance requested Permit Loading/Unloading between 8pm and 7am
3. Section 1905.b(2) Variance requested Permit 1,500 gallon bulk argon gas storage tank w/alternate screening
4. Section Variance requested

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.





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July 18, 2013

Ms. Barbara McBeth  
Deputy Director - Community Development  
City of Novi  
45175 W. Ten Mile Road  
Novi, MI 48375

Re: Eberspaecher North America, Inc.  
Parking Rehabilitation Project  
NFE # H441  
City of Novi Reference No. PSP13-0096

Dear Ms. McBeth

The following letter details the manner in which comments that were received from the initial pre-application reviews from the City of Novi have been addressed in the attached Preliminary Site Plan package.

**Planning Review Summary Chart (May 20th, 2013)**

Items that were initially identified as not meeting requirements are addressed below:

**Parking Setbacks (Section 2400)**

**Front (Northeast)**

1. All previously proposed parking additions that were located within the 40' front parking setback have been eliminated from the scope of work.

**Interior Side (East)**

2. All previously proposed parking additions that were located on the east side of the building have been eliminated from the scope of work.

**Number of Parking Spaces (Section 2505)**

3. The parking space calculations are provided on sheet PSP-1 of the Preliminary Site Plan. A variance to provide a required amount of total parking spaces based on the number of employees is being requested through the Zoning Board of Appeals.

**Parking Space Dimensions & Maneuvering Lanes (Section 2506)**

4. The comments from the traffic review letter have been addressed on the Preliminary Site Plan. The response comments are detailed starting on page three of this letter.

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**Barrier-Free Signs (Barrier Free Design Graphics Manual)**

5. Each proposed barrier-free parking space will have a new barrier-free sign installed, as shown on sheet PSP-3 of the Preliminary Site Plan.

**Loading Spaces (Section 2507 and Sec. 22 City Code)**

6. A variance to allow loading and unloading operations outside of the normal requirements through the Zoning Board of Appeals.

**Outdoor Storage Tank (Section 1905.b(2))**

7. A variance to allow for the over-sized tank and to allow for modification to the screening requirements is being requested through the Zoning Board of Appeals.

**Engineering Pre-Application Review (May 20th, 2013)**

**General Comments**

1. We acknowledge that a more detailed engineering review is required. Additional information regarding the proposed work is included in the Preliminary Site Plan drawings, with an amount of detail that we feel is appropriate at this stage in the project.
2. The Preliminary Site Plan has been designed in accordance with applicable City of Novi design and construction standards.
3. No work is currently proposed within the Gen Mar Drive right-of-way. A right-of-way permit will be pulled if required by the City of Novi based on the final design scope.
4. The updated drawing include shading, details, and notes to effectively differentiate the proposed work in the Preliminary Site Plan.
5. This letter serves to highlight the changes made to the Preliminary Site Plan based on pre-application comments that were received.

**Utilities**

6. The length of the proposed hydrant lead is shown on Drawing Sheet PSP-4 of the Preliminary Site Plan.

**Paving & Grading**

7. The dimensions for the proposed parking additions are shown on Sheet PSP-1 and PSP-3. All dimensions for parking stalls abutting sidewalk or curbing are shown to the face of curb, and all other dimensions are shown to the back of curb.

**Storm Water Management Plan**

8. The proposed Storm Water Management Plan is shown on sheet PSP-6 of the Preliminary Site Plan. The proposed storm water improvements have been designed in accordance with applicable requirements of Chapter Five of the City of Novi Engineering Design Manual.

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9. Detailed calculations and analysis of the pre-development (current) conditions and post-development (proposed) conditions for storm water management are provided on sheet PSP-6.
10. A detailed analysis of the existing detention basin that services this site is provided on sheet PSP-6. A comparison of the original design volume for the basin versus the approximate current volume is detailed in order to demonstrate that maintenance to the existing basin is a key component of the overall storm water management plan.
11. An existing catch basin containing an elbow sediment trap and a 4' deep sump currently serves as the last storm sewer structure prior to the system outlet into Munro Creek on the south part of the site. The storm water management proposal includes maintenance to this structure to removal accumulated sediment that was visible during recent field observations.

#### Off-Site Easements

12. An off-site easement for the detention system currently exists. There are not any proposed off-site easements for work included in the Preliminary Site Plan.

#### Pre-Application Landscape Review (May 10th, 2013)

1. Per Section 2509, a landscape plan is required for a new commercial development or expansion greater than 25%. Because there is no actual building expansion, only parking lot expansion, the landscape plan has been limited in scope to the required parking lot landscape, landscape abutting a R.O.W. and tree replacement requirements necessary to comply with the Woodlands Preservation Ordinance.

#### Fire Marshall Review (May 9th, 2013)

1. The emergency access route is shown as being re-aligned on sheet PSP-1. The maximum allowable grade requirement of 8 degrees will be provided with the re-aligned access road.
2. A variance for installation of the 1,500 gallon argon tank and the associated screening requirements is detailed on Sheet PSP-1. A note has been added to sheet PSP-1 that specifies the building code requirements.

#### Clear Zoning, Inc. Traffic Review (May 7th, 2013)

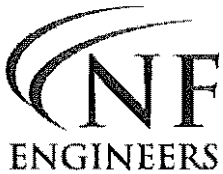
1.
  - a. Proposed curbing in areas adjacent to parking spaces is called out for 4" height, as opposed to the 6" height elsewhere. Curb heights, pavement grades, and cross-section details are shown on sheet PSP-3.
  - b. Parking spaces adjacent to proposed curb are shown as 17' long. Grading work along the west wall (as shown on sheet PSP-1) will provide the nominal 1.5' of length beyond the back of curb for vehicle overhang. Others areas will not require additional work to provide the required vehicle overhang.
  - c. The standard parking space width is 9'.
2. All previously proposed parking additions on the east side of the building have been eliminated from the scope of work shown in the Preliminary Site Plan.
3. All curb radii are shown on sheet PSP-1 and PSP-3, and are measured from the back of curb.

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4. The requested specifications for pavement markings will be included on the final site plan drawings. All City of Novi requirements will be accounted for on the proposed barrier-free and standard pavement markings.
5. All barrier-free parking signs will be replaced as shown on sheet PSP-3.
6. Additional fire lane signage was not specified as a requirement in the Fire Marshall review.

**Environmental Consulting & Technology Review (May 15th, 2013)**

1. Per ECT's review, the proposed work will not impact any regulated woodlands or wetlands that exist on the site. A note stating this has been added to sheet PSP-1.

Please review the attached documentation, and feel free to contact us if you have questions or require further documentation.

Sincerely,

Paul Tulikangas, P.E.  
Project Engineer

**Attachments:**

- (1) Completed Preliminary Site Plan Checklist
- (1) Site Plan approval Application
- (1) OCDC Non-Domestic Survey Form
- (1) Novi Fire Department Hazardous Material Survey
- (1) Notarized Owner Authorization for Site Plan Submittal
- (10) Sealed Sets of Preliminary Site Plan Drawings
- (1) ZBA Application
- (13) Preliminary Site Plan Drawings (Sheets applicable for ZBA Application)
- (3) Copies of Noise Study (Kolano & Saha Engineers, Inc.)
- (1) Copy of Soil Boring Report (CTI & Associates, Inc.)
- (1) Copy of Floor Plan (Pucci & Vollmar Architect, PC)
- (1) Copy of Photometrics Plan (MLS East)

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