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ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Tuesday, September 14, 2021

Council Chambers | Novi Civic Center | 45175 Ten Mile Rd
(248) 347-0415

- Call to Order:** 7:00pm
- Roll call:** Member Krieger, Member Longo, Member Malott, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Sanker, and Member Thompson
- Present:** Member Krieger, Member Longo, Member Malott, Member Montague, Chairperson Peddiboyina, Member Sanghvi, and Member Sanker
- Absent Excused:** Member Thompson
- Also Present:** Larry Butler (Community Development Deputy Director), Beth Saarela (City Attorney), Katherine Oppermann (Recording Secretary)

Pledge of Allegiance
Approval of Agenda:
Approval of Minutes:
Public Remarks:
Public Hearings:

APPROVED
JULY AND AUGUST 2021, APPROVED
none

- PZ21-0040 (Eric & Susan Colthurst) 1291 E Lake Drive, West of Novi Road and South of Fourteen Mile Road, Parcel 50-22-02-176-016.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 3.85 feet (10 feet minimum required, variance of 6.15 feet) and an aggregate total side yard setback of 16.55 feet (25 feet required, variance of 8.45 feet). This variance would accommodate the building of a home addition. This property is zoned Single Family Residential (R-4).

The applicant was not present at meeting, the motion to table case PZ20-0040 to the November 9, 2021 meeting was approved.

Motion Maker: Krieger
Seconded: Sanghvi
Voice vote, all in favor

- PZ21-0050 (Signs by Crannie / Twelve Mile Crossing) 44175 Twelve Mile Road, West of Novi Road and South of Twelve Mile Road, Parcel 50-22-15-200-112.** The applicant is requesting variances from The City of Novi Code of Ordinances Section 28-5 and 28-5(a) for 24 square foot sign faces, 84 inches tall. These signs exceed the size and height originally approved by ZBA# 01-045. This property is zoned Regional Center (RC).

The motion to approve case PZ21-0050 for new directional signs with 24 square foot sign faces, 84 inches tall was approved. The petitioner has shown practical difficulty requiring new signage that can accommodate the number of tenants. The property is unique because of the size of the complex, the number of streets and the large number of tenants that have increased from the original property plan. The petitioner did not create the condition because it is an existing shopping mall. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the applicant is only refreshing existing signs. The relief is consistent with the spirit and intent of the ordinance because the proposed signs are not overly large given the intended usage.

Motion Maker: Longo

Seconded: Sanghvi

Motion Passed 7:0

- 3. PZ21-0051 (Acqira Realty Holdings) 44244 Twelve Mile Road, West of Novi Road and North of Twelve Mile Road, Parcel 50-22-10-400-067.** The applicant is requesting variance from The City of Novi Zoning Ordinance Sec. 4.19.2.F to allow the placement of two dumpsters in the interior side yard. This property is zoned Office Service (OS-1).

The motion to approve case PZ21-0051 for the placement of two dumpsters in the interior side yard was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the use of the property because the square footage of the building requires the additional dumpster space. The property is unique because of its shape and the adjacent wetlands. The petitioner did not create the condition because the wetlands preventing additional dumpsters in the rear of the property have existed prior to the businesses. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the dumpsters will be in-line with the dumpsters of the neighboring property. The relief is consistent with the spirit and intent of the ordinance because it preserves the wetlands and still efficiently uses the property.

Motion Maker: Sanker

Seconded: Krieger

Motion Passed 7:0

- 4. PZ21-0044 (Scott & Lisa Hoag) 21850 Garfield Road, East of Napier Road and South of Nine Mile Road, Parcel 50-22-32-100-017.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.1.E for two lots with less than the required 150-foot minimum lot width (30-foot lot width proposed for each, variance of 120 feet) and 3.6.2.A.i for two flag shaped lots (by code flag shaped lots are not permitted). These variances are for the splitting of an existing 5.97-acre lot into three new lots. This property is zoned Residential Acreage (RA). *This case was tabled from the August 10, 2021 meeting).*

The motion to approve case PZ21-0044 for two flag shaped lots with less than the required 150-foot minimum lot width was approved. The property is unique because of the large, existing non-conforming shape. The petitioner did not create the condition because they purchased the property as an existing flag lot at a time

prior to the prohibition of creating flag shaped lots. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the petitioner will not be changing the existing condition.

The variance granted is subject to the proposed parcels "A" and "B" sharing a privately maintained driveway that meets the City of Novi standards

Motion Maker: Montague

Seconded: Longo

Motion Passed 6:1, member Sanker dissenting

Other Matters: Due to the large volume of cases (ten total) on the October agenda the board made the decision to have a recess midway through the upcoming meeting.

Meeting Adjournment: 8:07pm

Zoning Ordinance, Section 7.10.8 - 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 established 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.

Such time limits shall be extended for those applicants requiring site plan review to a period of thirty (30) days after the date of final site plan approval has been given by the City. (Ord. No. 18.226, 5-12-08; Ord. No. 10-18.244, Pt. VII, 11-8-10).