



**ZONING BOARD OF APPEALS ACTION SUMMARY**  
**CITY OF NOVI**  
**Regular Meeting**  
**Tuesday, February 11, 2014 - 7:00 P.M.**  
**Council Chambers | Novi Civic Center | 45175 W. Ten Mile Road**  
**(248) 347-0459**

**Roll call** Members Ferrell, Gerblich, Ghannam, Gronachan, Ibe, Krieger, Sanghvi  
**Present:** Members Ferrell, Gerblich, Ghannam, Gronachan, Ibe, Krieger and Sanghvi  
**Absent:**  
**Also**  
**Present:** Tom Walsh, Building Official, Elizabeth Saarela, City Attorney and Angela Pawlowski, Recording Secretary

**Pledge of Allegiance**  
**Approval of Agenda: Approved**  
**Approval of Minutes:**

1. APPROVAL OF THE NOVEMBER 19, 2013 MINUTES

Approved as amended

2. APPROVAL OF THE DECEMBER 10, 2013 MINUTES

Approved

**Public Remarks: None**

1. CASE NO. PZ13-0060 47900 GRAND RIVER (APPLEBEE'S RESTAURANT)

The applicant is requesting variances from Section 28-5(3), 28-5(2)c and 28-5(2) a.2.ii of the Novi Sign Ordinance to allow additional or altered signs as follows: (2) additional oversize wall signs of 45.6 sq. ft. and 23 sq. ft.; (1) site directional sign of 9.04 sq. ft. at south entrance door.; (12) awnings (canopy signs) with logos of 53.7 sq. ft., 48.8 sq. ft., 62.3 sq. ft. and 30.5 sq. ft. ; (1) ground sign exceeding maximum height of 7 feet.

The property is located on the north side of Grand River, and west of Beck Road in the B-2 Zoning District.

CITY OF NOVI, CODE OF ORDINANCE, Section 28-5(3) permits only one sign per parcel of property and 28-5(2)c limits canopy signage to 24 sq. ft. Section 28-7(a)9 limits designation signage to 2 sq. ft. business direction. Section 28-5(2)a.2.ii allows signage to a maximum height of 6 feet sq. ft.

**In CASE No. PZ13-0060 Motion to approve the variance for a 7 foot ground sign. The request is based on the uniqueness of the property, the location of the building and indication that the building is a site condo. The applicant has represented unique and exceptional reasons for this sign. This is not self-created. The applicant will be back for a 1 foot variance to make it a total of 8 feet. The approval is specific to this tenant or the length of the lease.**

**Motion carried: 6-1**

**Motion maker: Gronachan**

**In CASE No. PZ13-0060 Motion to approve the wall signs and awnings with the removal of the welcome back sign based on previous discussion with the applicant. Based on the location and uniqueness of the property. The awnings at the back of the building are approved as well. Based on the inability to see the building from the road for identification purposes. The need is not self-created. The approval is specific to this tenant or the length of the lease.**

**Motion carried: 7-0**

**Motion maker: Gronachan**

**2. CASE NO. PZ13-0073 42705 GRAND RIVER AVE (JOE & ALDOS ITALIAN TAVERN AND ANDIAMO'S)**

Applicant is requesting a variances to sections 28-5(3) and 28-5(2)b.1.(b)(iv) to allow an oversize wall sign and revision of a previous variance to allow and increased sign from 54 square feet to 76 square feet on the second floor wall for a separate second floor business.

CITY OF NOVI, CODE OF ORDINANCE, Section 28-5(3) permits only one sign per parcel of property and 28-5(2)b.1.(b)(iv) limits signage to 24 sq. ft. sign for a second floor business.

**In CASE No. PZ13-0073 Motion to deny the request of the additional square footage of 76 square feet on the grounds that the request is not based on circumstances or features that are unique to the property. The previously granted oversize sign does substantial justice to the applicant as they are able to adequately display their business and directional locations to their customers. The failure to grant relief will not unreasonably prevent or limit the use of the property. The grant of relief will not result in a use of the structure that is compatible and not interfere with adjacent or surrounding properties as the 54 feet previously granted to the applicant should be sufficient to advertise.**

**Motion carried: 7-0**

**Motion maker: Gerblich**

**3. CASE NO. PZ13-0074 1316 EAST LAKE DR**

The applicant is requesting variances to allow reduced south side yard setback of 6.01 ft., respectively to allow construction of a deck on the rear of an existing home. The property is located east of West Lake Dr. and north of South Lake Dr. in the R-4 Zoning District.

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires minimum and aggregate side yard setbacks of 10 ft. and 25 ft. respectively.

**In CASE No. PZ13-0074 Motion to approve the variance as requested. The variance is necessary due to practical difficulties that exist due to the circumstances and physical conditions that exist to the property such as narrowness, shallowness, shape, water, topography or similar physical conditions. This is a shorter lot that was subdivided years ago**

and is a smaller lot than current ordinances require. 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. 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. 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.

**Motion carried: 7-0**

**Motion maker: Ghannam**

**4. CASE NO. PZ13-0075 23965 NOVI ROAD (NEIL KING PHYSICAL THERAPY)**

The applicant is requesting a variance from Section 28-7(11) of the Novi Sign Ordinance to allow vinyl type exterior window signs located on the south and east side of an office tenant suite. The property is located on west side of Novi Road, south of Grand River Ave. in the OS-1 Zoning District.

CITY OF NOVI, CODE OF ORDINANCES, Section 28-7(11) allows business signs displayed through building glass area. Section 28-7(11) prohibits exterior window signage.

**In CASE No. PZ13-0075 Motion to approve the variance as requested to place the vinyl sign the on exterior left panels as proposed. The request is based upon circumstances or features that are exceptional and unique to the property and do not result from conditions that exist generally in the City or that are self-created. The glass is tinted on the building and was prior to the lease agreement and the lettering would not be visible from the interior of the building. 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. This would be the only sign on the building identifying the property. The grant of relief will not result in a use of 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 of the ordinance. The approval is specific to this tenant or the length of the lease.**

**Motion carried: 6-1**

**Motion maker: Gerblick**

**5. CASE NO. PZ14-0001 – 43251 CRESCENT BLVD (CHARLES SCHWAB)**

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) to allow a second wall sign of 60.8 sq. ft. located on the north side of a retail tenant suite. The property is located east of Novi Rd. and north of Grand River Ave. in the TC Zoning District.

CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) permits a single wall sign for each business storefront in the RC, Regional Center District.

**In CASE No. PZ14-0001 Motion to approve the variance as requested. The request is based upon circumstances or features that are exceptional and unique to the property and do not result from conditions that exist generally in the City or that are self-created. The location of the property creates a difficulty for customers who need to find the location. The uniqueness of the building and the location make it more important to grant the variance. 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. The grant of relief will not result in a use of 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.**

**Motion carried: 7-0**

**Motion maker: lbe**

**6 CASE NO. PZ14-0002 1319 EAST LAKE DR**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Section 2400 to allow construction of a one-story addition on an existing non-conforming lot with a minimum side setback of 3.44 ft, and a reduced aggregate side setback of 15.42 ft. The property is located east of West Lake Dr. and north of South Lake Dr., in the R-4 Zoning District.

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires that a structure within an R-4 zoning district have a minimum side setback of 10 ft., a minimum aggregate side setback of 25 ft.

**In CASE No. PZ14-0002 Motion to approve the variance as requested with the expectation that the roof overhang not exceed 16 inches on the side of the house with the 3 foot setback. The need is not self-created. 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. 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. 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.**

**OTHER MATTERS**

**1. ELECTION OF OFFICERS**

**Chairperson Ferrell  
Vice-Chairperson Gerblick  
Secretary Ghannam**

**ADJOURNMENT 8:42 PM**

Zoning 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 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)