



cityofnovi.org

## ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting

Tuesday, March 12, 2019

Council Chambers | Novi Civic Center | 45175 Ten Mile Rd

(248) 347-0415

- Call to Order:** 7:00pm
- Roll call:** Members Byrwa, Member Ferrell, Member Gronachan, Chairperson Krieger, Member Peddiboyina, Member Sanghvi, and Member Sanker
- Present:** Members Byrwa, Member Ferrell, Member Gronachan, Chairperson Krieger, and Member Sanker
- Absent Excused:** Member Peddiboyina, and Member Sanghvi
- 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**  
**APPROVED**  
**None**

1. **PZ19-0001 (Great Oaks Landscaping) 47825 Casa Loma Ct, West of Beck Road and South of Nine Mile Road, Parcel # 50-22-32-201-006.** The applicant is requesting variance from the Novi Zoning Ordinance Section 5.1(A) ii for a fence and gate in the front yard. This property is zoned Residential Acreage (R-A).

***The motion to approve case PZ19-0001 requesting variance for a fence and gate in the front yard was approved. The property is unique because of the pie shape of the lot, the elevation, topography, and the vision obscuring angles created by the garage. The petitioner did not create the condition because of the non-typical shape of the lot. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the fence will be only 36" in height with landscape screening, and the design will blend into the subdivision. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request.***

*Maker: Member Gronachan  
 Seconded: Member Sanker  
 Motion passed 5-0.*

2. **PZ19-0002 (Allied Signs Inc./Bob's Discount Furniture) 43460 West Oaks Drive, West of Novi Road and South of Twelve Mile Road, Parcel # 50-22-15-200-106.** The applicant is requesting variances from the Novi Code of Ordinances Section 28-5, (a) (b) (1) a) and 28-5(a) to allow the installation of 247.16 square foot wall sign,) 150 square feet allowed

(based on previous variance). To allow a third sign wall sign at 40 square feet, 65 square feet max allowed. This property is zoned Regional Center (R-C).

***The motion to approve case PZ19-0002 requesting variance to allow a larger wall sign (225 sq. ft.) and an additional 3<sup>rd</sup> wall sign was approved. The petitioner has shown practical difficulty adequately advertising their location due to the large size of the space and the orientation of the building in relation to the road. The property is unique because of the pickup area in the back, the vast size of the strip mall in which it is located, and that the side of the building is facing the main road. The petitioner did not create the condition because it has been a long established shopping plaza. The relief is consistent with the spirit and intent of the ordinance because the signs would be consistent with those on other area buildings.***

***The Variance granted is subject to the primary sign being no larger than 225 square feet and the additional 3<sup>rd</sup> sign being no larger than 40 square feet.***

*Maker: Member Ferrell  
Seconded: Member Gronachan  
Motion passed 5-0.*

3. **PZ19-0003 (American Made Construction) 1185 South Lake Drive, East of West Park Drive and South of South Lake Drive, Parcel # 50-22-03-377-018.** The applicant is requesting a variance from the Novi Zoning Ordinance Section 3.1.5 for a third story addition. This property is zoned Single Family Residential (R-4).

***The motion to approve case PZ19-0003 requesting variance to allow a third story addition was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the property because they will be unable to accommodate their growing family without a 3<sup>rd</sup> bedroom and 2<sup>nd</sup> bath. The property is unique because it is a lakefront property with an easement. Petitioner did not create the condition because home already existed. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will enhance the neighborhood and increase home value, it based on testimony it will not block any neighbor's view of the lake.***

*Maker: Member Ferrell  
Seconded: Member Gronachan  
Motion passed 5-0.*

4. **PZ19-0004 (J+W Properties, LTD) 25814 Beck Rd, East of Beck Road and South of Eleven Mile Road, Parcel # 50-22-21-101-003.** The applicant is requesting variances from the Novi Code of Ordinances Section 3.1.5 a 3 foot front yard variance for a proposed 42 foot setback, a 10 foot rear yard variance for a proposed 40 foot setback and a 5 foot side yard variance for a 15 foot proposed set back, for a proposed house and garage. This property is zoned Residential Acreage (R-A).

***The motion to approve case PZ19-0004 requesting variance for front, rear, and side yard setbacks was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to use of the property because it would be functionally unbuildable for a home. The property is unique because it was split from a previous parcel. The relief granted will not unreasonably interfere with adjacent or surrounding properties because there was no neighbor***

**objection. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request.**

*Maker: Member Sanker  
Seconded: Member Gronachan  
Motion passed 5-0.*

5. **PZ19-0005 (Mark and Elizabeth Adams) 1811 East Lake Dr, East of East Lake Dr and North of Thirteen Mile Road, Parcel #50-22-02-356-004 and 50-22-02-356-005.** The applicant is requesting variances from the City of Novi Code of Ordinances for the following. A side yard variance of 5 feet for a proposed 10 left and 10 feet right setback, 25 feet total required, a front yard variance of 11 feet for proposed 19 foot setback, 30 feet required, a rear yard variance of 21 feet for a propose 14 feet setback, 35 feet required, a max lot variance of 3.6 percent for a proposed 29 percent coverage, 25 percent required and a foot front porch 13 foot variance for a proposed 12 foot setback. This property is zoned Single Family Residential (R-4).

***The motion to approve case PZ19-0005 requesting variances for front, rear, side yard setbacks, 29% lot coverage, and a 12 foot setback for a front porch was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to use of the property of shallow and narrow shape of the lot. The property is unique because of its shape and proximity to the lake. The petitioner did not create the condition because it is a very old plot. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will enhance the neighborhood. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request and the proposed structure will be more confirming than the existent one.***

*Maker: Member Ferrell  
Seconded: Member Byrwa  
Motion passed 5-0.*

6. **PZ19-0006 (Francis and Pamela Schneider) 20825 Meadowbrook Road, West of Meadowbrook Road and North of Eight Mile Road, Parcel # 50-22-35-400-048.** The applicant is requesting a variance from the Novi Code of Ordinance Section 3.1.2 D for a 2 foot variance for a proposed lot width of 118 feet, 120 feet minimum required. This property is zoned Single Family Residential (R-1).

***The motion to table case PZ19-0006 to the April 9<sup>th</sup>, 2019 Zoning Board of Appeals Meeting was approved.***

7. **PZ19-0007 (Singh Homes II, LLC) 43482 Ellesmere Circle, Lot 28 of Bolingbrooke, West of Novi Road and North of Twelve ½ Mile Road, Parcel # 50-22-10-281-028.** The applicant is requesting a variance from the Novi Code of Ordinances Section 3.5.1 for a 240 square foot variance for a proposed 1090 square foot garage, 850 square feet allowed. This property is zoned Single Family Residential (R-4).

***The motion to approve case PZ19-0007 requesting a 1090 square foot garage was approved. The property is unique because of the scale of the property. The relief is consistent with the spirit and intent of the ordinance because the 2:1 house to garage ratio will still be maintained.***

*Maker: Member Byrwa  
Seconded: Member Gronachan  
Motion passed 5-0.*

- 8. PZ19-0008 (Ronald Johnston Jr) 1502 Lebenta, West of West Lake Drive and South of West Pontiac Trail, Parcel # 50-22-03-129-007.** The applicant is requesting variances from the Novi Code of Ordinances Section 4.19, 1(B) (C) (E) v (I), for an exterior side yard variance of 24 foot for a proposed 6 foot setback, an accessory structure variance of 36% for a proposed rear yard lot coverage of 61%, 25% required, a variance for a proposed 20 foot max height, 14 max allowed. This property is zoned Single Family Residential (R-4).

***The motion to approve case PZ19-0005 requesting variances for side yard setback, 61% lot coverage, and a 20 foot height for an accessory structure was approved. The property is unique because of its shape, size, width and depth. The petitioner did not create the condition because it is an existent lot. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the proposed structure will be more confirming than the existent one. The relief is consistent with the spirit and intent of the ordinance because it will improve safety and appearance.***

*Maker: Member Gronachan  
Seconded: Member Byrwa  
Motion passed 5-0.*

#### **Meeting Adjournment: 9:39pm**

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).