



ZONING BOARD OF APPEALS ACTION SUMMARY

CITY OF NOVI

Regular Meeting

Tuesday, May 10, 2016 - 7:00 P.M.

Council Chambers | Novi Civic Center | 45175 Ten Mile Rd

(248) 347-0415

Roll call: Members Ferrell, Member Krieger, Member Sanghvi, Member Byrwa, Member Montville, Member Peddiboyina and Chairperson Gronachan

Present: Members Krieger, Member Sanghvi, Member Byrwa, Member Montville, Member Peddiboyina, Member Ferrell, and Chairperson Gronachan

Absent: N/A

Also Present: Charles Boulard (Community Development Director), Larry Butler (Community Development Deputy Director) Beth Saarela (City Attorney), Monica Dreslinski (Recording Secretary)

Pledge of Allegiance

Approval of Agenda: APPROVED

Approval of March Minutes: APPROVED

Public Remarks: None

Public Hearings

- 1. Lyons (PZ16-0012) 41150 S. McMahon Cir., south of Ten Mile Road and east of Meadowbrook Road, Parcel # 50-25-104-010.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 to allow construction of an attached garage with reduced side yard setbacks (10 feet required, 8 feet proposed) and reduced aggregate side setback (25 feet required, 15 feet proposed) for an existing nonconforming residence zoned R-4.

In case Number PZ16-0012, the motion to approve because the petitioner has shown practical difficulty that requires an attached garage. Without the variance the petitioner will be unreasonably prevented or limited with the respect to use of the property because of the narrow and nonconforming lot. The petitioner did not create the condition because of the smaller lot size. The relief will not unreasonably interfere

with adjacent or surrounding properties because other homes in the area have similar garages.

Motion Approved: 7-0
Motion Maker: Member Ferrell
Seconded: Member Krieger

- 2. Maly Dental (PZ16-0013) Parcel 50-22-26-101-021, east of Novi Road and south of 10 Mile Road** The applicant is requesting variances from the City of Novi Zoning Ordinance Sections 419.2.F and 5.4.1 to allow location of a dumpster enclosure and loading area in the side yard of a parcel proposed for development. The parcel is zoned OS-1.

In case number PZ16-0013, the motion to approve because without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property due to the retention basin the rear of the building. The petitioner did not create the condition because of the natural water that lays to the south. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the petitioner will provide aesthetic appeal with a surrounding dumpster enclosure.

Motion Approved 7-0
Motion Maker: Member Montville
Seconded: Member Ferrell

- 3. Kennedy (PZ16-0014) 1201 South Lake Drive, south of 14 Mile Road and west of Novi Road, Parcel # 50-22-03-332-003.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5.d to allow construction of a second story addition to an existing nonconforming residence with reduced side yard setbacks (10 feet required, 2.3 feet proposed) , exterior side setback (8.5 feet proposed, 30 feet required)and aggregate side yard setback (40 feet required, 10.8 feet proposed). The property is zoned R-4.

In Case Number PZ16-0014, Motion to approve the variance as requested because without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property because of the unique topography, setbacks and nonconformity of the lot. The relief granted will not unreasonably interfere with the adjacent or surrounding properties and will increase property values.

Motion Approved 7-0
Motion Maker: Member Krieger
Seconded: Member Ferrell

- 4. Doan (PZ16-0016) 1623 West Lake Drive, south Pontiac Trail and east of Beck Road, Parcel # 50-22-03-129-019.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 and 3.32.8 to allow construction of new home with reduced side yard setbacks (10 feet required, 7.6 and 7.1 feet proposed) and reduced aggregate side setback (25 feet required, 14.7 feet proposed), confirmation of compliance with the 2.5 story/35 foot maximum

building height and oversize vertical projections of 2 feet into each side setback (15.2 and 14.2 inches allowed). The property is zoned R-4.

In case number PZ16-0016, motion to approve the variance as requested because without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property. The property is unique because of the existing nonconformity in the lot. The petitioner did not create the condition because of the unique narrow lines of the lot. The relief granted will not unreasonably interfere with adjacent or surrounding properties because of the proposed storm water drainage into the lake.

Motion Approved 7-0

Motion Maker: Member Krieger

Seconded: Member Ferrell

- 5. Noonan (PZ16-0017) 1019 South Lake Drive, south of Fourteen Mile Road and east of West Park Drive, Parcel # 50-22-03-380-002.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 to allow construction of an addition to an existing non-conforming residence with reduced side yard setbacks (10 feet required, 3 feet and 8.3 feet proposed), reduced aggregate side setback (25 feet required, 11.3 feet proposed) and excess lot coverage (25% allowed, 37% proposed) for a residence zoned R-4.

In case number PZ16-0017, motion to approve the variance as requested because without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property. The property is unique because of the narrowness of the lot. The petitioner did not create the condition because of the current nonconformity of the lot. The relief granted will not unreasonably interfere with the adjacent or surrounding properties because of the similarity to other properties.

Motion Approved 7-0

Motion Maker: Member Ferrell

Seconded: Member Peddiboyina

- 6. West Oak I (PZ16-0018), 43825 West Oaks, west of Novi Road and south of Twelve Mile, Parcel #: 50-22-15-200-101.** The applicant is requesting a variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 28-5.2a and 28-5(1)d.2 to allow installation of an oversize and over height replacement shopping center sign with up to (5) tenant panels. The proposed sign would be 36 feet high (15 feet allowed) and 147 square feet (100 square feet allowed).The property is zoned RC.

In case number PZ16-0018, motion to approve the variance requested because of West Oak's long standing business with Novi. The property is unique because of its proximity to Twelve Oaks Mall. The relief granted will not unreasonably interfere with adjacent or surround properties because of the new enhanced design of the buildings in West Oaks, and will enhance revenue for West Oaks.

Motion Approved 7-0

Motion Maker: Member Krieger
Seconded: Member Sangvi

Meeting Adjournment: 8:01pm

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).