



ZONING BOARD OF APPEALS ACTION SUMMARY
CITY OF NOVI
Tuesday, September 12, 2023, 7:00 PM
Council Chambers | Novi Civic Center | 45175 Ten Mile Rd
(248) 347-0415

- Call to Order:** 7:00 pm
- Roll call:** Chairperson Peddiboyina, Member Sanghvi, Member Thompson, Member Longo, Member Montague, Member Krieger, Member McLeod
- Present:** Chairperson Peddiboyina, Member Sanghvi, Member Thompson, Member Longo, Member Montague, Member McLeod
- Absent Excused:** Member Krieger
- Also Present:** Alan Hall (Community Development Deputy Director), Beth Saarela (City Attorney), Sarah Fletcher (Recording Secretary)

Pledge of Allegiance
Approval of Agenda: **APPROVED**
Approval of Minutes: **August 2023, APPROVED**
Public Remarks: **None**
Public Hearings:

PZ23-0027 (Jonathan Jacob) 1619 West Lake Drive, East of West Park Drive, South of Pontiac Trail, Parcel 50-22-03-131-052. The applicant is requesting a variance from City of Novi Zoning Ordinance Section 5.1.2 to allow storage of one (1) recreational equipment or trailer under 6 ft. tall in the front yard of a residentially zoned property between June 1st and September 30th of each year. This property is zoned One Family Residential (R-4).

The motion to grant the variance request in case PZ23-0027 sought by Jonathan Jacob was approved. The petitioner will be unreasonably prevented or limited with respect to the use of the property because of the size of his lot and he's unable to get it in his back yard. The property is unique because it is narrow with a fence line. The petitioner did not create the condition because he bought the house in this way. The relief granted will not unreasonably interfere with the adjacent and surrounding properties as his neighbors agreed and it fits in with the lake setting. The relief is consistent with the spirit and intent of the ordinance because of the lot size and the location.

Motion Maker: Thompson
Seconded: Sanghvi

Motion Approved 6:0

PZ23-0028 (Ronnie & Wafaa Jamil) 1927 West Lake Drive, East of West Park Drive, South of Pontiac Trail, Parcel 50-22-03-131-026. The applicant is requesting variances from City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 2.25 ft. (10 ft. required, variance of 7.75 ft.); for an aggregate total of 4.5 ft. (25 ft. required, variance of 20.5 ft.); for an increase in lot coverage to 42.5% (25% maximum, variance of 17.5%) This variance would accommodate the building of a new home. This property is zoned One-Family Residential (R-4).

The motion to deny the variance request in case PZ23-0028 sought by Ronnie & Wafaa Jamil was approved. The circumstances and features of the property are not unique because they exist generally throughout the city. The circumstances and features of the property relating to the variance request are self-created because they are asking to build a home that is too big for the lot. The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that they want a bigger home. The variance would result in interference with the adjacent and surrounding properties by creating a very narrow distance between homes. Granting the variance would be inconsistent with the spirit and intent of the ordinance because homes have not been that close in any other recent builds.

Motion Maker: Longo

Seconded: Montague

Motion Approved 4:2

PZ23-0032 (Nowak & Fraus Engineers/Audi) 24295 Haggerty Road, West of Haggerty Road, North of Ten Mile, Parcel 50-22-24-476-030. The applicant is requesting a variance from City of Novi Zoning Ordinance Section 3.10.3.a to allow one overhead door to face a major thoroughfare (Ten Mile Road). This property is zoned General Business (B-3).

The motion to grant the variance request in case PZ23-0032 sought by Nowak & Fraus Engineers was approved. The petitioner will be unreasonably prevented or limited with respect to the use of the property because the building is existing and the service area is already defined. The property is unique because it is located on two main thoroughfares. The petitioner did not create the condition because this was a purchase of an existing building. The relief granted will not unreasonably interfere with the adjacent and surrounding properties as the surrounding properties are all commercial in nature. The relief is consistent with the spirit and intent of the ordinance because it an existing condition that fits in the area.

Motion Maker: Montague

Seconded: Sanghvi

Motion Approved 6:0

PZ23-0033 (Henry Kozlowski) 1635 West Lake Drive, East of West Park Drive, South of Pontiac Trail, Parcel 50-22-03-131-012. The applicant is requesting a variance from City of Novi Zoning Ordinance Section 5.1.2 to allow storage of one (1) recreational equipment or trailer under 6 ft. tall in the front

yard of a residentially zoned property between June 1st and September 30th of each year. This property is zoned One Family Residential (R-4).

The motion to grant the variance request in case PZ23-0033 sought by Henry Kozlowski was approved. The petitioner will be unreasonably prevented from enjoying their property during the summer months. The property is unique because it is narrow. The petitioner did not create the condition because it is a lakeside property. The relief granted will not unreasonably interfere with the adjacent and surrounding properties. The relief is consistent with the spirit and intent of the ordinance.

Motion Maker: Sanghvi

Seconded: McLeod

Motion Approved 6:0

PZ23-0034 (Remodeling Star Inc) 1537 West Lake Drive, East of West Park Drive, South of Pontiac Trail, Parcel 50-22-03-131-006. The applicant is requesting variances from City of Novi Zoning Ordinance Section 3.1.5 for a front yard setback of 15 ft. (30 ft. required, variance of 15 ft.); for a side yard setback of 1 ft. (10 ft. required, variance of 9 ft.); for an aggregate total of 8 ft. (25 ft. required, variance of 17 ft.). This variance would accommodate the building of a second story addition on an existing home. This property is zoned One-Family Residential (R-4).

The motion to grant the variance request in case PZ23-0034 sought by Remodeling Star Inc was approved. The petitioner will be unreasonably prevented or limited with respect to the use of the property because they are looking to expand the upper story of the house within the current footprint and preventing this would limit the activity he can do in his home. The property is unique because it is a very thin lot and the footprint is not changing with the new construction. The petitioner did not create the condition due to him not altering the lot shape. The relief granted will not unreasonably interfere with the adjacent and surrounding properties, the immediate neighbor did support this addition stating it would if anything impacts positively on the neighborhood value. The relief is consistent with the spirit and intent of the ordinance because it is an overall benefit to the area, the neighbors approve, and within the variance the homeowner would be limited to what they can do on their property.

Motion Maker: McLeod

Seconded: Longo

Motion Approved 6:0

PZ23-0035 (814 Services LLC/Primrose Daycare and Swim School) 43455 Ten Mile Road, West of Novi Road, South of Ten Mile, Parcel 50-22-27-200-003 The applicant is requesting variances from City of Novi Zoning Ordinance Section 4.12.2.i.a to allow reduced outdoor recreation space for a daycare to 8,495 sq ft. (30,300 sq ft. area required based on the estimated number of children, variance of 21,505 sq ft.); and Section 4.12.2.ii.b to allow direct access to 10 Mile Road (vehicular access to and from a major arterial road is not allowed). This property is zoned Office Service (OS-1).

The motion to grant the variance request in case PZ23-0035 sought by 814 Services LLC was approved. The petitioner will be unreasonably prevented or limited with respect to the use of the property as the parking lot was already paved that way. The property is unique because it is located off 10 Mile. The petitioner did not create the condition due to there already being two driveways. The relief granted will not unreasonably interfere with the adjacent and surrounding properties, because there are already other businesses there such as the bank and gas station. The relief is consistent with the spirit and intent of the ordinance because it is in a business area.

***Motion Maker: Thompson
Seconded: McLeod
Motion Approved 6:0***

Other Matters:

Meeting Adjournment: 8:37 pm

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).