



ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting

Tuesday, October 13, 2015 - 7:00 P.M.

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

Roll call: Members Ferrell, Ibe, Krieger, Sanghvi, Bywra, Richert, Montville and Gronachan
Present: Members Ibe, Krieger, Sanghvi, Bywra, Montville and Gronachan
Absent: Member Ferrell (Excused) and Member Richert (Excused)
Also Present: Christopher Gruba, Planner, David Gillam, City Attorney and Stephanie Ramsay, Recording Secretary

Pledge of Allegiance

Approval of Agenda: APPROVED with removal of Case PZ15-0032 until further notice.

Approval of Minutes: None

Public Remarks: None

Public Hearings

1. CITYGATE MARKETPLACE (CASE NO. PZ15-0032), DORAID MARKUS ON BEHALF OF CITYGATE MARKETPLACE, 27200 BECK ROAD, NORTH OF GRAND RIVER AVE. AND EAST OF BECK ROAD, PARCEL#: 50-22-16-176-033. The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Sections 3.1.23.D to allow construction of a 6,241 sq. ft. building with a retail space and two fast food restaurant spaces: 1) a variance of 34.0 feet in the required north yard setback (50.0 feet required, 16.0 feet proposed); and 2) a variance from Section 5.3.11.A, B of 20.0 feet in the required north yard parking setback (20.0 feet required, 0.0 feet proposed) to allow construction of a drive-through lane.

The case was removed from the agenda and will be rescheduled at a later date.

2. KROGER FUEL STATION (CASE NO. PZ15-0034), MATTHEW PISKO ON BEHALF OF KROGER FUEL STATION, 47580 GRAND RIVER AVE, NORTH SIDE OF GRAND RIVER AVE. AND WEST OF BECK ROAD, WEST MARKET SQUARE, PARCEL #: 50-22-17-226-006. The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, to allow additional signage for Kroger Fuel Station: 1) a variance from Section 28-5(3) to allow a second (single ground sign allowed) ground sign; 2) a variance from Section 4.19.2.C to allow canopy signage; and 3) a variance from Section 28-5(5)A to allow a changeable copy sign on the canopy (changeable copy signs allowed on ground signs only).

Motioned by Montville, supported by Bywra to APPROVE variance request number two for Case PZ15-0034, Petitioners request for a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 4.19.2.C to allow canopy signage with the condition that the sign must be a changeable sign.

Motion carried 6-0.

Motioned by Ibe, supported by Krieger to APPROVE the variance request for Case PZ15-0034, Petitioners request for a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) to allow a second (single ground sign allowed) ground sign. It is recommended the ground sign be moved east of the proposed location for better visibility as long as it complies, it is not obstructing traffic or in the right-of-way area.

Motion carried 6-0.

3. SZOSTEK (CASE NO. PZ15-0036), RYAN & LINDSAY SZOSTEK, 1310 EAST LAKE DRIVE, WEST OF NOVI ROAD AND SOUTH OF 14 MILE ROAD, PARCEL #: 50-22-02-151-033

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.5(d) to allow construction of a new second floor living area addition with an attic (living area) addition over the existing footing on an existing nonconforming lakefront parcel: 1) a variance of 4.83 feet in the required south side yard setback (10 feet required, 5.17 feet proposed); and 2) a variance from Section 4.19.1G of 5.0 feet for the required separation distance from detached accessory building (10.0 feet required, 5.0 feet proposed).

Moved by Chairperson Gronachan to postpone Case PZ15-0036 until the November 10, 2015 meeting to gather more information and clarify if a third variance is needed for a third story addition. If additional variances need to be added to the request, the meeting will be postponed until the December 8, 2015 meeting so the case can be re-advertised.

4. OAKLAND ORAL SURGERY (CASE NO. PZ15-0037), KELLY BROTHERS ON BEHALF OF OAKLAND ORAL SURGERY, 25000 JOSEPH DRIVE, SOUTH OF GRAND RIVER AVE AND EAST OF MEADOWBROOK ROAD #: 50-22-24-332-001 & 50-22-24-332-002.

The applicant is requesting a variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 4.19 a variance of 10.0 feet in the required south side yard setback (20 feet required, 10 feet proposed) to allow a backup generator in the required side yard.

Motioned by Montville, supported by Sanghvi to APPROVE Case PZ15-0037, Petitioners request for a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 4.19 a variance of 10.0 feet in the required south side yard setback (20 feet required, 10 feet proposed) to allow a backup generator in the required side yard.

Motion carried 6-0.

Public Comments: None

Other Matters:

1. 2016 Zoning Board of Appeals Calendar Dates - APPROVED

Adjournment:

Motion by Sanghvi, supported by Krieger to adjourn the meeting at 8:19 p.m.

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).