



cityofnovi.org

ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Tuesday, July 12, 2022, 7:00 PM

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

- Call to Order:** 7:00pm
- Roll call:** Member Krieger, Member Longo, Member McLeod, Member Montague, Chairperson Peddiboyina, Member Sanghvi, and Member Thompson
- Present:** Chairperson Peddiboyina, Member Krieger, Member Longo, Member McLeod, Member Montague, Member Thompson, and Member Sanghvi
- Absent Excused:** None
- Also Present:** Larry Butler (Community Development Deputy Director), Beth Saarela (City Attorney), Anita Sophia Wagner (Recording Secretary)

Pledge of Allegiance
Approval of Agenda:
Approval of Minutes:
Public Remarks:
Public Hearings:

APPROVED
June 2022, APPROVED
None

- PZ22-0028 (RN Construction) 41934 Aspen Drive, West of Meadowbrook Road, and South of 10 Mile Road, Parcel 50-22-26-254-001.** The applicant is requesting variance from the City of Novi Zoning Ordinance section 3.1.5 for a rear yard setback of 21.74 feet (35 feet required, variance of 13.26 feet). This variance will accommodate the building of a new screened in porch. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ22-0028 for a rear yard setback was approved. The petitioner has shown practical difficulty requiring a variance to the porch. Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because there is already a deck there and they are trying to reinforce it with some screening. The property is unique because it backs up to a parking lot and school. The Petitioner did not create the condition because it was purchased that way. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the neighbors already have a similar setup. The relief is consistent with the spirit and intent of the ordinance because it is of no consequence to others.

Motion Maker: Thompson
Seconded: Krieger
Motion Passed 7:0

2. **PZ22-0029 (Steve Kolis) 23956 Presidio Lane, West of Beck Road, and South of 10 Mile Road, Parcel 50-22-29-227-051.** The applicant is requesting variance from the City of Novi Zoning Ordinance section 3.1.5 for a rear yard setback of 30.27 feet (35 feet required, variance of 4.73 feet). This variance will accommodate the building of a new screened in porch. This property is zoned Single Family Residential (R-3).

The motion to approve case PZ22-0029 request for a rear yard setback of 30.27 feet was approved because the applicant showed practical difficulty requiring the slight variance. The applicant has demonstrated the without these variances the petitioner will be unreasonably prevented or limited with respect to the use of the property because porch would not accommodate a family. The property is unique because of the odd shape, particularly in the back corner of the back yard. Partitioner did not create the condition because they purchased the lot which is again oddly shaped. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the home backs up to a wooded area. The relief is consistent with the spirit and intent of the ordinance because the variance does not interfere with any neighbors.

*Motion Maker: Longo
Seconded: Sanghvi
Motion Passed 7:0*

3. **PZ22-0030 (Singh Development) East of Novi Road, and South of Grand River Ave, Parcel 50-22-23-151-039, 50-22-23-176-035.** The applicant is requesting variances from the City of Novi Zoning Ordinance from Section 3.6.2.H to allow a 20-foot building setback adjacent to the RM-2 District (117 feet required, variance of 97 feet); and Section 5.10 to allow perpendicular parking on a major drive, which is not permitted. This property is zoned Town Center-1 (TC-1).

The motion to approve case PZ22-0030 variance requests were approved. The Petitioner has shown practical difficulty requiring the variance because the property has a unique shape. Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because it's zoned commercial versus residential where this case is residential versus residential no buffer needed within the TC-1 area which is unique in Novi and no other area for this setback requirement. The property is unique because it is in a TC-1 area to make it a Main Street, downtown feeling area which will be residential and not need the buffer/separation setback. The Petitioner did not create the condition because the property was delegated as a downtown area years ago. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will inspire people to come to a downtown feel in Novi and have residential walking distance to a downtown area. There will be a lot for ADA Compliance for visitors. The relief is consistent with the spirit and intent of the ordinance because it works with Novi's intent and Master Plan of a downtown feel with shops and residence.

Motion Maker: Krieger

Seconded: Sanghvi
Motion Passed 7:0

Other Matters: None

Meeting Adjournment: 7:52pm

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).