



cityofnovi.org

**ZONING BOARD OF APPEALS ACTION SUMMARY
CITY OF NOVI**

**Regular Meeting conducted remotely via ZOOM
Tuesday, November 10, 2020**

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

- Call to Order:** 7:00pm
- Roll call:** Member Krieger, Member Longo, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Sanker, Member Thompson and Member Verma
- Present:** Member Krieger, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Thompson and Member Verma
- Absent Excused:** Member Longo, and Member Sanker
- 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
AUGUST 2020 – APPROVED as amended
none**

- 1. PZ20-0039 (Brian Gabel) 1250 E Lake Drive, West of Novi Road and South of Fourteen Mile Road, Parcel # 50-22-02-151-016.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.5 and Section 3.6.2.m for a 2 foot front yard setback (30 feet required, variance of 28 feet); a 3 foot rear yard setback (35 and 25 feet required, variance of 32 and 22 feet); a side yard setback of 1.67 feet (10 feet required, variance of 8.33 feet); an aggregate total side yard setback of 6.4 feet (25 feet required, variance of 18.66 feet); and a proposed lot coverage of 34% (25% required, variance of 9%). These variances would accommodate the building a new home addition and deck. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ20-0039 for reduced front yard, rear yard, side yard, aggregated side yard setbacks and a lot coverage of 34% was approved. Without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property because they would not be able to build an appropriately sized home on the lot, a known non-conforming property. The property is unique because of the small size of the lot. The petitioner did not create the condition because the home was originally built in the 1930s the lot already had its unique topography. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will enhance the ambiance of the neighborhood.

Amendment by Member Krieger to specify that the 3-foot rear yard setback is from the platted lot line, not the water.

Motion Maker: Sanghvi

Seconded: Krieger

Motion Passed 5:0 (note – Member Verma was absent on this vote)

2. **PZ20-0040 (Cedar Works) 50760 Applebrooke Drive, East of Napier Road and North of Eight Mile Road, Parcel # 50-22-31-253-001.** The applicant is requesting variance from the Novi Zoning Ordinance Section 3.1.1 for a proposed rear yard setback of 45 feet (50 feet required by code, variance of 5 feet). This variance would accommodate the building of a three season's room. This property is zoned Residential Acreage (R-A).

The motion to approve case PZ20-0040 for reduced rear yard setback approved. Without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property because they would have difficulty enjoying their backyard as intended. The property is unique because of its location in a cul-de-sac and near wetlands and a walking trail. The relief is consistent with the spirit and intent of the ordinance because it is a minimal request

Motion Maker: Krieger

Seconded: Sanghvi

Motion Passed 6:0

3. **PZ20-0041 (Compo Builders Inc) 22652 Montebello Court, West of Novi Road and North of Nine Mile Road, Parcel # 50-22-27-453-021.** The applicant is requesting variance from the Novi Zoning Ordinance Section 4.19.1.E.i for a proposed 1,002 square foot garage (850 square feet permitted by code, variance of 152 square feet). This variance would accommodate the building the garage for a proposed new residential home. This property is zoned Single Family Residential (R-3).

The motion to approve case PZ20-0041 a 1,002 square foot garage was approved. The property is unique because of the very large lot size and location on a cul-de-sac. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the lot is sufficiently large enough that this increase in garage size will not affect the neighbors.

Motion Maker: Sanghvi

Seconded: Krieger

Motion Passed 6:0

4. **PZ20-0042 (Living & Learning Enrichment Center) 801 Griswold, East of Novi Road and South of Eight Mile Road, Parcel # 50-22-35-351-002.** The applicant is requesting a variance from the Novi Zoning Ordinance Section 3.6.2.B for a proposed front yard parking setback of 16 feet (75 feet required by code, a variance of 59 feet). Variances are also requested from Section 4.19.1 to add an alpaca shed (196 square feet), which will result in a total of 6,592 square feet and 8 accessory structures on the site (2,500 square feet permitted by code, a variance of 4,092 square feet; and 2 accessory structures permitted by code, a variance of 6 structures). The existing accessory structures contain 6,400 square feet in 7 structures.

These variances would accommodate repurposing the existing buildings and grounds for use as a non-profit educational and enrichment center for teens and young adults with autism. Per Section 4.19.1.K, the applicant also seeks ZBA review and approval of the use of the proposed shed to shelter alpacas. This property is zoned Residential Acreage (R-A).

The motion to approve case PZ20-0042 for a reduced front yard parking setback and a 196 square foot alpaca shed resulting in a total of 8 accessory structures was approved. Without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property because they need to provide adequate parking for clients and staff. The property is unique because it is a large, former family estate with unique topography. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is a minimal use for the repurpose of the property and will be primarily daytime use.

***Motion Maker: Krieger
Seconded: Sanghvi
Motion Passed 6:0***

5. **PZ20-0043 (Compo Builders Inc) 25556 Danyas Way, East of Taft Road and South of Eleven Mile Road, Parcel # 50-22-22-100-031.** The applicant is requesting variance from the Novi Zoning Ordinance Section 4.19.1.E.i for a proposed 1,400 square foot garage (850 square feet permitted by code, variance of 550 square feet). This variance would accommodate the building the garage for a proposed new residential home. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ20-0043 a 1,400 square foot garage was approved. The property is unique because of the topography, wetlands, and location. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the home will fit well and blend in the area.

***Motion Maker: Krieger
Seconded: Sanghvi
Motion Passed 6:0***

6. **PZ20-0044 (M. J. Whelan Construction) 1523 W Lake Drive, West of West Park Drive and South of West Pontiac Trail, Parcel # 50-22-03-131-003.** The applicant is requesting variance from the Novi Zoning Ordinance Section 3.1.5 for a proposed 18.67 foot front yard setback (30 feet required, variance of 11.33 feet); a side yard setback of 6 feet (10 feet required, variance of 4 feet); an aggregate total side yard setback of 12 feet (25 feet required, variance of 13 feet); and a proposed lot coverage of 39.6% (25% required, variance of 14.6%). These variances would accommodate the building a garage addition. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ20-0044 for reduced front yard, side yard, aggregated side yard setbacks and a lot coverage of 39.6% was approved. The property is unique because it is on a narrow "postage sized" lot. The petitioner did not create the condition because it was already an established home. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will match neighboring homes.

**Motion Maker: Thompson
Seconded: Sanghvi
Motion Passed 6:0**

7. **PZ20-0048 (Yen Cheng & Yang Wang) 1585 Paramount Street, East of East Lake Drive and North of Thirteen Mile Road, Parcel # 50-22-02-379-015.** The applicant is requesting variance from the Novi Zoning Ordinance Section 3.6.C for a proposed 11-foot exterior side yard setback (30 feet required, variance of 19 feet). This variance would accommodate the building of a new residential home. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ20-0048 for reduced exterior side yard setback was approved. The property is unique because of the exterior side yard runs along a platted road not in use. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is not immediately adjacent to another home. The relief is consistent with the spirit and intent of the ordinance because the road is vacated and has no plans for use.

**Motion Maker: Thompson
Seconded: Krieger
Motion Passed 6:0**

8. **PZ20-0049 (Integrated Sign / PetSuites) 47025 Grand River Avenue, East of Beck Road and South of Grand River Avenue, Parcel # 50-22-16-151-013.** The applicant is requesting variance from the City of Novi Code of Ordinances Section 28-5(b)(2)(a) for a proposed 50 square foot ground sign, based on the setback from the centerline of Grand River Avenue the sign is oversized by 18 square feet. This property is zoned Light Industrial (I-1).

The motion to approve case PZ20-0049 for a 50 square foot ground sign was approved. Without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property because customers would have difficulty seeing the business due to the scale of the sign and speed of the road. The property is unique because it is located on the fast-moving Grand River Avenue. The petitioner did not create the condition because it was an existing retail space. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the signage will be consistent with surrounding businesses. The relief is consistent with the spirit and intent of the ordinance the added visibility will help with safety on the road.

**Motion Maker: Montague
Seconded: Krieger
Motion Passed 6:0**

9. **PZ20-0050 (Constantine George Pappas / Armenian Cultural Center) 41100 Twelve Mile Road, East of Meadowbrook Road and North of Twelve Mile Road, Parcel # 50-22-12-351-053.** The applicant is requesting the ZBA specify a height of 62.83 feet for a proposed monument structure, as permitted under Section 3.32.3 of the Zoning Ordinance. The structure has received Special Land Use approval from the Planning Commission and is

located greater than 63 feet from all property lines. This property is zoned Residential Acreage (RA).

The motion to approve case PZ20-0050 for an additional wall sign was approved. Without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property because they will be unable to represent a significant part of their culture. The property is unique because it is a large site purposed for religious and cultural use. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it sits on a large property with appropriate setbacks, landscaping, and light design. The relief is consistent with the spirit and intent of the ordinance because it will be a beautiful monument that adds to the community.

***Motion Maker: Montague
Seconded: Krieger
Motion Passed 6:0***

- 10. PZ20-0051 (Jovica Stosic) 23780 E Le Bost Drive, East of Meadowbrook Road and South of Ten Mile Road, Parcel # 50-22-25-126-009.** The applicant is requesting variance from the Novi Zoning Ordinance Section 3.1.5 for a proposed 27-foot front yard setback (30 feet required, variance of 3 feet); and an aggregate total side yard setback of 20.5 feet (25 feet required, variance of 4.5 feet). These variances would accommodate the building an attached garage to replace an existing carport. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ20-0051 for reduced front yard and aggregated side yard setbacks was approved. Without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property because they would have difficulty protecting their property from Michigan weather. The property is unique because it is an existing non-conforming house that previously only had a carport. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will be an improvement to the property that adds value.

***Motion Maker: Krieger
Seconded: Sanghvi
Motion Passed 6:0***

Other Matters: Approval of 2021 calendar

Meeting Adjournment: 9:27pm

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).