



ZONING BOARD OF APPEALS ACTION SUMMARY
CITY OF NOVI
Tuesday, January 9th, 2024, 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 Montague, Member Longo, Member Krieger, Member Sanghvi, Member Thompson, Member McLeod
- Present:** Chairperson Peddiboyina, Member Montague, Member Longo, Member Krieger, Member McLeod
- Absent Excused:** Member Thompson
- Absent Unexcused:** Member Sanghvi
- Also Present:** Alan Hall (Community Development Deputy Director), Beth Saarela (City Attorney), Sarah Fletcher (Recording Secretary)

Pledge of Allegiance
Approval of Agenda:

Amended to postpone PZ23-0061 to the February 13th Meeting.
Motion Maker: Krieger
Seconded: Longo
Motion Approved 5:0

Approval of Minutes:
Public Remarks:
Public Hearings:

December 2023, APPROVED
None

PZ23-0061 (The Antiques Barn) 48120 Eight Mile Road, north of Eight Mile Road, west of Beck Road, Parcel 50-22-32-400-022. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.1 previously authorized in case PZ94-005 and later in case number PZ98-0070 to be transferred from the petitioner to the property. This variance was granted for the petitioner at that time to utilize the existing barn as an antique shop in a R-A zoned district, and was specifically intended for the previous petitioner only, and only for the use described at that time. This property is zoned Residential Acreage (R-A).

Postponed to February 13 2023

PZ23-0066 (Primrose & Swim School) 43455 Ten Mile Road, south of Ten Mile Road, west of Novi Road, Parcel 50-22-27-200-003 The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.12.D for a reduction in required side yard parking setbacks to 0 ft. (10 ft. minimum, a variance of 10 ft.). This variance will enable a proposed lot split in which the proposed parking lot will be divided between the new parcels. This property is zoned Office-Service (OS-1).

I move that we approve the variance in Case No. PZ23-0066 sought by Primrose School for a zero setback variance of both properties because Petitioner has shown practical difficulty in addressing addresses, tax issues and such forth. Without the variance the Petitioner will be unreasonably prevented or limited with respect to use of the property because of being only one property. The property is unique because it is offering two separate two separate businesses when they get restarted. Petitioner did not create the condition because the property is already sitting there. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it really doesn't have any effect on the associated of nearby businesses or homes. The relief is consistent with the spirit and intent of the ordinance because the variance is there, it doesn't really create a problem with anyone else.

Motion Maker: Longo

To include the parking that it alleviate the parking requirements and wetland area.

Motion Maker: Krieger

Seconded: Longo

Motion Approved 5:0

PZ23-0067 (Orchard Development & Construction LLC) 30551 Novi Road, south of Fourteen Mile Road, west of Novi Road, Parcel 50-22-02-177-037. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 4.19.1.E.i for an increase in garage square foot coverage to 1,559 sq. ft. (850 sq. ft. maximum, variance of 709 sq. ft.) This variance would accommodate a garage addition. This property is zoned One-Family Residential (R-4).

I move that we grant the variance in Case No. PZ23-0067 sought by Orchard Development & Construction for an increase in garage square footage to 1559 sq ft which is a variance of 709 sq feet. Without the variance the Petitioner will be unreasonably prevented or limited with respect to use of the property because of the special medical condition of the children which requires special accommodations and would potential expose the children to unsafe conditions if they have to transfer outside. The property is unique because it is a large lot, lot of woods. They is a well plan for a large setback. Petitioner did not create the condition because it is a new facility to accommodate the existing medical conditions. The relief granted will not unreasonably interfere with surrounding properties because of the size of the lot. A very nice site plan and more than adequate setbacks. The relief is consistent with the spirit and intent of the ordinance because it allows use of this in a proper and important accommodation of medical issues.

Motion Maker: Montague

*Seconded: Krieger
Motion Approved 5:0*

PZ23-0068 (V's Barbershop) 47972 Grand River Avenue, north of Grand River Avenue, west of Beck Road, Parcel 50-22-17-226-020 The applicant is requesting variances from City of Novi Sign Ordinance Section 28-5(a) to allow an additional wall sign (maximum of one wall sign is allowed for this tenant, a variance of one additional wall sign); Section 28-10(b)(4) to allow an animated sign (animated signs are prohibited). These variances would accommodate an animated barber pole sign. This property is zoned Community Business (B-2).

I move that we deny the variance in Case No. PZ23-0068, sought by V's Barbershop, for an extra sign that is animated because Petitioner has not shown practical difficulty because the sign that currently exist is plenty visible to customers even from the street. The new sign would very low on the building. It seem duplicative and unnecessary. That the failure to grant relief will not unreasonably prevent or limit the use of the property and/or will not result in substantially more than mere inconvenience or inability to attain a higher economic or financial return because there is not really evidence that shows the additional sign will drive incremental walk in traffic. In 2024 you need to find solutions to problems that are newer than 1950. I think its an outdated solution.

Motion Maker: Mcleod

I move that we grant the request in Case No. PZ23-0068, sought by the petitioner for V's Barbershop. The Petitioner has shown practical difficulty for needing two signs. She is in a strip mall that is very monotony and its hard to get attention. The second sign will. That the request is based upon circumstances or features that are exceptional and unique to the property the strip mall and the monotony, the increase visual stimulation and needing of a specific to draw attention. That the failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return because although google searches for this site helps, the amount of traffic would also increase. This would create a higher financial return for this participate and petitioner and neighbors. That the grant of relief would be offset by other improvements or actions, such as increased setbacks or increased landscaping, such that the net effect will result in an improvement of the property. It is a well know symbol for a barbershop/ It will be unintrusive without strong LED flashing lights and only on during working hours. That construction of a conforming sign would require the removal or significant alteration of natural features on the property because a comforting sign would properly be bigger and not as helpful. The grant of relief will not result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is not inconsistent with the spirit and intent of this chapter because it will increase traffic flow by its nature. It will be on the neighboring once. The people coming from Olgas across the street, Home Depot, all of the neighboring ones it will draw them to there as well. People that are at the barbershop will also go next door to the others and help their neighbors.

*Motion Maker: Krieger
Seconded: Longo
Motion Approved 4:1*

PZ23-0070 (Colucci Properties LLC) 40255 Grand River Avenue, south of Grand River Avenue, east of Haggerty Road, Parcel 50-22-24-451-005. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 4.19.2.f.iv to allow the location of a dumpster enclosure within the required 10 ft. rear yard setback. The existing dumpster from the adjacent property encroaches 2.5 ft. onto the property. This variance would clarify the location of the dumpster for any future project proposals. The property is zoned Non-Center Commercial (NCC).

I move that we grant the request in Case No. PZ23-0070 sought by the petitioner for the second part of the request regarding the dumpster and the easement because Petitioner has shown practical difficulty. The petitioner will be unreasonably prevented or limited with respect to use of the property if its changed. It has been functioning well for the last 30 years. It's in a unique location and fits well with both properties. It does not interfere with neighboring areas or the neighbors to the south. Petitioner did not create the condition because it has been in existence as such and does not interfere and makes it easier for the GFL or whoever to pick up the refuse. The relief granted will not unreasonably interfere with adjacent or surrounding properties because both properties are under the same location where it was. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request.

*Motion Maker: Krieger
Seconded: Longo
Motion Approved 5:0*

Other Matters:

Meeting Adjournment: 7:55 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).