



**ZONING BOARD OF APPEALS ACTION SUMMARY**  
**CITY OF NOVI**  
**Regular Meeting**  
**Tuesday, August 15, 2017**  
**Council Chambers | Novi Civic Center | 45175 Ten Mile Rd**  
**(248) 347-0415**

**Call to Order:** 7:00pm

**Roll call:** Members Byrwa, Member Ferrell, Member Gronachan, Member Krieger, Member Montville, Member Nafso, Member Peddiboyina, and Chairperson Sanghvi

**Present:** Members Byrwa, Member Ferrell, Member Gronachan, Member Montville, Member Nafso, and Chairperson Sanghvi

**Absent Excused:** Member Krieger, Member Peddiboyina

**Also Present:** Larry Butler (Community Development Deputy Director) Beth Saarela (City Attorney), Katherine Oppermann (Recording Secretary)

Pledge of Allegiance

Approval of Agenda:

**APPROVED**

Approval of July 2017 Minutes:

**APPROVED**

Public Remarks:

**None**

Public Hearings:

- PZ17-0026 (Christopher Leineke) 2292 Austin Drive, South of Thirteen Mile Road and West of Old Novi Road, Parcel #50-22-10-227-018** The applicant is requesting a variance from the City of Novi Ordinance Section 3.1.5 and 4.19 for a 8.9 feet side yard, 15 feet allowed, 2 foot side yard setback, 10 feet allowed proposed lot coverage of 30 percent, 25 percent allowed, and a 1000 square feet garage, 850 allowed. This property is zoned Single Family Residential (R-4).

*The motion to approve case PZ17-0026 requesting variance for side yard setback, increased lot coverage, and a 1000 square feet garage was approved. The property is unique due the limited size and odd shape of the lot. The petitioner did not create the condition because it has been an established property since approximately the 1940s and as such was built prior to the current ordinance.*

*Motion Maker: Member Gronachan*

*Seconded: Member Ferrell*

*Motion passed 6-0.*

2. **PZ17-0028 (Kim T. Capello, Attorney) 47289 Sierra Dr. East of Beck Road and South of 11 Mile Road, Parcel # 50-22-21-101-001** The applicant is requesting a variance from the City of Novi Ordinance Section 5.11.2.A to install an interior side yard fence. This property is zoned Residential Acreage (R-A).

*The motion to approve case PZ17-0028 requesting to install an interior side yard fence was approved. Without the variance the petitioner would be unreasonably prevented from fully ensuring the safety of their children and pets when using their yard. The Property is unique because it is along a Beck Road, a busy main street. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the structure is within the property line and has the support of multiple neighbors.*

*Motion Maker: Member Ferrell  
Seconded: Member Gronachan  
Motion passed 6-0.*

3. **PZ17-0030 (Ron Morelli/Benito's Pizza) 24270 Novi Road, East of Novi Road and North of 10 Mile Road, Parcel # 50-22-23-351-064** The applicant is requesting a variance from the City of Novi Ordinance Section 5.2.12 to allow for 30 additional parking spaces for proposed expansion, 89 parking spaces current, 114 required. This property is zoned General Business (B-3).

*The motion to approve case PZ17-0030 requesting a variance of 30 parking spaces was approved. The property is unique due to the limited size of the existing parking area. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is a modification not an expansion. The relief is consistent with the spirit and intent of the ordinance because it will allow the restaurant to continue to stay in Novi to grow its business and improve the area.*

*Motion Maker: Member Montville  
Seconded: Member Gronachan  
Motion passed 6-0.*

4. **PZ17-0031 (Ann Smith) 226 Henning Dr., West of Old Novi Road and South of South Lake Drive, Parcel # 50-22-03-376-004** The applicant is requesting a variance from the City of Novi Ordinance Section 3.32 for a front yard setback of 11 feet for construction of a new unenclosed porch, 30 feet allowed by code. This property is zoned Single Family Residential(R-4).

*Case number PZ17-0031 requesting variance for a front yard setback was approved. Without the variance the petitioner would be unreasonably prevented from implementing the much need upgrades to her home. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will be an improvement to the property, is a minimal request, and has the support of several neighbors.*

*Motion Maker: Member Montville  
Seconded: Member Byrwa  
Motion passed 6-0*

5. **PZ17-0032 (Kevin S. Choksi) 20970 Turnberry Blvd, West of Haggerty Road and North of Eight Mile Rd, Parcel # 50-22-36-451-008** The applicant is requesting a variance from the City of Novi Ordinance Section 3.1.3 of 3 feet to reduce the side yard setback to 22 feet, 25 feet minimum required by code. This property is zoned Residential Acreage (R-A).

*The motion to approve case PZ17-0032 requesting variance for side yard setback was approved. The property is unique due to the lot being deep but narrow, limiting possibilities for the location of an addition. Without the variance the petitioner would be unreasonably prevented from being able to host his family members with physical limitations as there is no existing first floor bedroom. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will be located on the north side wooded area of the property and the petitioner has the support of their Homeowners Association.*

*Motion Maker: Member Nafso  
Seconded: Member Gronachan  
Motion passed 6-0.*

6. **PZ17-0033 (Fountain Park of Novi LLC) 42101 Fountain Park Dr, East of Novi Road and South of Grand River Avenue, Parcel # 50-22-23-251-020** The applicant is requesting a variance from the City of Novi Code of Ordinance Section 28.5F3 and 28.5D to reconstruct one 10 by 7 foot square monument sign foot within 3 feet of the right-of-way and two 6 square foot ground signs, one sign is located in the right-of-way subject to Oakland County approval, one sign allowed by code. This property is zoned Low-Density Multiple-Family (RM-1)

*The motion to approve case PZ17-0033 requesting a sign variance was approved. The petitioner has shown practical difficulty with visibility of their sign due to the changes in the area since the apartments were originally established. The property is unique due to the narrowness of the area given, and the view being obstructed by the wetlands to the east and a privacy fence to the west. The relief is consistent with the spirit and intent of the ordinance because it will allow the apartments to be easily identified by future clients.*

*Motion Maker: Member Gronachan  
Seconded: Member Montville  
Motion passed 6-0.*

7. **PZ17-0034 (David Dismondy) 1181 West Lake Drive, East of Beck Road and South of W. Pontiac Trail, Parcel # 50-22-03-204-003** The applicant is requesting a variance from the City of Novi Ordinance Section 3.1.5 for a 11 foot aggregate side yard setback, 25 feet required, 2 feet for side yard setback 10 feet required, 28 feet rear yard setback, 35 feet required and a proposed lot coverage of 37 percent, 25 percent maximum allowed. This property is zoned Single Family Residential(R-4)

*The motion to approve case PZ17-0034 requesting variance for side and rear yard setbacks was approved. The property is unique due to the nonconforming nature of the preexisting lot. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it has the support of the surrounding neighbors.*

*Motion Maker: Member Montville  
Seconded: Member Gronachan  
Motion passed 6-0.*

**Meeting Adjournment: 8:37 PM**

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).