



cityofnovi.org

ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting

Tuesday, October 8, 2019

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

- Call to Order:** 7:00pm
- Roll call:** Members Byrwa, Member Krieger, Member Longo, Member Montague, Chairperson Peddiboyina, Member Sanghvi, and Member Sanker
- Present:** Members Byrwa, Member Krieger, Member Longo, Member Montague, Chairperson Peddiboyina, Member Sanghvi, and Member Sanker
- Absent Excused:** None
- 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:

APPROVED
August 2019 – Approved
September 2019 – approved with revisions to:
Pg. 11 Line 21 “I did get out...”
Pg. 26 Line 20 “On East Lake Drive...”
None

Public Remarks:
Public Hearings:

- PZ19-0034 (John Harvey) 151 Pickford St, East of West Park Drive and South of W Pontiac Trail, Parcel # 50-22-03-153-007.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 4.19(E)i for a 758 square foot variance for a proposed 1,608 square feet of garage space, 850 square feet and 14 foot height allowed by code. The applicant is proposing a detached garage in addition to existent attached garage. This property is zoned Single Family Residential (R-4).

The motion to DENY case PZ19-0034 requesting variance a 758 square foot variance for a proposed 1,608 square feet of garage space was approved. The petitioner has not shown practical difficulty requiring the increase of garage space on the property. The circumstances and features of the property including footprint and topography are not unique because they exist generally throughout the City. The circumstances and features of the property relating to the variance request are self-created because the individual owns two properties and uses the subject property for rental. The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that he does own two properties and would have other options for storage. The variance would result in interference with the adjacent and surrounding properties based on neighbor testimony. Granting the variance would be inconsistent with the spirit and intent of the

ordinance in that it is not a minimum request.

*Maker: Member Krieger
Seconded: Member Byrwa
Motion passed 6-1.*

2. **PZ19-0036 (The Goddard School) 39659 Thirteen Mile Rd, West of Haggerty Road and South of Thirteen Mile Road, Parcel # 50-22-12-200-050.** The applicant is requesting variances from the City of Novi Zoning Code Section 4.12.2.i.a for a proposed 19,033 square feet of outdoor recreation area, 23,400 square feet required by code. Section 4.12.2.i.a for a proposed recreation area occupying 63.87% of the exterior side yard, up to 25% of the distance between the building and the property line allowed by code. Section 5.4.3 for the absence of a loading zone. Section 5.2 for the deficiency of parking spaces, 40 spaces proposed, 41 required by code. Section 4.19.2.F for a proposed dumpster located in the front yard, dumpsters are required to be located in the rear yard by code. Section 4.19 for the location of play/shade structures in the exterior and interior side yards, and less than 10 feet from the main building (6 feet requested), by code accessory structures must be located in the rear yard and must be located greater than 10 feet from the main building. Section 5.11 for the location of a fence in the exterior side yard, by code no fence shall extend into a front or exterior side yard. The proposed plan has a fence around the outdoor recreation area in the exterior side yard on the east side. City of Novi Code of Ordinances Section 28-5(a) for a second ground sign, one ground sign allowed by code. Section 28-6 for an overtime, oversize temporary ground sign. This property is zoned Office Service Technology (OST).

The motion to approve case PZ19-0036 the above listed variances was approved.. The property is unique because it has two street frontages, the topography of the lot, the location of the intersection entryway, and the retention basin on the property. The petitioner did not create the condition because the lot was an established property. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will be an increased value for the surrounding businesses. The relief is consistent with the spirit and intent of the ordinance because it will support the safety of young children and is a minimum and reasonable request.

*Maker: Member Krieger
Seconded: Member Sanghvi
Motion passed 7-0.*

3. **PZ19-0037 (Signarama-Troy) 41000 Bridge Street, East of Meadowbrook Road and North of Eleven Mile Road, Parcel # 50-22-13-352-003.** The applicant is requesting variances from the City of Novi Code of Ordinances Section 28-6 for a proposed oversized 48 square foot temporary real estate sign. Sign is 5 feet over height, and use beyond the 64 day limit allowed by code. This property is zoned Light Industrial (I-1).

The motion to approve case PZ19-0037 requesting variance for a proposed oversized 48 square foot overtime temporary real estate sign was approved. Without the variance the petitioner will be unreasonably prevented of limited with

respect to use of the property because the sign won't be visible to the public. The property is unique because of its location fronting I-275, a fast moving freeway. The petitioner did not create the condition because the freeway facing the property has been long established. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the sign will not obstruct any views. The relief is consistent with the spirit and intent of the ordinance because it will promote the property, allowing for its sale and improvement.

The Variance granted is subject to:

- 1. Sign being allowed for the duration of one year or until the property is sold/leased.*
- 2. Should the sign be needed longer another review by the Zoning Board will be required.*

Maker: Member Sanker

Seconded: Member Sanghvi

Motion passed 7-0.

4. **PZ19-0038 (ID Associates, Inc. / Floor & Decor) 44075 Twelve Mile Road, West of Novi Road and South of Twelve Mile Road, Parcel # 50-22-15-200-112.** The applicant is requesting variances from the City of Novi Code of Ordinances Section 28-5(a) and 28-5(b) for multiple oversized signs, one sign allowed per code. This property is zoned Regional Center (RC).

The motion to approve case PZ19-0038 requesting variance for multiple oversize signs (South facade = 516.66 square feet + 48.08 square feet, East facade = 403.74 square feet + 12.77 square feet, North facade = 327 square feet, West facade = 145.19 square feet) was approved. The petitioner has shown practical difficulty preventing with business visibility. The property is unique because of its building size and location facing multiple roadways. The petitioner did not create the condition because the building existed with the conditions prior to their lease of the space. The relief is consistent with the spirit and intent of the ordinance because the necessity for multiple signs has been shown.

Maker: Member Byrwa

Seconded: Member Sanghvi

Motion passed 7-0.

5. **PZ19-0039 (ID Associates, Inc. / Scrubs & Beyond) 43530 West Oaks Dr B104, West of Novi Road and South of Twelve Mile Road, Parcel # 50-22-15-200-059.** The applicant is requesting variances from the City of Novi Code of Ordinances Section 28-5(b)(1)a. for a variance of 16.7 square feet for a proposed 66.70 square foot wall sign, 50 square feet allowed by code. This property is zoned Regional Center (RC).

The motion to approve case PZ19-0039 requesting variance for a proposed 66.70 square foot wall sign approved. The petitioner has shown practical difficulty preventing with business visibility. The property is unique because of its location in the corner of a large L-shaped building set far back from the road and partially

obscured by landscaping and outbuildings. The petitioner did not create the condition because the building existed with the conditions prior to their lease of the space. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request.

*Maker: Member Krieger
Seconded: Member Sanghvi
Motion passed 7-0.*

- 6. PZ19-0040 (Philips Sign and Lighting / Beaumont Urgent Care) 43535 Grand River Ave, West of Novi Road and South of Grand River Avenue, Parcel # 50-22-22-227-029.** The applicant is requesting variances from the City of Novi Code of Ordinances Section 28-5(a) for a proposed second wall sign, one sign allowed by code. This property is zoned Town Center-1 (TC-1).

The motion to approve case PZ19-0040 requesting variance for the installation of a second wall sign was approved. The petitioner has shown practical difficulty preventing with business identification and visibility. The property is unique because of the angle of the building, landscaping, and its location near the busy Grand River/Novi Road intersection. The petitioner did not create the condition because the building existed with the conditions prior to their lease of the space. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request.

*Maker: Member Sanghvi
Seconded: Member Krieger
Motion passed 7-0.*

Other Matters – none

Meeting Adjournment: 8:38pm

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).