



## ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting

Tuesday, September 15, 2015 - 7:00 P.M.

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

Roll call: Members Ferrell, Ibe, Krieger, Sanghvi, Bywra, Richert, Montville and Gronachan  
Present: Members Ibe, Krieger, Sanghvi, Bywra, Montville and Gronachan  
Absent: Member Ferrell (Excused) and Member Richert (Excused)  
Also Present: Tom Walsh, Building Official, Beth Saarela, City Attorney and Stephanie Ramsay, Recording Secretary

Pledge of Allegiance

Approval of Agenda: APPROVED with cancellation of Case PZ15-0019 per the applicants request.

Approval of Minutes:

1. Approval of the July 14, 2015 minutes – APPROVED
2. Approval of the August 11, 2015 minutes - APPROVED

Public Remarks: None

Public Hearings

### **1. STANAJ (CASE NO. PZ15-0010) PETER STANAJ, VACANT PARCEL ON SOUTH SIDE OF 9 MILE ROAD AND EAST OF NAPIER ROAD, PARCEL #: 50-22-31-100-001**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.1 (d) to allow construction of new single family residence on an existing vacant parcel: 1) a variance of 26.0 feet in the required front yard setback (45.0 feet required, 19.0 feet proposed); and 2) a variance of 26.0 feet in the required rear yard setback (50.0 feet required, 24.0 proposed).

Motioned by Chairperson Gronachan to TABLE Case PZ15-0010 until the November 10, 2015 meeting. At that time, the petitioner and his attorney and architect must provide additional information including full plans of the house with dimensions and the applicant must reach out to the neighbors in the subdivision.

### **2. METRO DETROIT SIGNS ON BEHALF OF RALLY HOUSE (CASE NO. PZ15-0019) 43227 CRESCENT BLVD. PARCEL #: 50-22-14-351-063**

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) to allow a second (single wall sign allowed in a TC, Town Center District) wall sign.

Per the applicant's request, Case PZ15-0019 has been cancelled and is no longer requesting the variance.

**3. HERZOG (CASE NO. PZ15-0021) THOMAS HERZOG, 207 CHARLOTTE STREET, SOUTH OF SOUTH LAKE ROAD AND WEST OF OLD NOVI ROAD, PARCEL #: 50-22-03-483-002**

The applicant is requesting use variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 5.1 to allow parking/storage of boat within the front yard from April 1st to October 31st of each year (72 hours, less than 7 days required).

Motioned by Ibe, supported by Bywra to DENY Case PZ15-0021, Petitioners request for a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 5.1 to allow parking/storage of boat within the front yard from April 1st to October 31st of each year (72 hours, less than 7 days required).

Motion fails 3-3.

Motioned by Montville, supported by Krieger, to APPROVE Case PZ15-0021, Petitioners request for a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 5.1 to allow parking/storage of boat within the front yard from April 1st to October 31st of each year (72 hours, less than 7 days required).

Motion fails 3-3.

**4. PAULK (CASE NO. PZ15-0026) JAMES AND LAURA PAULK, 24676 TAFT ROAD, NORTH OF 10 MILE ROAD AND ON THE EAST SIDE OF TAFT ROAD, PARCEL #: 50-22-22-301-012**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 4.19(1)(E)(i) and 4.19(1)(I) to allow construction of an 1,536 square foot two story detached garage in the rear of the property: 1) a variance of 468.3 feet in the required aggregate area of all accessory buildings (850.0 sq. ft. maximum, 1,536.0 sq. ft. proposed); 2) a variance of 5.375 feet in the maximum height (14.0 feet maximum, 19.3.75 feet proposed).

Motioned by Montville, supported by Krieger to APPROVE Case PZ15-0026, Petitioners request for a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 4.19(1)(E)(i) and 4.19(1)(I) to allow construction of an 1,536 square foot two story detached garage in the rear of the property: 1) a variance of 468.3 feet in the required aggregate area of all accessory buildings (850.0 sq. ft. maximum, 1,536.0 sq. ft. proposed); 2) a variance of 5.375 feet in the maximum height (14.0 feet maximum, 19.3.75 feet proposed).

Motion carried 6-0.

**5. SCHROEDER (CASE NO. PZ15-0028) DAVID SCHROEDER, 23750 HEARTWOOD, SOUTH OF 10 MILE ROAD AND WEST OF BECK ROAD, PARCEL #: 50-22-29-203-009**

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 4.19(1)(E)(iii) to allow construction of an 944.0 square foot detached garage

in the rear of the property, a variance of 468.3 feet in the required aggregate area of all accessory buildings (1,000 sq. ft. maximum, 1,412.3 sq. ft. proposed).

Motioned by Montville, supported by Krieger to APPROVE Case PZ15-0028, Petitioners request for a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 4.19(1)(E)(iii) to allow construction of an 944.0 square foot detached garage in the rear of the property, a variance of 468.3 feet in the required aggregate area of all accessory buildings (1,000 sq. ft. maximum, 1,412.3 sq. ft. proposed).

Motion carried 6-0.

**6. METTE (CASE NO. PZ15-0030) BRUCE C. METTE, 1361 EAST LAKE DRIVE, WEST OF NOVI ROAD AND SOUTH OF 14 MILE ROAD, PARCEL #: 50-22-02-203-009**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.5(d) to allow reconstruction of existing home with lower level addition over the existing foot and front yard deck on an existing nonconforming parcel: 1) a variance of 7.0 feet in the required south side yard setback (10.0 feet required, 3.0 feet proposed); 2) a variance of 15.6 feet in the required aggregate side yard setback (25.0 feet required, 9.4 feet proposed); 3) a variance of 11.8 feet in the required front yard setback (30.0 feet required, 18.2 feet proposed).

Motioned by Ibe, supported by Krieger to APPROVE Case PZ15-0030, Petitioners request for a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 3.1.5(d) to allow reconstruction of existing home with lower level addition over the existing foot and front yard deck on an existing nonconforming parcel: 1) a variance of 7.0 feet in the required south side yard setback (10.0 feet required, 3.0 feet proposed); 2) a variance of 15.6 feet in the required aggregate side yard setback (25.0 feet required, 9.4 feet proposed); 3) a variance of 11.8 feet in the required front yard setback (30.0 feet required, 18.2 feet proposed).

Motion carried 6-0.

**7. TURTLE CREEK SUBDIVISION (CASE NO. PZ15-0031) SHERRIE KONKUS ON BEHALF OF THE TURTLE CREEK SUBDIVISION, SIGN LOCATIONS, 9 MILE & HEATHERBRAE WAY S. & MEADOWBROOK ROAD AND SINGH BLVD, SOUTH OF 9 MILE ROAD & EAST OF MEADOWBROOK ROAD, PARCEL #: 50-99-99-008-104**

The applicant is requesting a variances from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5 (2)(d) a variance of 4.0 feet in the required right-of-way setback (10.0 feet required, 4.0 feet proposed) and a variance from Section 28-1 (10) to allow the proposed entrance ground signs to be supported with posts (ground surface signs required).

Motioned by Montville, supported by Sanghvi to APPROVE Case PZ15-0031, Petitioners request for a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5 (2)(d) a variance of 4.0 feet in the required right-of-way setback (10.0 feet required, 4.0 feet proposed) and a variance from Section 28-1 (10) to allow the

proposed entrance ground signs to be supported with posts (ground surface signs required).

Motion carried 6-0.

Public Comments: None

Other Matters:

Chairperson Gronachan stated that Tom Walsh has accepted a position and is leaving the City of Novi. She thanked him for always being so friendly and making everyone feel welcome and wished him the very best.

Member Sanghvi had a question for the City Attorney. He stated he had been on the board for a long time, and he wanted to clarify that the members are the judge every case on its own merits. One case does not set precedence for the next case.

The City Attorney confirmed that because a variance was not granted for a similar case that was before the board, you do not need to go back to previous cases to see what was done. You are looking at factors and each property is unique.

Adjournment:

Motion by Ibe, supported by Sanghvi to adjourn the meeting at 9:59 p.m.

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).