



**ZONING BOARD OF APPEALS ACTION SUMMARY**  
**CITY OF NOVI**  
**Regular Meeting**  
**Tuesday, October 14, 2014 - 7:00 P.M.**  
**Activity Center | Novi Civic Center | 45175 W. Ten Mile Road**  
**(248) 347-0459**

**Roll call** Members Ferrell, Gerblich, Ghannam, Gronachan, Ibe, Krieger, Sanghvi  
**Present:** Members Ferrell, Ghannam, Gronachan, Ibe, Sanghvi

**Absent:** Member Gerblich, Member Kreiger (excused)  
**Also Present:** Tom Walsh, Building Official, Tom Schultz, City Attorney and Angela Pawlowski, Recording Secretary

**Pledge of Allegiance**  
**Approval of Agenda: Approved**  
**Approval of Minutes:**

1. APPROVAL OF THE AUGUST 12, 2014 MINUTES - APPROVED
2. APPROVAL OF THE SEPTEMBER 9, 2014 MINUTES - APPROVED

**Public Remarks: None**

**1. CASE NO. PZ14-0037 25885 STRATH HAVEN**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Section 2400 to allow construction of new single family homes with reduced front setbacks of 40 ft. (45 ft. required) and reduced rear setbacks of 37 ft. (50 ft. required) on existing non-conforming lots. The properties are located east of Beck Road and north of 10 Mile Road.

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires that structures constructed within the RA zoning district have a minimum front yard setback of 45 ft. and a minimum rear setback of 50 ft.

**In CASE No. PZ14-0037 Applicant has requested to withdraw the request for a variance.**

**2. CASE NO. PZ14-0041 40800 W. 13 MILE ROAD - BRIGHTMOOR CHRISTIAN CHURCH**

The applicant is requesting variance from Section 2503.2.A of the Novi Zoning Ordinance to allow construction of scoreboards with a reduced yard setback of 34 ft. for the baseball field scoreboard and 70 ft. proposed for the softball field scoreboard. The property is located north side of 13 Mile Rd and west of M-5.

CITY OF NOVI, CODE OF ORDINANCES, Section 2503.2.A requires that all accessory structures must meet the setback requirements of the district, which in this case, requires a 75 foot setback in all exterior side yards.

**In CASE No. PZ14-0041 Motion to table the case until the November 18, 2014 meeting per the applicant's request.**

**Motion carried: 5-0**

**Motion maker: Ghannam**

**3. CASE NO. PZ14-0042 48100 W. NINE MILE RD**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Section 2503(1)(E)(3), to allow construction of an 1500 square foot attached garage. The proposed accessory structure would exceed aggregate area of all accessory buildings by 2564 square feet. The property is located north of 9 Mile Rd and west of Beck.

CITY OF NOVI, CODE OF ORDINANCES, Section 2503(1)(E)(3) states that an accessory building may not exceed 1,000 square feet.

**In CASE No. PZ14-0042 Motion to approve the variance as requested. Based on the applicant's presentation and the questions by the Board members that the square footage would not exceed 1500 square feet. This is based on the size of the lot and the conformity of the lot and that there is no direct impact to the neighbors and the adjacent properties.**

**Motion carried: 5-0**

**Motion maker: Gronachan**

**4. CASE NO. PZ14-0043 26425 NOVI ROAD - NOVI CRESCENT II**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Sections 2400 to allow construction of a parking lot with a reduced north yard setback of 15 ft. and a reduced south yard setback of 3 ft., Section 2507.2 to allow a reduced north yard setback of 14 ft. and 1751 sq. ft. loading zone located on the north side of the property, and Section 2503.2.F to allow dumpster located in exterior rear yard with a reduced rear yard setback of 30 ft. The property is located west side Novi Rd, South of Freeway interchange (Section 15)

CITY OF NOVI, CODE OF ORDINANCES; Section 2400 requires off-street parking lots with a minimum yard setback of 20'. Section 2507.2, within the TC District, requires the loading zone setback of 20 ft. and 10 sq. ft. of loading space for each front foot of building in the TC District requiring 1770 sq. ft. feet of loading space is required for the subject property. Section 2503.2.F requires dumpster located in exterior rear yard with a rear yard setback of 50 ft.

**In CASE No. PZ14-0043 Motion to approve the variance as requested. There are unique circumstances or physical conditions of the property such as narrowness, shape, topography or similar physical conditions and the need for the variance. The need is not self-created. Strict compliance with governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose. The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district. The requested variance will not cause an adverse impact on surrounding properties but will enhance the area.**

**Motion carried: 5-0**

**Motion maker: Ibe**

**5. CASE NO. PZ14-0044 41795 TWELVE MILE - TRILOGY HEALTH SERVICES**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Section 2507.3 and 2303.A.1 to allow 600 sq. ft. of loading area in one of the interior courtyards located on west side of the building. The property is located on the south side of Twelve Mile Rd, west of Meadowbrook Rd (Section 14)

CITY OF NOVI, CODE OF ORDINANCES, Section 2507.3, within the OS Districts, loading space shall be provided in the rear yard and a ratio of five (5) square feet per front foot of building up to a total area of three hundred sixty (360) square feet per building. Section 2303.A.1 requires truck service areas and overhead truck loading/unloading doors shall be totally screened from view from any public right-of-way, including freeway right-of-way, and adjacent properties, except for required driveway access.

**In CASE No. PZ14-0044 Motion to approve the variance as requested. There are unique circumstances or physical conditions of the property such as narrowness, shallowness, shape, topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty. The need is not self-created. Strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose. The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners. The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district.**

**Motion carried: 5-0**

**Motion maker: Gronachan**

**OTHER MATTERS**

**1. 2015 ZONING BOARD OF APPEALS CALENDAR DATES -Approved**

**ADJOURNMENT 7:27 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)