



ZONING BOARD OF APPEALS ACTION SUMMARY
CITY OF NOVI
Tuesday, December 12, 2023, 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 Krieger, Member Thompson, Member McLeod
- Absent Excused:** Member Longo
- Absent Unexcused:** Member Sanghvi
- Also Present:** Alan Hall (Community Development Deputy Director), Joellen Shortly (City Attorney), Sarah Fletcher (Recording Secretary)

- Pledge of Allegiance
- Approval of Agenda: **APPROVED**
- Approval of Minutes: **November 2023, APPROVED**
- Public Remarks: **None**
- Public Hearings:

PZ23-0058 (Colucci Properties LLC) 40245 Grand River Avenue, south of Grand River Avenue, east of Haggerty Road, Parcel 50-22-24-451-006. 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 encroaches 2.5 ft. onto the adjacent 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 variance in Case No. PZ23-0058 sought by the petitioner, because Petitioner has shown practical difficulty requiring the variance and has shown through the testimony that they need the request. Without the variance the Petitioner will be unreasonably prevented or limited with respect to use of the property because it has been that way with the green space and the location of parking, and it has already been configured to handle both properties and each business has their own dumpster and is enclosed properly. The property is unique because of this. Petitioner did not create the condition because it was created that way. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is

between the two buildings and not interfere with neighboring businesses. The relief is consistent with the spirit and intent of the ordinance because it work for the benefit of the area.

Motion Maker: Krieger

Seconded: Mcleod

Approved 4:0

PZ23-0059 (Lithia Motors Inc) 24315 Haggerty Road & 24355 Haggerty Road, south of Grand River Avenue, east of Haggerty Road, Parcel 50-22-24-476-022. 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 set back to 0 ft. (10 ft. minimum, a variance of 10 ft.). This variance will enable a proposed lot split in which existing parking lots will be divided between the new parcels. This property is zoned General Business (B-3).

I move that we grant the variance in Case No. PZ23-0059 sought by Lithia Motors Inc, for a reduction of side yard set back to 0 feet. Without the variance the Petitioner will be limited with respect to use of the property because they're splitting the property that exist and it will interfere with their parking. The property is unique because it was one planned unit development. Petitioner did not create the situation we have because it is one development. The relief granted will not unreasonably interfere with any surrounding properties because it is within the contiguous uses and is very similar. The relief is consistent with the spirit and intent of the ordinance because it allows maximum use of the property and the tax roll.

Motion Maker: Montague

Can you add that for tax purposes, assessing department is going to do take it from there.

Amended: Peddiboyina

Seconded: Krieger

Motion Approved: 5:0

PZ23-0060 (BLM Group) 46850 Cartier Drive, south of Pontiac Trail, east of Beck Road, Parcel 50-22-04-151-036. The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.14.5.C to increase the maximum building height to 36 ft. 8in (maximum 25 ft., a variance of 11 ft. 8 in.); Section 3.1.18.D to reduce the front yard setback to 18 ft. at the southeast corner (minimum of 40 ft., variance of 32 ft.). This property is zoned Light Industrial (I-1).

I move that we grant the variance in Case No. PZ23-0060 sought by BLM, for a height and front yard variance because Petitioner has shown practical difficulty requiring this building addition. Without the variance the Petitioner will be unreasonably prevented or limited with respect to use of the property because the building right next door is the same height. The property is unique because it has a crane way and is at the end of the cul-de-sac in an industrial park. Petitioner did not create the condition because they're trying to have a building equal height to the one net door. The relief granted will not unreasonably interfere with adjacent or

*surrounding properties because the adjacent one next door is the same one and its in an industrial park so it will match quiet well.
The relief is consistent with the spirit and intent of the ordinance because it promotes business development in the City of Novi.*

Motion Maker: Thompson

Seconded: Krieger

Motion Approved 5:0

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).

I move to defer case number PZ23-0061 to the January 2024 meeting.

Motion Maker: Krieger

Seconded: Mcleod

Motion Approved 5:0

PZ23-0063 (Life Construction) 24312 Kings Pointe Drive, north of Ten Mile Road, west of Meadowbrook Road, Parcel 50-22-23-476-015. The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 8.25 ft. (10 ft. required, variance of 1.75 ft.). This property is zoned One-Family Residential (R-4).

I move that we grant the variance in Case No. PZ23-0063 sought by Life Construction for the setback variance because Petitioner has shown practical difficulty requiring building the addition in the envelope. Without the variance the Petitioner will be unreasonably prevented or limited with respect to use of the property because the addition is going to line up along the line of the house. The property is unique because it was 1.5 foot over the setback already and we are trying to keep everything in line. Petitioner did not create the condition because the house had previously been built. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the house is going to be lined up in a flat way and the neighbors agreed with it as well as the subdivision association. The relief is consistent with the spirit and intent of the ordinance to keep the house aesthetically pleasing for everyone in the subdivision and setting.

Motion Maker: Thompson

Seconded: Krieger

Motion Approved: 5:0

Other Matters:

Meeting Adjournment: 8:10 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).