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ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Tuesday, November 9, 2021

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

- Call to Order:** 7:00pm
- Roll call:** Member Krieger, Member Longo, Member Malott, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Sanker, and Member Thompson
- Present:** Member Krieger, Member Malott, Member Montague, Chairperson Peddiboyina, and Member Sanghvi
- Absent Excused:** Member Longo, Member Sanker, and Member Thompson
- 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:
Public Remarks:
Public Hearings:

APPROVED
OCTOBER 2021, APPROVED
none

- PZ21-0022 (Dan and Wendi Williams) 1419 W Lake Drive, East of West Park Drive and South of W Pontiac Trail, Parcel 50-22-03-204-021.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 5 feet (10 feet minimum required, variance of 5 feet); an aggregate total side yard setback of 17.75 feet (25 feet required, variance of 7.25 feet); and a proposed lot coverage of 32% (25% maximum allowed, variance of 7%). Section 3.32-7 for a proposed deck 13.5 feet from the rear yard property line (17 feet minimum required, variance of 3.5 feet). Section 4.19.1.E(i) for the construction of a 1,157 square foot garage (maximum of 850 square feet allowed by code, variance of 307 square feet). Section 3.1.5 for a third story, 2.5 stories allowed by code. These variances would accommodate the building of a new home and deck. This property is zoned Single Family Residential (R-4). ***This case is being re-considered based on the Zoning Board's decision to rehear the case at the August 10, 2021 meeting. This case was tabled from the October 12, 2021 meeting***

The motion to reaffirm the prior variances granted on July 13, 2021 in case PZ21-0022 was approved.

Motion Maker: Krieger
Seconded: Sanghvi
Motion Passed 5:0

2. **PZ21-0056 (Joseph Yono) 1401 E Lake Drive, West of Novi Road and South of Fourteen Mile Road, Parcel 50-22-02-329-027.** The applicant is requesting a variance from The City of Novi Zoning Ordinance Section 3.32-10.ii. a, for the building of a proposed 392 square foot shed on the waterfront (100 square feet allowed by code, variance of 292 square feet). The variance would accommodate the building of a new lakefront accessory structure. This property is zoned Single Family Residential (R-4). ***This case was tabled from the October 12, 2021 meeting.***

The motion to approve case PZ21-0056 for the building of a proposed 392 square foot shed on the waterfront was denied.

Motion Maker: Sanghvi

Seconded: Krieger

Motion denied 3:2, Member Malott, Montague and Peddiboyina dissenting

3. **PZ21-0064 (Cambridge of Novi LLC / Terra), West of Beck Road and North of Eight Mile Road, Parcel # 50-22-32-402-036.** The applicant is requesting an extension to a variance from the City of Novi Code of Ordinance Section 28-6 for a temporary sign beyond 64 days. The sign is located at the northwest corner of the intersection at Eight Mile Road and Beck Road. The maximum display time of free-standing temporary signs is 64 days. The board previously approved this and one other, since removed sign, on June 11, 2019, in case PZ19-0020 "for the duration of two years or, if sooner, until 75% of Certificates of Occupancy have been issued". This property is zoned Single Family Residential (R-1).

The motion to dismiss case PZ21-0064 for reason of applicant nonappearance and lack of evidence was approved.

Motion Maker: Chairperson Peddiboyina

Seconded: Montague

Motion Passed 5:0

4. **PZ21-0065 (Marc & Katherine Kennedy) 1201 S Lake Drive, West of Old Novi Road and South of South Lake Drive, Parcel 50-22-03-332-003.** The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 5.11 to install a fence in the front yard of a corner lot. By code, a fence shall not extend toward the front of the lot nearer than the minimum front yard setback. The proposed new fence would be replacing an existing chain link fence in the same location. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ21-0065 for the installation of a fence in front yard of a corner lot was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the use of the property because lack of privacy and safety concerns for children. The property is unique because it is a corner lot. The relief granted will not unreasonably interfere with adjacent or surrounding properties because a fence was previously in place. The relief is consistent with the spirit and intent of the ordinance because it adds to the safety for the applicant's children.

Motion Maker: Montague
Seconded: Sanghvi
Motion Passed 5:0

5. **PZ21-0068 (Thomas Sebold & Associates) 21575 Equestrian Trail, West of Beck Road and North of Eight Mile Road, Parcel 50-22-32-401-089.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.2 for a rear yard setback of 19.93 feet (35 feet minimum required, variance of 15.07 feet). These variances would accommodate the building of a new home addition. This property is zoned Residential Acreage (RA).

The motion to approve case PZ21-0068 for a rear yard setback of 19.93 feet was approved. The property is unique because of the pie shape lot, and topography including the woodlands at the rear of the property. The applicant did not create the condition because all of the previous factors already existed on the lot. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the HOA has approved of the project and no neighbors objected. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request.

Motion Maker: Kriger
Seconded: Sanghvi
Motion Passed 5:0

6. **PZ21-0070 (Moiseev/Gordon Associates, Inc) 47645 Bellagio Drive, West of Beck Road and North of Eight Mile Road, Parcel 50-22-32-278-031.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.1 for a side yard setback of 15 feet (20 feet minimum required, variance of 5 feet) and Section 4.19.1.E(i) for a total of 1,157 square feet of accessory structure space (maximum of 1500 square feet allowed by code, variance of 721 square feet). These variances would accommodate the building of a pool house and lounge addition. This property is zoned Residential Acreage (RA).

This case has been postponed to the December 14th, 2021 meeting at the request of the applicant.

Other Matters: Member Sanghvi wishes all a Happy Thanksgiving.

Meeting Adjournment: 8:40pm

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).