



ZONING BOARD OF APPEALS ACTION SUMMARY
CITY OF NOVI
Tuesday, May 14, 2024, 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 Sanghvi, Member Thompson, Member Longo, Member Montague, Member Krieger, Member McLeod
- Present:** Chairperson Peddiboyina, Member Sanghvi, Member Montague, Member Krieger, Member McLeod
- Absent Excused:** Member Thompson, Member Longo
- Also Present:** Alan Hall (Community Development Deputy Director), Joellen Shortley (City Attorney), Sarah Fletcher (Recording Secretary)

Pledge of Allegiance
Approval of Minutes: **Approved**
Approval of Agenda: **Approved**
Public Remarks: **None**
Public Hearings:

PZ24-0004 (El Car Wash) 48648 Grand River Avenue, on Grand River Avenue, east of Wixom Road, Parcel 50-22-17-126-006. The applicant is requesting a variance from City of Novi Zoning Ordinance Section 3.10.3.a to allow one overhead door to face a major thoroughfare (Grand River Avenue). This property is zoned General Business (B-3).

In Case No. PZ24-0004 El Car Wash on Grand River I move to grant the request by the petitioner has for showing practical difficulty. Without the variance the Petitioner will be unreasonably prevented or limited with respect to use of the property because of the shape of the lot and the topography and location. It is a principle permitted use so it will be acceptable. The property is unique because of the location and the topography. Petitioner did not create the condition because the site is between two roads, and one is a major road. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is well situated creation and will have heated pavement for exiting to minimize winter conditions. The relief will not unreasonably interfere with adjacent or surrounding properties because of this. It is consistent with the spirit and intent of the ordinance because it is a minimum request.

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

PZ24-0005 (Forever Pergola) 905 South Lake Drive, on South Lake Drive, east of Thirteen Mile Road, Parcel 50-22-03-451-014. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.32(7) for a rear yard setback of 12 ft. (17 ft. required, variance of 5 ft.). This property is zoned One-Family Residential (R-4).

I move that we grant the variance in Case No. PZ24-0005 sought by Forever Pergola for a rear yard setback of 12 foot, which is a variance of 5 foot. The practical difficulty requiring is the combination for use of existing property where the house is already located and pretty far setback from the front yard. Without the variance they will be unreasonably prevented from use of this rear yard because it is a small lot and small back yard. The property is unique because of the orientation of the existing structure and the size of the lot and the location of the structure on the lot. Petitioner did not create the condition because the structure existed and the patio is in place. The relief granted will not unreasonably interfere because it's consistent with the neighborhood and it is the minimal required for adequate space to operate the patio. The relief is consistent with the spirit and intent of the ordinance because it allows the owner to utilize the property in a pleasure manor for outside activities.

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

PZ24-0009 (Luxor Estates) Beck Road, on Beck Road, on Beck Road, south of Nine Mile Road, Parcel 50-22-33-100-005. The applicant is requesting a variance from City of Novi Zoning Ordinance Section 3.1.6 for an increase in lot coverage to 46% for Lot B and 28% for Lots A & C (25% maximum, variance of 21% for Lot B and 3% for Lots A & C). This property is zoned Low-Density Multiple-Family (RM-1).

I move that we grant the variance in Case No. PZ24-0009 sought by Luxor Estates, for three lot variances of 3%, 21% and 3% respectfully because Petitioner has shown practical difficulty requiring a larger footprint in order to fit the upscale multifamily housing. Without the variance the Petitioner will be unreasonably prevented or limited with respect to use of the property because the zoning legitimately is for low density multifamily housing which the petitioner is trying to build with the target audience of upscale buyers. The property is unique because of the small lot sizes versus the multifamily housing which the petitioner has revised the plans multiple times in order to try to make the footprint work. Petitioner did not create the condition because they have actually met every other ordinance except for this particular one. The relief granted will not unreasonably interfere with adjacent or surrounding properties because they meet all of the other ordinances regarding setbacks. The relief is consistent with the spirit and intent of the ordinance because the variances required to attract the more upscale multi housing style family in order to making the house small would not meet the target customers demands.

Motion Maker: Mcleod
Seconded: Krieger

Amended to 3% 12% and 3% variance.

Motion Maker: Mcleod
Seconded: Krieger
Motion Carried 5:0

PZ24-0010 (Catholic Central High School) 27225 Wixom Road, on Wixom Road, south of Twelve Mile Road, Parcel 50-22-18-200-027. The applicant is requesting a variance from the City of Novi Sign Ordinance Section 28-5(d) to allow an additional wall sign on the east elevation (Maximum of two wall signs are allowed for this tenant, variance of 1 additional wall sign). This property is zoned One-Family Residential (R-1).

I move that we grant the variance in Case No. PZ24-0010 for Catholic Central High School which location is on 27225 Wixom Road and also it is an opening on the front of Twelve Mile Road also and they are requesting an additional sign on the east elevation. This request is based on the circumstances and features that are exceptional and unique to the property and do not result from conditions that exist generally in the different part of the city and they are not self-created because of the large size of the campus. It is allowed to have a sign to identify this particular site. The failure to grant relief will unreasonably prevent and limit the use of the property and will result in substantially more inconvenience to the people attending the school and the parents and the other people visiting the campus. The grant of relief would be offset by other improvements or actions already taken by the campus and school officials. The construction of the sign would require significant alteration of natural features on the property. The grant of relief will not result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties.

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

PZ24-0011 (Guernsey Farms) 21300 Novi Road, on Novi Road, north of Eight Mile Road, Parcel 50-22-35-301-001. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.12.D for a side yard parking setback of 4.78 ft. (10 ft. required, variance of 5.22 ft.); and for a front yard parking set back of 11.9 ft. (20 ft. required, variance of 8.1 ft.). This property is zoned General Business (B-3).

I move that we grant the variance in Case No. PZ24-0011 sought by Guernsey Farms for both the side yard setback as well as the front setback. Side yard of 4.75 and front of 11.9 because the Petitioner has shown practical difficulty in expanding the space needed for operations. Without the variance the Petitioner will be unreasonably prevented or limited with respect to use of the property because the additional space will improve employee safety and operations. The property is unique because it is a sliver property wedged up against a rail road track. Petitioner did not create the condition because the petitioner is doing its best to fit the operation within the property size allotted. The relief granted will not unreasonably interfere with adjacent or surrounding properties because there is no encroachment on the property on the railroad track or interfering with the current parking situation. The relief is consistent with the spirit and intent of the ordinance because no one is inconvenienced. The business will be able to operate with improved safety and the company can continue to expand.

Motion Maker: Mcleod
Seconded: Krieger
Motion Carried 5:0

PZ24-0012 (Pickleball Novi) 22650, 22700, 22750 Venture Drive, north of Nine Mile Road, west of Meadowbrook Road, Parcels 50-22-26-401-021, 50-22-26-401-022, 50-22-26-401-023. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.14.5.B.ii to allow off-street parking to be 61 ft. from the boundary of a residential district (100 ft. minimum, variance of 39 ft.); Section 5.2.12.E for a reduction in required parking spaces to 142 (151 parking spaces required, variance of 9 parking spaces). This property is zoned Light Industrial (I-1).

I move to change the Pickleball petition from tonight to June 11th, 2024.

Motion Maker: Krieger
Seconded: Mcleod
Motion Carried 5:0

PZ24-0013 (Nancy Ghannam) 707 South Lake Drive, on South Lake Drive, east of Thirteen Mile Road, Parcel 50-22-03-454-021. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.32.10.A for an interpretation of the ordinance regarding an unobstructed yard; Section 3.32.10.A.ii.a for a 192 sq. ft. gazebo (100 sq. ft. allowed, variance of 92 sq. ft.). This property is zoned One-Family Residential (R-4).

I'll move that given the precedence previously set that other similar structures have been ruled upon under the ordinance being a shed, that we move this one forward as well under the same ordinance for being a similar structure.

**Motion Maker: Mcleod
Seconded: Krieger
Motion Carried 5:0**

I move that we grant the variance in Case No. PZ24-0013 sought by the petitioner. The petitioner has shown practical difficulty requiring the need to fit for the lake living needs. Without the variance the Petitioner will be unreasonably prevented or limited with respect to use of the property because of the nature of the living on the lake and needing materials at the lake like grill and chairs. The property is unique because it is a long lot, 90 feet. Petitioner did not create the condition because this is a lake front property. The petitioner is not going to unreasonably interfere with adjacent or surrounding properties because you will be able to see through to the lake with the gazebo not being enclosed. It may need mosquito netting for nighttime, but that's it. The relief is consistent with the spirit and intent of the ordinance because it is a reasonable request.

**Motion Maker: Krieger
Seconded: Sanghvi
Motion Carried 5:0**

Other Matters: Member Mcleod asked for a color change on the motion sheets provided by the city. Member Krieger enquired about the mandatory training the board will take part in.

Meeting Adjournment: 8:22 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).