



ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting

Tuesday, May 12, 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: Members Ferrell and Richert
Also Present: Tom Walsh, Building Official, Beth Saarela, City Attorney and Stephanie Ramsay, Recording Secretary

Pledge of Allegiance

Approval of Agenda: APPROVED

Approval of Minutes:

1. Approval of the March 10, 2015 minutes – APPROVED
2. Approval of the April 7, 2015 minutes - APPROVED

Public Remarks: None

Public Hearings

1. CASE NO. PZ15-0001, JIMMY ASMAR ON BEHALF OF HOMEWOOD SUITES, PARCEL 50 -22-14-376-018

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Sections 3.1.23D to allow construction of a five story extended stay hotel: 1) a variance of 10.0 feet in the required side (north) parking setback (20.0 feet required, 10.0 feet proposed); 2) a variance of 14.0 feet in the required rear (east) parking setback (20.0 feet required, 6.0 feet proposed); 3) a variance from Section 5.4.1, a variance from the required loading/unloading zone; and 4) a variance from Section 4.19.2 F to allow dumpster located within the parking setback.

Motion by Ibe, supported by Krieger to **APPROVE** Case PZ15-0001, Petitioners request for variances from the CITY OF NOVI, CODE OF ORDINANCES, Sections 3.1.23D to allow construction of a five story extended stay hotel: 1) a variance of 10.0 feet in the required side (north) parking setback (20.0 feet required, 10.0 feet proposed); 2) a variance of 14.0 feet in the required rear (east) parking setback (20.0 feet required, 6.0 feet proposed); 3) a variance from Section 5.4.1, a variance from the required loading/unloading zone; and 4) a variance from Section 4.19.2 F to allow dumpster located within the parking setback on a condition that the secondary access road is listed at 15' wide. This must be extended to 20' wide per City Ordinance.

Motion carried 6-0.

2. CASE NO PZ15-0006, JAMES M. BARNWELL, 31172 BECK ROAD

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 5.5 a variance from the required 6 ft. high obscuring wall requirement when abutting or adjacent to a B-3 District and Section 5.4.1 for a variance from the required loading zone, (720 sq. ft. required, 0.0 sq. ft. proposed) to allow the construction of a 2,171 square foot drive-through Taco Bell restaurant.

Motion by Krieger, supported by Sanghvi to **APPROVE** Case PZ15-0006, Petitioners request for variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 5.5 a variance from the required 6 ft. high obscuring wall requirement when abutting or adjacent to a B-3 District and Section 5.4.1 for a variance from the required loading zone, (720 sq. ft. required, 0.0 sq. ft. proposed) to allow the construction of a 2,171 square foot drive-through Taco Bell restaurant.

Motion carried 6-0.

3. CASE NO. PZ15-0008, KAL MANSOUR WITH SIGN EMPORIUM ON BEHALF OF AQUA TOTS, 44225 12 MILE ROAD #C105

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 RC, Regional Center District) wall sign (awning/canopy sign with logo).

Motion by Ibe, supported by Sanghvi to **APPROVE** Case PZ15-0008, Petitioners request for a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) to allow a second (single wall sign allowed in a RC, Regional Center District) wall sign based on the condition of the removal of the life preserve from the sign.

Motion carried 6-0.

4. CASE NO. PZ15-0009, RICHARD CURTIS, 1320 WEST LAKE DRIVE

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.5(d) to allow construction of new one-story addition on an existing nonconforming parcel: 1) a variance of 10.5 feet in the required front yard setback (30 feet required, 19.5 feet proposed); and 2) a variance of 31.9 feet in the required rear yard setback (35 feet required, 3.1 proposed).

Motion by Montville, supported by Bywra to **APPROVE** Case PZ15-0009, Petitioners request for variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.5(d) to allow construction of new one-story addition on an existing nonconforming parcel: 1) a variance of 10.5 feet in the required front yard setback (30 feet required, 19.5 feet proposed); and 2) a variance of 31.9 feet in the required rear yard setback (35 feet required, 3.1 proposed).

Motion carried 6-0.

5. CASE NO PZ15-0010, PETER STANAJ, 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 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 feet proposed).

Motion by Gronachan to **TABLE** Case PZ15-0010 until the September 15, 2015 Zoning Board of Appeals meeting to present plans and additional information of what will be built on the property to the board.

6. CASE NO. PZ15-0011, RICK VALADE, 25905 LARAMIE DRIVE

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 4.16 and 4.19 to allow construction of new patio enclosure addition on an existing parcel; a variance of 6.0 feet in the required separation distance from the pool to the main building (10 feet required, 4.0 feet proposed).

Motion by Krieger, supported by Sanghvi to **APPROVE** Case PZ15-0011, Petitioners request for a variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 4.16 and 4.19 to allow construction of new patio enclosure addition on an existing parcel; a variance of 6.0 feet in the required separation distance from the pool to the main building (10 feet required, 4.0 feet proposed).

Motion carried 6-0.

7. CASE NO PZ15-0012, GORDIE AND AUDREY WILSON, 1345 EAST LAKE DRIVE

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.5(d) to allow construction of new ramp addition on an existing parcel; a variance of 11.0 feet in the required aggregate side yard setback (25 feet required, 14.0 feet proposed) and a variance of 6.0 feet in the minimum side yard setback (10.0 feet required, 4.0 feet proposed).

Motion by Krieger, supported by Sanghvi to **APPROVE** Case PZ15-0011, Petitioners request for a variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.5(d) to allow construction of new ramp addition on an existing parcel; a variance of 11.0 feet in the required aggregate side yard setback (25 feet required, 14.0 feet proposed) and a variance of 6.0 feet in the minimum side yard setback (10.0 feet required, 4.0 feet proposed).

Motion carried 6-0.

8. CASE NO. PZ15-0013, PATRICK STIEBER WITH ALLIED SIGNS ON BEHALF OF GANDER MOUNTAIN AT 43825 WEST OAKS DRIVE

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(2)(b) to allow a third (single wall sign allowed by right in a RC, Regional Center District) wall sign.

Motion by Ibe, supported by Krieger to **APPROVE** Case PZ15-0013, Petitioners request for a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(2)(b) to allow a third (single wall sign allowed by right in a RC, Regional Center District) wall sign.

Motion supported 6-0.

Public Comments: None

Other Matters:

Member Sanghvi commended the new packet setup. He requested that site plans be included in future packets.

Adjournment:

Motion by Sanghvi, supported by Krieger to adjourn the meeting at 9:33 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).