



cityofnovi.org

ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Tuesday, October 12, 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 Montague, Chairperson Peddiboyina, Member Sanghvi, and Member Thompson
- Absent Excused:** Member Longo, Member Malott, and Member Sanker
- 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
SEPTEMBER 2021, APPROVED
none

- PZ21-0052 (Northern Sign Company / Crumbl Cookies) 26060 Ingersol Drive, East of Novi Road and North of Eleven Mile Road, Parcel 50-22-14-351-063.** The applicant is requesting variance from the City of Novi Code of Ordinances Section 28-7(a)(11) for 100% window coverage by utilizing etched vinyl sign graphics. Only 25% of all the glass area of the frontage of the building may be covered by signage by code (variance of 75%). This property is zoned Town Center (TC).

The motion to approve case PZ21-0052 for 100% window coverage by utilizing etched vinyl sign graphics was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the use of the property because of the established interior layout. The property is unique because of its location in the Town Center. The petitioner did not create the condition because the layout of the interior utilities was already set. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will enhance the area and draw business. The relief is consistent with the spirit and intent of the ordinance because it is limited to this business.

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

2. **PZ21-0053 (Robert O'Neill) 114 Bernstadt Street, East of West Park Drive and South of South Lake Drive, Parcel 50-22-03-454-019.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 4.75 feet (10 feet minimum required, variance of 5.25 feet) and an aggregate total side yard setback of 13.25 feet (25 feet required, variance of 11.75 feet). Section 4.19.1.E(i) for 1,152 square foot of garage space (maximum of 850 square feet allowed by code, variance of 302 square feet). This variance would accommodate the building of a home addition. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ21-0053 for a reduced side yard setback of 4.75 feet, an aggregate total side yard setback of 13.25 feet, and 1,152 square foot of garage space was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the use of the property because he would be unable to create an adequate attached garage. The property is unique because of the location of the existing home and detached garage. The petitioner did not create the condition because it is a long-established property with the existing structures in place. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will be in line with the existing structures on the property. The relief is consistent with the spirit and intent of the ordinance because an attached garage in an expected amenity.

Motion Maker: Montague

Seconded: Krieger

Motion Passed 5:0

3. **PZ21-0054 (Dana Ziegler and Martin Vallespinos) 48950 Nine Mile Road, East of Garfield Road and North of Nine Mile Road, Parcel 50-22-29-326-021.** The applicant is requesting a special approval pursuant to the City of Novi Zoning Ordinance Section 4.19(1)(k) to convert an existing detached accessory building into a home office, by code the use of a detached accessory building in a residential district for use other than use other than the parking and storage of private motor vehicles, tools, recreation equipment or dog houses shall require review and approval by the Zoning Board of Appeals. This property is zoned Residential Acreage (RA).

The motion to approve case PZ21-0054 the conversion of an existing detached accessory building into a home office was approved. The proposed exception or special approval will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Novi.

Motion Maker: Sanghvi

Seconded: Krieger
Motion Passed 5:0

4. **PZ21-0055 (Harman International) 30001 Cabot Drive, West of Haggerty Road and North of Thirteen Mile, Parcel 50-22-01-400-032.** The applicant is requesting a variance from the Novi Zoning Ordinance Section 5.11.2A. for the installation of a fence in the exterior side yard. The ordinance states "no fence shall extend into a front or exterior side yard." This property is zoned Office Service Technology (OST).

The motion to approve case PZ21-0055 for the installation of a fence in the exterior side yard was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the use of the property because of their theft concerns. The property is unique because of its location and the set of the building. The relief granted will not unreasonably interfere with adjacent or surrounding properties because of the size of the lot and the existing berm. The relief is consistent with the spirit and intent of the ordinance because installing the fence as proposed will limit theft.

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

5. **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).

The motion to table case PZ20-0056 to the November 9, 2021 meeting to allow for the applicant to present more information to a full board was approved.

Motion Maker: Montague
Seconded: Longo
Voice vote, all in favor

6. **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.***

The motion to table case PZ20-0022 to the November 9, 2021 meeting to allow for the applicant to present their case to a full board was approved.

**Motion Maker: Krieger
Seconded: Montague
Voice vote, all in favor**

7. **PZ21-0057 (Veres Signs / The Springs Apartments) 30995 Springlake Boulevard, East of Beck Road and South of W Pontiac Trail, Parcel 50-22-04-200-011.** The applicant is requesting a variance from the City of Novi Code of Ordinances Section 28-5(a) footnote (3) for a 30 square foot (159" x 27.25") illuminated entranceway sign. By code the maximum height allowed is 5 feet and sign area no larger than 24 sq. ft (variance of an additional 6 square feet of sign area and 1-foot 3-inches in height). This property is zoned low-density multiple family (RM-1).

The motion to approve case PZ21-0057 for a 30 square foot (159" x 27.25") illuminated entranceway sign was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the use of the property because they need a visible sign. The property is unique because of its setback from Pontiac Trail and the speed of the road. The petitioner did not create the condition because there was an existing setback. The relief granted will not unreasonably interfere with adjacent or surrounding properties because lights will be controlled. The relief is consistent with the spirit and intent of the ordinance because it will allow easy navigation and protect public safety.

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

8. **PZ21-0058 (Matthew Bedikian) 43465 Ellesmere Circle, West of Old Novi Road and North of Twelve Mile Road, Parcel 50-22-10-281-026.** The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 4.19.1.E(i) for a proposed 984 square feet of total accessory structure space (maximum of 850 square feet allowed by code, variance of 134 square feet). This variance would accommodate the building of a 360 square foot freestanding patio canopy. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ21-0058 a proposed 984 square feet of total accessory structure space was approved. The property is unique because the location of the home is backing to Old Novi Road. The petitioner did not create the condition because the new homes in the subdivision were built without many trees or existing shaded areas. The relief is consistent with the spirit and intent of the ordinance because it is good for the homeowner.

**Motion Maker: Thompson
Seconded: Krieger
Motion Passed 5:0**

9. **PZ21-0059 (Mr. Cool Marine LLC) 40100 Grand River Avenue, West of Haggerty Road and North of Grand River Avenue, Parcel 50-22-24-251-022.** The applicant is requesting

variances from the City of Novi Zoning Ordinance Section 3.1.18.D for interior side yard setbacks of 10 feet and 5 feet (20 feet required by code, variances of 10 feet and 15 feet respectively) and Section 3.14.1.B.ii for the placement of two storage tanks within the required interior side yard setback. This property is zoned Light Industrial (I-1).

This case was cancelled by the applicant on September 28, 2021, prior to the meeting.

- 10. PZ21-0060 (Tappers Fine Jewelry) 20800 Haggerty Road, East of Haggerty Road and North of Eight Mile Road, Parcel 50-22-36-476-003.** The applicant is requesting variance from the City of Novi Zoning Ordinance Section 5.4.2 to eliminate the requirement for a loading and unloading zone, a loading zone is required by code. This variance would accommodate the building of a new jewelry store and showroom at the site of the former Big Boy restaurant. This property is zoned Freeway Service (FS).

The motion to approve case PZ21-0051 for a variance to eliminate the requirement for a loading and unloading zone was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the use of the property because the nature of the business does not require a loading area. The property is unique because of the type of business establishment. The relief granted will not unreasonably interfere with adjacent or surrounding properties and the relief is consistent with the spirit and intent of the ordinance.

Motion Maker: Sanghvi

Seconded: Krieger

Motion Passed 5:0

Other Matters: Chairperson Peddiboyina invited board members and staff to enjoy a tour of the Sri Venkateshwara Temple & Cultural center.

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).