



cityofnovi.org

## ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Tuesday, December 13, 2022, 7:00 PM  
Council Chambers | Novi Civic Center | 45175 Ten Mile Rd  
(248) 347-0415

- Call to Order:** 7:00pm
- Roll call:** Member Krieger, Member Longo, Member McLeod, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Copes and Member Thompson
- Present:** Member Krieger, Member Thompson, Member Montague, Member McLeod, Member Longo, Member Sanghvi and Member Copes
- Absent Excused:** Chairperson Peddiboyina
- Also Present:** Larry Butler (Community Development Deputy Director), Beth Saarela (City Attorney), Anita Sophia Wagner (Recording Secretary)

Pledge of Allegiance  
Approval of Agenda:  
Approval of Minutes:  
Public Remarks:  
Public Hearings:

**APPROVED**  
**November 2022, AMENDED & APPROVED**  
**None**

**PZ22-0057 (Moiseev, Gordon Associates, Inc) 48735 Grand River Ave - South of Grand River, East of Wixom Road, Parcel 50-22-17-101-014.** The applicant is requesting two variances from the City of Novi Zoning Ordinance Section 3.1.18 and 4.19 to erect an accessory structure and generator in the front yard; and for a front yard setback of 30 feet (40 feet minimum required, variance of 10 feet). The property is zoned Light Industrial (I-1).

*The motion to grant variances in case PZ22-0057 sought by Moiseev, Gordon Associates was approved. Without the variance Petitioner will be unreasonably prevented or limited with respect to use the property because the property is industrial and tucked back off Grand River. The property is unique again because it is tucked back off Grand River and not seen by anyone unless they are on the site. Petitioner did not create the condition because the location of the fiber cables. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is more or less out of sight which puts it out of mind. The relief is consistent with the spirit and intent of the ordinance because it is a small structure on an industrial piece of property.*

**Motion Maker: Thompson**  
**Seconded: Sanghvi**  
**Motion Approved 7:0**

**PZ22-0058 (AZD Associates, Inc) 1607 East Lake Drive – North of Thirteen Mile, West of Novi Road, Parcel 50-22-02-357-020.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 for a front yard setback of 9.17 feet (30 feet minimum required, variance of 20.83 feet); a rear yard setback of 10.3 feet (35 feet required, variance of 24.7 feet); a side yard setback of 3 feet (10 feet minimum required, variance of 7 feet); a side yard setback of 2.75 feet (15 feet minimum required, variance of 12.25 feet); an aggregate total side yard setback of 5.75 feet (25 feet required, variance of 19.25 feet); and a proposed lot coverage of 47.4% (25% maximum allowed, variance of 22.4%). These variances would accommodate the building of a new home. This property is zoned Single Family Residential (R-4).

***The motion to grant four setback variances and a lot coverage variance in case PZ22-0058 was approved. Without the variance Petitioner will be unreasonably prevented or limited with respect to use the property because the lot is far too small to meet the standard of ordinances that we have today. The property is unique because it was zoned many years ago and is quite small. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is common for homes in that area to require ordinance variances similar to the ones you have requested. The relief is consistent with the spirit and intent of the ordinance because the homes typically cover more space than the ordinances permit.***

**Motion Maker: Longo  
Seconded: Sanghvi  
Motion Approved 6:1**

**PZ22-0060 (Michael Jocz) 45144 Nine Mile Road, East of Taft Road and North of Nine Mile Road, Parcel 50-22-27-355-031.** The applicant is requesting variance from The City of Novi Zoning Ordinance Section 4.19.1.E(i) for 1,688 square feet of garage space (maximum of 850 square feet allowed by code, variance of 838 square feet). This variance would accommodate the building of a garage addition. This property is zoned Single Family Residential (R-3).

***The motion to grant variances in case PZ22-0060 was approved. Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because he has a need for a garage and a very large property. The property is unique because it is a large area of property. It's isolated and there is some good plantings around it so it will be pretty much contained to his view. Petitioner did not create the condition because it's an existing lot that he's building his garage on. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is on a large lot and it's isolated and screened from view from other places. The relief is consistent with the spirit and intent of the ordinance because the petitioner will continue to have the best use of their own property.***

**Motion Maker: Montague  
Seconded: Sanghvi  
Motion Approved 7:0**

**PZ22-0061 (Ron Morelli/Benito's Pizza) 24270 Novi Road, East of Novi Road and North of 10 Mile Road, Parcel # 50-22-23-351-064.** The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 5.2.12 to allow for a reduction of 30 required parking spaces for proposed a restaurant expansion in an existing multi-tenant development, 89 parking spaces are provided, 119 are required. This property is zoned General Business (B-3).

***The motion to grant variances in case PZ22-0061 was approved. Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because the Petitioner would be unable to use the buildings properly. The property is unique because there is current parking of 89 spaces. The buildings already exist, the parking lot already exists and the current utilization is barely 50% during peak hours. Petitioner did not create the condition because this is the situation today and it has been for years. The relief granted will not unreasonably interfere with adjacent or surrounding properties because this is commercial property and this has been the situation for a number of years; there is nothing changing. The relief is consistent with the spirit and intent of the ordinance because there is still ample parking for customers.***

***Motion Maker: Mcleod  
Seconded: Sanghvi  
Motion Approved 7:0***

**Other Matters:** None

**Meeting Adjournment:** 7:50pm

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).