



cityofnovi.org

**ZONING BOARD OF APPEALS ACTION SUMMARY  
CITY OF NOVI**

**Regular Meeting**

**Tuesday, December 10, 2019**

**Council Chambers | Novi Civic Center | 45175 Ten Mile Rd**

**(248) 347-0415**

- Call to Order:** 7:00pm
- Roll call:** Members Byrwa, Member Krieger, Member Longo, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Sanker, and Member Verma
- Present:** Member Krieger, Member Longo, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Sanker, and Member Verma
- Absent Excused:** Members Byrwa
- Also Present:** Larry Butler (Community Development Deputy Director), Beth Saarela (City Attorney), Katherine Oppermann (Recording Secretary)

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

1. **PZ19-0032 (North Hills Village Apartments) 44840 North Hills Drive, West of Novi Road and South Of Nine Mile Road, Parcel # 50-22-34-127-003.** The applicant is requesting variances from the City of Novi Zoning Ordinances Section 5.11.C for a fence with horizontal support boards facing neighboring properties. The code requires that where a fence has finished and an unfinished side, the finished or more decorative side shall face outward the adjoining property or street. This property is zoned Low-Density Multiple-Family (RM-1).

***The motion to deny case PZ19-0032 for variance to allow the less finished side of a fence to face neighboring properties was approved. The circumstances and features of the property relating to the variance request are self-created because the petitioner installed the fence incorrectly. The variance would result in interference with the adjacent of surrounding properties because the unfinished side would be facing the neighbors. Granting the variance would be inconsistent with the spirit and intent of the ordinance because the current fence is inconsistent.***

*Maker: Member Sanker  
Seconded: Member Sanghvi  
Motion passed 6-1.*

2. **PZ19-0044 (Zach Gielow) 623 South Lake Drive, East of West Lake Drive and South of South Lake Drive, Parcel #50-22-03-455-001.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 5.11.1A ii to allow the installation of a fence to the property line. Fence shall not extend toward the front of the property near than the minimum front yard setback distance, R4 front setback is 30 feet minimum allowed. This property is zoned Single Family Residential (R-4).

***The motion to approve case PZ19-0044 for variance to allow the installation of a fence to the property line was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to use of the property because he will be unable to provide a secure area of the year for pets and future children. The property is unique because it is a narrow, shallow corner lot. The petitioner did not create the condition because the lot has been existent as-is for many years. The relief granted will not unreasonably interfere with adjacent or surrounding properties similar fences are a common feature in the neighborhood.***

*Maker: Member Longo  
Seconded: Member Sanghvi  
Motion passed 7-0.*

3. **PZ19-0045 (Jill and Reuben Levy) 42630 Morgan Creek Ct, West of Novi Road and North of Thirteen Mile Road, Parcel # 50-22-02-177-043.** The applicant is requesting variance from the City of Novi Zoning Ordinance Section 5.1 to park a recreational vehicle over 6 feet tall in the side yard. This property is zoned Single Family Residential (R-4).

***The motion to approve case PZ19-0045 for variance to allow the parking of a recreation vehicle over 6ft in the side yard was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to use of the property because he cannot feasibly park an RV in the rear yard. The property is unique because of the location on a cul-de-sac and drop of grade in yard. The relief granted will not unreasonably interfere with adjacent or surrounding properties it will not affect property values.***

***The variance granted is subject to the storage of the RV off property during the winter (December 21<sup>st</sup> through March 19<sup>th</sup>).***

*Maker: Member Sanghvi  
Seconded: Member Krieger  
Motion passed 7-0.*

4. **PZ19-0048 (Mark Zawaiden) 40020 Twelve Mile Rd, West of Haggerty Road and North of Twelve Mile Road, Parcel # 50-22-12-400-063.** The applicant is requesting variance from the City of Novi Code of Ordinances Section 28-(a); and 28-5(d)(7) for a second wall sign facing southwest measuring 336" x 36" (84 sq. ft.). The applicant was previously granted lesser variances during the April 2019 proceedings of case PZ19-0011. This property is zoned Office Service Technology (OST).

**The motion to approve case PZ19-0048 for variance for a second wall sign facing southwest measuring 336" x 36" (84 sq. ft.) was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to use of the property because the existent foliage and water tower necessitates larger spacing on the installed sign. The petitioner did not create the condition because it was a previously existent building. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the setbacks and coverage will be consistent with other area homes. The relief is consistent with the spirit and intent of the ordinance because it is a minimal request.**

*Maker: Member Krieger  
Seconded: Member Longo  
Motion passed 7-0.*

5. **PZ19-0050 (Benchmark Group/Wal-Mart) 26090 Ingersol Dr, East of Novi Road and North of Grand River Ave, Parcel #50-22-14-351-064.** The applicant is requesting a variance from the City of Novi Code of Ordinance Section 28-5(a) for 12 ground signs for parking space indicators, 1 ground sign permitted per parcel. 28-7(b)(2) for 9 ground pole signs to be posted at the parking lot entrances, 2 of the entrances will have 2 ground pole signs. 1 ground pole sign is permitted at each entrance per code. Section 28-5 for a 65.43 square foot wall sign on the west elevation - north side of building, this sign exceeds number of signs permitted. This property is zoned Town Center (TC).

**The motion to approve case PZ19-0050 for the above detailed sign variances was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to use of the property because they will be unable to adequately direct customers for the new service. The petitioner did not create the condition because it is a very large existent property. The relief granted will not unreasonably interfere with adjacent or surrounding properties the signs will be incorporated and will improve traffic flow. The relief is consistent with the spirit and intent of the ordinance because customers will be able to more easily navigate the lot.**

*Maker: Member Sanker  
Seconded: Member Longo  
Motion passed 7-0.*

**Other Matters** – none

**Meeting Adjournment:** 8:13pm

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).