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ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting conducted remotely via ZOOM

Tuesday, May 12, 2020

Council Chambers | Novi Civic Center | 45175 Ten Mile Rd

(248) 347-0415

- Call to Order:** 7:00pm
- Initial Roll call:** Member Krieger, Member Longo, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Sanker, Member Thompson and Member Verma
- Present:** Member Longo, Member Montague, Chairperson Peddiboyina, Member Sanker, Member Thompson and Member Verma
- Absent:** Member Krieger
- Absent Excused:** Member Sanghvi
- 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 as amended (addition of other matters)
APRIL 2020 - APPROVED
none

- PZ20-0015 (Acqira Realty Holdings) 44050 W Twelve Mile Road, West of Novi Road and North of Twelve Mile Road, Parcel #50-22-10-452-001.** The applicant is requesting a variance from the City of Novi Zoning Code Section 5.4.1 proposing to convert (3) of the seven existent loading zones into (6) parking spaces. This will continue to allow ample space for loading/unloading and would not adversely affect the flow of traffic and or loading/unloading of or deliveries. This property is zoned Office Service (OS-1).

The motion to approve case PZ20-0015 for the conversion of (3) of the seven existent loading zones into (6) parking spaces was approved. Without the variance the petitioner will be unreasonably prevented or limited with respect to the property because they cannot expand further with current medical use. The property is unique because the owner purchased the property with the existent layout. The relief is consistent with the spirit and intent of the ordinance because the petitioner will be able to make and meet code for parking while maintaining adequate loading zones.

*Maker: Member Montague
 Seconded: Member Longo
 Motion passed 6-0.*

2. **PZ20-0016 (Nicholas Kalweit) 23873 Heartwood Drive, West of Beck Road and South of Ten Mile Road, Parcel #50-22-29-127-008.** The applicant is requesting a variance from the City of Novi Code of Ordinances Section 4.19.1.E.iii to allow for 458 square feet of garage space beyond the 1000 square feet allowed by code, a total of 1458 square feet of garage space on the property. This variance would accommodate the construction of a detached garage. This property is zoned Single Family Residential (R-1).

The motion to approve case PZ20-0016 for variance to allow a total of 1458 square feet of garage space on the property was approved. The petitioner has shown practical difficulty with security and securing his family's belongings due to proximity of the new walking trail close to his property. The petitioner did not create the condition because it is typical lot size. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is common in the neighborhood to have similar accessory structures.

The variance granted is subject to:

- 1) The applicant's compliance with their Home Owner Association standards.***

*Maker: Member Longo
Seconded: Member Sanker
Motion passed 6-0*

3. **PZ20-0017 (Ron and Roman Inc/Guernsey Farms Dairy) 21300 Novi Road, East of Novi Road and North of Eight Mile Road, Parcel #50-22-35-301-001.** The applicant is requesting variances from the City of Novi Code of Ordinances Section 28-5(a) for 6 additional signs, 5 additional wall signs and 1 Awning/Canopy sign. The awning/canopy sign is also oversized, 72 square feet requested, 24 square feet allowable by code. 28-14(b)(1) Upgrade existing nonconforming pole sign to maintain compliance. A non-conforming sign shall not be structurally altered as to prolong the life of the sign, or in any way that would increase the degree or extent of nonconformity of such sign. This property is zoned General Business (B-3).

The motion to approve case PZ20-0006 for variances to allow for 6 additional signs, 5 additional wall signs and 1 Awning/Canopy sign was approved. The petitioner has shown practical difficulty with regards to having adequate signage to attract and direct customers. Without the variance the petitioner will be unreasonably prevented or limited with respect to the property because the size and layout makes it difficult to fully show the property and correct customer entry locations. The property is unique because it is a very long building with serving as both Dairy and restaurant. The relief granted will not unreasonably interfere with adjacent or surrounding properties because there are no direct neighbors on south or north of the property and there was no objection from neighbors. The relief is consistent with the spirit and intent of the ordinance because even it will allow for the appropriate signage given the size and purposes of the building.

*Maker: Member Montague
Seconded: Member Longo
Motion passed 6-0*

Other Matters – Clarification on case PZ20-0005, from April 2020 meeting

Meeting Adjournment: 7:54pm

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).