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ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting conducted remotely via ZOOM

Tuesday, March 9, 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 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 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
FEBRUARY 2021, APPROVED as amended
none

- PZ21-0002 (Patrick Ziarnik) 1601 W Lake Drive, East of West Park Drive and South of W Pontiac Trail, Parcel # 50-22-03-131-007.** The applicant is requesting variances from the Novi Zoning Ordinance Section 4.19.1.E(i) for the construction of a 930.25 square feet accessory building (maximum of 850 square feet allowed by code, variance of 80.28 square feet). Section 4.19.1.B to install the accessory structure in the front yard when by code accessory buildings shall not be erected in any required front yard or in any required exterior side yard. Section 4.19.G for a proposed 5-foot side yard setback (6 feet required by code, variance of 1 foot). This variance will accommodate the building of a new carport. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ21-0002 for the construction of a 930.25 square feet accessory building in the front yard, 5 feet from the side yard was approved. The petitioner has shown practical difficulty requiring the sheltering of his boat. The property is unique because of the narrowness of the lake fronting lot and the position of existing structures. The petitioner did not create the condition because the property and home were established well before current code restrictions. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will be aesthetically and because it does not have 4 solid sides it will not impair views. The relief is consistent with the spirit and intent of the ordinance because it is a minimal request for an unusual waterfront property.

**Motion Maker: Krieger
Seconded: Sanghvi
Motion Passed 6:0**

2. **PZ20-0005 (Venkata Chekka) 25762 Beck Road, East of Beck Road and South of Eleven Mile Road, Parcel # 50-22-21-101-026.** The applicant is requesting variances from the Novi Zoning Ordinance Section 3.1.1 for a proposed front yard setback of 40 feet (45 feet required by code, variance of 5 foot), a proposed aggregate side yard setback of 30 feet (50 feet required, variance of 20 feet, and a proposed rear yard setback of 40 feet (50 feet required, variance of 10 feet). This variance will accommodate the building of a new ranch home. This property is zoned Residential Acreage (RA).

The motion to approve case PZ21-0005 for reduced front, aggregate side and rear yard setbacks to accommodate a proposed new home was approved. Without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property because they will not be able to build a suitably sized home. The property is unique because of the existing dimensions and the lot being established under earlier ordinances. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the proposed home will match the size and character of other established homes in the neighborhood. The relief is consistent with the spirit and intent of the ordinance because it allows the owner to build a home, the intended use of the lot.

**Motion Maker: Longo
Seconded: Sanghvi
Motion Passed 6:0**

3. **PZ20-0006 (Robert Ledbetter) 26510 Taft Road, East of Taft and South of Grand River Avenue, Parcel # 50-22-15-351-004.** The applicant is requesting variance from The City of Novi Zoning Ordinance Section 5.11 to allow the installation of a fence in the front yard setback. Fences shall not extend toward the front of the property nearer than the minimum front yard setback distance by code. This property is zoned Light Industrial (I-1).

The motion to approve case PZ20-0006 for the installation of a fence in the front yard setback was approved. Without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property because of the sound disturbance to their home. The property is unique due to the location a short distance from the highway and main roads (Taft and Grand River Avenue). The relief granted will not unreasonably interfere with adjacent or surrounding properties because the installation of the fence with match the other fenced homes nearby. The relief is consistent with the spirit and intent of the ordinance because it does not interfere with sight lines.

**Motion Maker: Krieger
Seconded: Sanghvi
Motion Passed 6:0**

4. **PZ19-0007 (Full Throttle Adrenaline Park) 44225 Twelve Mile Road C118, West of Novi Road and Twelve Mile Road, Parcel # 50-22-15-200-112.** The applicant is requesting variances from the Novi Ordinance Code Section 28-5(b)(1)a and 28-5(d)(7) for the installation of two 165 square foot wall signs. Each sign is 100 square feet larger than allowed by code. This property is zoned Regional Center (RC). The applicant is requesting an extension to variances previously approved by the Zoning board of Appeals on 1/14/2020. City of Novi Zoning Code Section 3.1.2 for front yard setback of 19 feet (30 feet allowed, proposed variance is 11 feet) and a rear yard setback of 15 feet (35 feet allowed, proposed variance is 20 feet) to accommodate the construction of a new house. This property is zoned single family residential (R-1).

The motion to approve case PZ21-0007 for the installation of two 165 square foot wall signs was approved. The property is unique because it is located within a commercial park with other similarly sized signs. The petitioner did not create the condition because they purchased and existing business. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the signage is like that on neighboring businesses. The relief is consistent with the spirit and intent of the ordinance because the signage will allow customers to see and located their business.

***Motion Maker: Thompson
Seconded: Sanghvi
Motion Passed 6:0***

5. **PZ21-0008 (Amar Abro) 47133 Nine Mile Road, East of Beck Road and South of Nine Mile Road, Parcel # 50-22-33-100-009.** The applicant is requesting variances from the Novi Zoning Ordinance Section 4.19.E.iii for a proposed 2,400 square foot barn (1,500 square feet maximum allowed by code, variance of 900 square feet). Section 4.19(I) for a two-story barn height of 18 feet (one-story or 14 feet maximum allowed by code, variance of 4 feet). This variance will accommodate the re-building of a recently burnt down barn. This property is zoned Single Family Residential (R-1).

The motion to approve case PZ21-0008 for the reconstruction of a 2,400 square foot barn was approved. Without the variance the petitioner will be unreasonably prevented or limited with respect to use of the property because they will not be able to rebuild the barn on a historic farm property. The property is unique because the old barn was 180 years old, built well before current ordinances.

***Motion Maker: Sanghvi
Seconded: Longo
Motion Passed 6:0***

6. **PZ21-0010 (Kensington Family Homes) 24847 Dinser Drive, East of Wixom Road and North of Ten Mile Road, Parcel # 50-22-20-301-023.** The applicant is requesting variances from the Novi Zoning Ordinance Section 3.1.1 for a proposed aggregate side yard setback of 45 feet (50 feet required, variance of 5 feet). This variance will accommodate the building of a new home. This property is zoned Residential Acreage (RA).

The motion to approve case PZ21-0010 for a reduced aggregate side yard setback was approved. The property is unique because it is smaller than a typical Residential Acreage (RA) lot. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the house will be a similar size and character to existing homes in the neighborhood. The relief is consistent with the spirit and intent of the ordinance because it allows the owner to build a home, the intended use of the lot.

***Motion Maker: Longo
Seconded: Sanghvi
Motion Passed 6:0***

Other Matters: Briefly discussed the return to in-person meetings. Anticipated to start in April 2021, pending amendments currently being considered to the open meetings act, mcl 15.261, et seq.,

Meeting Adjournment: 8:30pm

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).