



cityofnovi.org

## ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting

Tuesday, April 9, 2019

Council Chambers | Novi Civic Center | 45175 Ten Mile Rd  
(248) 347-0415

- Call to Order:** 7:00pm
- Roll call:** Members Byrwa, Member Ferrell, Member Gronachan, Chairperson Krieger, Member Longo, Member Peddiboyina, Member Sanghvi, and Member Sanker
- Present:** Members Byrwa, Member Ferrell, Chairperson Krieger, Member Longo, Member Peddiboyina, Member Sanghvi, and Member Sanker
- Absent Excused:** Member Gronachan
- 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**  
**APPROVED**  
**None**

- PZ19-0006 (Francis and Pamela Schneider) 20825 Meadowbrook Road, West of Meadowbrook Road and North of Eight Mile Road, Parcel # 50-22-35-400-048.**  
The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.2 D for a 2.65 foot variance for a proposed lot width of 117.35 feet, 120 feet minimum required. This property is zoned Single Family Residential (R-1).

***The motion to approve case PZ19-0006 requesting variance to allow a lot width of 117.35 feet were approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the property because they will be unable to split the lot. The property is unique because of the size of the existing parcel. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the new vacant lot created will be conforming. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request.***

*Maker: Member Peddiboyina  
Seconded: Member Ferrell  
Motion passed 6-0.*

2. **PZ19-0009 (Marc Zuccato) 1189 E Lake Dr, East of East Lake Drive and South of Fourteen Mile Road, Parcel # 50-22-02-127-011.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 4.19.E.i for a variance of 572 square feet to allow a proposed 1422 square feet of garage space, 850 square feet allowed. Section 3.32-10.ii.a, for the building of a proposed 160 square foot structure on the waterfront, 100 square feet allowed by code, and to allow an 11 foot 4 inch height, 8 foot allowed by code. This property is zoned Single Family Residential (R-4).

***The motion to approve case PZ19-0009 requesting variances to allow larger garage space and a 160sqft, 11'4" high waterfront accessory structure were approved. The property is unique because of the topography. The petitioner did not create the condition because it has been a long established lot. The relief granted will not unreasonably interfere with adjacent or surrounding properties because of the trees and drop in grade.***

*Maker: Member Sanker  
Seconded: Member Peddiboyina  
Motion passed 6-0.*

3. **PZ19-0010 (Mark and Karen Lustig) 42496 Thirteen Mile Rd, West of Novi Road and North of Thirteen Mile Road, Parcel # 50-22-02-382-002.** 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 and extending 6 feet into the front yard. This property is zoned Single Family Residential (R-4).

***The motion to approve case PZ19-0010 requesting variance to park a recreational vehicle over 6 feet tall in the side yard and extending 6 feet into the front yard was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the property because they will have nowhere to park the vehicle due to existent wetland and slope of the property. The petitioner did not create the condition because the wetland and sloped yard have long been features of the lot.***

*Maker: Member Ferrell  
Seconded: Member Sanghvi  
Motion passed 6-0.*

4. **PZ19-0011 (Mark Zawaideh) 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 28-5(d)(7) for a second 72 square foot south facing wall sign, one wall sign facing each thoroughfare permitted by code. This property is zoned Office Service Technology (OST).

***The motion to approve case PZ19-0011 requesting variance for a second 72 square foot south facing wall sign was approved. Without variance the***

***petitioner will be unreasonably prevented or limited with respect to the property because visibility of the business being difficult from the roadway will impede customers. The property is unique because of the existent trees and electrical tower. The petitioner did not create the condition because the surrounding area obscuring visibility was there before the business. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the sign size is within limits. The relief is consistent with the spirit and intent of the ordinance because it allows for the visibility of the business.***

*Maker: Member Peddiboyina  
Seconded: Member Ferrell  
Motion passed 6-0.*

5. **PZ19-0012 (Mark and Jessica Haapala) 41414 Broquet Dr, West of Meadowbrook Road and South of Nine Mile Road, Parcel # 50-22-35-429-004.** The applicant is requesting variance from Section 5.11(A)ii to allow a fence to extend past the exterior side yard setback. This property is zoned Single Family Residential (R-1).

***The motion to approve case PZ19-0012 requesting variance to allow a fence to extend past the exterior side yard setback was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the property because ensuring safety of three small children on a busier street (Meadowbrook Rd) would be very difficult. The property is unique because it is a corner lot. The relief is consistent with the spirit and intent of the ordinance because it will allow the Haapalas to freely enjoy the yard with their children.***

*Maker: Member Peddiboyina  
Seconded: Member Ferrell  
Motion passed 6-0.*

6. **PZ19-0013 (Interior Environments Inc) 48700 Grand River Ave, East of Wixom Road and North of Grand River Avenue, Parcel #50-22-17-126-009.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.23.D for parking setbacks of less than 20 feet on the Twelve Mile Road (zero feet requested) and Grand River Avenue (16 feet requested), and a variance from Zoning Ordinance Section 5.3.12 for an end island less than 3 feet shorter than the adjacent parking space. This property is zoned General Business (B-3).

***The motion to approve case PZ19-0013 requesting variances parking setbacks of less than 20 feet and an end island less than 3 feet shorter than the adjacent parking space were approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the property because employees and guests will be unable to park appropriately at the business. The petitioner did not create the condition because conditions were previously existent. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will not create any safety issue. The relief is consistent with the spirit and intent of the ordinance because it allows for a functioning business.***

*Maker: Member Sanker  
Seconded: Member Peddiboyina  
Motion passed 6-0.*

7. **PZ19-0014 (Robertson Brothers Homes) 2293 and 2295 Austin Drive, West of Old Novi Road and South of Thirteen Mile Road, Parcel # 50-22-10-231-019 and 50-22-10-231-008.** The applicant is requesting variances from Zoning Ordinance Section 3.1.5.D. for 2293 Austin Drive to allow 21 foot rear yard setback, 35 feet allowed and to allow a 6,550 square feet minimum lot area, 10,000 square feet allowed. The applicant is requesting variances from Zoning Ordinance Section 3.1.5.D. for 2295 Austin Drive to allow 29% lot coverage, 25% allowed, and to allow a minimum lot area of 6,951 square feet, 10,000 square feet allowed. These properties are zoned Single Family Residential (R-4).

***The motion to approve case PZ19-0014 requesting variances to allow a 21 foot rear yard setback, and allow a 6,550 square feet minimum lot area for 2293 Austin Drive and for 2295 Austin Drive to allow 29% lot coverage, and a minimum lot area of 6,951 square feet were approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the property because they would be unable to construct their approved single-family development. The property is unique because it is part of a PRO plan and the existing lots are very small lake lots The petitioner did not create the condition because conditions the two lots in question were previously existent. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the variances granted will make the lots consistent with the size of many other lake lots.***

*Maker: Member Ferrell  
Seconded: Member Brywa  
Motion passed 6-0.*

**Other Matters** – Officer Elections: Kevin Sanker for Secretary, Joe Peddiboyina for Vice Chair, Brent Ferrell for Chair

**Meeting Adjournment: 9:05pm**

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).