



cityofnovi.org

ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting conducted remotely via ZOOM

Tuesday, February 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, Member Thompson and Member Verma
- Present:** Member Krieger, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Sanker, Member Thompson and Member Verma
- Also Present:** Charles Boulard (Community Development Director), Tom Schultz (City Attorney), Katherine Oppermann (Recording Secretary)

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

APPROVED
JANUARY 2021, APPROVED as amended
none

- PZ20-0066 (Margaret Beller) 1235 S Lake Drive, West of Old Novi Road and North of Thirteen Mile Road, Parcel # 50-22-03-332-018.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 5.11 to allow the extension of a decorative fence to the front property line on one side of the lot: a 6-foot fence to the front of the house and a 4-foot rail fence to the lot line. Fences shall not extend toward the front of the property nearer than the minimum front yard setback distance by code. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ20-0066 for the extension of a decorative fence to the front property line on one side of the lot: a 6-foot fence to the front of the house and a 4-foot rail fence into the front yard was approved. The petitioner has shown practical difficulty requiring delineating the property line. Without the variance, the petitioner will be unreasonably prevented or limited with respect to the use of the property because her safety and security will be limited. The property is unique because it was constructed on ground higher than the surrounding houses and has a bump out. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will be aesthetically pleasing and other homes in the area have fences. The relief is consistent with the spirit and intent of the ordinance because it is a minimal request, being on only one side of the yard.

Motion Maker: Krieger
Seconded: Sanghvi
Motion Passed 5:2 (Members Montague and Sanker dissenting)

2. **PZ20-0001 (David and Molly Armstrong) 43824 Westridge Lane, West of Novi Road and South of Nine Mile Road, Parcel # 50-22-34-277-008.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.5 for a 15-foot exterior side yard setback (30 feet required, variance of 15 feet). This variance would accommodate the building of a new garage addition. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ21-0001 for a proposed 15-foot exterior side yard setback for new garage 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 have a normal 2-car garage. The property is unique because it is a corner lot. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will be replacing an existent garage with little change and no neighbor objection. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request that will update the property to modernity.

**Motion Maker: Sanker
Seconded: Krieger
Motion Passed 7:0**

3. **PZ20-0003 (Novi Road Retail Management LLC) 26222 Novi Road, East of Novi Road and North of Grand River Avenue, Parcel # 50-22-14-352-002.** The applicant is requesting variances from the Novi Zoning Ordinance Section 3.1.25.D for a 5.2-foot exterior side yard (south) setback (20 feet required by code, variance of 14.8 feet). This property is zoned Town Center (TC).

The motion to approve case PZ20-0003 5.2-foot exterior side yard (south) setback was approved. Without the variance, the petitioner will be unreasonably prevented or limited with respect to the use of the property because they will be unable to develop it into a multi-use property. The property is unique because it is small and is surround by roads on 3 sides. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will be more pedestrian friendly.

**Motion Maker: Sanghvi
Seconded: Krieger
Motion Passed 7:0**

4. **PZ19-0049 (Jason St. John) 22190 Beck Road, East of Beck Road and South of Nine Mile Road, Parcel # 50-22-33-100-013.** 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 the extension of the variances originally granted on January 14, 2020 for case PZ20-0049 for an additional year was approved. The petitioner has shown practical difficulty requiring an extension due to the ongoing Covid-19 pandemic.

Motion Maker: Sanker
Seconded: Sanghvi
Motion Passed 7:0

Meeting Adjournment: 8:20pm

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).