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

Regular Meeting

Tuesday, February 12, 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 Peddiboyina, Member Sanghvi, and Member Sanker
- Present:** Members Byrwa, Member Ferrell, Member Gronachan, Chairperson Krieger, and Member Sanker
- Absent Excused:** Member Peddiboyina, and Member Sanghvi
- 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: **APPROVED**
- Public Remarks: **None**
- Public Hearings:

1. **PZ18-0057 (Somnio Global LLC) 45145 West 12 Mile Road, East of Taft Road and South of Twelve Mile Road, Parcel # 50-22-15-126-015.** The applicant is requesting a variance from the City of Nov Ordinance Section 4.68(2) to allow an exterior bulk Nitrogen Storage tank required for research. Limited warehousing or storage of products used in research is allowed by code. This property is zoned Office Service Technology (OST).

The motion to approve case PZ18-0057 requesting variance for an exterior bulk Nitrogen Storage tank was approved because the Petitioner has established an unnecessary hardship. Petitioner cannot use the property as permitted in the Office Service Technology (OST) zoning district because the physical condition of the property consisting of size of the building sheer volume of nitrogen needed for their processes prevents the tank being otherwise located. And, the condition is not a personal or economic hardship. It will not alter the essential character of the area because the petitioner indicated the safety measures in place and has shown the nitrogen poses no safety issue or health hazards. The variance granted is subject to the limit of 6000 gallons liquid nitrogen on the south side of the property.

*Maker: Member Gronachan
Seconded: Member Ferrell
Motion passed 5-0.*

2. **PZ18-0061 (Jenny Griffith) East of Old Novi Road and South of East Lake Drive, Parcel # 50-22-02-357-010.** The applicant is requesting variances from the Novi Code of Ordinance Section 3.1.5 for a 16 foot front yard variance for a proposed 14 feet setback, 30 feet required, a 25 foot variance for a proposed 10 foot rear yard setback, 35 feet required, a 6 and 11 foot variance for a proposed 4 feet by 4 feet side yard setback, 25 feet total allowed, a 26% variance for a proposed 51% max lot coverage 25% required and a 19 foot front deck variance for a proposed 6 foot deck, 25 feet required. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ18-0061 requesting variances to allow a proposed 14 feet front yard setback, a proposed 10 foot rear yard setback, 4 foot side yard setbacks, a proposed 51% max lot coverage, and a 19 foot front deck variance for a proposed 6 foot was approved. Without the variance petitioner will be unreasonably prevented or limited with respect to use of the property because of the narrowness of the lot. The property is unique because it is a very narrow lake lot. Petitioner did not create the condition because it was platted long ago. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will be comparable to the surrounding area homes.

*Maker: Member Ferrell
Seconded: Member Gronachan
Motion passed 5-0.*

3. **PZ18-0064 (Christopher Leineke) 2292 Austin Dr, West of Old Novi Road and South of Thirteen Mile Road, Parcel # 50-22-10-227-018.** The applicant is requesting variances from the Novi Zoning Ordinance Section 4.19G for a proposed accessory structure less than 10 feet away from garage, 10 feet minimum required; Section 3.1.5 for minimum side yard setback of 5 feet, 10 feet required, a lot coverage of 33%, 25% allowed, a proposed front yard setback from road of 25 feet, 30 feet minimum required. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ18-0064 requesting variance to allow a proposed accessory structure less than 10 feet away from garage, a side yard setback of 5 feet, a lot coverage of 33%, and a proposed front yard setback from road of 25 feet was approved. The property is unique because of the topography and existent garage. Petitioner did not create the condition because the building was originally constructed in the 1940s. . The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is characteristic of the uniquely shaped lots typical of the area.

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

4. **PZ18-0065 (David Batu) 25900 Beck Rd, East of Beck Road and South of Eleven Mile Road, Parcel # 50-22-21-101-002.** The applicant is requesting variances from the Novi Zoning Ordinance Section 3.1.5 for a 10 foot rear yard variance for a proposed 40 foot setback, 50 feet minimum required; a 5 foot variance for a proposed 40 foot front yard setback, 45 feet minimum required; a 5 foot variance for a proposed 15 foot side yard setback, 20 feet total allowed; and a 14 foot variance for a proposed 36 for side yard aggregate, 50 feet required. This property is zoned Residential Acreage (R-A).

The motion to approve case PZ18-0065 requesting variance to allow a proposed 40 foot rear yard setback, a proposed 40 foot front yard setback, a proposed 15 foot side yard setback, and a proposed 36 for side yard aggregate was approved. The property is unique because of the size and shape of the lot. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is consistent with other homes in the area and a minimal request.

*Maker: Member Gronachan
Seconded: Member Byrwa
Motion passed 6-0.*

5. **PZ19-0001 (Great Oaks Landscaping) 47825 Casa Loma Ct, West of Beck Road and South of Nine Mile Road, Parcel # 50-22-32-201-006.** The applicant is requesting variance from the Novi Zoning Ordinance Section 5.1(A)ii for a fence and gate in the front yard. This property is zoned Residential Acreage (R-A).

The motion to table case PZ19-0001 to the March 12th, 2019 Zoning Board of Appeals Meeting was approved.

*Maker: Member Ferrell
Seconded: Member Gronachan
Motion passed 5-0.*

Meeting Adjournment: 8:23pm

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).