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ZONING BOARD OF APPEALS ACTION SUMMARY

CITY OF NOVI

Tuesday, August 10, 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 Malott, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Sanker, and Member Thompson

Present: Member Krieger, Member Longo, Member Montague, and Member Thompson

Absent Excused: Member Malott, Member Sanghvi, and Member Sanker

Absent: Chairperson Peddiboyina

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:

Approved as amended
No minutes available
Michael Condon spoke regarding his reconsideration request for PZ21-0022

Public Hearings:

1. **PZ21-0039 (Kiel Hearn) 157 Wainwright Street, East of Old Novi Road and South of Thirteen Mile Road, Parcel 50-22-11-101-011.** The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 5.11 to install a fence in the front yard of a corner lot. By code, a fence shall not extend toward the front of the lot nearer than the minimum front yard setback. This property is zoned Single Family Residential (R-4). *This case was tabled from the July 13th meeting.*

The motion to approve case PZ21-0039 to install a fence in the front yard of a corner lot was approved. The petitioner has shown practical difficulty replacing the previously existent fence to protect their large yard from unauthorized parking. The property is unique because their property is a corner lot with two "front" yards. The petitioner did not create the condition because they purchased the property as is, with a fence already located in the front yard. The relief granted will not unreasonably interfere with adjacent or surrounding properties because sight lines and visibility will not be affected.

Motion Maker: Longo
Seconded: Montague
Motion Passed 4:0

2. **PZ21-0040 (Eric & Susan Colthurst) 1291 E Lake Drive, West of Novi Road and South of Fourteen Mile Road, Parcel 50-22-02-176-016.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 3.85 feet (10 feet minimum required, variance of 6.15 feet) and an aggregate total side yard setback of 16.55 feet (25 feet required, variance of 8.45 feet). This variance would accommodate the building of a home addition. This property is zoned Single Family Residential (R-4).

This case was postponed to the September 14th, 2021 meeting at the request of the petitioner.

- PZ21-0041 (Vinyl Sash) 45137 Bartlett Drive, West of Novi Road and North of Twelve Mile Road, Parcel 50-22-10-301-130.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.5 for a rear yard setback of 18.21 feet (30 feet minimum required, variance of 11.79 feet). This variance would accommodate the building of a sunroom. This property is zoned Residential Acreage (RA).

The motion to approve case PZ21-0041 for a rear yard setback of 18.21 feet to accommodate a sunroom was approved. The property is unique because it backs up to a woodland. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the home and sunroom are facing the woods so no views would be blocked. The relief is consistent with the spirit and intent of the ordinance because the applicant will be able to utilize their property in a reasonable and enjoyable manner.

***Motion Maker: Montague
Seconded: Thompson
Motion Passed 4:0***

- PZ21-0043 (Allied Signs / Total Wine & More) 21071 Haggerty Road, West of Haggerty Road and North of Eight Mile Road, Parcel 50-22-36-477-034.** The applicant is requesting variances from The City of Novi Code of Ordinance Section 28-5(b)(1)a for a 236.50 square foot sign for the new Total Wine & More location. A 65 square foot sign is permitted by code; the proposed sign is oversized by 171.5 square feet. This property is zoned Office Service Commercial (OSC).

The motion to approve case PZ21-0051 for a 236.50 square foot wall sign was approved. Without variance the petitioner will be unreasonably prevented or limited with respect to the use of the property because smaller signage would be difficult to read from the busy Eight Mile/Haggerty intersection. The petitioner did not create the condition because they purchased a previously existent building. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the neighboring businesses are not impacted. The relief is consistent with the spirit and intent of the ordinance because the signage will be proportional to the building given the distance from the street.

***Motion Maker: Longo
Seconded: Thompson
Motion Passed 4:0***

- PZ21-0044 (Scott & Lisa Hoag) 21850 Garfield Road, East of Napier Road and South of Nine Mile Road, Parcel 50-22-32-100-017.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.1.E for two lots with less than the required 150-foot minimum lot width (30-foot lot width proposed for each, variance of 120 feet) and 3.6.2.A.i for two flag shaped lots (by code flag shaped lots are not permitted). These variances are for the splitting of an existing 5.97-acre lot into three new lots. This property is zoned Residential Acreage (RA).

The motion to table case PZ20-0044 to the November 9, 2021 meeting to allow for the applicant to present more information to a full board was approved.

***Motion Maker: Montague
Seconded: Longo
Voice vote, all in favor***

- PZ21-0045 (Ryan Damuth) 23218 W Le Bost Drive, East of Meadowbrook Road and South of Ten Mile Road, Parcel 50-22-25-151-026.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.1.1(E) and 3.6.2(A) for an accessory structure in the exterior side yard 2 feet from main house. These variances would accommodate the replacement of an old existing shed on the property. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ21-0045 for an accessory structure in the exterior side yard 2 feet from main house was approved. The petitioner has shown practical difficulty placing a new shed. The property is unique because it has no significant backyard. The petitioner did not create the condition because the property was bought as is with the former shed installed in the space the new is proposed to occupy. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the shed placement and size will remain the same. The relief is consistent with the spirit and intent of the ordinance because the applicant will be able to have a shed and increase the attractiveness of his property and the neighborhood.

**Motion Maker: Longo
Seconded: Montague
Motion Passed 4:0**

Other Matters: Proposed re-consideration of case PZ21-0022 (original motion to approve 7-13-21). The board voted to re-consider case PZ21-0022 at the next available meeting. Motion Maker: Longo, Seconded: Thompson, Voice vote, all present in favor.

Meeting Adjournment: 8:10pm

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).