



ZONING BOARD OF APPEALS ACTION SUMMARY
CITY OF NOVI
Regular Meeting
Tuesday, October 10, 2017
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, Member Krieger, Member Montville, Member Nafso, Member Peddiboyina, and Chairperson Sanghvi

Present: Members Byrwa, Member Ferrell, Member Krieger, Member Peddiboyina, and Chairperson Sanghvi

Absent Excused: Member Gronachan, Member Montville, and Member Nafso

Also Present: Larry Butler (Community Development Deputy Director) Beth Saarela (City Attorney), Katherine Oppermann (Recording Secretary)

Pledge of Allegiance

Approval of Agenda:

APPROVED as Amended

Approval of August 2017 Minutes:

APPROVED as Amended

Public Remarks:

None

Public Hearings:

- PZ17-0021 (Dembs Development, Inc.) 46480 Nadlan Ct, East of Beck Road and South of W. Pontiac Trail, Parcel # 50-22-04-151-034** The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.14.5.C. To allow the height of a proposed 30 feet 8 inch building to increase by 5 feet 8 inches, maximum height allowed is 25 feet. This property is zoned Light Industrial (I-1).

The motion to approve case PZ17-0021 requesting building height variance was approved. Without the variance the petitioner would be unreasonably prevented or limited with respect to use of the property for the prospective research and development tenants that require both 1st floor laboratories and 2nd floor office space. The relief granted will not unreasonably interfere with adjacent or surrounding properties because of the existing mature woodland as well as the steps taken on plans to add additional evergreen trees and a masonry wall to reduce sound and light impact. The variance granted is subject to the granting of Preliminary Site Plan and Special Land Use Approval.

Motion Maker: Member Krieger

Seconded: Member Ferrell

Motion passed 5-0.

2. **PZ17-0042 (Anthony M. Virga) 1607 East Lake Drive, West of Novi Road and North of Thirteen Mile, Parcel #50-22-02-355-018.** The applicant is requesting a variance from the City of Novi Zoning Ordinance Sections 3.32.a. for the addition of a proposed pergola to an existing shed, 10 feet by 10 feet allowed and Section 10 3.32.ii to build a proposed solid landscape stone wall under 5 feet in height 1 foot minimum off property line required, no fence allowed by code. This property is zoned Single Family Residential (R-4).

At request of the applicant this case has been postponed to the November 14th, 2017 Zoning Board of Appeals Meeting.

3. **PZ17-0043 (Oak Electric/Fujitsu10) 30155 Hudson Drive, East of Beck and South of W. Pontiac Trail, Parcel # 50-22-04-152-024.** The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 4.19.2.A. for the installation of a side yard generator in the north side set back of the building. This property is zoned Light Industrial (I-1).

The motion to approve case PZ17-0043 requesting variance to install a side yard generator was approved. The Property is unique because there are extremely limited options for an installation location. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the generator will operate at only 68 decibels and will have a greenery barrier surround it.

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

4. **PZ17-0044 (Patrick O’Fiara) 23160 Mystic Forest, West of Novi Road and South of Ten Mile, Parcel #50-22-27-277-002.** The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.5 for a 9 foot variance for a proposed rear yard setback of 26 feet, 35 feet required. To allow construction of a proposed new screened in deck. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ17-0044 requesting variance to the rear yard setback was approved. Without the variance the petitioner would be unreasonably prevented or limited with respect to use of the property because of his medical condition requiring additional protection from the sun. The relief granted will not unreasonably interfere with adjacent or surrounding properties because of the existent greenbelt at the rear yard property line providing screening.

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

5. **PZ17-0045 (Jennifer Cooper) 131 Rexton Street, East of West Park Drive and South of W Pontiac Trail, Parcel #50-22-03-128-006.** The applicant is requesting variances from the City of Novi Zoning ordinance Sections 3.1.5 for a 16 variance for a 14 foot proposed front yard setback 30 feet minimum required, and a 5 foot variance for 20 foot side yard setback, 25 feet minimum required to allow for a proposed second story addition and covered porch. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ17-0045 requesting variance to the rear yard setback was approved. The property is unique because of its location, the small size of the lot and the existing landscape. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will enhance the area and has neighbor support.

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

6. **PZ17-0046 (Michael A. Southen/DisplayMax) 44425 Twelve Mile, West of Novi Road and North of Grand River, Parcel # 50-22-15-200-112.** The applicant is requesting a variance from the City of Novi Code of Ordinances Section 28-5 for a variance of 150 square feet to increase the existing 104 square foot wall sign to 254 square feet, 250 square feet maximum allowed. This property is zoned Regional Center (RC).

The motion to approve case PZ17-0046 requesting variance to the rear yard setback was approved. The property is unique because of Emagine Theater's status as a regional center, the property scale and location. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will enhance the area and has neighbor support.

*Maker: Member Byrwa
Amended by: Member Krieger and Member Ferrell
Seconded: Member Peddiboyina
Motion passed 5-0.*

7. **PZ17-0049 (Feldman Automotive) 42355 Grand River Ave, East of Novi Road and South of Grand River, Parcel #50-22-23-176-024.** The applicant is requesting a variance from the City of Novi Zoning ordinance Sections 4.74.3. For the reduction in height of required 10 foot berm along the property lines abutting residential zoned district. The applicant is proposing a 10 foot berm for 67 feet and a berm with varying height from 5 feet to 10 feet along the southwest property lines. The request is being made due to the irregular shaped lot and conflicts with the layout. This property is zoned Vehicular Parking (P-1).

The motion to approve case PZ17-0049 requesting variance for berm height was approved. The property is unique because the irregular shaped lot and topography. The relief granted will not unreasonably interfere with adjacent or surrounding properties because of the planned additional landscaping buffer. The variance is subject to the installation of proper irrigation along the berm.

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

Meeting Adjournment: 8:45 PM

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).