



ZONING BOARD OF APPEALS ACTION SUMMARY

CITY OF NOVI

Regular Meeting

Tuesday, June 14, 2016 - 7:00 P.M.

Council Chambers | Novi Civic Center | 45175 Ten Mile Rd

(248) 347-0415

Roll call: Members Ferrell, Member Krieger, Member Sanghvi, Member Byrwa, Member Montville, Member Peddiboyina and Chairperson Gronachan

Present: Members Krieger, Member Sanghvi, Member Byrwa, Member Montville, Member Peddiboyina, and Chairperson Gronachan

Absent: Member Ferrell

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

Pledge of Allegiance

Approval of Agenda: APPROVED

Approval of April & May Minutes: APPROVED

Public Remarks: None

Public Hearings

- 1. Town Center Gardens (PZ16-0019) 26150 Novi Road, north of Grand River Ave. and east of Novi Road, Parcels # 50-22-14-351-057, 50-22-14-351-058 .** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.25.D to allow construction of a new commercial building with reduced parking setbacks on the north (20 feet required, 9.8 feet proposed), on the east (20 feet required, 9.4 feet proposed) and on the south (20 feet required, 0.0 feet proposed). The property is zoned TC.

In case Number PZ16-0019, the motion to deny was approved because the petitioner has self-created the variance needed because the petitioner could build a smaller building than proposed. The circumstances and features of the property relating to the variance are self-created because the footprint of the current building did not require a variance to be constructed.

Motion Approved: 6-0
Motion Maker: Member Montville
Seconded: Member Krieger

- 2. Durr Systems (PZ16-0020) Parcel 50-22-26-126-001, east of Novi Road and south of 10 Mile Road** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 4.19.2.F to allow location of a dumpster enclosure in the side yard of an existing parcel recently reoccupied and proposed for alteration. The parcel is zoned I-1.

In case number PZ16-0020, the motion to approve the requested side yard dumpster enclosure for Durr Systems passed. Without the variance the petitioner will be unreasonably prevented or limited with respect to the use of the property because of the unique flow of traffic and nature of the business. The property is unique because of the lot shape and useable space. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the petitioner is requesting the minimum variance needed and is accommodating the residential neighborhoods by relocating the dumpster to the west side yard.

Motion Approved 7-0
Motion Maker: Member Montville
Seconded: Member Krieger

- 3. Houghton (PZ16-0021) 1921 West Lake Drive, south of 14 Mile Road and west of Novi Road, Parcel # 50-22-03-131-025.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5.d to allow construction of a new home on an existing non-conforming lot with reduced side yard setbacks (10 feet required, 4.0 feet proposed) , aggregate side setback (25 feet required, 8 feet proposed), an increase in the allowable lot coverage of 11% (36% proposed, 25% allowed) and a variance from section 3.23.8 to allow additional projection into the reduced side yard setback (2.0 ft. proposed, 0.67ft. allowed) . The property is zoned R-4.

In Case Number PZ16-0021, the motion to approve the case as amended was passed because the lot size is unique and nonconforming to the city's zoning ordinance. The petitioner has shown practical difficulty due to the location of the home and the non-conforming lot size. The petitioners request for a 24 inch fireplace box out was reduced to 18 inches. The relief is consistent with the spirit and intent of the ordinance because it will increase property values in the area.

Motion Approved 6-0
Motion Maker: Member Krieger
Seconded: Member Sangvi

- 4. City of Novi (PZ16-0022) 26900 Beck Road and 47277 Grand River, south Grand River and east of Beck Road, Parcels # 50-22-16-151-012 and 50-22-16-151-010.** The applicant is requesting a variance from the City of 4. Novi Zoning Ordinance Section 3.1.12.D to allow a 10.0 ft. reduction in the required front setback

measured from the existing 100 foot wide dedicated right-of-way along the Beck Road and Grand River frontage so the City's proposed Highway Easement does not impact future development of the parcels. The property is zoned B-3.

In case number PZ16-0022, the motion to approve the variance as requested passed because without the variance the City's road project could decrease the buildable portion of the subject property. The property is unique because the city initiated the road project and required the Highway Easement that impacts the property for the purpose of relocating existing light poles and walkway. The city started the project to increase public safety; the relief granted will not unreasonably interfere with adjacent or surrounding properties because the variance will provide for the same use of the property as would have been permitted prior to the City's project.

Motion Approved 6-0

Motion Maker: Member Montville

Seconded: Member Peddiboyina

Meeting Adjournment: 8:08PM

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).