



# ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting

Tuesday, January 13, 2015 - 7:00 P.M.

Activity Center | Novi Civic Center | 45175 W. Ten Mile Road  
(248) 347-0459

**Roll call** Members Ferrell, Gronachan, Ibe, Krieger, Sanghvi and Mosteiko  
**Present:** Members Ferrell, Gronachan, Ibe, Krieger and Mosteiko

**Absent:** Member Sanghvi

**Also**

**Present:** Charles Boulard, Community Development Director, Beth Saarela, City Attorney and Angela Pawlowski, Recording Secretary

**Pledge of Allegiance**

**Approval of Agenda: Approved**

**Approval of Minutes:**

## 1. APPROVAL OF THE NOVEMBER 18, 2014 MINUTES - APPROVED

**Public Remarks: None**

**Public Hearings**

### 1. CASE NO. PZ14-0058 30001 CABOT DR

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Section 2503, to allow construction of a 450 square foot Guardhouse in the front of the property. The property is located on the north side of 13 Mile Rd and east of M-5. CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires all accessory buildings shall not be erected in any required front yard or in any required exterior side yard.

**In CASE No. PZ14-0058 Motion to approve the variance as requested. This is a standalone building and serves the business of Harman. There are unique circumstances or physical conditions of the property such as topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty. The need is not self-created as stated by the testimony of the applicant. Strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose and will render conformity with those regulations. The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district. The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district will not be adversely affected.**

**Motion carried: 4-1**

**Motion maker: Gronachan**

**2. CASE NO. PZ14-0059 LOTS 14 & 70 PARCEL 50-22-20-200-002**

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES, Section 2400 to allow reduce lot widths of lots 14 and 70 (64.28 ft. required, 43 ft. and 50 ft. provided). The parcels are located east south side of Eleven Mile Road, west of Beck Road (Section 20).

CITY OF NOVI, CODE OF ORDINANCES, Section 2403 requires that lot widths between the proposed building and minimum front yard setback cannot be less than (71.4 ft.) 90% (64.28 ft. required).

**In CASE No. PZ14-0059 Motion to approve the variance as requested. There are unique circumstances or physical conditions of the property such as narrowness, shallowness, topography or similar physical conditions and the need for the variance. The need is not self-created. The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district to accomplish the goal. The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district. There is not much going on in that area right now and this will enhance the property values in the area.**

**Motion carried: 5-0**

**Motion maker: Gronachan**

**3. CASE NO. PZ14-0061 22399 BRIDLE RUN**

The applicant is requesting a variance from the CITY OF NOVI, CODE OF ORDINANCES, and Section 2400 to allow construction of a new single family home with a reduced front setback of 30 ft. (45 ft. required) and a reduced aggregate side setback of 48.58 ft. (50 ft. required). The property is located west of Beck Rd and north of 8 Mile Rd.

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 and the Maybury Park Estates RUD (Residential Unit Development) approval requires that structures designated as part of the R-A zoning district have a minimum front yard setback of 45 ft. and a minimum aggregate side setback of 50 ft.

**In CASE No. PZ14-0061 Motion to approve the variance as requested. There are unique circumstances or physical conditions of the property such as narrowness, shallowness, shape, water, topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty. The need is not self-created. There are conservation trees that need to be preserved. The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district. Similar situations have come before the Board previously. The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood.**

**Motion carried: 5-0**

**Motion maker: Ibe**

**4. CASE NO. PZ14-0062 1705 EAST LAKE DR**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Sections 2400 and 2503.1(g) to allow construction of a new second floor addition over existing first floor footprint on an existing lot with a reduced northwest (west) side yard setback of 4.0 ft., a reduced aggregate side setback of 12.0 ft., a reduce rear

yard setback of 28 ft., and a separation distance of 0 ft. from the existing detached accessory (shed) building. The property is located west of Novi Rd and south of 14 Mile Rd.

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires minimum side yard setbacks of 10 ft. and a minimum aggregate of 25 ft. respectively, and a front yard setback of 30 ft. Section 2503.1(g) requires all detached accessory building shall not be located closer than ten (10) feet to any main building.

**In CASE No. PZ14-0062 Motion to approve the variance as requested. There are unique circumstances or physical conditions of the property such as narrowness, shape, water, topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty. The need is not self-created. This is the applicant's permanent home. The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district. The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood. The lot size of this property is not wide enough.**

**Motion carried: 5-0**

**Motion maker: Gronachan**

**5. CASE NO. PZ14-0052 PINNACLE HOMES 27661 ESTRADA LN**

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-10 to allow installation of an awning sign located on model home. The property is located east of Napier Rd. and south of 12 Mile Rd.

CITY OF NOVI, CODE OF ORDINANCES, Section 28-10 prohibited awnings signs within R-4, One Family Residential District.

**In CASE No. PZ14-0052 Motion to deny the variance requested. The applicant has not shown practical difficulty that warrants the Board to grant the variance. The circumstances and features of the property are not unique because they exist generally in the City. This sign has been up for one year prior to getting the violation for the sign. They should have known about the Ordinances of Novi and known this was not permitted. They have already sold sixty percent of the lots in this subdivision and already have multiple signs on this particular property. Granting the variance will be inconsistent with the spirit of the ordinance.**

**Motion carried: 5-0**

**Motion maker: Ibe**

**OTHER MATTERS**

- 1.) Welcome Matt Mosteiko
- 2.) City of Novi Zoning Ordinance
- 3.) Joint Training Session

**ADJOURNMENT 8:27 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)