



cityofnovi.org

ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting

Tuesday, November 19, 2019

Council Chambers | Novi Civic Center | 45175 Ten Mile Rd

(248) 347-0415

- Call to Order:** 7:00pm
- Roll call:** Members Byrwa, Member Krieger, Member Longo, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Sanker, and Member Verma
- Present:** Member Krieger, Member Longo, Member Montague, Chairperson Peddiboyina, Member Sanghvi, Member Sanker, and Member Verma
- Absent Excused:** Members Byrwa
- 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:

APPROVED

October 2019 – Approved with revisions to:

Pg. 4 Line 2 “here”

Pg. 18 Line 3 “Space”

Pg. 79 line 9 “Patients”

None

Public Remarks:
Public Hearings:

- PZ19-0032 (North Hills Village Apartments) 44840 North Hills Drive, West of Novi Road and South Of Nine Mile Road, Parcel # 50-22-34-127-003.** The applicant is requesting variances from the City of Novi Zoning Ordinances Section 5.11.C for a fence with horizontal support boards facing neighboring properties. The code requires that where a fence has finished and an unfinished side, the finished or more decorative side shall face outward the adjoining property or street. This property is zoned Low-Density Multiple-Family (RM-1).

With no representative for the case present the motion to table case PZ19-0032 to the December 10th, 2019 Zoning Board of Appeals Meeting was approved.

*Maker: Member Longo
Seconded: Member Sanker
Motion passed 7-0.*

2. **PZ19-0041 (Waterview Farms Apartments) 45685 Timberlane Court, East of Beck Road and South of West Pontiac Trail, Parcel # 50-22-04-200-009.** The applicant is requesting variances from the City of Novi Code of Ordinances Section 28-5(a) for two proposed ground signs (one ground sign allowed by code) and 28-5(f)(3) for a proposed 0 feet setback from the right-of-way (not less than 10 feet back from the right-of-way allowed by code). This property is zoned Low-Density Multiple-Family (RM-1).

The motion to approve case PZ19-0041 for variances to allow two ground signs with no setback from the right-of-way was approved. The property is unique because it's location and speed of traffic along the road. The petitioner did not create the condition because natural deterioration of the existing signs over time, the placement of the city sidewalk and the two lane road. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will clarify and identify the neighborhood for residents and visitors. The relief is consistent with the spirit and intent of the ordinance because it a minimum request.

The variance granted is subject to the signs being setback accordingly at developments expense in the event the road is widened.

*Maker: Member Krieger
Seconded: Member Sanghvi
Motion passed 7-0.*

3. **PZ19-0042 (Singh Development) 210 Buffington Drive, West of Old Novi Road and South of South Lake Drive, Parcel # 50-22-03-378-008.** The applicant is requesting variances from the City of Novi Zoning Code Section 3.28.6.C.iv.a to allow the absence of landscape berm on the east, west, and south property lines. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ19-0042 for variance to allow the absence of a landscape berm on east, west, and south property lines was approved. The property is unique because of the location, topography, and existing woodland and wetland. The petitioner did not create the condition because the woodland has long been present. The relief granted will not unreasonably interfere with adjacent or surrounding properties 53% of the existing wetland/woodland will be left undisturbed and there are no residential properties on the affected sides. The relief is consistent with the spirit and intent of the ordinance because it will support the safety of young children and is a minimum request.

*Maker: Member Krieger
Seconded: Member Sanghvi
Motion passed 7-0.*

4. **PZ19-0043 (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 Zoning Ordinance Section 3.1.5 for a 4 foot left and right side yard variance for a proposed 6 and 11 foot side yards: 10 and 15 foot allowed by code 25 foot total required; and for a 19 foot front yard variance for a proposed 11 foot setback (30 feet required; a 31 foot variance for a

proposed 4 foot rear yard setback, (35 feet required); and a 29% variance for a proposed 54% lot coverage (25% max required). The applicant was previously granted lesser variances on February 12, 2019. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ19-0043 for variances to setbacks and lot coverage was approved. The property is unique because it is a very narrow lot. The petitioner did not create the condition because the lot is an old established property. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the setbacks and coverage will be consistent with other area homes.

*Maker: Member Longo
Seconded: Member Krieger
Motion passed 7-0.*

5. **PZ19-0047 (The Bond at Novi, LLC), West of Novi Road and South of Grand River Avenue, Parcels #50-22-22-226-005 & 50-22-22-226-003.** The applicant is requesting variances from the City of Novi Zoning Ordinance Sections: 4.82.2, to increase the maximum percentage of one bedroom units allowed for this development from the previous variance received on August 14, 2018 by 1 percent (59% proposed, 50% maximum allowed by code). This request is to accommodate the addition of 5 more single bedroom units based on a market study recommending 60%. This property is zoned Town Center-1 (TC-1).

The motion to approve case PZ19-0047 for variance to allow 59% one bedroom units in the development was approved. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is a small internal change to the previously approved buildings, there is sufficient parking provided and the previous reasoning for prior approval on 08/14/2018 still applies.

*Maker: Member Sanghvi
Seconded: Member Sanker
Motion passed 7-0.*

Other Matters – none

Meeting Adjournment: 8:32pm

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).