



**ZONING BOARD OF APPEALS ACTION SUMMARY**  
**CITY OF NOVI**  
**Regular Meeting**  
**Tuesday, April 8, 2014 - 7:00 P.M.**  
**Council Chambers | Novi Civic Center | 45175 W. Ten Mile Road**  
**(248) 347-0459**

**Roll call** Members Ferrell, Gerblich, Ghannam, Gronachan, Ibe, Krieger, Sanghvi  
**Present:** Members Ferrell, Gronachan, Ibe, Krieger and Sanghvi  
**Absent:**  
**Also**  
**Present:** Tom Walsh, Building Official, Elizabeth Saarela, City Attorney and Valentina Nukulaj, Recording Secretary

**Pledge of Allegiance**

**Approval of Agenda: Approved**

**Approval of Minutes:**

1. APPROVAL OF THE JANUARY 14, 2014 MINUTES

Tabled to the May 13<sup>th</sup> meeting

2. APPROVAL OF THE FEBRUARY 11, 2014 MINUTES

Tabled to the May 13<sup>th</sup> meeting

**Public Remarks: None**

1. CASE NO. PZ14-0003 27600 WIXOM RD (PARCEL 5022-17-101-029) - VARSITY LINCOLN

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(5)b to allow a changeable copy ground sign of 28 square feet located on the south (Wixom Road) existing access drive of display lot. The property is located on the south side of Grand River and east of Wixom Road, in the B-3 General Business District.

CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(5)b changeable copy signs shall be permitted only for places of worship; schools; movie theatres and similar entertainment venues; restaurants; and recreational facilities at which events change on a regular basis.

**In CASE No. PZ14-0003 Motion to approve the changeable copy sign but approval of the size of the changeable copy sign to be heard at a future meeting. The applicant has provided significant examples and information to grant the request. The request is based upon circumstances or features that are exceptional and unique to the property and do not result from conditions that exist generally in the City and is not self-created. The applicant spoke about the product that is sold, changes once a year which makes it significantly different. They also need to market to specific customers which makes the product unique. The failure to grant relief will unreasonably prevent or limit the use of the property and will substantially inconvenience this applicant to attain a higher economic or financial return. This applicant has demonstrated that they do meet the language of the ordinance it is made to accommodate what has been requested by the applicant. The grant of relief will not result in**

**a use of structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties. The property itself has been vacant and the adjacent properties will benefit from it being developed. The grant of this petition is consistent with the spirit of the Ordinance. Approval is specific to this applicant only as long as they own the business.**

**Motion carried: 5-0**

**Motion maker: Ibe**

**2. CASE NO. PZ14-0004 24151 CORTLAND BLVD – ORCHARD RIDGE ESTATES**

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES; Section 2513 allowing an entrance monument sign within the corner clearance zone area. The applicant is also requesting variances from 28-5(2)d.3 to allow placement of the entrance monument sign within a required street right of way setback. The property is located on the south side of 10 Mile Road and west of Novi Road in the R-4 Zoning District.

CITY OF NOVI, CODE OF ORDINANCES, Sign Ordinance Section 2513 which requires a 25-foot corner clearance (clear view) zone and section 28-5(2)d.3 which requires entranceway signs be located at least 10 feet from any street right of way.

**In CASE No. PZ14-0004 Motion to approve the variance as requested. The request is based upon circumstances or features that are exceptional and unique to the property and do not result from conditions that exist generally in the City, specifically, the lack of property to create a further setback. The failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience. The grant of relief will not result in a use that is incompatible with or unreasonably interferes with adjacent or surrounding properties and is not inconsistent with the spirit of the ordinance.**

**Motion carried: 5-0**

**Motion maker: Gronachan**

**3. CASE NO. PZ14-0005 1171 EAST LAKE DR**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Section 2400 to allow construction of a one-story addition and a second floor addition over existing footprint on an existing nonconforming lot with a reduced side setback of 3 ft, a reduced aggregate side setback of 8 ft. The property is located west of Novi Road and south of 14 Mile Road in the R-4 Zoning District.

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires that a structure within an R-4 zoning district have a minimum side setback of 10 ft., and a minimum aggregate side setback of 25 ft.

**In CASE No. PZ14-0005 Motion to approve the variance as requested. There are unique circumstances or physical conditions of the property such as narrowness of the property itself**

that warrants for a variance to be granted on this non-conforming lot, which is difficult to work with without a variance. The need is not self-created. 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, or will render conformity with those regulations unnecessarily burdensome. 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. The improvement will increase property values and make the neighborhood look more attractive. Also if the foundation is not able to support the 2<sup>nd</sup> story addition, the applicant must work with the City to obtain proper requirements.

**Motion carried: 5-0**

**Motion maker: Ibe**

**4. CASE NO. PZ14-0006 44225 TWELVE MILE RD C103 –BUDDY’S PIZZA**

The applicant is requesting variances from Section 28-5(1)d, 28-5(2)b.1.(a)i.a. and 28-5(3) of the Novi Sign Ordinance to allow additional signs as follows:

- (1) Projecting wall signs of 87 sq. ft.
- (1) Wall sign of 81 sq. ft. at north elevation
- (1) Wall sign of 95.6 sq. ft. at west elevation.

The property is located on the south side of Twelve Mile Road, and east of Cabaret Drive in the RC Zoning District.

CITY OF NOVI, CODE OF ORDINANCE, Section 28-5(1)d permits only one ground sign, wall sign, or canopy sign per parcel of property and 28-5(2)b.1.(a)i.a. permits a wall sign of maximum 65 square feet in area. Section 28-5(3) permits a single wall sign for each business storefront in the RC district.

**In CASE No. PZ14-0006 Motion to approve the variance as requested. The request is based upon circumstances or features that are exceptional and unique to the property such as the layout of the property and do not result from conditions that exist generally in the City or that are self-created. The failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return because of the size of the wall, as discussed. The grant of relief will not result in a use of structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties, bringing more use to the property and is not inconsistent with the spirit of the ordinance.**

**Motion carried: 5-0**

**Motion maker: Krieger**

5. **CASE NO. PZ14-0007 47900 GRAND RIVER AVE - APPLEBEE'S RESTAURANT**

The applicant is requesting a variance from Section 28-5(2)a.2.ii of the Novi Sign Ordinance to allow a revision of a previous variance to allow an increased sign height from 7 feet to 8 feet. The property is located on the north side of Grand River, and west of Beck Road in the B-2 Zoning District. CITY OF NOVI, CODE OF ORDINANCE, Section 28-5(2)a.2.ii allows signage to a maximum height of 6 feet.

**In CASE No. PZ14-0007 Motion to approve the variance as requested. The request is based upon circumstances or features that are exceptional and unique to the property and do not result from conditions that exist generally in the City or that are self-created. The failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience. The grant of relief will not result in a use of structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties.**

**Motion carried: 5-0**

**Motion maker: Gronachan**

6. **CASE NO. PZ14-0008 42355 GRAND RIVER AVE – FELDMAN AUTOMOTIVE**

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) to allow an oversize ground directional sign of 15 square feet for an existing automotive dealership. The property is located south of Grand River and east of Novi Road. Previous variance 08-014 approved a sign of this size and location specifically for Hertz car rentals.

CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) number of on-premises advertising signs permitted states: "No building or parcel of land shall be allowed more than one (1) sign..."

**In CASE No. PZ14-0008 Motion to table the request to the May 13, 2014 meeting.**

**OTHER MATTERS**

**ADJOURNMENT 8:18 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)