



cityofnovi.org

## ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting

Tuesday, September 10, 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, Chairperson Peddiboyina, Member Sanghvi, and Member Sanker
- Present:** Members Byrwa, Member Krieger, Chairperson Peddiboyina, Member Sanghvi, and Member Sanker
- Absent Excused:** Member Longo
- 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:  
 Public Remarks:  
 Public Hearings:

**APPROVED**  
**None to approve**  
**None**

1. **PZ19-0028 (Louise L. Holbel) 23833 Harvest Drive, West of Novi Road and South of Ten Mile Road, Parcel #50-22-27-202-023.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 to allow a proposed rear yard setback of 16 feet, 35 feet minimum allowed by code. This property is zoned Single Family Residential (R-4).

*The motion to approve case PZ19-0028 requesting variance for a proposed rear yard setback of 16 feet for a 3-seasons room was approved. The petitioner has shown practical difficulty requiring shelter from the sun. The property is unique because west facing rear yard with strong sun. The petitioner did not create the condition because of the existing directional orientation of the house. The relief granted will not unreasonably interfere with adjacent or surrounding properties it is a known issue in the street and the proposed variance has neighbor support. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request, resulting in a smaller footprint than the existing deck that the proposed sunporch will replace.*

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

2. **PZ19-0029 (Thompson Design Group) 1310 E Lake Drive, West of Novi Road and North of Thirteen Mile Road, Parcel # 50-22-02-151-033.** The applicant is requesting variances from

the City of Novi Zoning Section 4.19 (E)j, for a 173 square foot variance for a proposed 1,023 square foot garage, 850 square feet allowed by code. Section 3.1.5 for a 25 foot total combined side yard aggregates. This property is zoned Single Family Residential (R-4).

***The motion to approve case PZ19-0029 requesting variance for a proposed 173 square foot variance for a proposed 1,023 square foot garage and a 25 foot total combined side yard aggregate was approved. Without the variance the petitioner will be unreasonably prevented of limited with respect to use of the property because they will be unable to adequately store their belongings. The property is unique because of its narrow lot. The petitioner did not create the condition because the footprint of the home had been previously established. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is a minimal height increase with no neighbor objection. The relief is consistent with the spirit and intent of the ordinance because it is a minimal impact on the property but maximizes its use for the occupant.***

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

3. **PZ19-0030 (Tri-County Builders) 22955 Beck Road, West of Beck Road and North of Nine Mile Road, Parcel 50-22-29-400-016.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 4.19.1.E.iii for the additional 160 square foot variance for a proposed 1380 square foot accessory structure, 1500 square feet allowed by code, Section 4.19.1.I to allow for a 3 foot height variance, one story of 14 feet allowed by code. Building shall be set one foot for each foot the building exceeds fourteen feet in height. This property is zoned Single Family Residential (R-1).

***The motion to approve case PZ19-0030 requesting a 160 square foot variance for a proposed 1380 square foot accessory structure and a 3 foot height variance was approved. Without the variance the petitioner will be unreasonably prevented of limited with respect to use of the property because they will be unable to continue their retirement in Novi because of lack of storage space. The property is unique because of the existent swale and the rear bear constructed with the new sub behind them. The petitioner did not create the condition because the home was built on a slab in 1977. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will be consistent with other rooflines, will enhance the property and will help alleviate current flooding issue. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request.***

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

4. **PZ19-031(Donald Smolarek) 41932 Cherryhill Road, East of Meadowbrook Road and South of Grand River Avenue, Parcel # 50-22-23-409-017.** The applicant is requesting variances from the City of Novi Zoning Ordinance Section 4.19.i.J for a variance to build a

proposed second accessory structure, one 850 square foot accessory structure is allowed by code. This property is zoned Single Family Residential (R-4).

***The motion to approve case PZ19-0031 requesting variance for a second accessory structure was approved. The petitioner has shown practical difficulty requiring storage on the property. The property is unique because of the shape of the lot and wetland in the rear of the yard. The relief granted will not unreasonably interfere with adjacent or surrounding properties it is going to replace a prior structure that was in disrepair and the petitioner has neighbor support. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request meeting all other zoning requirements.***

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

**Other Matters** – none

**Meeting Adjournment:** 8:07pm

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).