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ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting conducted remotely via ZOOM

Tuesday, May 11, 2021

Council Chambers | Novi Civic Center | 45175 Ten Mile Rd
(248) 347-0415

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

APRIL 2021, Board consideration tabled to June 8, 2021 meeting due to insufficient time for review.

Public Remarks:
Public Hearings:

none

- PZ20-0035 (Bowers & Associates/ Hilltop Assisted Living) 40255 Thirteen Mile Road, West of Haggerty Road and South of Thirteen Mile Road, Parcel # 50-22-12-200-059.** The applicant is requesting variance from the Novi Zoning Ordinance Section 4.64.2 for a 74-foot setback along 13 Mile Road frontage (90 feet required by code, variance of 16 feet). This variance will accommodate the building of a new assisted living facility. This property is zoned Office Service Technology (OST).

The motion to approve case PZ20-0035 for a 74-foot setback along 13 Mile Road frontage was approved. The property is unique because of its location and surroundings. The petitioner did not create the condition because the property had a building already under construction. The relief granted will not unreasonably interfere with adjacent or surrounding properties because the new use fits into the area. The relief is consistent with the spirit and intent of the ordinance because the facility will be a good use of the property, fitting into the surround area.

**Motion Maker: Montague
Seconded: Longo
Motion Passed 4:0**

2. **PZ20-PZ21-0021 (Jeffry and Rebecca Laurie) 185 Maudlin Street, West of Old Novi Road and South of South Lake Drive, Parcel 50-22-03-452-010.** The applicant is requesting variance from the Novi Zoning Ordinance Section 3.1.5 for a rear yard setback of 9.67 feet (35 feet minimum required by code, variance of 25.33 feet). This variance would accommodate the building a new covered deck. This property is zoned Single Family Residential (R-4).

The motion to approve case PZ21-0021 for a rear yard setback of 9.67 feet was approved. Without the variance petitioner will be unreasonably prevented or limited with respect to the property because their property would not be able to be used as typically expected. The property is unique because of the orientation of the home on the lot. The petitioner did not create the condition because they would simply be replacing the existent deck/porch. The relief granted will not unreasonably interfere with adjacent or surrounding properties because no neighbors have objected. The relief is consistent with the spirit and intent of the ordinance because the homeowners will be able to full use and enjoy their property.

Motion Maker: Montague

Seconded: Malott

Motion Passed 4:0

3. **PZ21-0022 (Dan and Wendi Williams) 1419 W Lake Drive, East of West Park Drive and South of W Pontiac Trail, Parcel 50-22-03-204-021.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 5 feet (10 feet minimum required, variance of 5 feet); an aggregate total side yard setback of 17.75 feet (25 feet required, variance of 7.25 feet); and a proposed lot coverage of 32% (25% maximum allowed, variance of 7%). Section 3.32-7 for a proposed deck 13.5 feet from the rear yard property line (17 feet minimum required, variance of 3.5 feet). These variances would accommodate the building a new home and deck. This property is zoned Single Family Residential (R-4).

This case was postponed to the June 8, 2021 meeting, at the direction of the City of Novi Building Officials as more variances requiring advertisement were discovered.

4. **PZ21-0024 (Abdul Alkhafaji) 41321 Llewelyn Drive, East of Meadowbrook Road and North of Eight Mile Road, Parcel 50-22-36-352-004.** The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.1 for a proposed rear yard setback of 46.7 feet (50 feet required, variance of 3.3 feet). This variance would accommodate the re-building of a home and a new addition. This property is zoned Residential Acreage (RA). **Builder submitted new plans on 4-22-21 that**

meet the aggregate side yard setback requirement of 50 feet, they have rescinded that portion of the zoning request.

The applicant was not present at meeting, the motion to table case PZ21-0024 to the June 8, 2021 meeting was approved.

Motion Maker: Longo

Voice vote, all four members present in favor.

Other Matters: None

Meeting Adjournment: 7:35pm

Zoning Ordinance, Section 7.10.8 - 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).