



# ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Regular Meeting

Tuesday, April 7, 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 , Byrwa, Richert and Montville  
**Present:** Members Ferrell, Gronachan, Ibe, Krieger, Sanghvi , Byrwa, Richert and Montville  
**Absent:** None  
**Also Present:** Tom Walsh, Building Official, Beth Saarela, City Attorney and Angela Pawlowski, Recording Secretary

**Pledge of Allegiance**

**Approval of Agenda: Approved as amended**

**Approval of Minutes:**

1. APPROVAL OF THE MARCH 10, 2015 MINUTES – TABLED TO THE MAY 12, 2015 MEETING

**Public Remarks: None**

**Public Hearings**

1. CASE NO. PZ15-0005 1653 WEST LAKE DRIVE

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.5(d) to allow construction of new two-story additions on an existing lakefront lot with a reduced side yard setback of 5.5 ft. and a reduced aggregate side setback of 10.7 ft. The property is located east of West Park Drive and south of Pontiac Trail.

CITY OF NOVI, CODE OF ORDINANCES, Section 3.1.5(d) requires minimum side yard setbacks of 10 ft. and a minimum aggregate of 25 ft. respectively.

**In CASE No. PZ15-0005 Motion to approve the variance as requested. The need for the variance is not self-created. The lots are non-conforming. Strict compliance with dimensional regulations of the Zoning Ordinance will prevent the petitioner from using the property as a permitted purpose and will make it unnecessarily burdensome to comply with the regulation. Petitioner has established that variance is the minimum variance requested and will have fore codes to adhere to. The requested variance will not cause adverse impact on surrounding property, property values, or the enjoyment of property in the neighborhood because the neighbors will still have their views of the lake.**

**Motion carried: 7-0**

**Motion maker: Gronachan**

**2. NO. PZ15-0007 BOTTLZ 31260 WAKEFIELD**

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) to allow a second ground sign of 30 square feet. The property is located east of Novi Road and south of 14 Mile Road. CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) permits a single ground sign in a RA, Residential Acreage District.

**In CASE No. PZ15-0007 Motion to approve the variance for a second ground sign because the petitioner has shown practical difficulty. Without the variance the petitioner has stated he would be limited with respect to the property. It is a private residential subdivision with a golf course. Without the sign it would be far more difficult for the applicant to use the property for the purpose intended. Although there is a current shared sign the fact that it is a 45 mph road with berms makes it difficult to turn into this restaurant. The Petitioner did not create the condition. The relief granted will not unreasonably interfere with adjacent or surrounding properties. The relief is consistent with the spirit and the intent of the Ordinance. If there is another new owner The applicant has agreed to put the sign on timers to terminate 15 minutes after closing.**

**PUBLIC COMMENT –Donna Eaddy representing the HOA for Maple Heights where Bottlz is located wanted to state the restaurant being open has been beneficial to the community.**

**OTHER MATTERS**

**ADJOURNMENT 7:54PM**

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)