



cityofnovi.org

ZONING BOARD OF APPEALS ACTION SUMMARY CITY OF NOVI

Tuesday, February 7, 2023, 7:00 PM

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

- Call to Order:** 7:00pm
- Roll call:** Member Krieger, Member Longo, Member McLeod, Member Montague, Chairperson Peddiboyina, Member Thompson
- Present:** Member Krieger, Chairperson Peddiboyina, Member Montague, Member McLeod, Member Longo
- Absent Excused:** Member Thompson
- Also Present:** Larry Butler (Community Development Deputy Director), Beth Saarela (City Attorney), Anita Sophia Wagner (Recording Secretary)

Pledge of Allegiance
Approval of Agenda:
Approval of Minutes:
Public Remarks:
Public Hearings:

APPROVED
January 2023, APPROVED
None

PZ22-0066 (ZLM services LLC) 47494 Alpine Drive, south of Ten Mile Road, west of Beck Road, Parcel 50-22-29-227-004.

Request: The applicant is requesting a variance from the City of Novi Zoning Ordinance from Section 3.1.5 for a rear yard setback of 24 feet (35 feet required, variance of 11 feet); for a proposed rear addition. This property is zoned One-Family Residential (R-3)

Summary: Zachary Kneisler, a contractor from ZLM Services LLC, made his case on behalf of the homeowner. The addition that this client wants is obviously approaching in the required setback. They are simply trying to get this approved. Their rear yard is very small, the neighboring homes have decks as well and the distance is very similar. We are just asking that this sunroom is a possibility for that space.

Chairperson Peddiboyina asks Mr. Kneisler if he has a diagram he can put up on the projector for everyone to see as well as the people watching from home.

Mr. Kneisler has a full print that he projects onto the overhead screens showing the sunroom addition in correlation to the setbacks. Mr. Kneisler then proceeds to explain the variance request with the visual overhead. The sunroom basically comes off 18 feet off the back of the house and is 21 feet wide. So the problem is we're going further towards the Woodline than what the setback requires. Basically without a variance, all they would be allowed even if it was only for a deck, would be literally 8 feet. Whether it's a patio or a deck, the setback requirement only gives them 8 feet to work with. They are not trying to go 30 feet out or anything, but that's just how the setback is written for that particular

home I guess. We tried to keep it reasonable, they wanted to go bigger than this. Being a contractor, I told them look don't push buttons. Stay within something that is manageable and that everyone else has like 15 or 18 feet out. It's a good size deck, or in this case a sunroom where it's going to be tied up into the existing home. They are an older couple and can't be in the sun, but they want the element of being outside as well where they can open the windows and so on.

Chairperson Peddiboyina asks if anyone else would like to speak on behalf of this case. He then asks if anyone in the audience would like to speak on this case or if the City has any comments. Deputy Director Larry Butler Responds that he has no comments at this time and that is standing by for questions. Member Montague goes through correspondence. He states that 14 letters were mailed, zero returned. Zero objections and zero approvals. Member Longo asks Member Montague if the Baptist Church was on the mailing list for the public notice because their property abuts the residence requesting the variance and he's interested if they had anything to say regarding the request. Member Montague responds that yes, the church was on the mailing list and apparently there was no response from them. Chairperson Peddiboyina opens it up to the board if there's any questions. Member Montague states that he did drive by to look at the property and that it is heavily wooded back there so he didn't feel that the addition will disturb anyone on the back side of the house and that it seemed like a reasonable request. Member Kreiger asks if the subdivision is new, why they couldn't have built the addition with the house. Mr. Kneisler responds that he doesn't know the answer to that or if they thought that far into it. He believes that they have been there for a couple of years and that it's possibly one of those things that it wasn't in the cards for them at that time. Member Kreiger then mentions that she knows the church is behind them as well as trees with possibly a lot of water so that she understands why they would want the addition to be enclosed as well because of the mosquitos. Member Kreiger feels it is a reasonable request and simply a matter of easement, it's their backyard that is otherwise a wooded area. Mr. Kneisler then states that the addition will be nice and look like part of the house when it's done. Chairperson Peddiboyina asks if any other board members would like to speak regarding this request. Chairperson Peddiboyina then says he has no objection with the presentation Mr. Kneisler made and the difficulty they are face with requiring this variance request. He then asks if a Member could please make a motion for this case. Member Kreiger starts to make the motion as follows.

The motion to grant the front yard variance request in case PZ22-0066 sought by ZLM Services LLC was approved. The petitioner showed practical difficulty that the house was purchased. Without the variance Petitioner will be unreasonably prevented or limited with respect to use the property because as he stated in his application the shallowness and angle of the rear property line and the natural wooded area behind it. The property is unique again because of the situation. The house was situated by the developer. It was not self-created in this manner in its original lot configuration. The relief granted will not unreasonably interfere with adjacent or surrounding properties because there are no negative sightline issues. The relief is consistent with the spirit and intent of the ordinance because it is a minimum request to complete the project.

Motion Maker: Kreiger

Seconded: Longo

Motion Approved 5:0

Other Matters: Member Kreiger would like to add to next month's agenda to alternate the chair and the appointment of officers.

Member Longo wanted to publicly thank Larry Butler as this is his last meeting and he has been outstanding to the Zoning Board of Appeals and in supporting us and that we are all going to miss him. Member Kreiger seconded that sentiment. Chairperson Peddiboyina then also thanked Larry so much on behalf of the Zoning Board of Appeals. He has done an awesome job and they wish him good luck, good health and to enjoy his retirement.

Meeting Adjournment: 7:14pm

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).