



COMMUNITY DEVELOPMENT DEPARTMENT

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals **ZONING BOARD APPEALS DATE:** December 12, 2023

REGARDING: 24312 Kings Pointe Drive, Parcel # 50-22-23-476-015 (PZ23-0063)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Life Construction

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: This property is zoned One-Family Residential (R-4))

Location: north of Ten Mile Road, west of Meadowbrook Road

Parcel #: 50-22-23-476-015

Request

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 8.25 ft. (10 ft. required, variance of 1.75 ft.).

II. STAFF COMMENTS:

The applicant is seeking a dimensional variance for a side yard setback for a new house addition and deck on an existing home. The new addition and deck would be in-line with the existing home and would appear to be a normal configuration.

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we **grant** the variance in Case No. **PZ23-0063**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.

(a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____.

(b) The property is unique because _____.

(c) Petitioner did not create the condition because _____.

(d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because _____.

(e) The relief is consistent with the spirit and intent of the ordinance because _____.

(f) The variance granted is subject to:

1. _____.
2. _____.
3. _____.
4. _____.

2. I move that we **deny** the variance in Case No. **PZ23-0063**, sought by _____, for _____ because Petitioner has not shown practical difficulty requiring _____.

(a) The circumstances and features of the property including _____ are not unique because they exist generally throughout the City.

(b) The circumstances and features of the property relating to the variance request are self-created because _____.

(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that _____.

(d) The variance would result in interference with the adjacent and surrounding properties by _____.

(e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to _____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0423.

Alan Hall – Deputy Director Community Development - City of Novi



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ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

RECEIVED

NOV 01 2023

CITY OF NOVI
COMMUNITY DEVELOPMENT

Application Fee: **\$220.00**
 Meeting Date: **12-12-23**
 ZBA Case #: **PZ 23-0063**

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION Meyers Addition - Meadowbrook Glen #3			
ADDRESS 24312 Kings Pointe Drive		LOT/SIUTE/SPACE # 280	
SIDWELL # 50-22-23 -476 -015		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		REQUEST IS FOR: <input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE	
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS matt@lifeconstruction.us	CELL PHONE NO. 3134156462
NAME Matthew Fleming		TELEPHONE NO.	
ORGANIZATION/COMPANY Life Construction		FAX NO.	
ADDRESS 6865 Galloway Bay Drive		CITY Troy	STATE MI
			ZIP CODE 48098
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS crazykidhouse@gmail.com	CELL PHONE NO. 2484698907
NAME Erin Meyers		TELEPHONE NO.	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS 24312 Kings Pointe Drive		CITY Novi	STATE MI
			ZIP CODE 48375
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input checked="" type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____			
B. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>3.1.5</u> Variance requested <u>Reduction of 1.75' to minimim side yard</u>			
2. Section _____ Variance requested _____			
3. Section _____ Variance requested _____			
4. Section _____ Variance requested _____			
IV. FEES AND DRAWINGS			
A. FEES			
<input checked="" type="checkbox"/> Single Family Residential (Existing) \$220 <input type="checkbox"/> (With Violation) \$275 <input type="checkbox"/> Single Family Residential (New) \$275 <input type="checkbox"/> Multiple/Commercial/Industrial \$330 <input type="checkbox"/> (With Violation) \$440 <input type="checkbox"/> Signs \$330 <input type="checkbox"/> (With Violation) \$440 <input type="checkbox"/> House Moves \$330 <input type="checkbox"/> Special Meetings (At discretion of Board) \$660			
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF			
<ul style="list-style-type: none"> • Dimensioned Drawings and Plans • Site/Plot Plan • Existing or proposed buildings or addition on the property • Number & location of all on-site parking, if applicable • Existing & proposed distance to adjacent property lines • Location of existing & proposed signs, if applicable • Floor plans & elevations • Any other information relevant to the Variance application 			



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE

A. VARIANCE (S) REQUESTED

DIMENSIONAL USE SIGN

There is a five-(5) hold period before work/action can be taken on variance approvals.

B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a **Mock-Up Sign** ten-(10) days before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

C. ORDINANCE

City of Novi 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 establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or 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.

D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGNAGE

ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Matthew Fleming
Applicant Signature

(Signed digitally)

11/1/2023
Date

B. PROPERTY OWNER

If the applicant is not the owner, the property owner must read and sign below:

The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

Erin Meyers
Property Owner Signature

(signed digitally)

11/1/2023
Date

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

GRANTED

DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

Chairperson, Zoning Board of Appeals

Date



Community Development Department

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

**REVIEW STANDARDS
DIMENSIONAL VARIANCE**

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Dimensional Variance.)

Standard #1. Circumstances or Physical Conditions.

Explain the circumstances or physical conditions that apply to the property that do not apply generally to other properties in the same zoning district or in the general vicinity. Circumstances or physical conditions may include:


- a. **Shape of Lot.** Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment.
 Not Applicable Applicable If applicable, describe below:
Current layout of interior of home requires the addition to align with southern wall of current structure.

and/or

- b. **Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.
 Not Applicable Applicable If applicable, describe below:

and/or

- c. **Abutting Property.** The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirements of the Zoning Ordinance or would involve significant practical difficulties.
 Not Applicable Applicable If applicable, describe below:

Yes, the current home does not comply to the easement rules to the adjacent home. We are 

Standard #2. Not Self-Created.

Describe the immediate practical difficulty causing the need for the Dimensional Variance, that the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created).

The current home is not in compliance and the dimensions of the addition cannot be reduced without adversely affecting the living space. To move the addition 1.5' to the north in order to comply will put the northern wall in the middle of an existing kitchen window would require extensive remodel to the kitchen space.

Standard #3. Strict Compliance.

Explain how the Dimensional Variance in 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 narrowing of the living space or shifting the addition north will either one, make the space unaccommodating and two the shift would require significant remodel to the kitchen with the placement of a new wall on the north side of the addition.

Standard #4. Minimum Variance Necessary.

Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

We would comply to the current state of the property without further infringing on the adjacent property while allowing the homeowner to add the space necessary to accommodate her mother's living space.

Standard #5. Adverse Impact on Surrounding Area.

Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

Seeing as how the current footprint of the home is not in compliance a 24' addition to the southern wall of the home will not cause any adverse effects to adjacent property owners.

REVISION TABLE	NUMBER	DATE	REVISOR	DESCRIPTION
	01	07/12/2023		PERMIT SET

Project:
ADDITION TO THE
BACK OF THE HOUSE

Location
24312 Kings Pointe,
Novi, MI 48375

Title
SITE PLAN

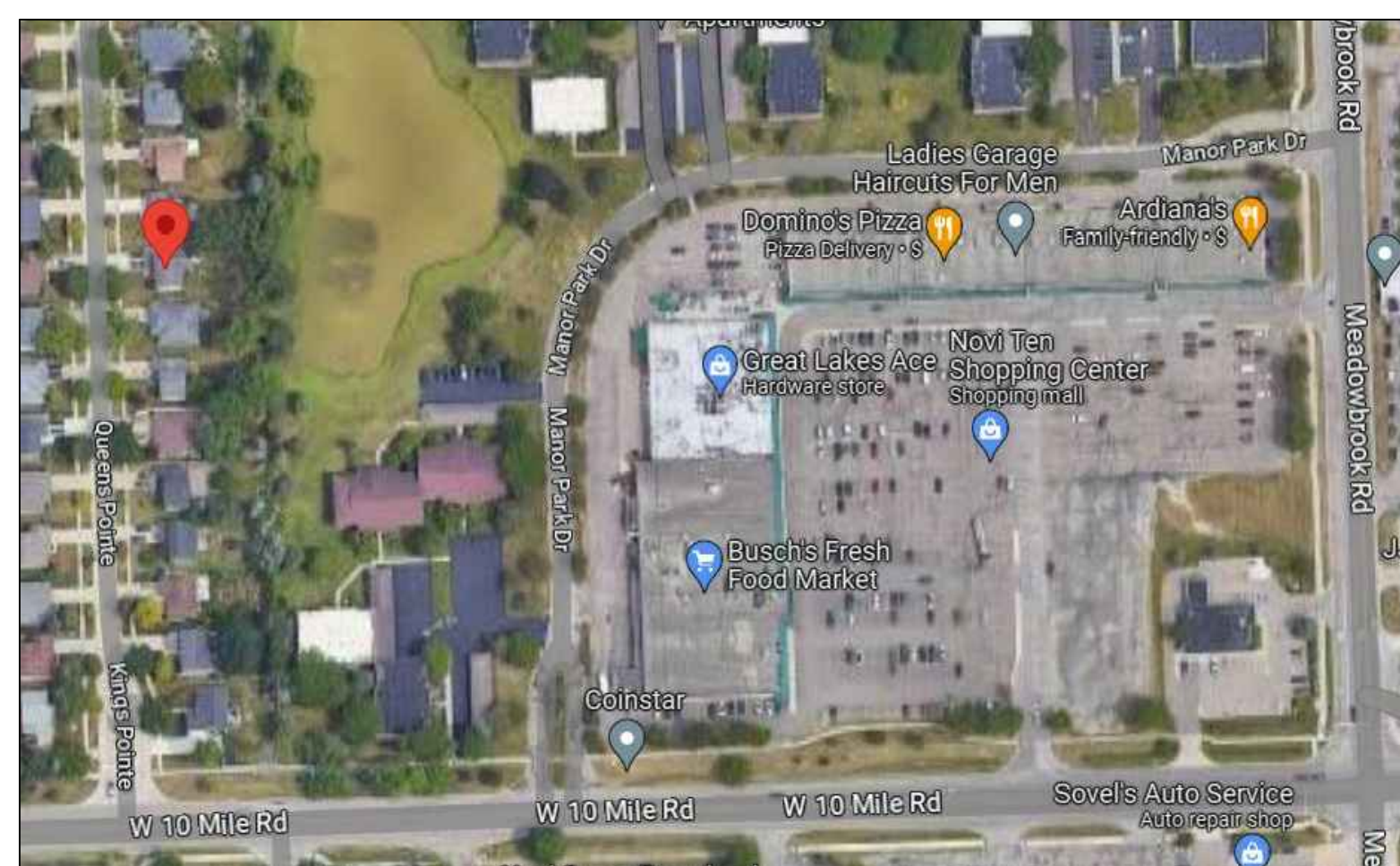
DATE:

SCALE:

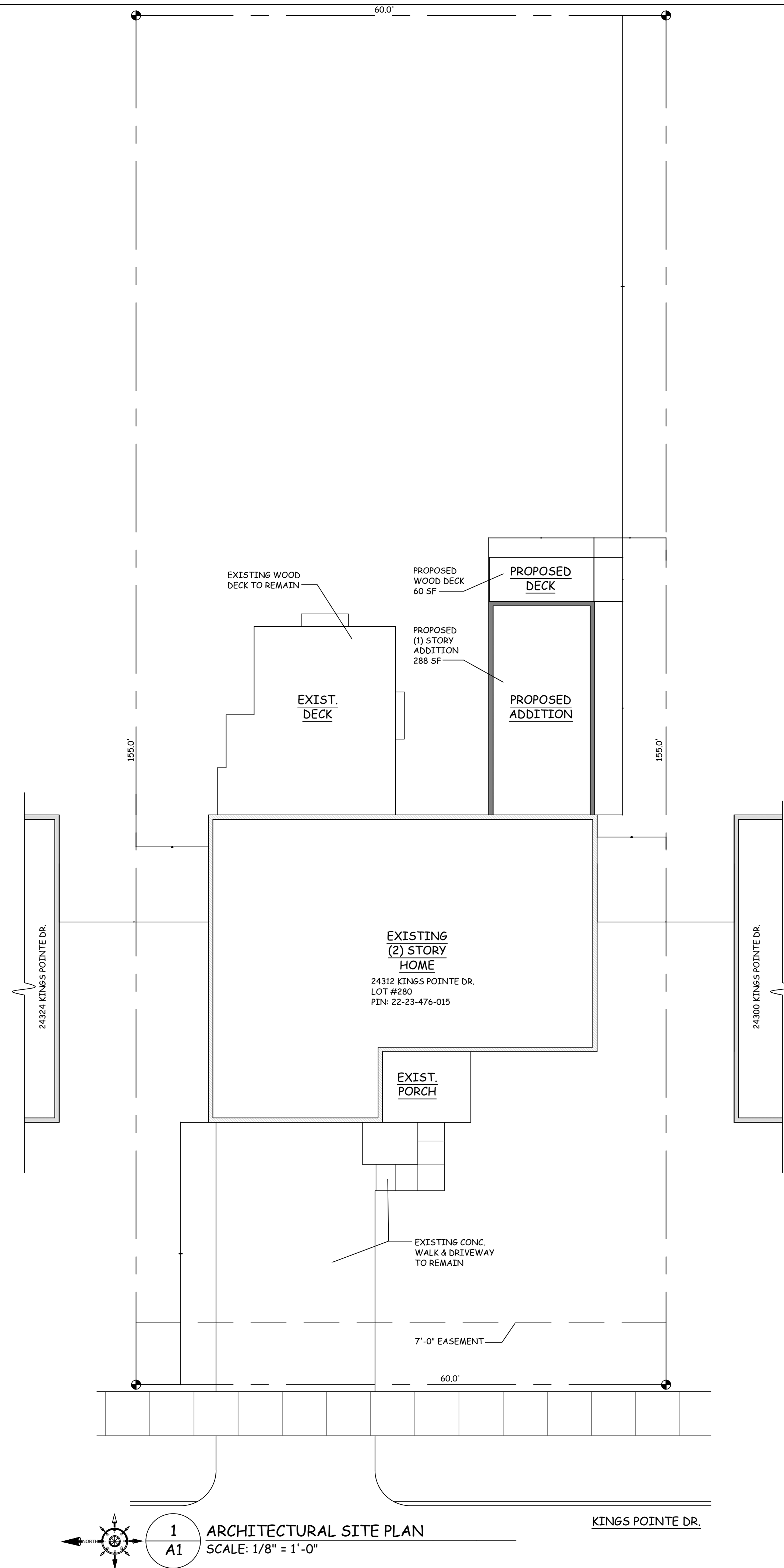
REF.DWG.

SHEET:

01 of 05



2
A1 LOCATION MAP
SCALE: NONE



1
A1 ARCHITECTURAL SITE PLAN
SCALE: 1/8" = 1'-0"

GENERAL NOTES:

TYPICAL INTERIOR WALL, 2x4 WOOD STUDS @ 16" o.c., w/ 1/2" GYPSUM BOARD EACH SIDE
ROOF TRUSSES TO BE DESIGNED BY MANUFACTURER IN ACCORDANCE WITH MRC 2015
ALL LUMBER TO BE SPF#2 OR BETTER
CONCRETE TO HAVE 28 DAY MINIMUM COMPRESSIVE STRENGTH OF 3,000 PSI
REINFORCEMENT STEEL TO BE Fy = 60,000 PSI
SMOKE DETECTORS TO BE NFPA 72 LISTED AND SHALL BE HARDWIRED, INTERCONNECTED AND BATTERY BACK-UP

TYPICAL EXTERIOR WALL, 2x6 WOOD STUDS @ 16" o.c., w/ INSULATION, 1/2" WOOD SHEATHING, AND BUILDING PAPER AND FACADE AS INDICATED INSTALLED PER MANUF. SPECIFICATIONS & BEST PRACTICES
WINDOW SIZING NOTATIONS:
3050 = 3'-0" wide X 5'-0" tall
ALL WINDOWS & DOORS TO HAVE MIN. (2) 2x10 HEADER w/ 3" BEARING ON EACH SIDE

ROOF SNOW LOAD = 20 PSF
SECOND FLOOR LIVE LOAD = 30 PSF
FIRST FLOOR LIVE LOAD = 40 PSF
MINIMUM REQUIRED SOIL BEARING CAPACITY = 1,500 PSF

CODE BLOCK INFORMATION:

BUILDING CODE	2015 MRC w/ PROVISIONS IDENTIFIED IN R101.2 2015 MEC
LOT AREA	60.0' x 155.0' = 9,300 SF
EXISTING HOME & GARAGE	1,336 SF
EXISTING COVERED PORCH	80 SF
EXIST. LOT COVERAGE	1,416 SF / 9,300 SF = 15.2%P
PROPOSED ADDITION	288 SF
PROPOSED LOT COVERAGE	1,704 SF / 9,300 SF = 18.3%P
EXISTING HOUSE SQUARE FOOTAGE	1,735 SF
PROPOSED ADDITION TO FIRST FLOOR	288 SF
PROPOSED HOUSE SQUARE FOOTAGE	2,023 SF

REVISION TABLE	DATE	REVISION BY	DESCRIPTION	PERMIT SET
01	07/12/2023			

Project:
ADDITION TO THE
BACK OF THE HOUSE

Location
24312 Kings Point,
Novi, MI 48375

Title
FOUNDATION PLAN, ROOF
PLAN, ELEC. PLAN,
WALL SECTION, & DETAILS

DATE:

SCALE:

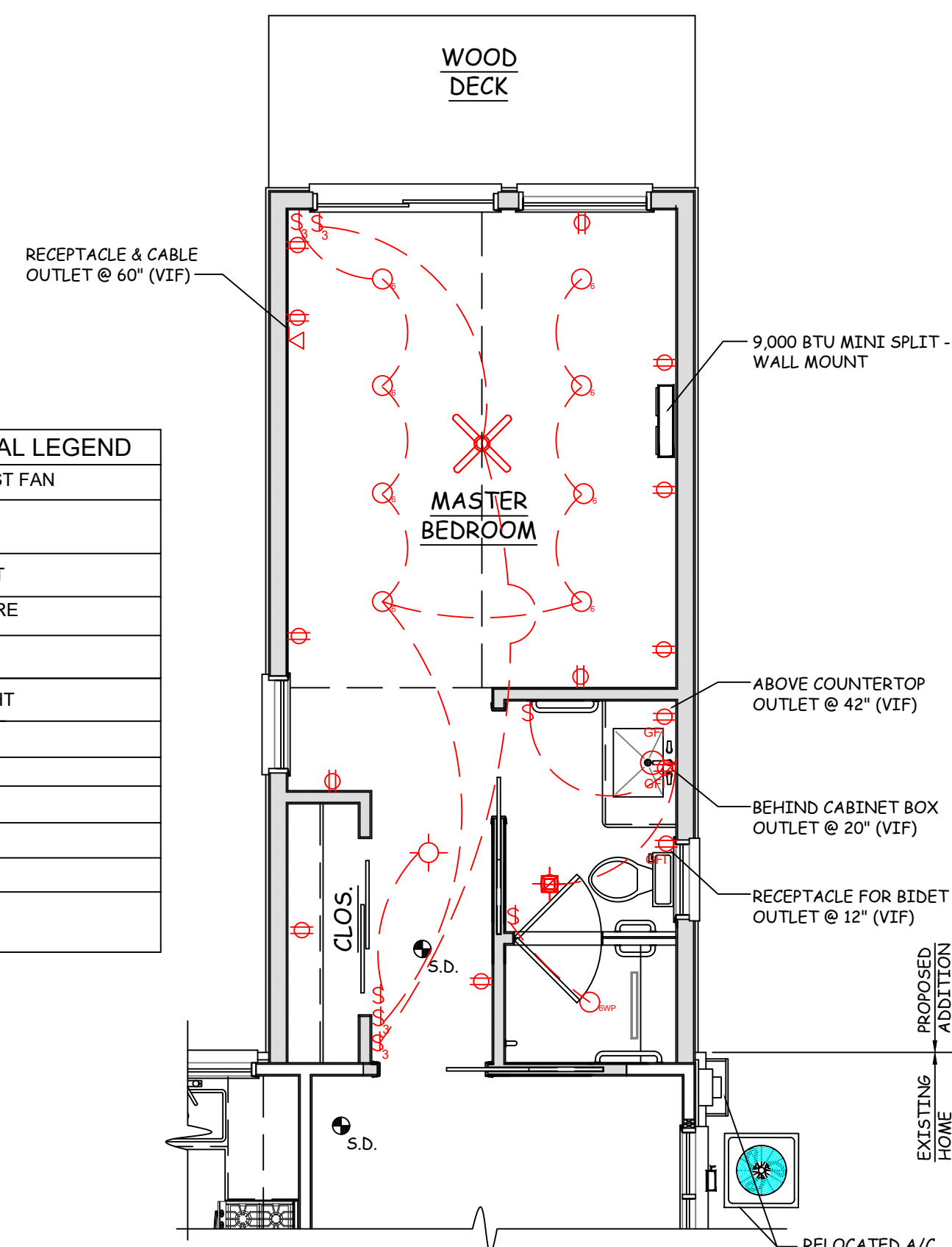
REF.DWG.

SHEET:

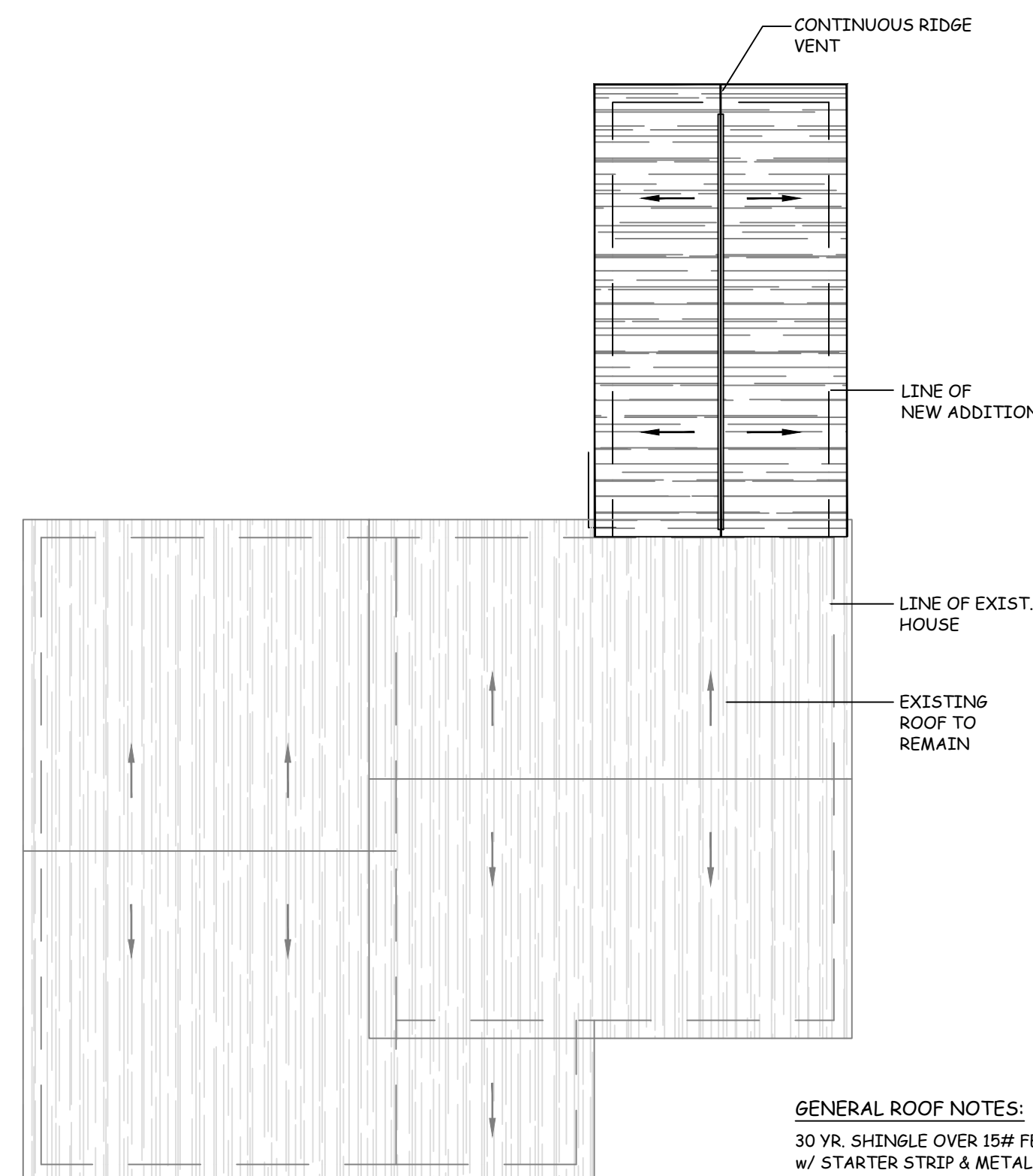
02 of 05

MECHANICAL & ELECTRICAL LEGEND

	E.F. BATHROOM EXHAUST FAN
	CEILING FAN
	CEILING MOUNTED LIGHT
	WALL - MOUNTED FIXTURE
	SMART CAN LIGHT
	WATER PROOF CAN LIGHT
	T.V. CABLE
	DUPLEX OUTLET
	GFCI OUTLET
	SINGLE POLE SWITCH
	3-WAY SWITCH
	SMOKE DETECTOR

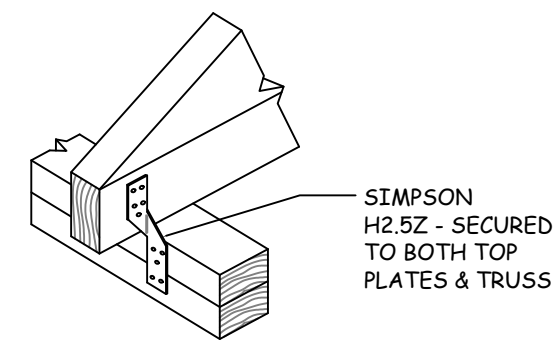


7 PROPOSED ELECTRICAL PLAN
A2 SCALE: 1/4" = 1'-0"

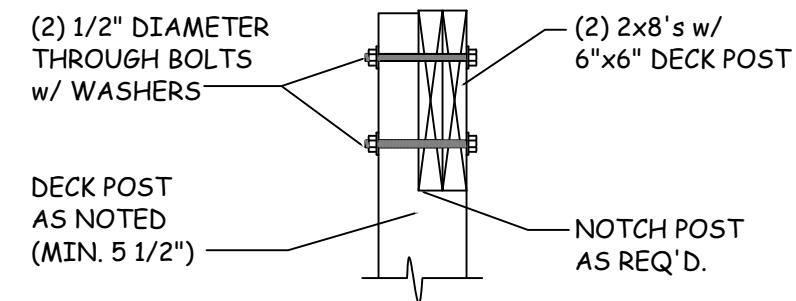


2 PROPOSED ROOF PLAN
A2 SCALE: 1/8" = 1'-0"

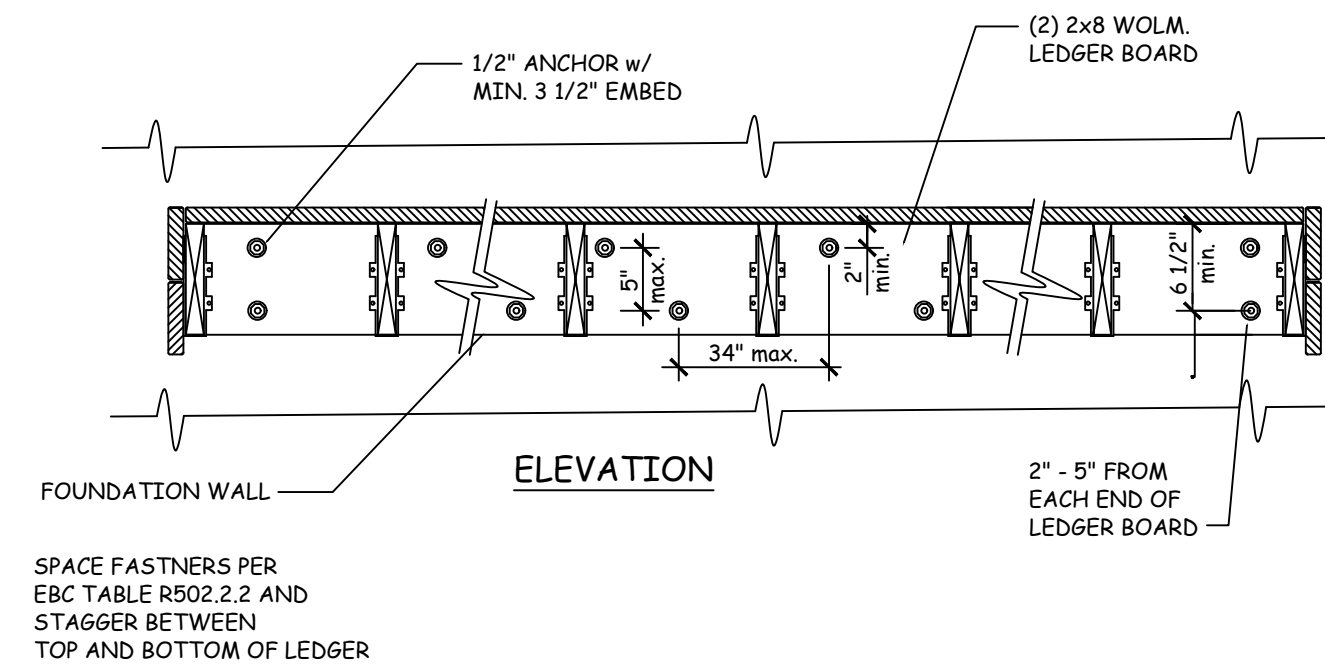
GENERAL ROOF NOTES:
30 YR. SHINGLE OVER 15# FELT w/ STARTER STRIP & METAL DRIP EDGE ON 1/2" ROOF DECK ON WD TRUSSES @ 24" o.c.
ICE & WATER SHIELD TO 24" WITHIN ALL INT./HEATED AREAS/WALLS
FLASHING REQUIRED AT ALL WALL/ROOF INTERSECTIONS, CHIMNEYS, VENTS, OR CHANGE OF ROOF SLOPE/DIRECTION
NEW GUTTERS & DOWNSPOUTS TO MATCH EXISTING
NEW MATERIALS TO MATCH EXISTING - CONFIRM SELECTIONS w/ OWNER



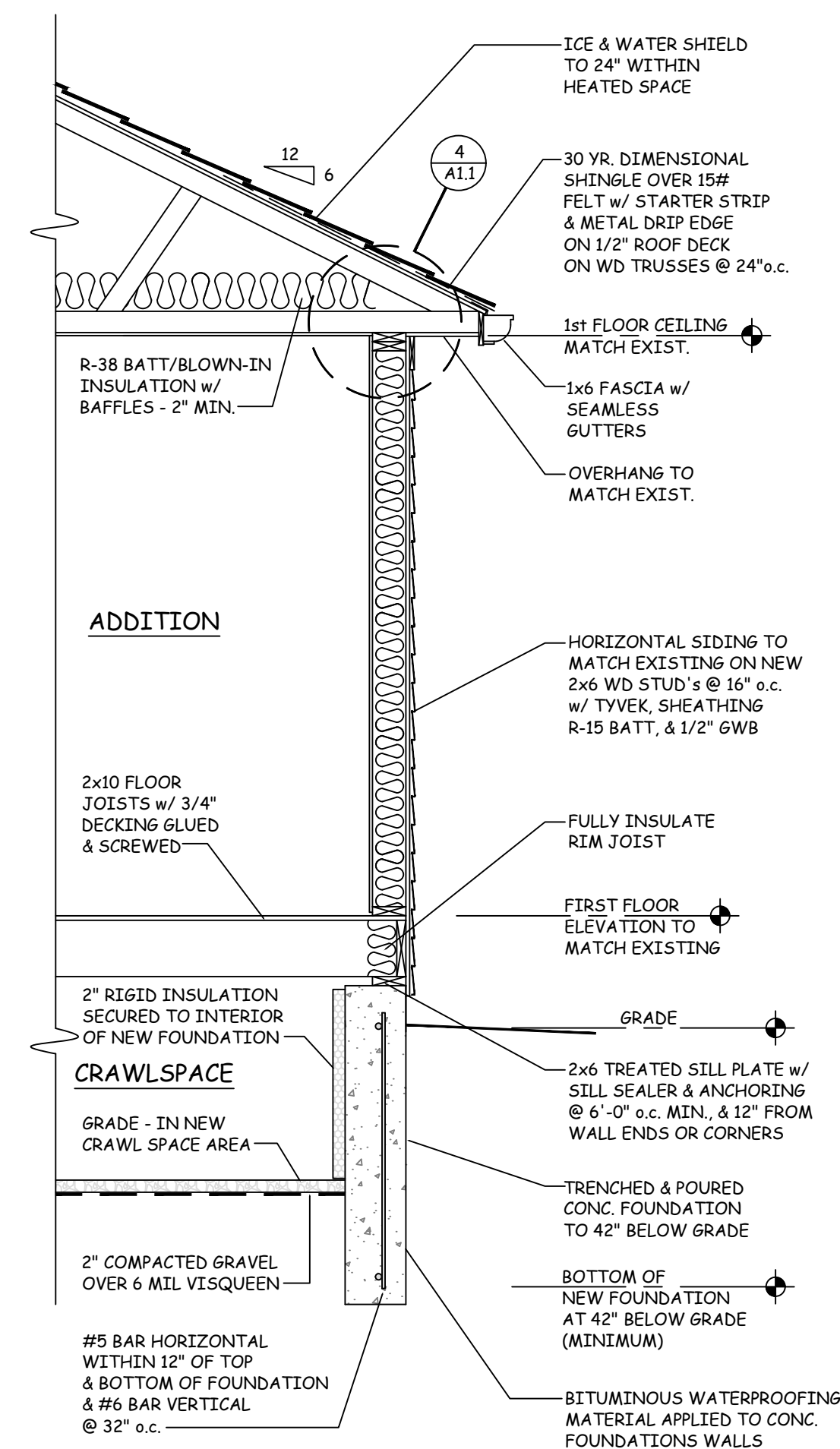
4 ROOF TRUSS DETAIL
A2 SCALE: NONE



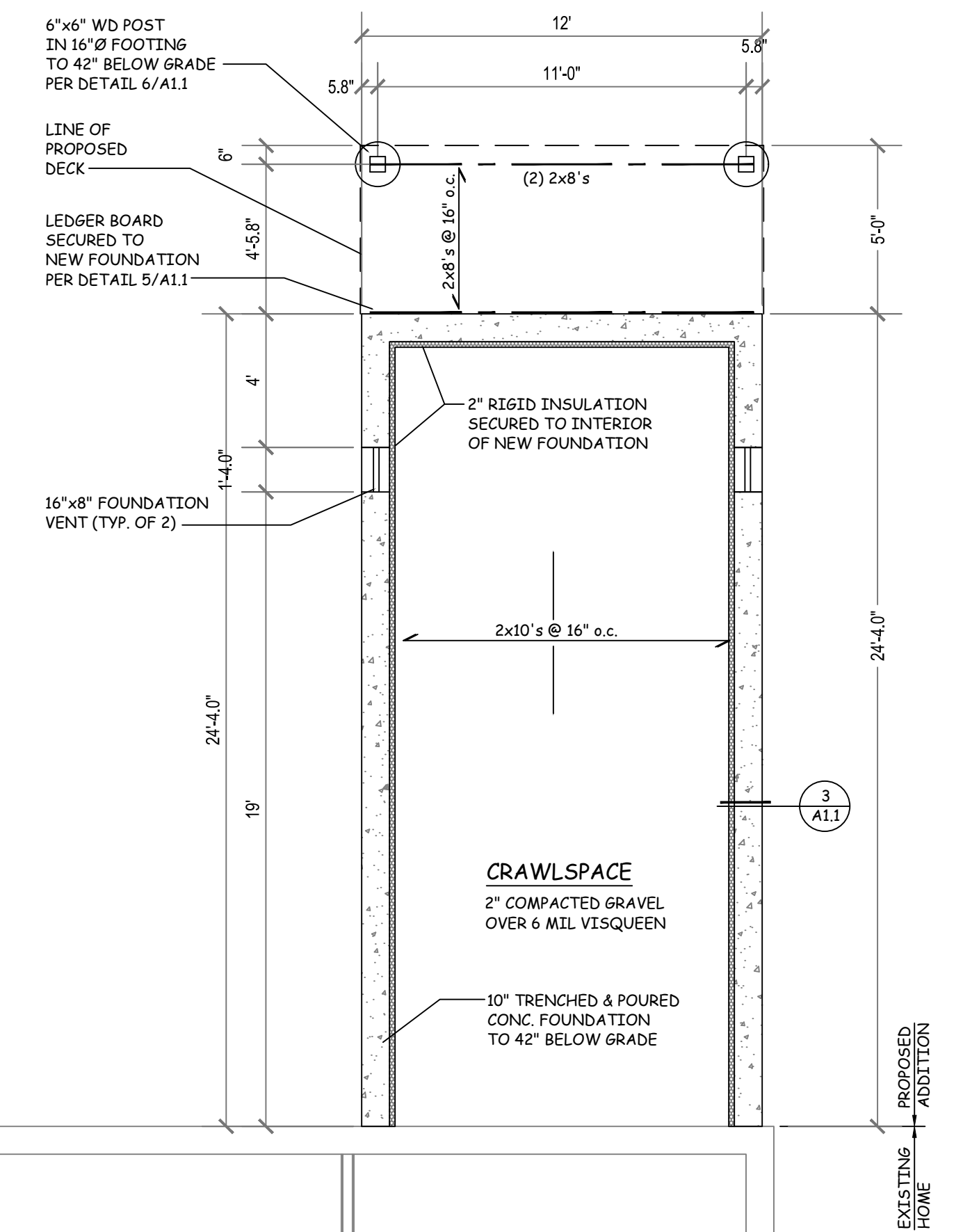
6 POST & BEAM CONNECTION
A2 SCALE: NONE R507.7.1



5 LEDGER DETAIL
A2 SCALE: NONE



3 PROPOSED WALL SECTION 'A'
A2 SCALE: 1/4" = 1'-0"



1 PROPOSED FOUNDATION PLAN
A2 SCALE: 1/4" = 1'-0"

REVISION TABLE	NUMBER	DATE	REVISION BY	DESCRIPTION
	01	09/19/2023		PERMIT SET

Project:
ADDITION TO THE
BACK OF THE HOUSE

Location
24312 Kings Point,
Novi, MI 48375

Title
EXISTING FLOOR PLAN /
DEMOLITION PLAN
-PROPOSED FLOOR PLAN

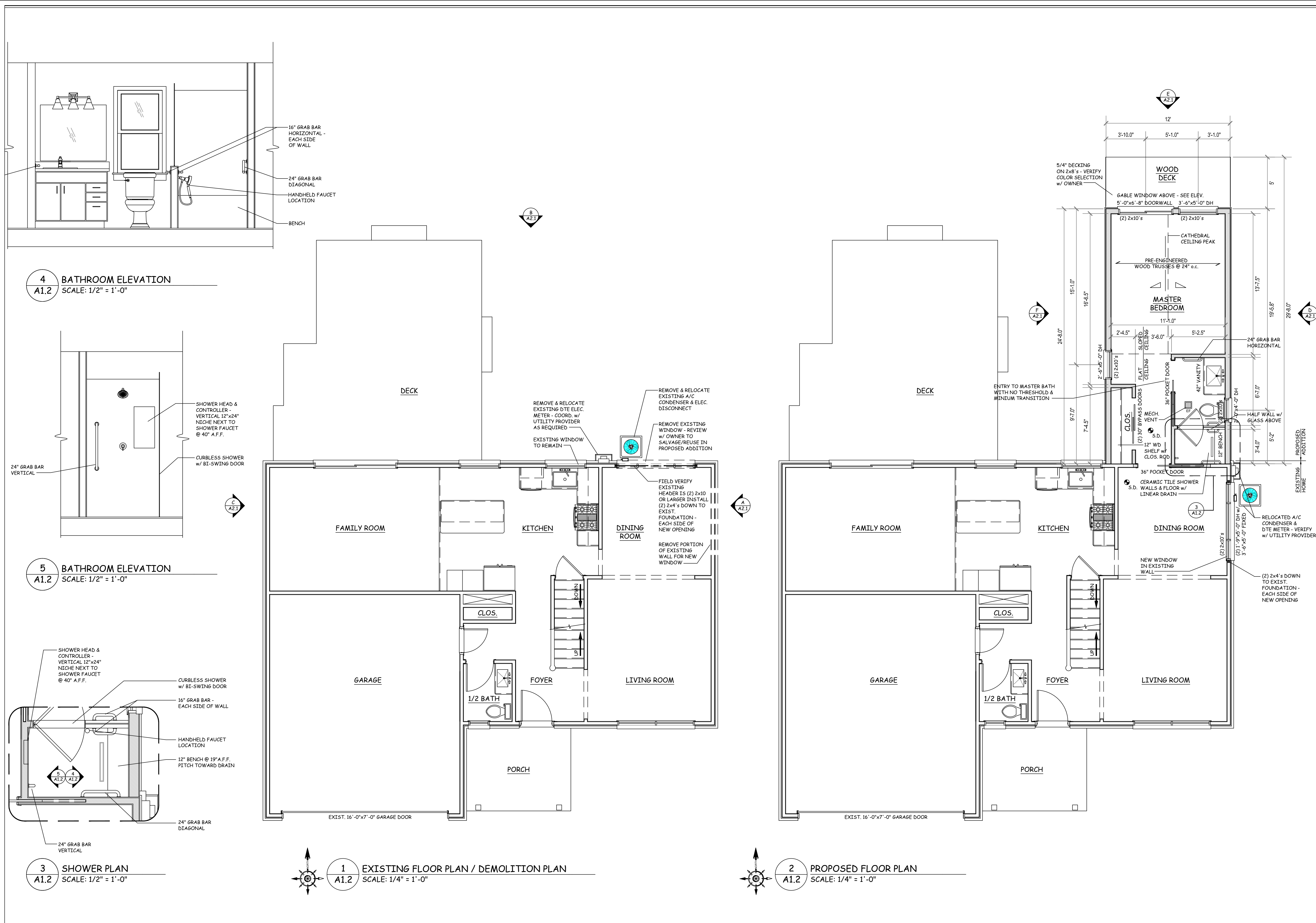
DATE:

SCALE:

REF.DWG.

SHEET:

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REVISION TABLE	NUMBER	DATE	REVISION BY	DESCRIPTION	PERMIT SET
	01	07/12/2023			

Project:
ADDITION TO THE
BACK OF THE HOUSE

Location
24312 Kings Point,
Novi, MI 48375

Title
EXISTING ELEVATIONS

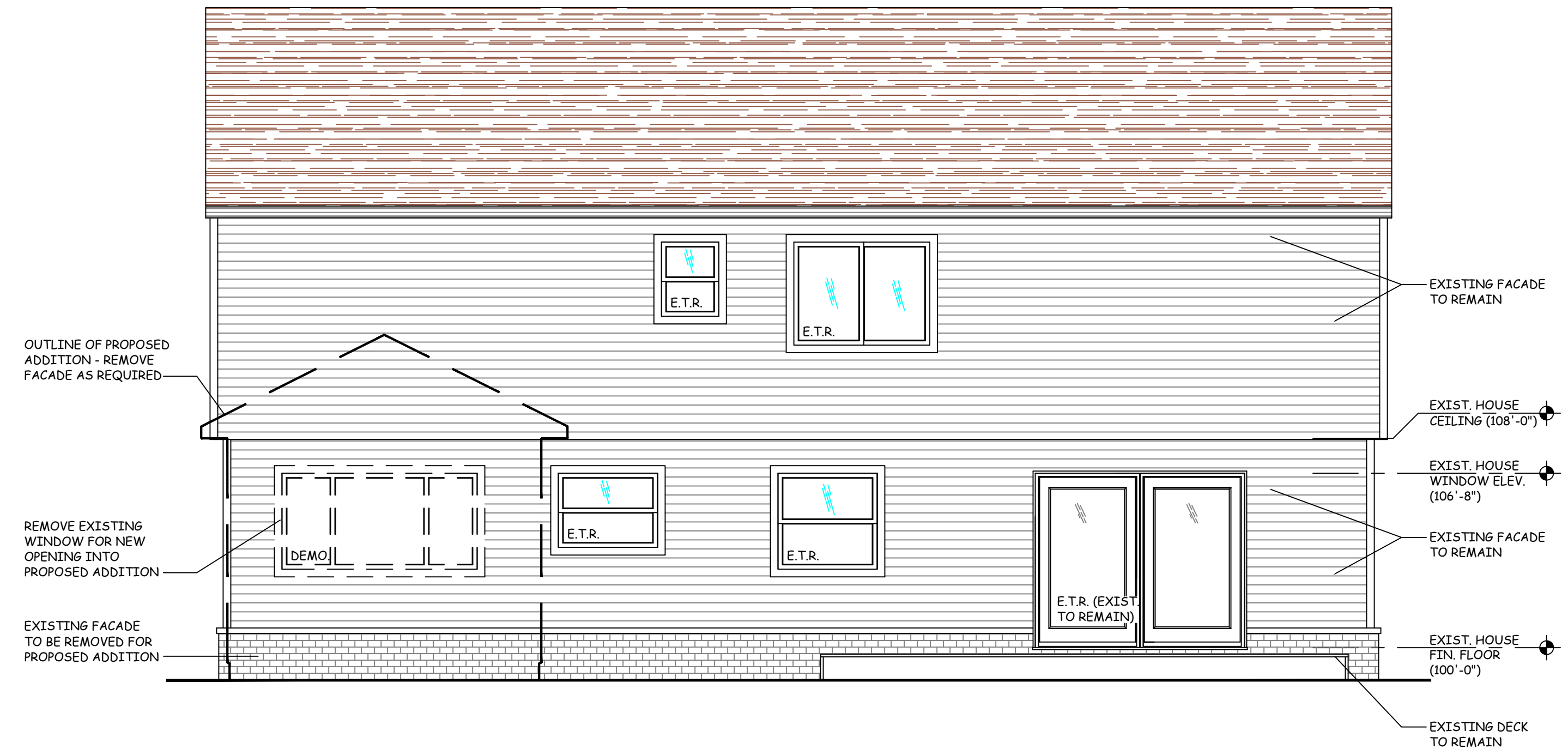
DATE:

SCALE:

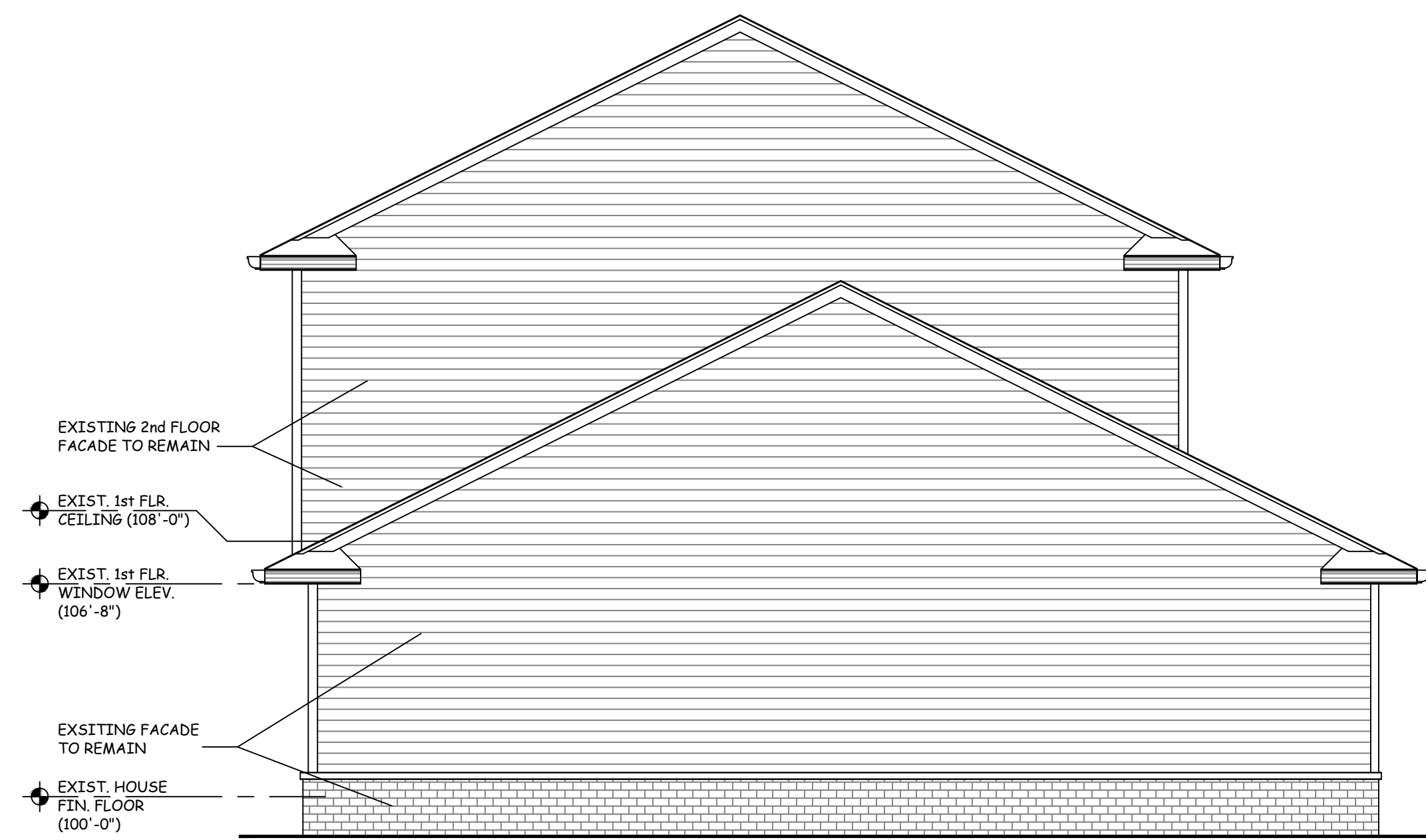
REF.DWG.

SHEET:

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2 EXISTING REAR ELEVATION 'B'
A4 SCALE: 1/4" = 1'-0"

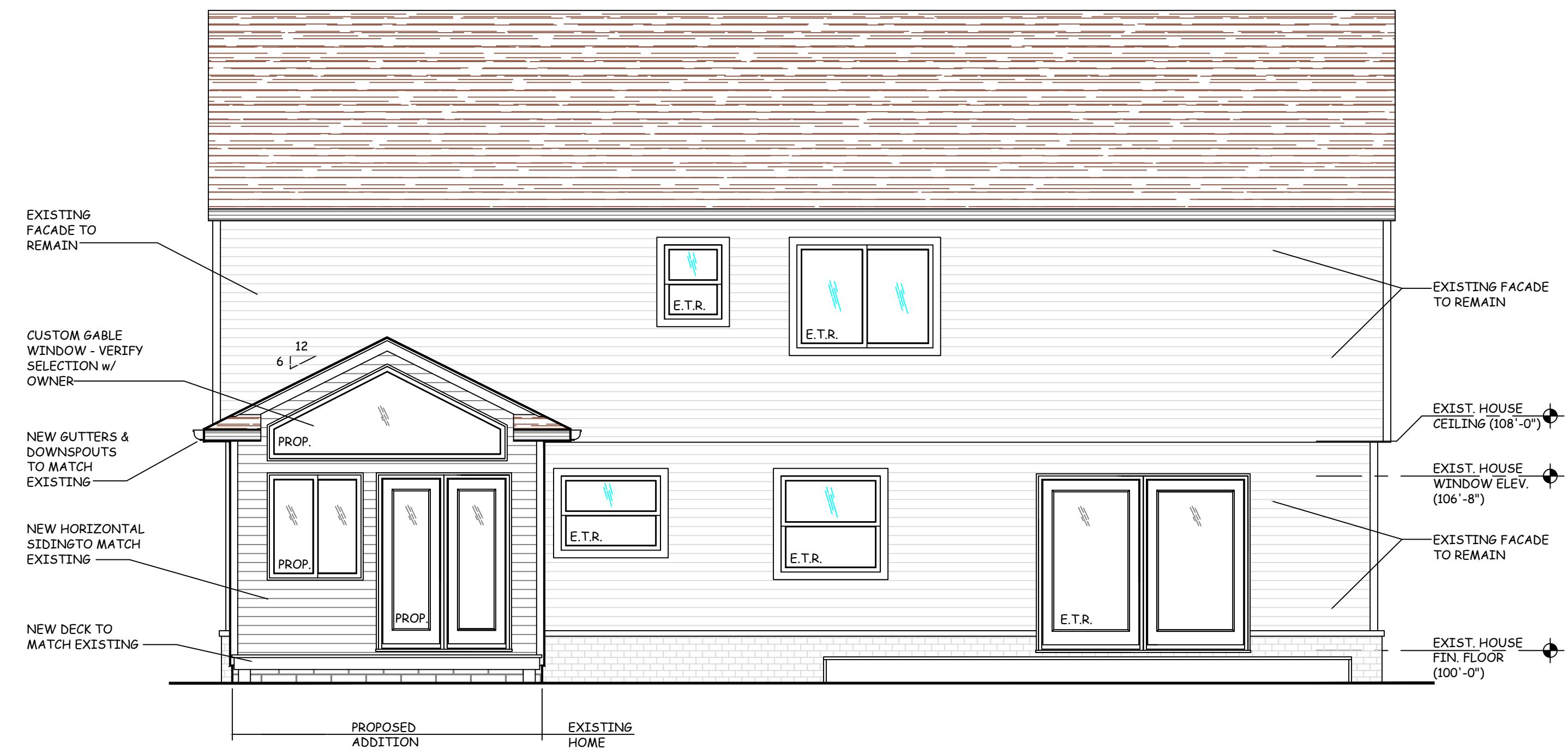


3 EXISTING SIDE ELEVATION 'C'
A4 SCALE: 1/4" = 1'-0"

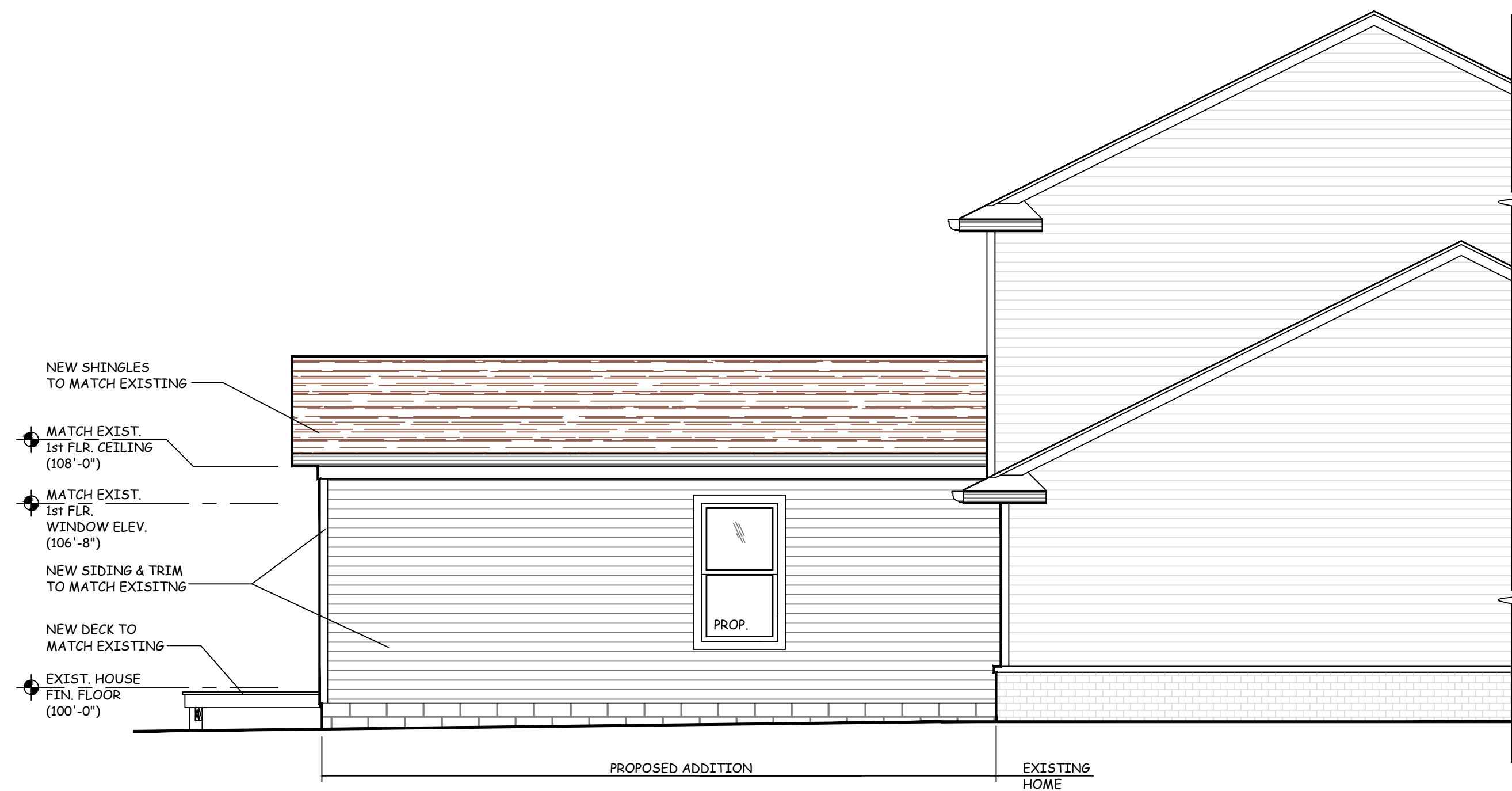


1 EXISTING SIDE ELEVATION 'A'
A4 SCALE: 1/4" = 1'-0"

REVISION TABLE NUMBER	DATE	REVISION BY	DESCRIPTION	PERMIT SET
01	07/12/2023			



2 PROPOSED REAR ELEVATION 'F'
A5 SCALE: 1/4" = 1'-0"



3 PROPOSED SIDE ELEVATION 'G'
A5 SCALE: 1/4" = 1'-0"



1 PROPOSED SIDE ELEVATION 'E'
A5 SCALE: 1/4" = 1'-0"

Project:
ADDITION TO THE
BACK OF THE HOUSE

Location
24312 Kings Point,
Novi, MI 48375

Title
PROPOSED ELEVATIONS

DATE:

SCALE:

REF.DWG.

SHEET:

05 of 05

CERTIFICATE OF SURVEY

ZONING:

R4-RESIDENTIAL
 LOT WIDTH: 80 FT.
 PLATTED AS 60 FT. WIDE

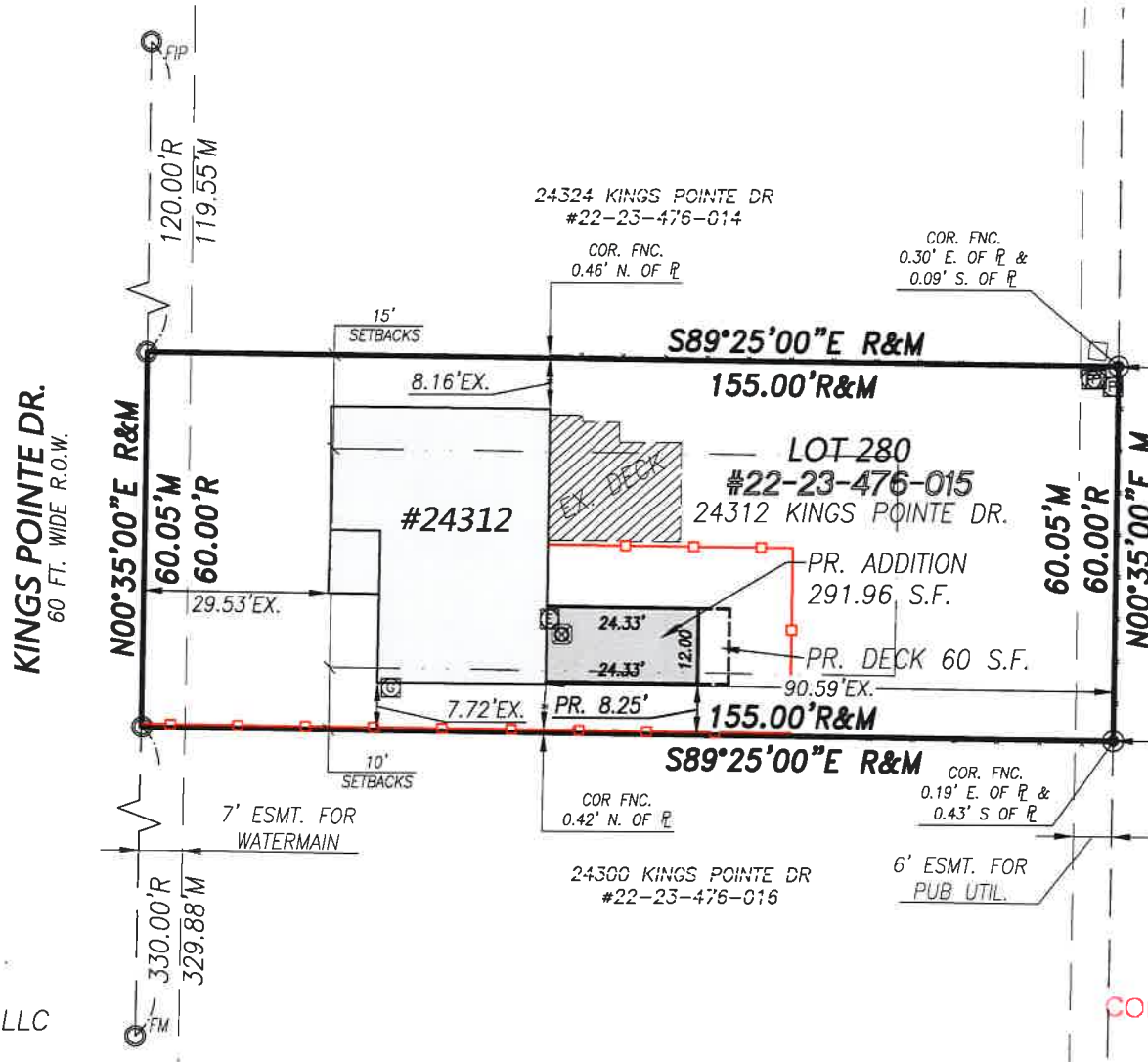
SETBACKS:

FRONT: 30 FT.
 SIDE: 10 FT./25 FT. TOTAL
 REAR: 35 FT.

LEGEND:

- FOUND IRON
- SET IRON
- R RECORD DISTANCE
- M MEASURED DISTANCE
- SILT FENCE

PREPARED FOR:
 LIFE CONSTRUCTION AND DESIGN LLC
 6865 GALLOWAY BAY DR.
 TROY, MI 48098
 (313) 415-6462



I HEREBY STATE THAT I HAVE MAPPED THE SURVEY ABOVE ON OCCASION OF THE REQUIREMENTS AS AMENDED, AND AS THE BASIS OF BEARING PER PLAT THIS SURVEY IS OF A TITLE PROVIDED DES

RECEIVED

OCT 31 2023

CITY OF NOVI
 COMMUNITY DEVELOPMENT

SHEET: 1 OF 1

BRADLEY G

Scale: 1"=30'
 Date: 10/30/23
 Job No. 23-163
 Drawn: B.G.R.



P 248.651.0592 F 248.656.7099
 Mail@ReichertSurveying.com
 140 Flumerfelt Lane - Rochester, MI 48306

LEGAL DESCRIPTION: LOT 280 OF "MEADOWBROOK GLENS SUBDIVISION" PART OF THE SOUTH 1/2 OF SEC. 23, T.1N., R.8E., CITY OF NOVI, COUNTY, MICHIGAN AS RECORDED IN L.145 OF PLATS, P.1, O.C.R.

PBR23-04



24312

CAUTION
NO TRAFFIC
OR PARKING









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NOV 03 2023

CITY OF NOVI
COMMUNITY DEVELOPMENT

November 2, 2023

City of Novi
45175 Ten Mile Road
Novi, MI 48375

Attention: Sarah Fletcher, Acct Clerk
Email: SFletcher@cityofnovi.org

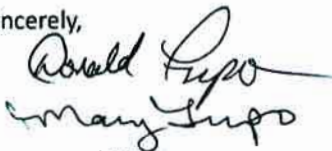
Subject: Support of building addition for my neighbor at 24312 Kings Pointe Dr.

We are writing this letter to the City of Novi Building Department as support and approval in the build out of our neighbor's home located at the address referenced above. Moreover, we are also okay with the variance needed for the build out.

For reference purposes, our address is 24324 Kings Pointe Dr, Novi, MI.

If you have any questions, please feel free to contact us by phone, email or mail.

Sincerely,

Handwritten signatures of Donald and Mary Lupo in black ink. The signature for Donald is above the signature for Mary.

Donald and Mary Lupo
24324 Kings Pointe Dr.
Novi, MI 48375
Cell. 248-880-6066
Email: DPLHome@gmail.com

Fletcher, Sarah

From: Susie Hanbury <SHanbury@ndswellness.com>
Sent: Thursday, November 2, 2023 4:14 PM
To: Fletcher, Sarah
Cc: crazykidhouse@gmail.com; smhhanbury@outlook.com
Subject: 24312 KINGS POINTE EASEMENT

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NOV 02 2023

**CITY OF NOVI
COMMUNITY DEVELOPMENT**

Dear City of Novi –

With this email, I grant permission for my neighbors, the Meyers, of 24312 Kings Pointe Drive to maintain the current easement at the fence line with my property at 24300 Kings Pointe Drive for their new build. I understand the newest easement requirements to be 10 feet which I would like the City of Novi to deviate from in favor of the current measurement of 8.5 feet.

Should you have further questions, please contact me directly at 248-444-3561.

Best regards,

Susanne M Hanbury
A Susanne Hanbury
24300 Kings Pointe Drive
Novi, MI 48375
m. 248-444-3561
email: smhhanbury@outlook.com

Susie Hanbury
National Diagnostic Services
28700 Cabot Drive, Suite 500
Novi, MI 48377
Phone: 248-476-6980
Fax: 248-476-7462
Email: shanbury@ndswellness.com



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TO: CITY OF NOVI
ZONING BOARD OF APPEALS
45175 TEN MILE ROAD
NOVI, MI 48375

RECEIVED

NOV 29 2023

CITY OF NOVI
COMMUNITY DEVELOPMENT

Please note my comments to:

24312 Kings Pointe Drive # 50-22-23-476-015 (PZ23-0063)

Please note my: (Approval) (Objection) to the requested variance.

Comments:

As long as its an attached addition
to the back side of current residence.

(PLEASE PRINT CLEARLY)

Name: Francis R Stone Jr

Address: 24337 Kings Pointe Novi, Mi 48375

Date: 11-25-23

Anonymous comments will not be considered.

Zoning Board of Appeals meetings are broadcast live on Spectrum channel 13-1 and AT&T U-verse channel 99.
They are also streamed live on the City's website at cityofnovi.org.