



## COMMUNITY DEVELOPMENT DEPARTMENT

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

## ZONING BOARD OF APPEALS STAFF REPORT

**FOR:** City of Novi Zoning Board of Appeals

**ZONING BOARD APPEALS DATE:** October 12, 2021

**REGARDING:** 48950 Nine Mile Road, Parcel # Parcel 50-22-29-326-021 (PZ21-0054)

**BY:** Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

#### Applicant

Dana Ziegler and Martin Vallespinos

#### Variance Type

Special Variance

#### Property Characteristics

Zoning District:	Residential Acreage
Location:	East of Garfield Road and North of Nine Mile Road
Parcel #:	Parcel 50-22-29-326-021

#### Request

The applicant is requesting a special approval pursuant to the City of Novi Zoning Ordinance Section 4.19(1)(k) to convert an existing detached accessory building into a home office, by code the use of a detached accessory building in a residential district for use other than use other than the parking and storage of private motor vehicles, tools, recreation equipment or dog houses shall require review and approval by the Zoning Board of Appeals. This property is zoned Residential Acreage (RA).

### II. STAFF COMMENTS:

### III. RECOMMENDATION:

Under The Zoning Board of Appeals to the City of Novi Zoning Ordinance Section 4.19(1)(k) the Board will have to consider these factors:

The proposed exception or special approval will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Novi.

**Zoning Board of Appeals**

Dana Ziegler and Martin Vallespinos  
Case # PZ21-0054

October 12, 2021

Page 2 of 2

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler  
Deputy Director Community Development  
City of Novi



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## ZONING BOARD OF APPEALS APPLICATION

**APPLICATION MUST BE FILLED OUT COMPLETELY**

RECEIVED

AUG 30 2021

CITY OF NOVI  
COMMUNITY DEVELOPMENT

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>			
PROJECT NAME / SUBDIVISION Home Office			
ADDRESS 48950 W 9 Mile Rd, Novi, MI 48374		LOT/SIUTE/SPACE #	
SIDWELL # 50-22-		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY Beck and 9 Mile Rd			
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 checked="" type="checkbox"/> NO			
<b>II. APPLICANT INFORMATION</b>			
<b>A. APPLICANT</b>		EMAIL ADDRESS zieglerd@umich.edu	CELL PHONE NO. Dana 850-362-9195
NAME Dana Ziegler & Martin Vallespinos		TELEPHONE NO. Martin 313-979-4516	
ORGANIZATION/COMPANY Homeowners		FAX NO.	
ADDRESS 48950 W 9 Mile Rd	CITY Novi	STATE MI	ZIP CODE 48374
<b>B. PROPERTY OWNER</b> <input checked="" type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS	CELL PHONE NO.
NAME		TELEPHONE NO.	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS	CITY	STATE	ZIP CODE
<b>III. ZONING INFORMATION</b>			
<b>A. ZONING DISTRICT</b>			
<input checked="" type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input 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>B. VARIANCE REQUESTED</b>			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section	4.19(1)(K)	Variance requested	Use variance to convert existing detached accessory building to home office
2. Section	_____	Variance requested	_____
3. Section	_____	Variance requested	_____
4. Section	_____	Variance requested	_____
<b>IV. FEES AND DRAWINGS</b>			
<b>A. FEES</b>			
<input checked="" type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600			
<b>B. DRAWINGS 1-COPY &amp; 1 DIGITAL COPY SUBMITTED AS A PDF</b>			
<ul style="list-style-type: none"> <li>• Dimensioned Drawings and Plans</li> <li>• Site/Plot Plan</li> <li>• Existing or proposed buildings or addition on the property</li> <li>• Number &amp; location of all on-site parking, if applicable</li> <li>• Existing &amp; proposed distance to adjacent property lines</li> <li>• Location of existing &amp; proposed signs, if applicable</li> <li>• Floor plans &amp; elevations</li> <li>• Any other information relevant to the Variance application</li> </ul>			



# 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

\_\_\_\_\_  
Applicant Signature

08-30-2021  
\_\_\_\_\_  
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.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
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



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## REVIEW STANDARDS USE VARIANCE

For Use Variances: A use variance may be granted by the Zoning Board of Appeals only in cases where the applicant demonstrates in the official record of the public hearing that undue hardship exists by showing all of the following:

In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards.

### **Standard #1. Cannot Be Reasonably Used.**

Explain how the land, building or structure cannot be reasonably used for any of the uses permitted by right or by special land use permit in the zoning district in which it is located.

The structure is a concrete block unit that was in disrepair when we purchased in 2018. It is essentially a shell with no functioning doors located behind the home. We would like to use the structure as a home office for Zoom meetings with a full bathroom. It cannot be reasonably used as a "detached accessory building" because that would require renovations that outweigh the cost-benefit of such use - there is already a polebarn and an attached garage for storage of private motor vehicles and tools.

### **Standard #2. Circumstances or Physical Conditions.**

Explain how the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, topography, or similar physical conditions and is not due to the applicant's personal or economic hardship.

Our home is a one story in a T-shape with about 1500 sq. feet and three bedrooms which are adjacent to each other. Given the small size and shape of our home on the lot, we are not able to have a private, sound-isolated space for office Zoom meetings. With the new normal of the COVID-19 pandemic, the renovation of this space would allow our family as well as any future owners to have a nice, safe space for work from home and quarantining of family members as necessary.

### **Standard #3. Character of the Neighborhood.**

Explain how the proposed use will not alter the essential character of the neighborhood.

The proposed use will not alter the essential character of the neighborhood, in fact, it will make our property more consistent with and preservative of the neighborhood's character. Our neighbors have remodeled and new homes and we are seeking to similarly positively renovate our property. This renovation will contribute to increased property values and improved aesthetics in our neighborhood. Repurposing an existing structure is also a more sustainable option than a new build.

### **Standard #4. Not Self-Created.**

Explain how 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 and previous owners did not take any affirmative actions to create the need for a variance. There is no unusual land division or the like. The circumstances of the COVID-19 pandemic are outside of our control. We purchased the property as-is in 2018.



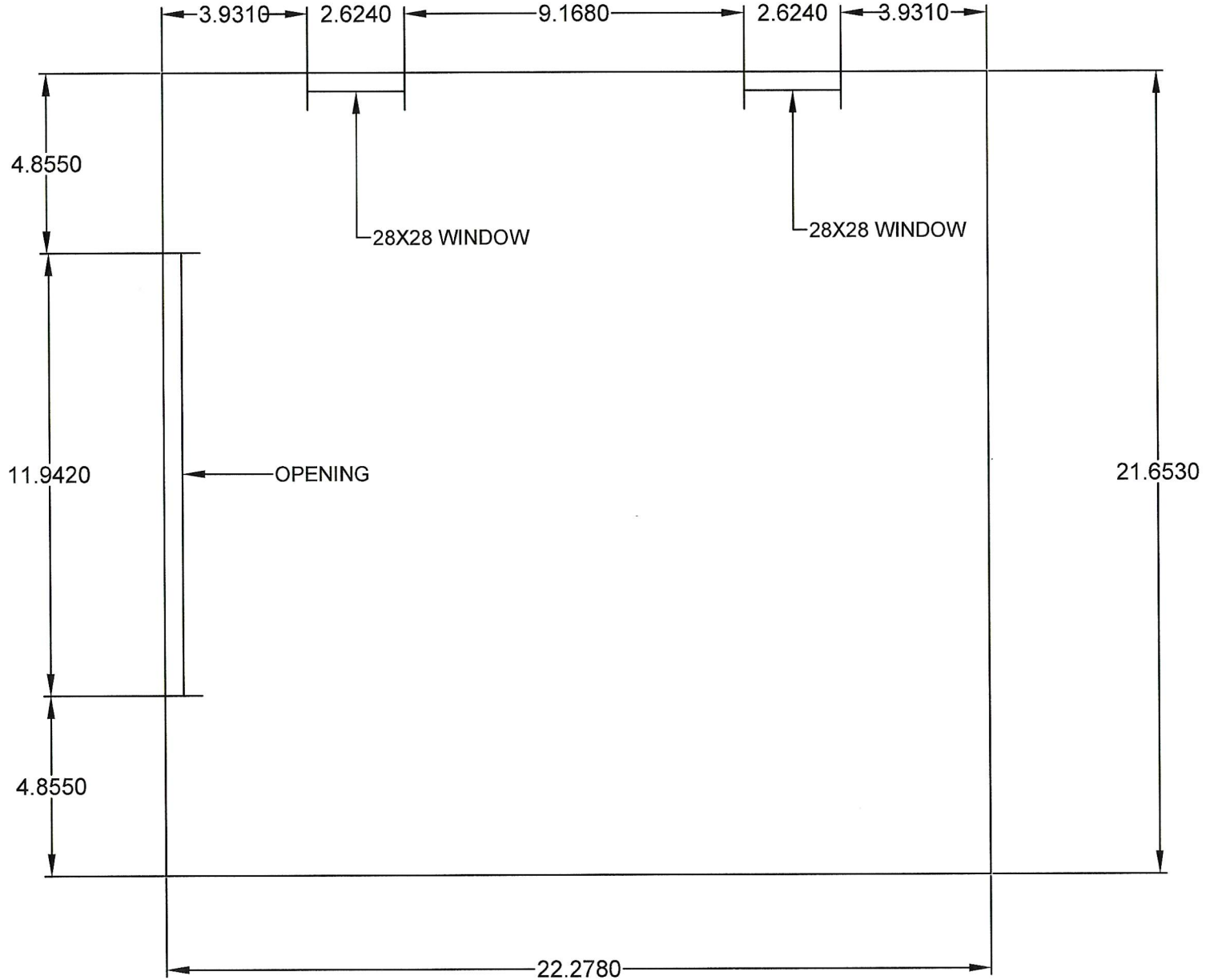
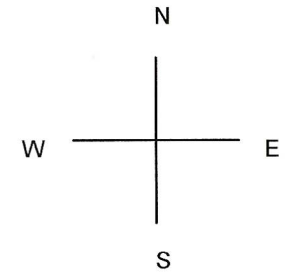
48950 W 9 Mi Rd - Dimensioned Site Plan



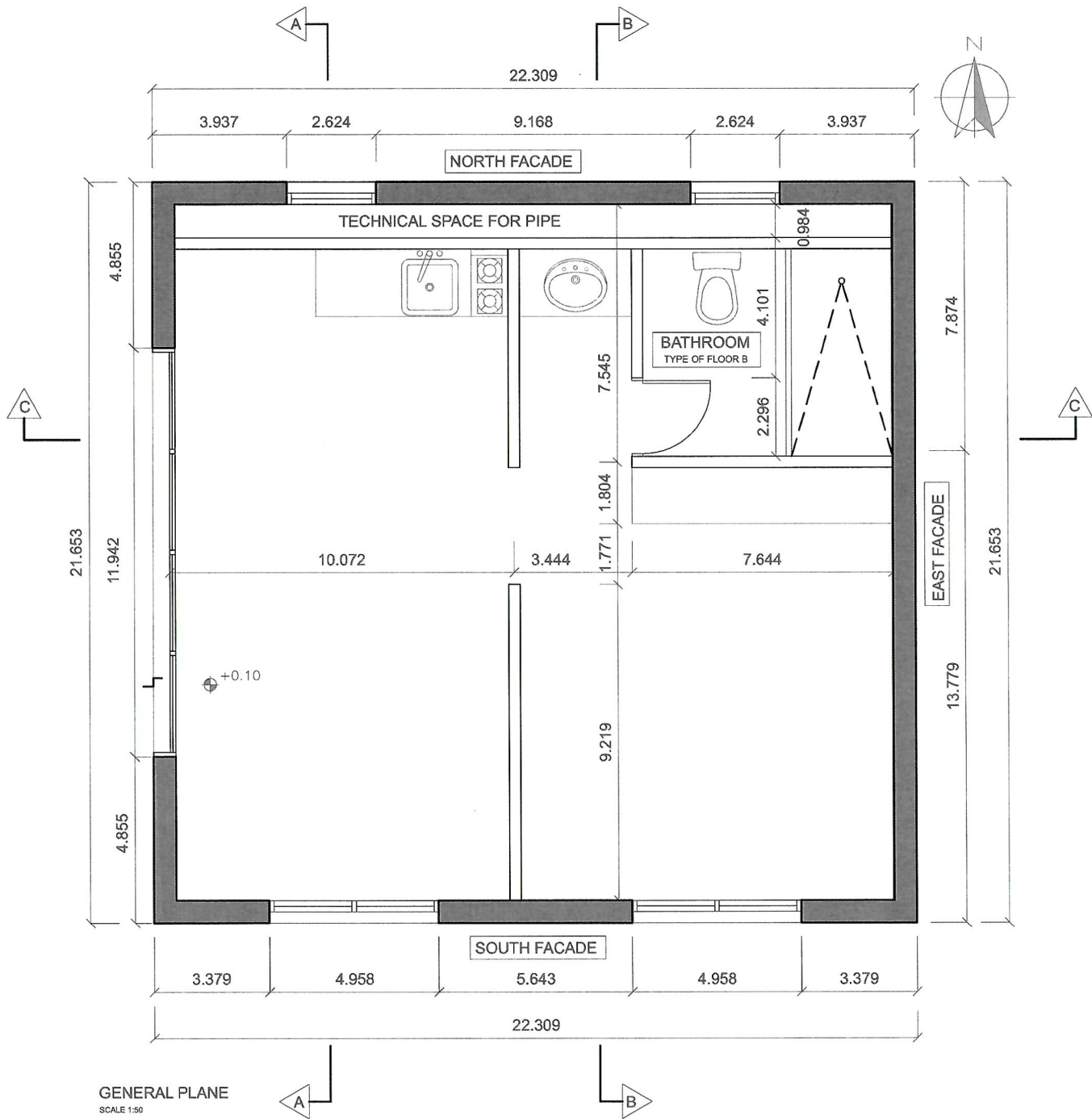
DIMENSIONED DRAWINGS AND PLANS

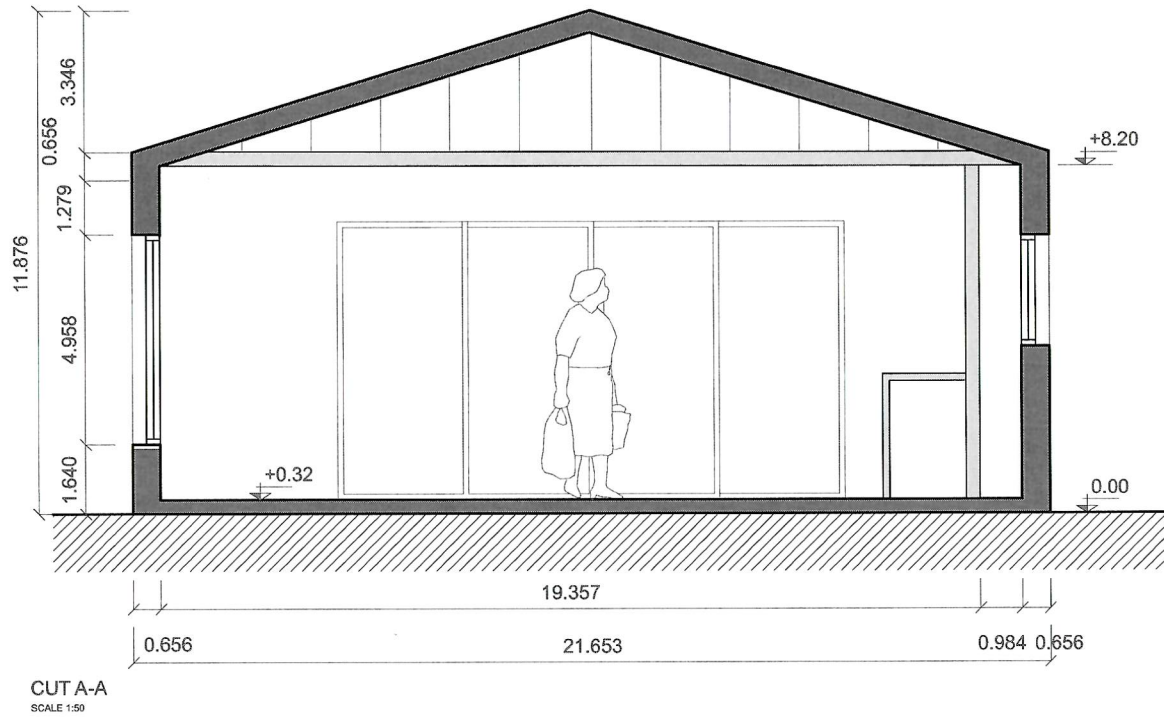
48950 W 9 Mile Rd

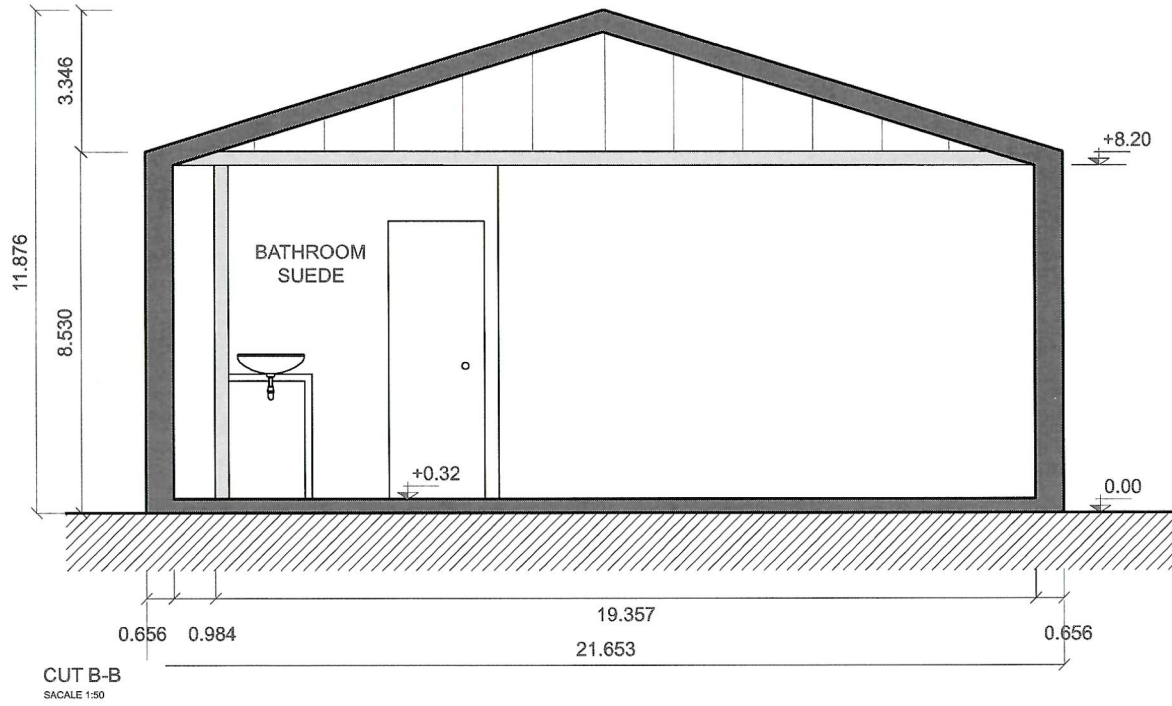
# EXISTING LAYOUT

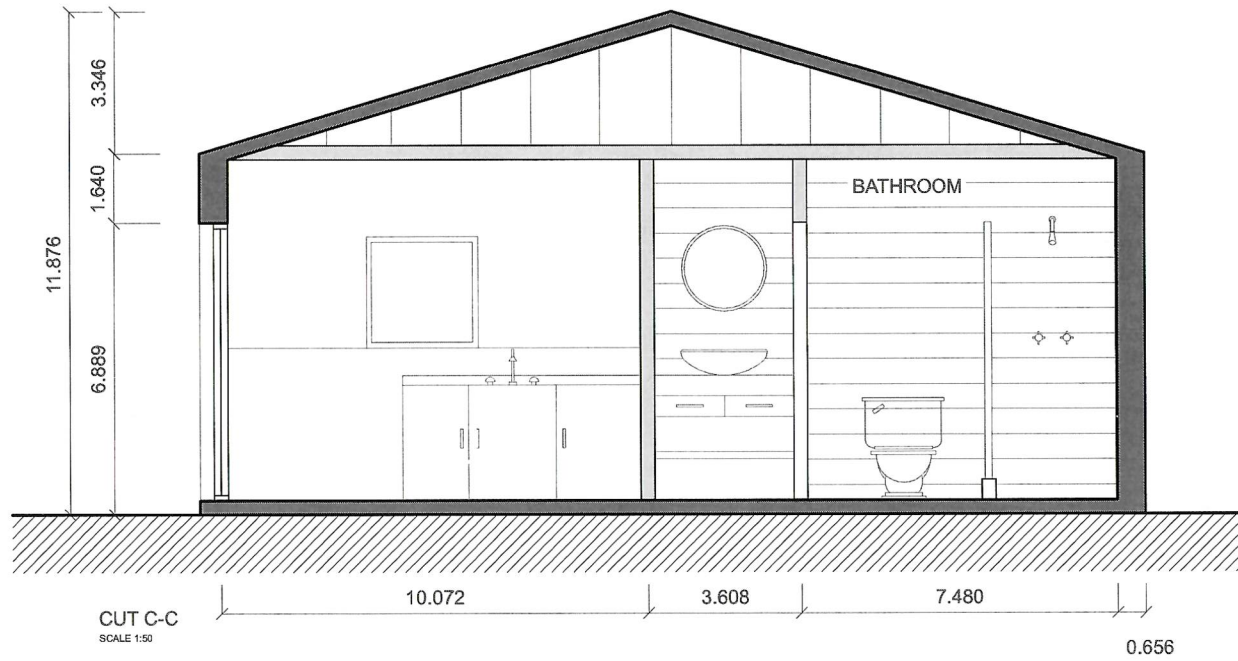


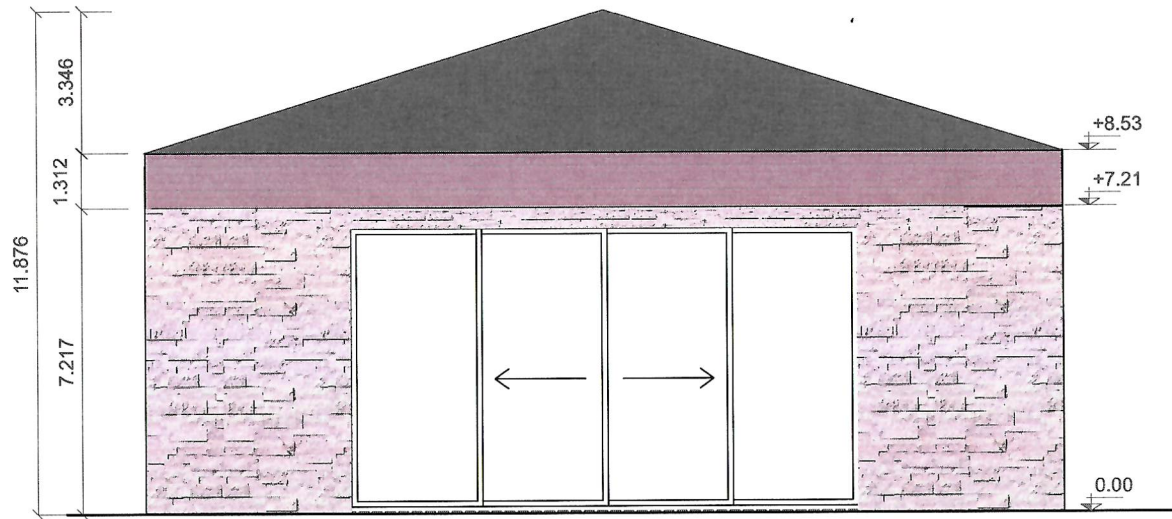




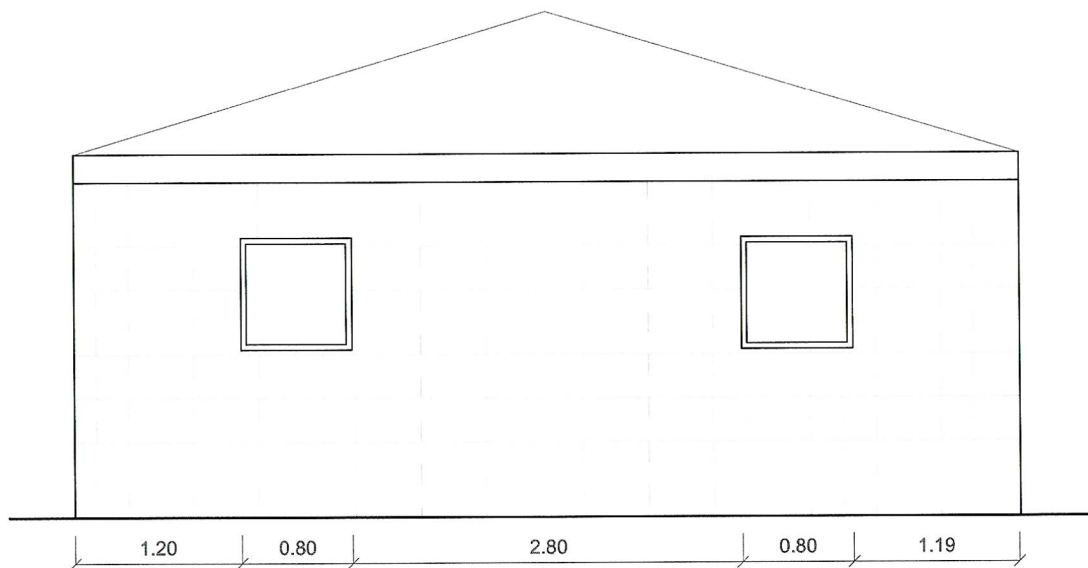








FACHADA OESTE



FACHADA NORTE  
ESCALA 1:50

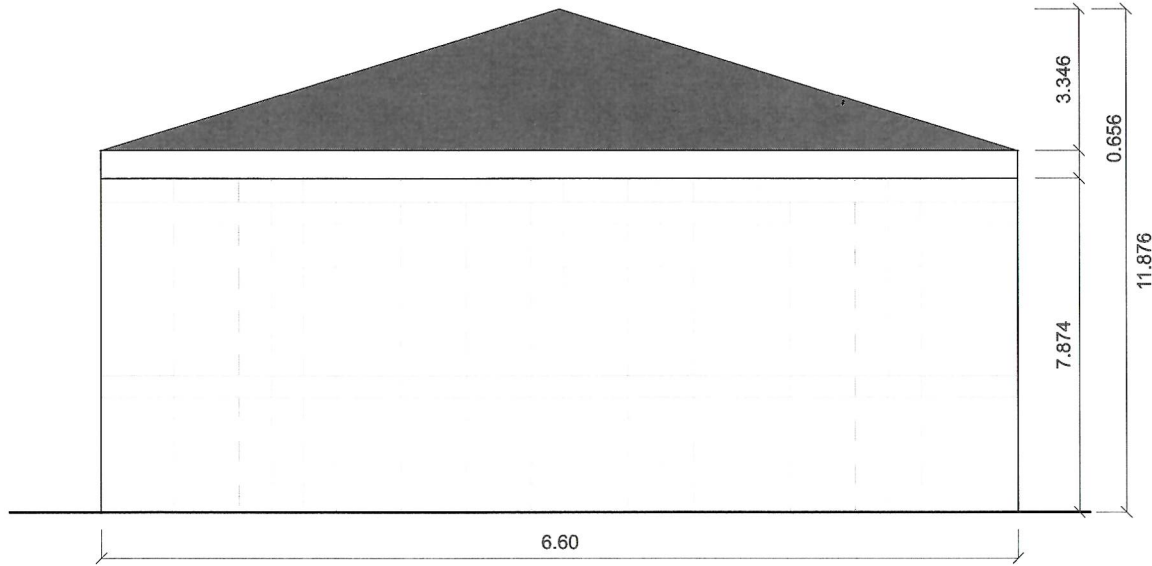
### EXTERIOR COATING

“Durango Cream”

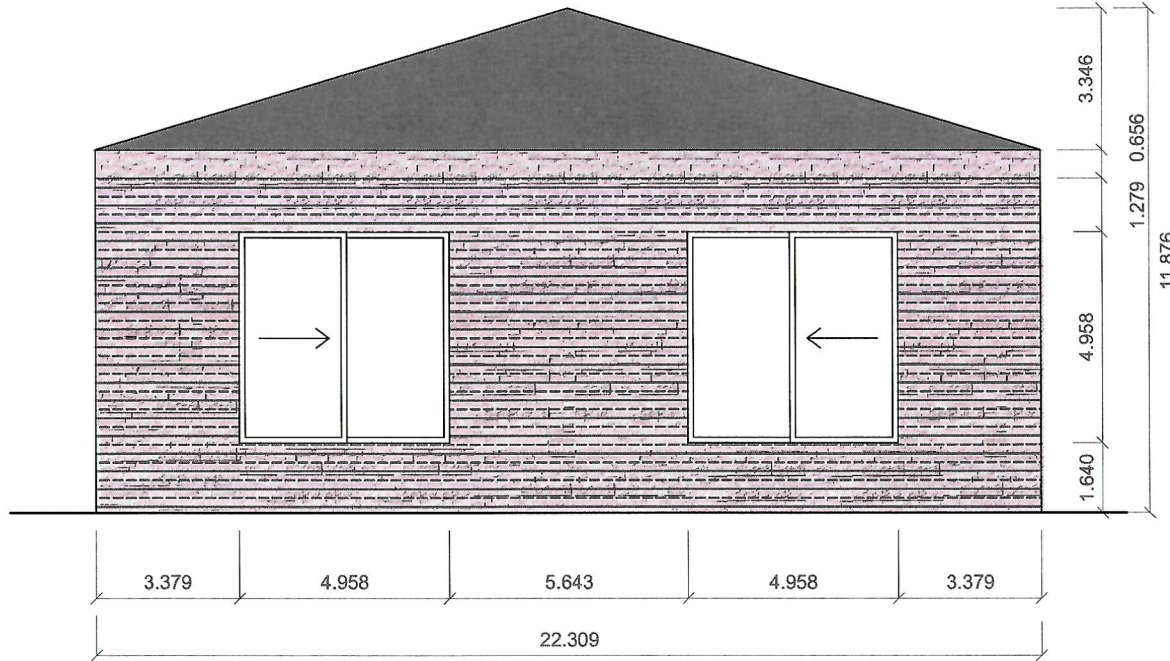


Durango Cream is classic light beige with a stunning appeal. The color and texture accommodates the most delicate taste as well as the contemporary and trendy styles. The split face travertine 6x24 ledger panels are recommended for hardscaping projects and interior walls. We recommend both interior and exterior applications in commercial and residential projects. Matching corners are available to finish off projects.





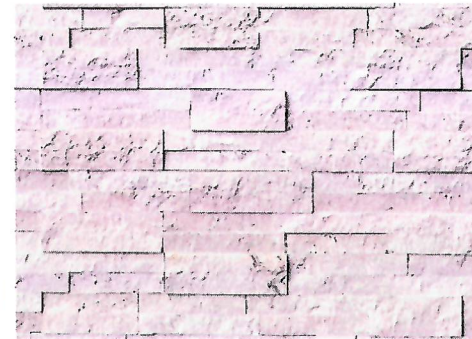
FACHADA ESTE  
ESCALA 1:50



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### EXTERIOR COATING

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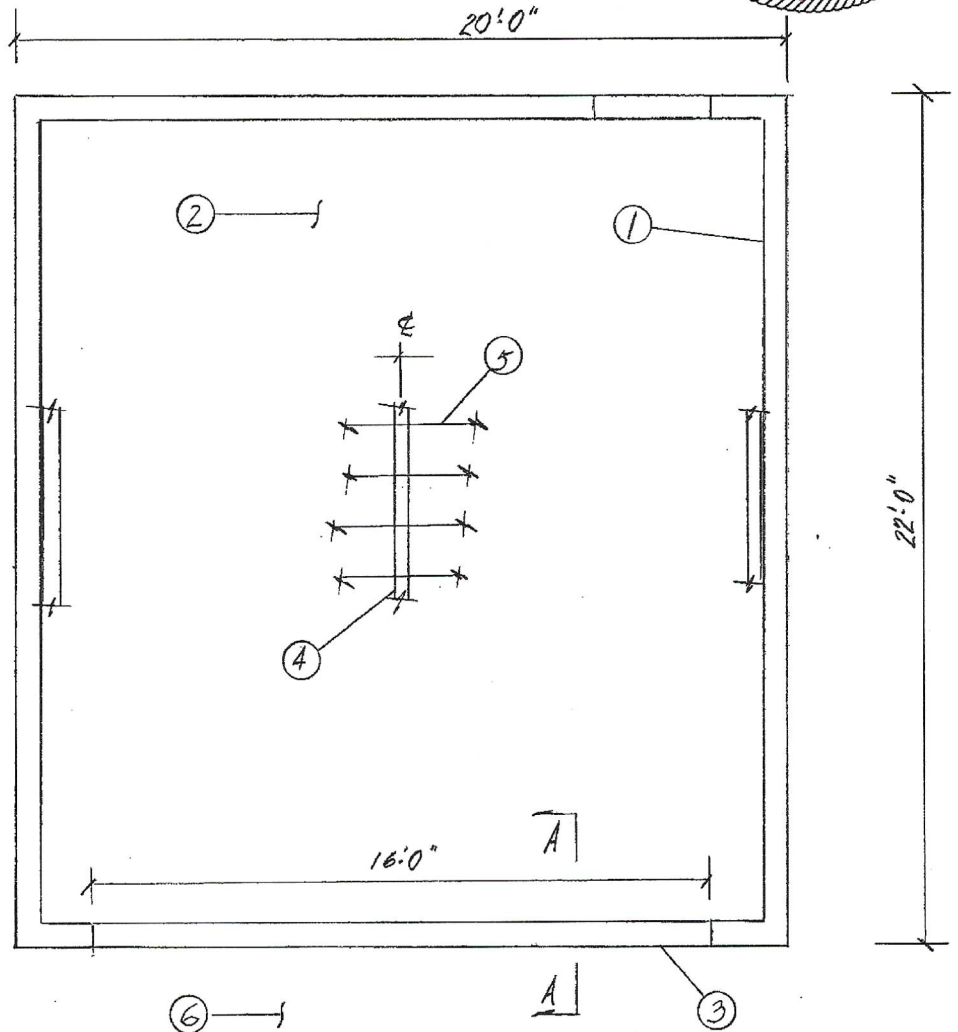
48950 W. 9 MILE RD.  
NOVI, MI

GARAGE CONVERSION

STRUCTURAL DETAILS

For additional details  
See Architectural plans.

EXISTING FOUNDATION & NEW FLOOR FRAMING PLAN



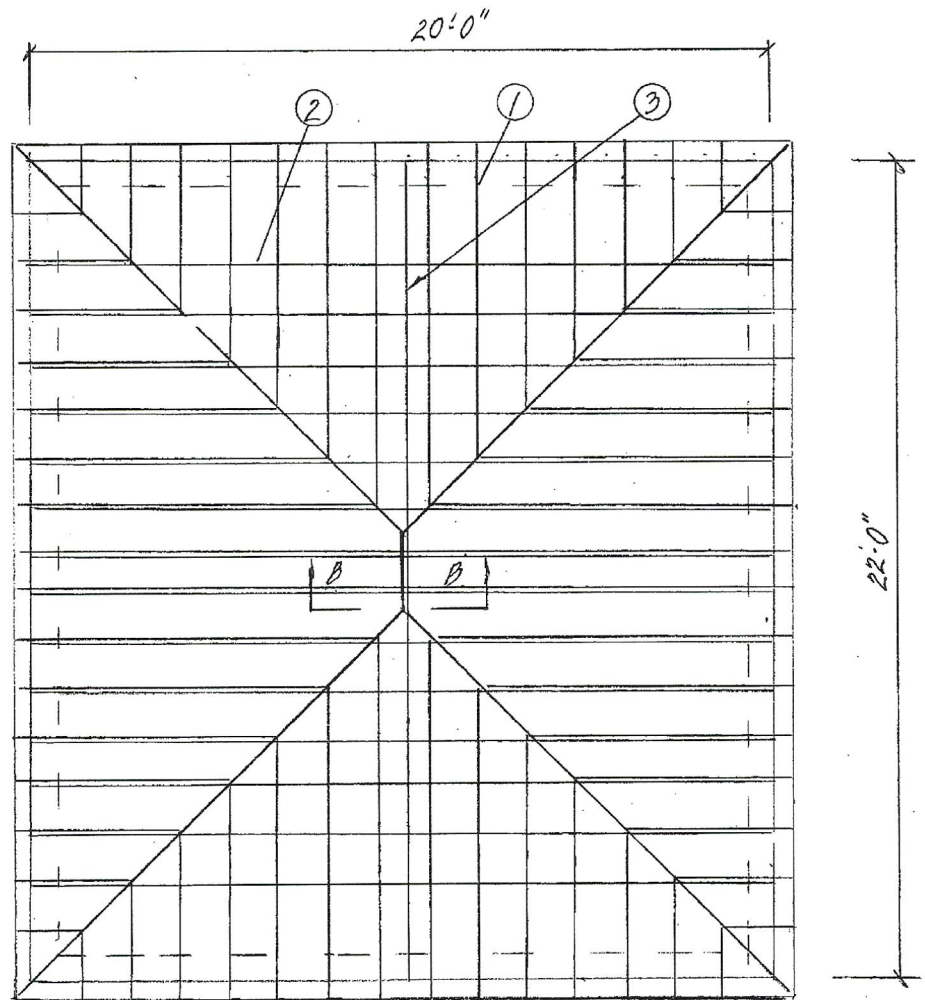
CIRCLED NUMBER KEY:

- 1 Existing 8" CMU block wall on existing footings-verify footings extend to 3' 6" below grade
- 2 Existing 4" concrete floor. Add 6 mil. vapor barrier- extend up sides as shown in section A-A
- 3 Existing garage door opening
- 4 2x4 pressure treated sleepers. Secure to concrete with 3/16" x 2 3/4" Tapcon anchors @ 16 O.C.
- 5 2x8 SPF floor joists @ 16" O.C. Shim to level as needed and secure to sleepers.
- 6 Lower grade at building as much as possible while maintaining a slope away

48950 W. 9 MILE RD.  
NOVI, MI

GARAGE CONVERSION

EXISTING ROOF FRAMING PLAN



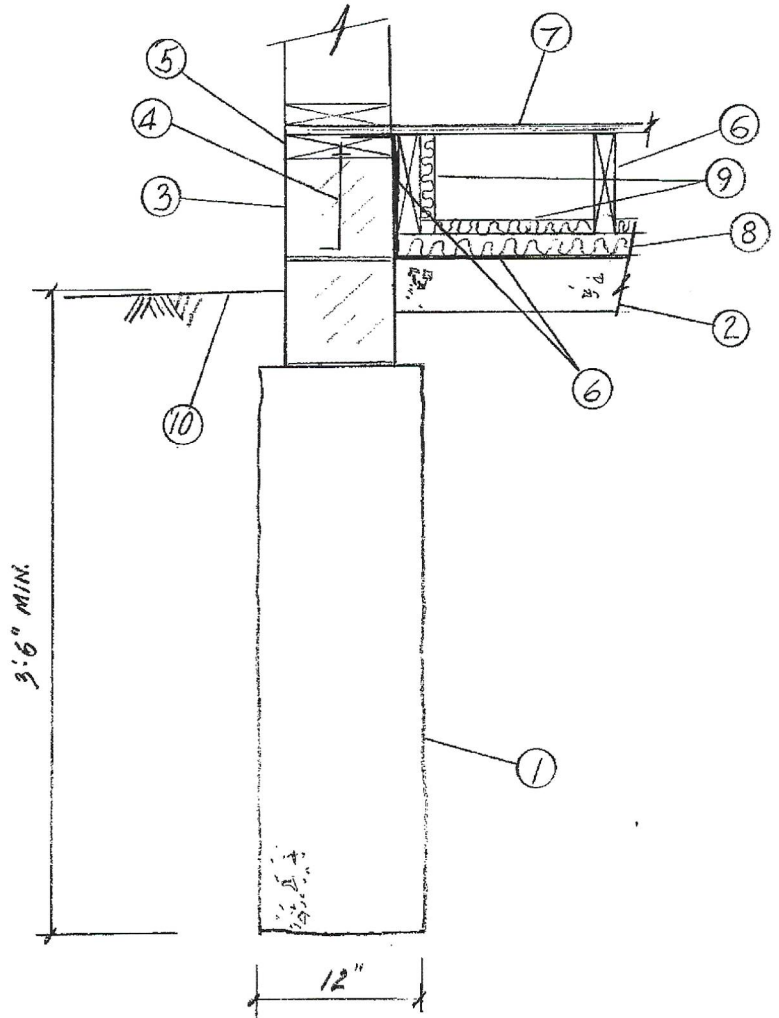
CIRCLED NUMBER KEY:

- 1 Existing 2x6 rafters @ 16" O.C.
- 2 Add 2x6 ceiling joists @ 16" O.C. as needed
- 3 Double 2x6 strongback- see Section B-B. Hang from ridge board at mid-span

48950 W. 9 MILE RD.  
NOVI, MI

GARAGE CONVERSION

SECTION A-A

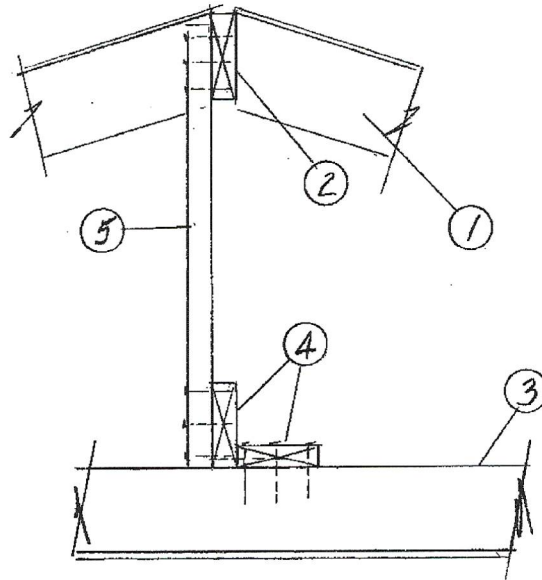


CIRCLED NUMBER KEY:

- 1 New concrete footing @ garage door required if none exists.
- 2 Existing concrete slab
- 3 8" CMU block
- 4 1/2" anchor bolts @ 6' O.C.
- 5 Pressure treated 2x8 plate
- 6 6 mil vapor barrier- extend up sides as shown
- 7 3/4" T&G subfloor, nailed and glued
- 8 1 1/2" polystyrene insulation between sleepers
- 9 1" polystyrene insulation between floor joists
- 10 Lower grade at building as much as possible while maintaining a slope away

48950 W. 9 MILE RD.  
NOVI, MI

GARAGE CONVERSION



SECTION B-B

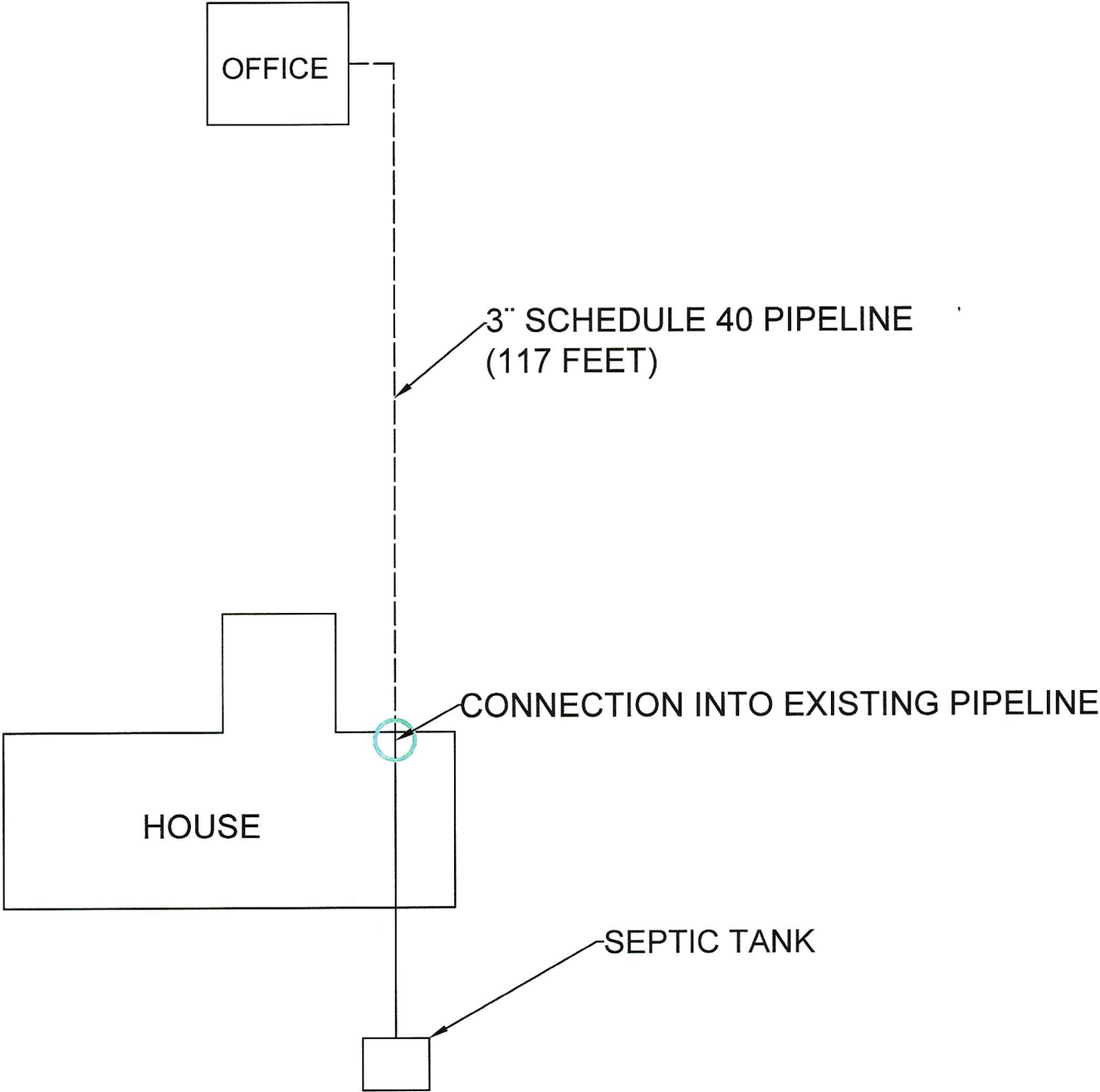
CIRCLED NUMBER KEY:

- 1      2x6 rafters
- 2      2x6 ridge board
- 3      2x6 ceiling joists
- 4      Double 2x6 strongback. Join w/16d sinkers @ 6" O.C. and connect to each ceiling joist w/ 3-16d sinkers
- 5      2x6 hanger- connect to ridge and strongback w/ 5-16d sinkers

**NOTES:**

- Verify existing footings extend 3'-6" minimum below grade.
- Contact structural engineer with any questions

# WATER LINE PLAN



# OTHER HELPFUL INFORMATION

(NEIGHBOR LETTER)

48950 W 9 Mile Rd



August 29, 2021

John and Pam Avdoulos  
48980 W 9 Mile Road  
Novi, MI 48374

To the members of the Zoning Board of Appeals-

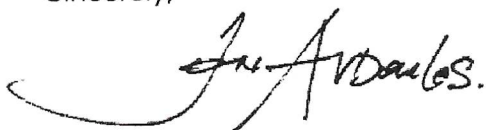
I am writing in support of the Use Variance that is being requested by our neighbors Dana Ziegler and Martin Vallespinos.

The current structure that they are looking to renovate is an existing detached garage that unfortunately suffered much neglect from the previous Owner. Since Dana and Martin have an attached garage and an existing pole barn on site, the structure would be better suited by another use such as a home office /studio space. This is a use that will complement the residence, coincides with the current remote work environment that many of us are experiencing and allows Dana and Martin the ability to separate work life from home life – especially with a newborn.

As we are direct neighbors and have a direct view of the existing structure, the improvements that are being planned will instantly enhance the aesthetic of the property and neighborhood, will add value to their property and repurposes the structure with an improved use.

If there are further questions or comments, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "John Avdoulos". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

John Avdoulos