



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: April 13, 2021

REGARDING: 1375 E Lake Drive, Parcel # 50-22-02-328-009 (PZ21-0014)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Josh Robinson

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Single Family Residential
Location:	West of Novi Road and South of Fourteen Mile Road
Parcel #:	50-22-02-328-009

Request

The applicant is requesting a variances from the City of Novi Zoning Ordinance Section 3.32-10.ii. a, for the building of a proposed 400 square foot shed on the waterfront (100 square feet allowed by code, variance of 300 square feet). Section 3.32-10.ii.b, for a waterfront lot coverage of 13% (5% allowed by code, variance of 8%). This property is zoned Single Family Residential (R-4).

II. STAFF COMMENTS:

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. **PZ21-0014**, 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. **PZ21-0014**, 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 _____
_____.

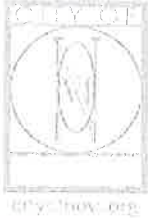
(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioner's statements that _____.

(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) 347-0417.

Larry Butler
Deputy Director Community Development
City of Novi



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ZONING BOARD OF APPEALS APPLICATION

RECEIVED

FEB 23 2021

CITY OF NOVI
COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$200.00</u>
PROJECT NAME / SUBDIVISION Shed / Storage Structure				Meeting Date: <u>4/13/2021</u>
ADDRESS 1375 E. Lake Dr.		LOT/SITE/SPACE #		
SIDWELL # 50-22-02 - 328 - 009		May be obtain from Assessing Department (248) 347-0485		
CROSS ROADS OF PROPERTY 13 Mile and E. Lake Dr.				ZBA Case #: <u>PZ 21-0014</u>
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 josh@strivecreative.com		CELL PHONE NO. 248.756.3464
NAME Josh Robinson			TELEPHONE NO.	
ORGANIZATION/COMPANY			FAX NO.	
ADDRESS 1375 E. Lake Dr.		CITY Novi	STATE MI	ZIP CODE 48377
B. PROPERTY OWNER <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
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>3.32</u>	Variance requested	<u>variance of 300 square feet</u>	
2.	Section <u>3.32</u>	Variance requested	<u>13% lot coverage</u>	
3.	Section _____	Variance requested	_____	
4.	Section _____	Variance requested	_____	
IV. FEES AND DRAWINGS				
A. FEES				
<input 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. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED ASA 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 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.

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

Date

2/23/21

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

2/23/21

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

**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:

We have a decent amount of property on the waterside lot roughly 75' x 50' that will easily accommodate the 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:

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).

A very low backyard that floods often with minimal access prevents us from utilizing the rear of the home for additional storage.

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.

We are looking to utilize the structure for two purposes. The first use would be storage. Storage items would include paddleboards, boat equipment, and dock sections in the winter to help clean up the property. These items alone will not fit in a 10' x 10' structure.

The second use is to have an area to gather with our elderly parents that have significant issues with steps. Our home's kitchen/dining area is on the upper level of the house, with many steps to get there. There are multiple sections of steps to the front door (with no railing), and another full set of stairs up to the main area of the home. This challenge has made it almost impossible for those family members to visit. Because of this, we need an alternate sheltered/covered space for their visits. A 10x10' structure would not allow adequate room to have a small cooking area, bathroom, and seating. +

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.

For storage, our area of the lake is very shallow requiring a good amount of dock. We would like to be able to store this dock inside the structure over the winter months, as stacked dock sections on ground are an eyesore as well as damaging to the lawn, and the dock itself.

We also have many boat items that have filled our two-car garage. This structure will free up the garage and allow us to park our vehicles inside, cleaning up the overall look of the home.

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.

Our plan is to make the structure a visual extension of the home. Mimicking the design in a way that is visually appealing and complementary. This will be done not just with the structure's design but with additional landscaping that will carry the look of the home to the lakeside of the property. Being able to store dock sections inside the structure during the many off-season months will also clean up the property when they are not in the water.

The addition of the structure should have no negative impact on the surrounding neighbors. The structure will be mostly blocked by the existing fence and trees for the neighbors to the North, and will provide roughly 50' of separation from the neighbors to the South.

We are fully confident the structure and visual result will not only be an overall improvement aesthetically but will increase the value of the home with carryover value increase to the surrounding community.

**SITE PLAN
SHED /STORAGE STRUCTURE
1375 E. LAKE DR.**

