



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:** October 10, 2023

REGARDING: 22526 Porter Street, Parcel # 50-22-28-478-002 (PZ23-0041)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

MI Remodelers

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: This property is zoned One-Family Residential (R-3)

Location: north of Nine Mile, west of Taft Road

Parcel #: 50-22-28-478-002

Request

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 4.19.1.E.i for an increase in garage square foot coverage to 1,459 sq. ft. (850 sq. ft. maximum, variance of 609 sq. ft.) This variance would accommodate a garage addition. This property is zoned One-Family Residential (R-3).

II. STAFF COMMENTS:

The petitioner is requesting variances to construct additional garage space behind the current detached 2 car garage adjacent to the residence.

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. **PZ23-0041**, 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 if 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. **PZ23-0041**, 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

RECEIVED

SEP 01 2023

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 Garage Add-on				Meeting Date: <u>10-10-23</u>	
ADDRESS 22526 Porter Street		LOT/SIUTE/SPACE #		ZBA Case #: <u>PZ 23-0041</u>	
SIDWELL: # 50-22-		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY Taft/9mile					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input checked="" type="checkbox"/> YES <input 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					
II. APPLICANT INFORMATION					
A. APPLICANT		EMAIL ADDRESS jratz@miremodelers.com		CELL PHONE NO. 586-945-1904	
NAME Gary Muehling		TELEPHONE NO. 888-544-7366			
ORGANIZATION/COMPANY MI Remodelers		FAX NO. 248-929-5997			
ADDRESS 125 Walnut Boulevard		CITY Rochester		STATE MI	ZIP CODE 48307
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 ddkvette@netzero.com		CELL PHONE NO. 810-516-8992	
NAME Dennis Krzeminski		TELEPHONE NO.			
ORGANIZATION/COMPANY		FAX NO.			
ADDRESS 22526 Porter Street		CITY Novi		STATE MI	ZIP CODE 48327
III. ZONING INFORMATION					
A. ZONING DISTRICT					
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input checked="" 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. VARIANCE REQUESTED					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section <u>4.19 (I)</u> Variance requested <u>601.69 square ft</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) \$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 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 			<ul style="list-style-type: none"> • 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

Gary Muehling (Aug 30, 2023 17:03 EDT)

Applicant Signature

_____ 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.

Dennis D. Krzeminski (Aug 30, 2023 16:56 EDT)

Property Owner Signature

08-30-2023

_____ 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

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**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:
Lot is diamond shaped causing less than sufficient driveway and parking space.

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).

N/A

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.

To comply with the current regulations any excess of 3-4 motor vehicles would be required to be stored on my driveway in full view of the neighbors and passerbys. To keep my personal belongings safe and my property to my neighborhoods beautification standards I need somewhere to house additional vehicles.

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.

I am a mulitple vehicle household and would like to house these vehicles in a structure so they are not an intrusion or obstruction from the street or to my neighbors and are also protected from the elements.

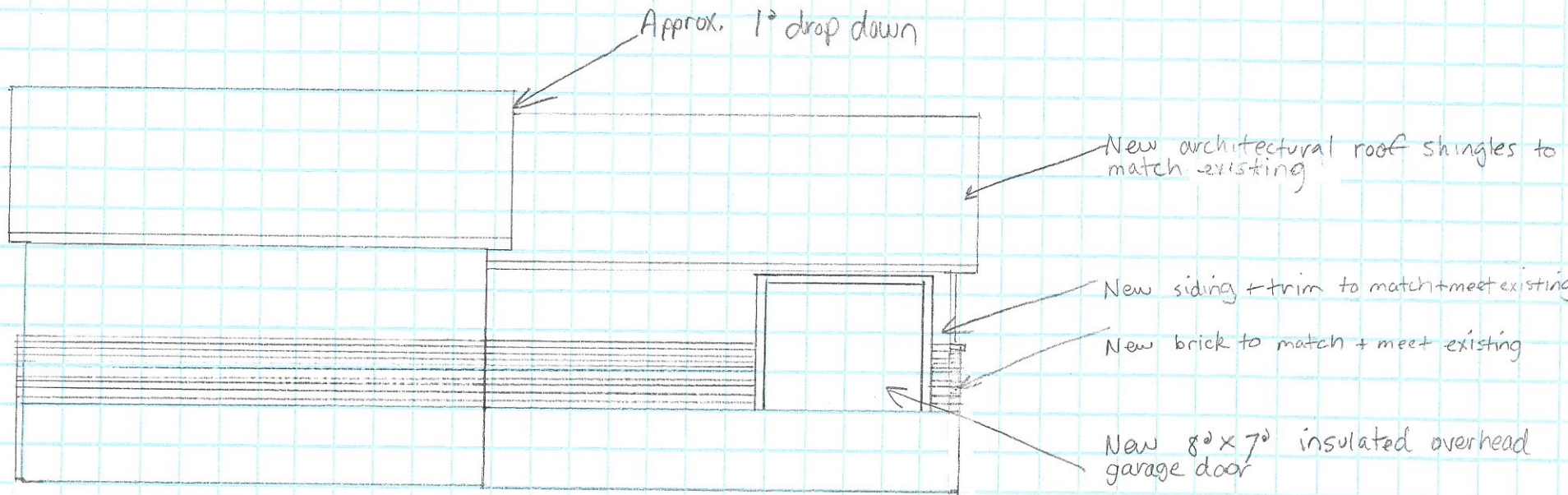
Standard #5. Adverse Impact on Surrounding Area.

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.

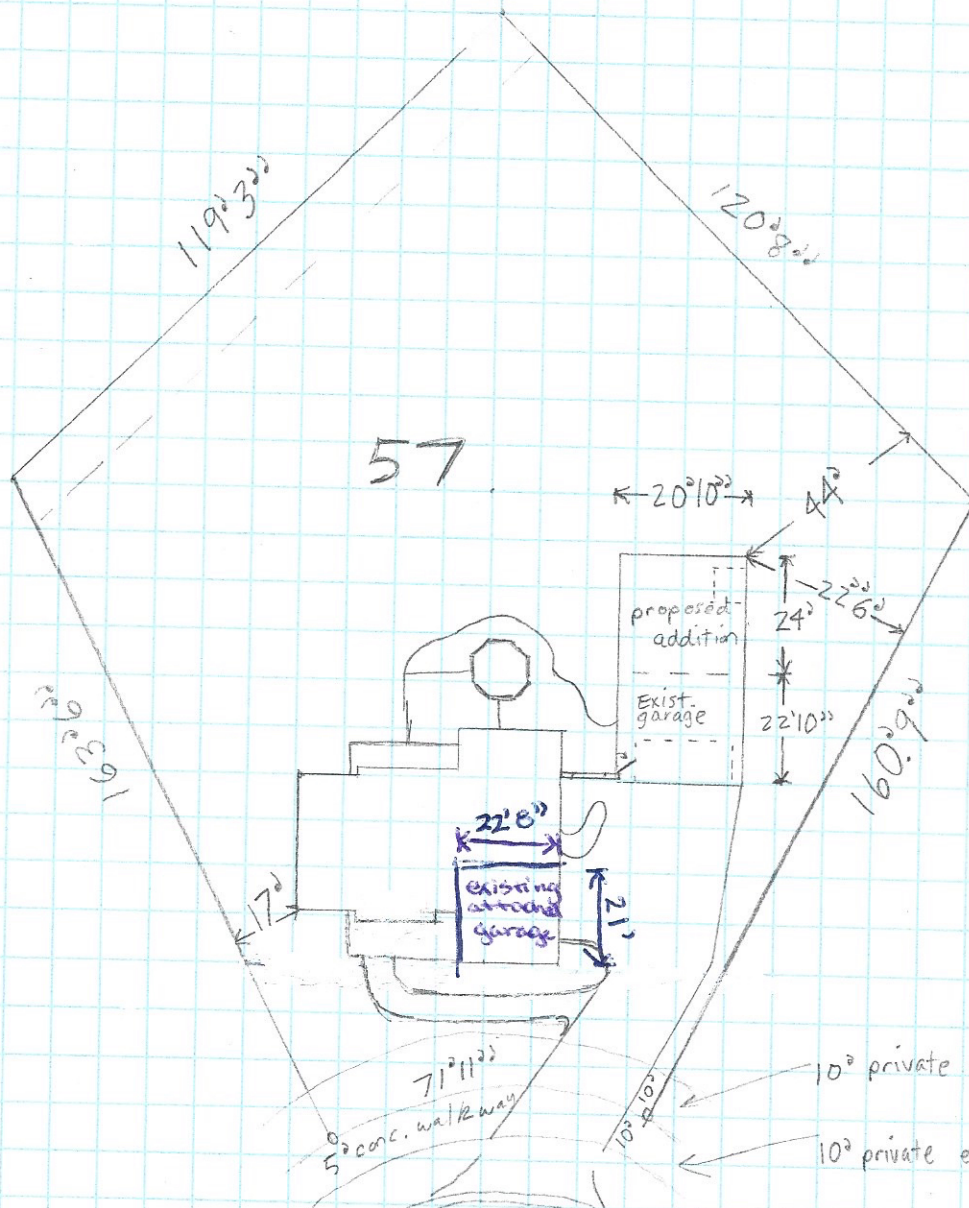
The proposed garage addition will not impact any surrounding neighbors. It will look almost identical to the existing structure but project off the back of the home. Both the HOA and surrounding neighbors are in agreement that they are unaffected and approve of the build.

Existing Garage

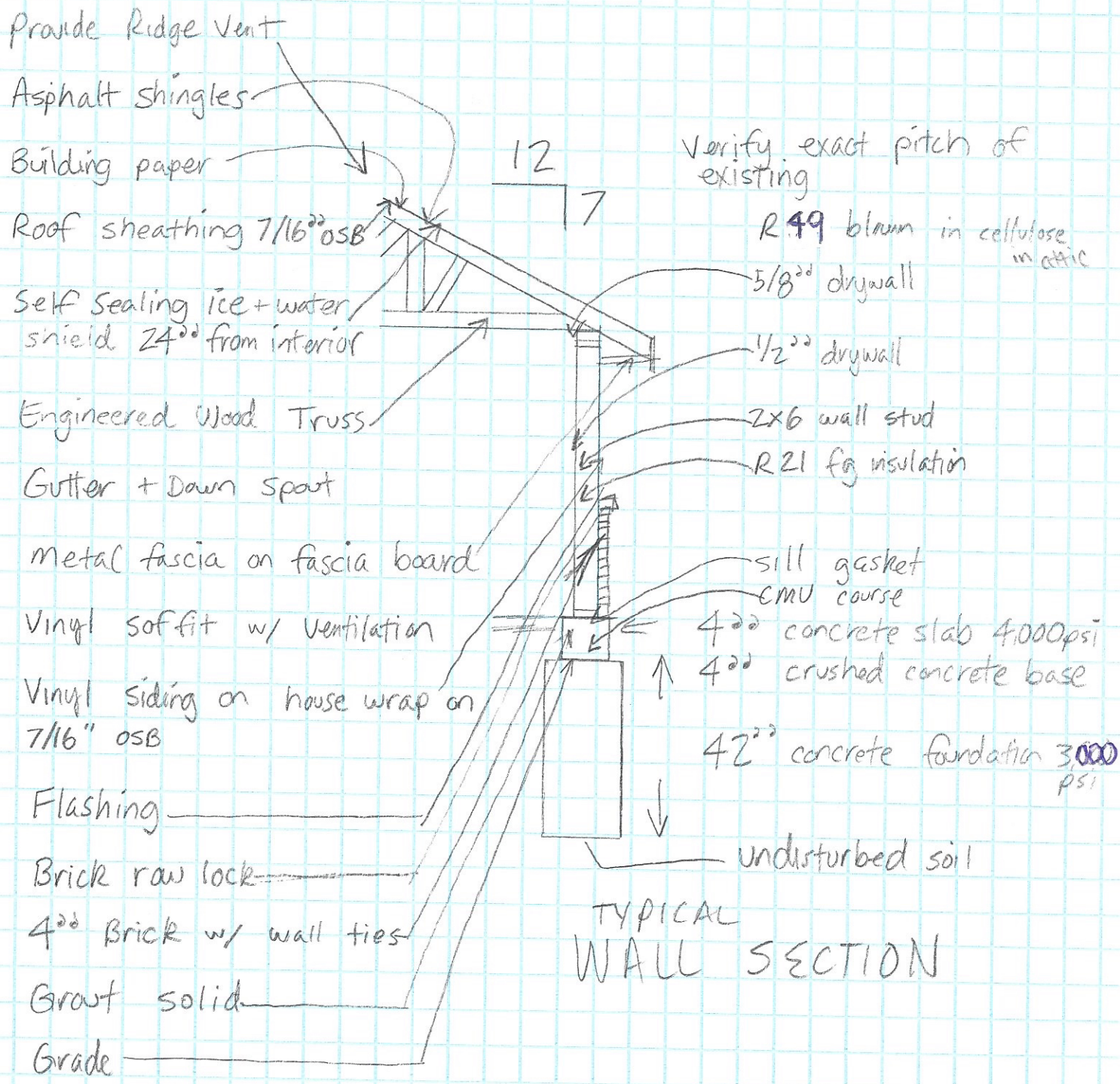
Addition



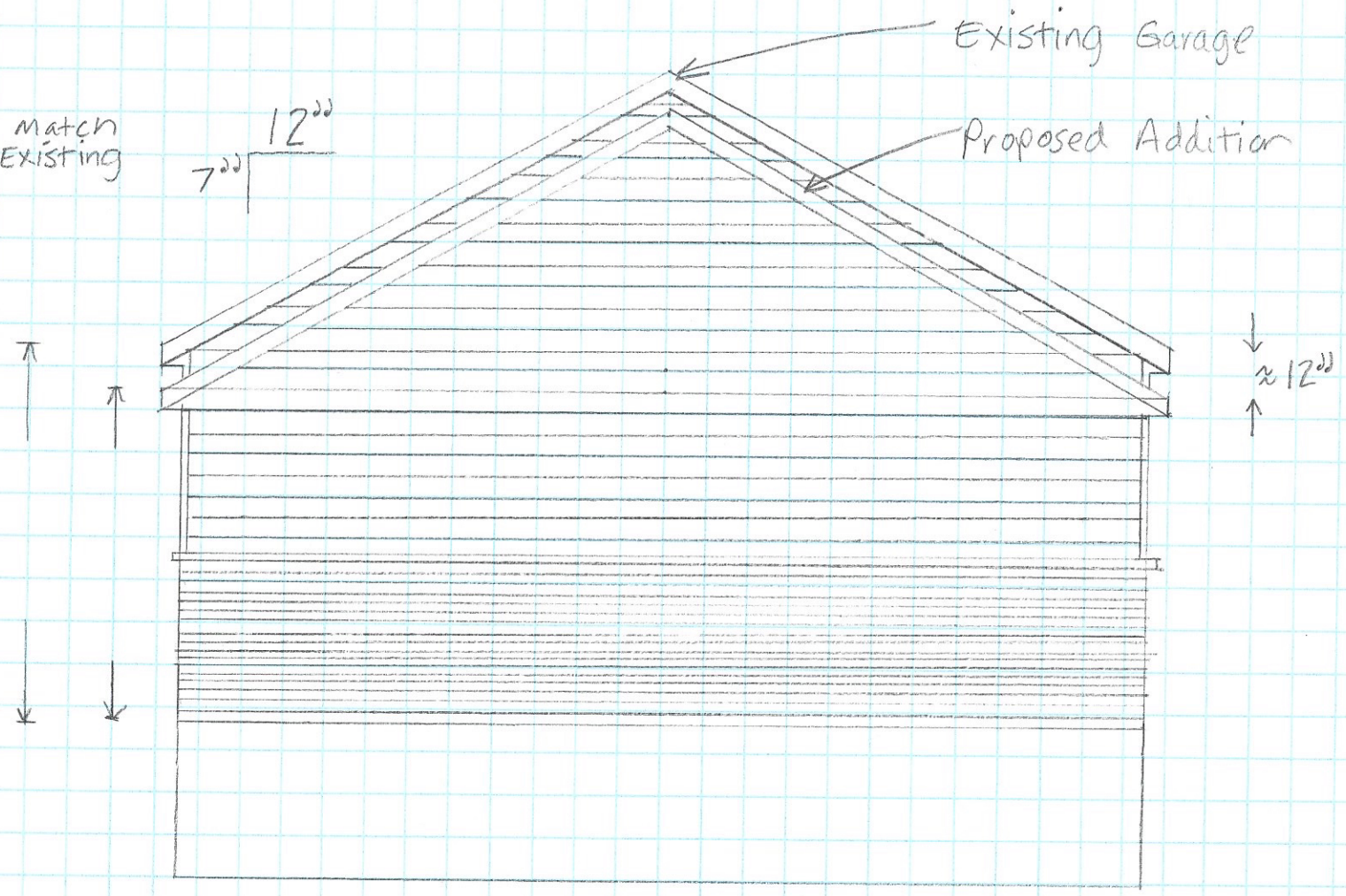
PROPOSED
WEST ELEVATION



Architectural Site Plan



Match
Existing



Proposed
SOUTH
ELEVATION