



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

MEETING DATE: September 10, 2024

REGARDING: 45530 White Pines Drive # 50-22-28-426-002 (PZ24-0042)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Lawrence MacDonald

Variance Type

Dimensional Variance

Property Characteristics

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

Location: north of Nine Mile Road, west of Taft Road

Parcel #: 50-22-28-426-002

Request

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.4 for a rear yard setback of 31.88 ft. (35 ft. required, variance of 3.12 ft.); This variance would accommodate a covered deck on the rear of the home.

II. STAFF COMMENTS:

The applicant is seeking a variance to place a new covered deck within the rear setback of the property. The variance is for 3.12-feet and is within the allowable lot coverage. There is also an open deck adjacent to this structure and is within the ordinance stipulations.

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. **PZ24-0042**, 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. **PZ24-0042**, 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) 347-0417.

Alan Hall – Deputy Director Community Development - City of Novi



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

ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

RECEIVED

JUL 30 2024

CITY OF NOVI
COMMUNITY DEVELOPMENT

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: \$220.00	
PROJECT NAME / SUBDIVISION Covered Deck/ Royal Crown Estates Subdivision				Meeting Date: 9-10-24	
ADDRESS 45530 White Pines Drive		LOT/SIUTE/SPACE # 42		ZBA Case #: PZ 24-0042	
SIDWELL # 50-22-28 - 426 - UU2		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY					
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 zanewaney@sbcglobal.net		CELL PHONE NO. 313-804-8504	
NAME Lawrence MacDonald & Marianne Ciufo				TELEPHONE NO.	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS 45530 White Pines Drive		CITY Novi		STATE MI	
				ZIP CODE 48374	
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 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>3.1.4</u> Variance requested <u>31.88' rear side yard (35' required, variance of 3.12')</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					
• 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

Marianne Cejka
Applicant Signature

7/30/24
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



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:

The shape of the lot and the placement of the home on the property does not allow us to add the covered deck without needing a minimal variance

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).

The property was bought like this, I did not build the home.

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.

With Michigan's ever-changing weather, a covered deck has become a necessity. It allows my elderly mother who is blind, wheelchair bound and suffers from skin cancer, the ability to enjoy the outdoors while being shielded from the sun and other elements while also giving us cover from the rain. The additional 3 feet requested for the covered deck will provide enough room to allow for maneuverability of her wheelchair while at the same time, provide space for guests and furniture.

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.

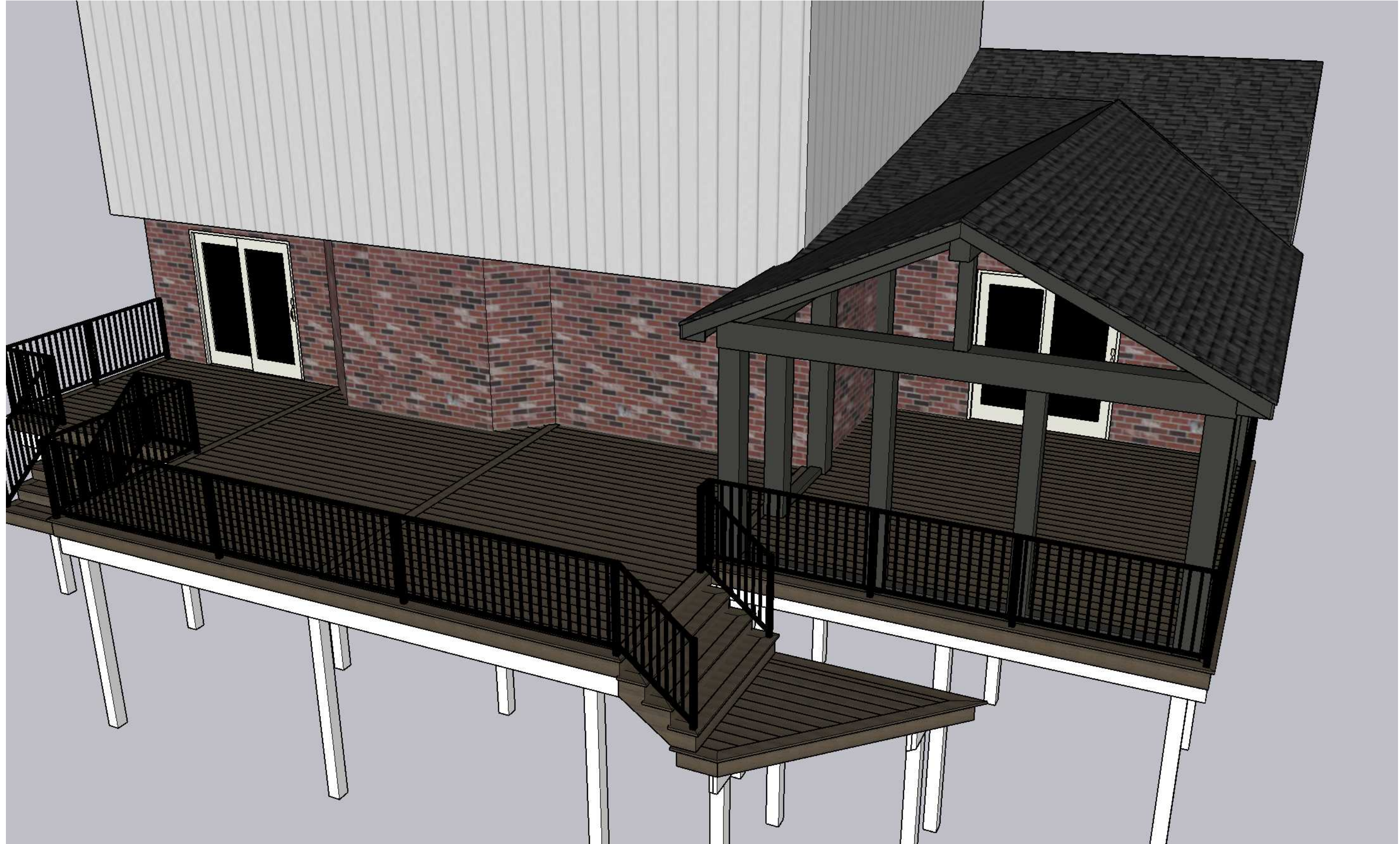
We are only encroaching 3 feet into the setback, so a 3 foot variance would be a minimal request.

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 new deck will be smaller than the existing deck. The homeowner's association approved the building plans prior to submitting to the city





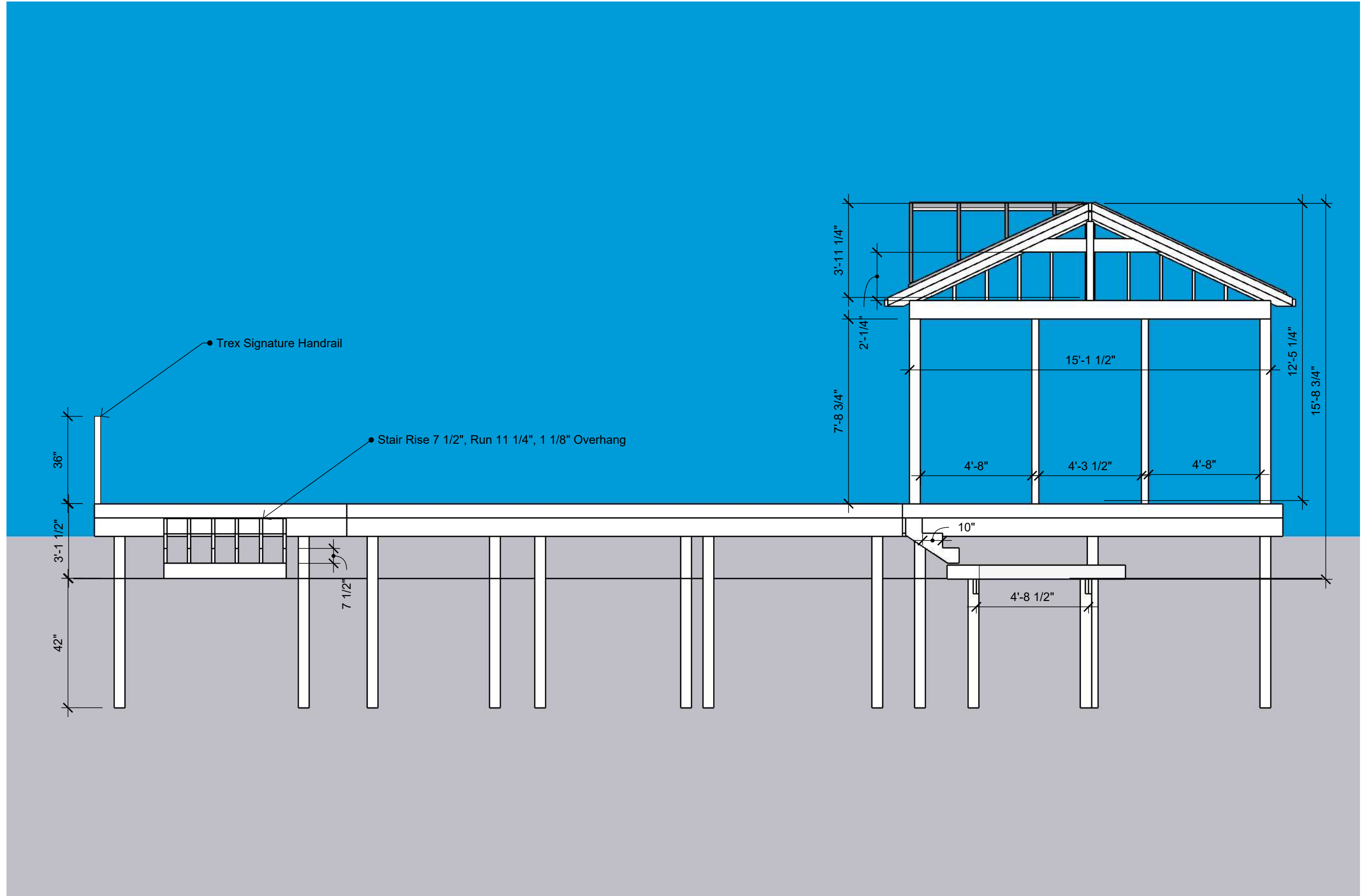
MacDonald Covered Deck
45530 White Pines Drive
Novi, MI 48376

Legend
CUSTOM BUILDERS



MacDonald Covered Deck
45530 White Pines Dr
Novi, MI 48376

Legend
CUSTOM BUILDERS



From: Adam Czap <adamczap@gmail.com>

To: Mike Gniewek <mikegniewek@gmail.com>

Cc: Marianne Ciufu <zaneywaney@sbcglobal.net>; "royalcrown268@gmail.com" <royalcrown268@gmail.com>

Sent: Tuesday, July 23, 2024 at 08:32:49 AM EDT

Subject: Re: FW: 45530 White Pines Dr

I am so sorry, Mike, I was on vacation then and must have missed this. I have reviewed the plans and they meet our setback and sideline requirements. Construction materials and methodology looks typical for the neighborhood. You're good to go!!

The Royal Crown HOA approves this project. Consider this your HOA approval for the City of Novi. Please keep a copy of this email approval for your records.

Adam Czap

CEO and Founder, Ascension Brewing Company

248.767.6296 | adamczap@gmail.com | www.ascension.beer

42000 Grand River Ave, Novi, MI 48375

TO: City of Novi Zoning Board of Appeals

FROM: John & Patricia Czarnik
45494 White Pines Drive
Novi, MI 48374

DATE: August 8, 2024

RE: Larry & Marianne MacDonald
45530 White Pines Drive
Novi, MI 48374

PROJECT NAME: Proposed Covered Deck

Larry & Marianne MacDonald, our neighbors, are proposing a covered deck to replace an aging deck on their property. We approve, endorse and support the plans the MacDonalds have shown and explained to us. We have no objections.


John & Patricia Czarnik

To whom it may concern,

August 8, 2024

I would like to inform that we do not have any objection to build the proposed covered deck of our neighbor as shown below:

Larry and Marianne MacDonald

45530 White Pines Dr,

Novi, MI 48374

Do not hesitate to contact me if you have any question.

Thank you very much.



Ranga Hettiarachchi

45542 White Pines Dr.

Novi, MI 48374

248-497-4739

Deena Wierzbicki

45518 White Pines Dr
Novi, MI 48374

Zoning Board of Appeals
Novi, Michigan

August 8, 2024

RE: Proposed Covered Deck 45530 White Pines Dr

To Whom It May Concern:

I am sending this letter to support the proposed covered deck plans submitted for construction for:

Larry and Marianne MacDonald
45530 White Pines Dr, Novi MI 48374

I have no issues or concerns as it relates to this project and urge the board to approve this addition.

Thank you,

Deena Wierzbicki

Deena Wierzbicki
45518 White Pines Dr
Novi, MI 48374
mwierzbicki@hotmail.com
248-444-8507

August 9th, 2024

To Whom it may concern

Concerning the proposed new structure our neighbors wish to build – namely an enclosed/covered deck. Having seen the proposed plans for this structure we wish to let it be known that we give our approval for our neighbors to have this structure completed.

By way of reference our neighbor in question is:

Larry & Marianne MacDonald

45530 White Pines Drive, Novi, MI 48474

The general project name is: "Proposed covered deck".

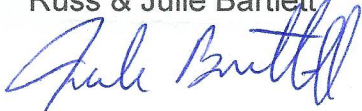
Our names & address: Russ & Julie Bartlett

45577 White Pines Drive, Novi, MI 48374

Sincerely

A handwritten signature in blue ink that reads "Russell C. Bartlett". The signature is written in a cursive style with a long horizontal line extending from the end.

Russ & Julie Bartlett

A handwritten signature in blue ink that reads "Julie Bartlett". The signature is written in a cursive style.

August 12, 2024

Zoning Board of Appeals
City of Novi
45175 Ten Mile Road
Novi, MI 48375

RE: 45530 White Pines Drive

Dear Zoning Board of Appeals:

This letter is being provided to show our support for the construction of the proposed covered deck at the residence of our neighbors, Larry and Marianne MacDonald at 45530 White Pines Drive.

Sincerely,



Alan & Cheryl Baskins
22764 Foxmoor Drive
Novi, Michigan 48374

Mr. and Mrs. Larry MacDonald

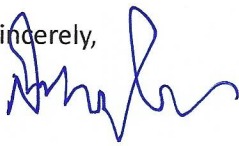
45530 White Pines Drive

Novi, MI 48374

RE: Proposed Covered Deck – 45530 White Pines Drive, Novi, MI

This letter serves as a written approval for the proposed covered deck at Larry and Marianne MacDonald's property located at 45530 White Pines, Novi, MI.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Dan Santiago', written in a cursive style.A handwritten signature in blue ink, appearing to be 'Christie Santiago', written in a cursive style.

Dan and Christie Santiago

45553 White Pines Drive

Novi, MI 48374

TO: City of Novi Zoning Board of Appeals

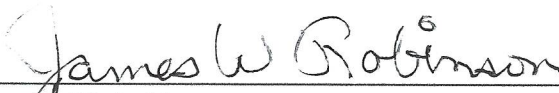
FROM: James & Susan Robinson
45506 White Pines Drive
Novi, MI 48374


DATE: August 8, 2024

RE: Larry & Marianne MacDonald
45530 White Pines Drive
Novi, MI 48374

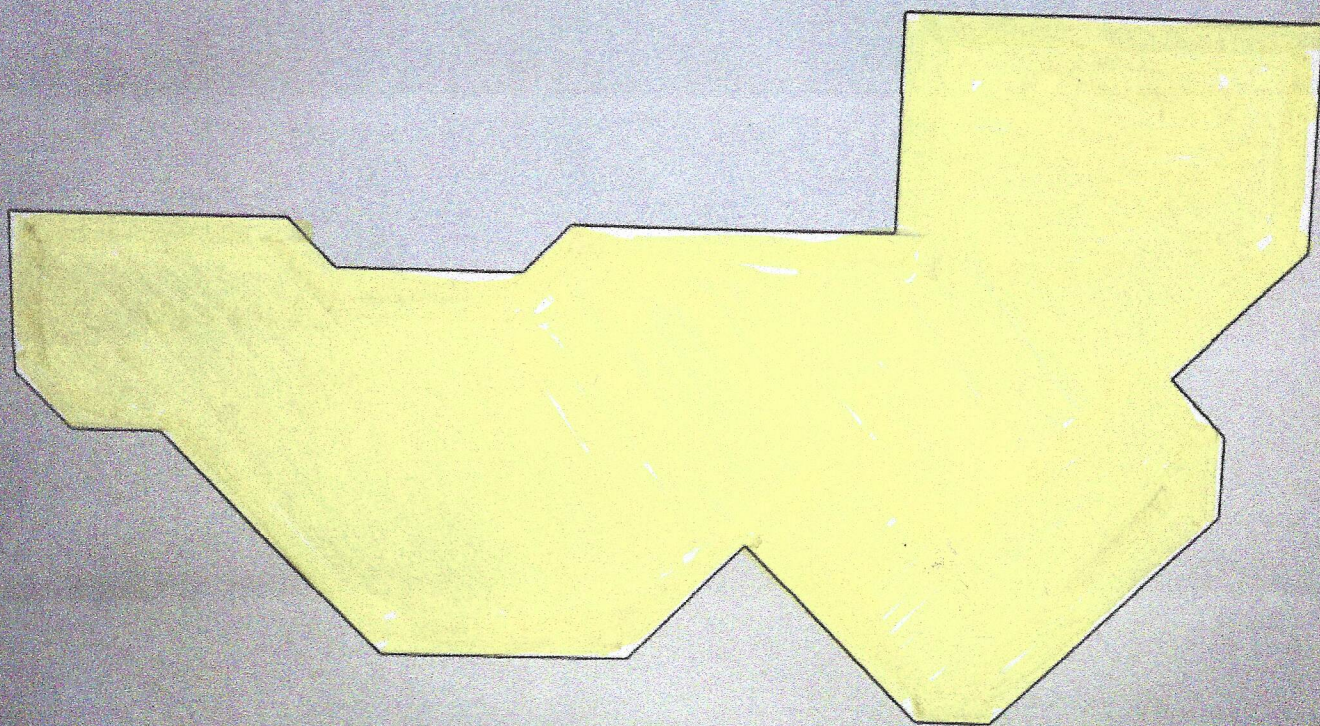
PROJECT NAME: Proposed Covered Deck

Our neighbors, Larry & Marianne MacDonald, have informed us of a proposed covered deck to replace the deteriorating deck they have been advised to remove. We hereby state our approval, endorsement and support of the plans the MacDonalds have clearly shown and explained to us. We have no objections whatsoever.


James W. Robinson


Susan E. Robinson

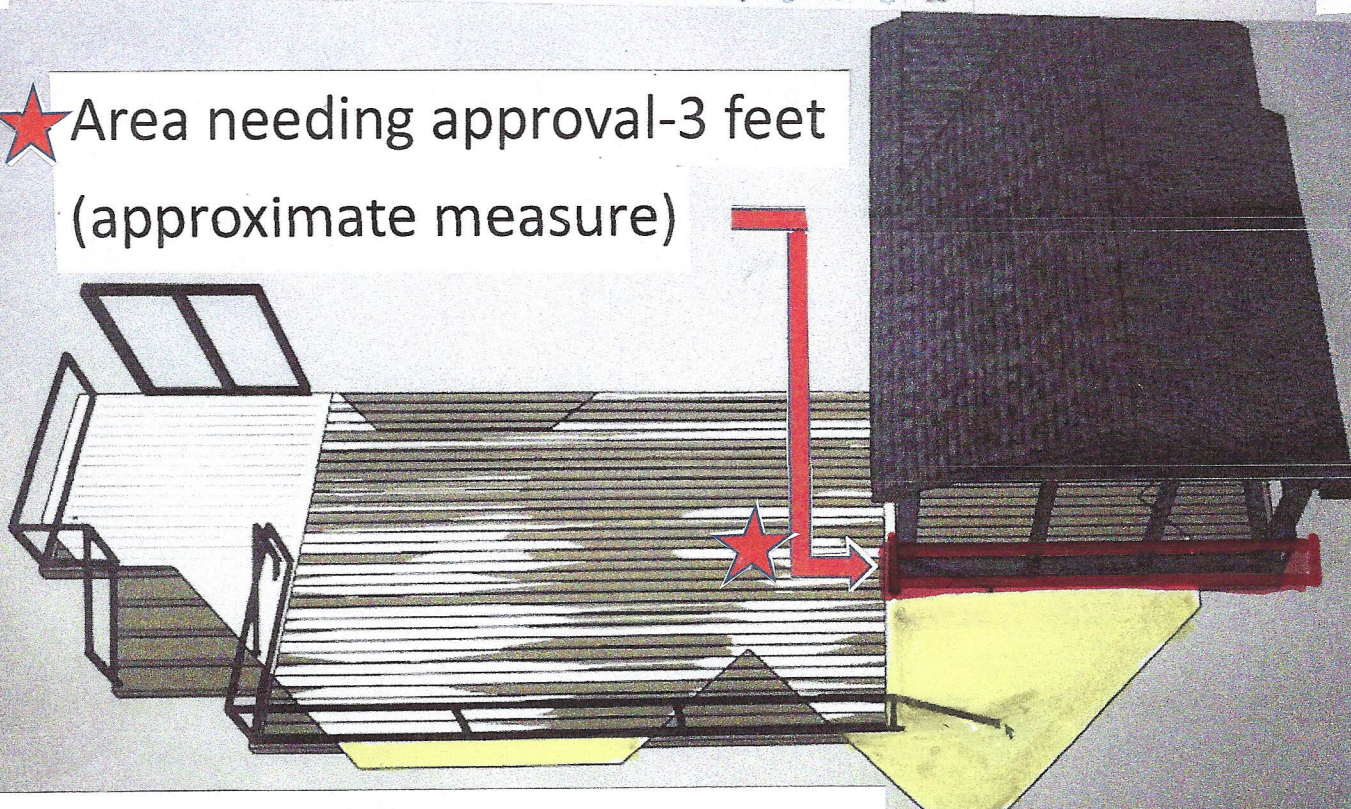
Original deck outline (Yellow)



East

West

★ Area needing approval-3 feet
(approximate measure)



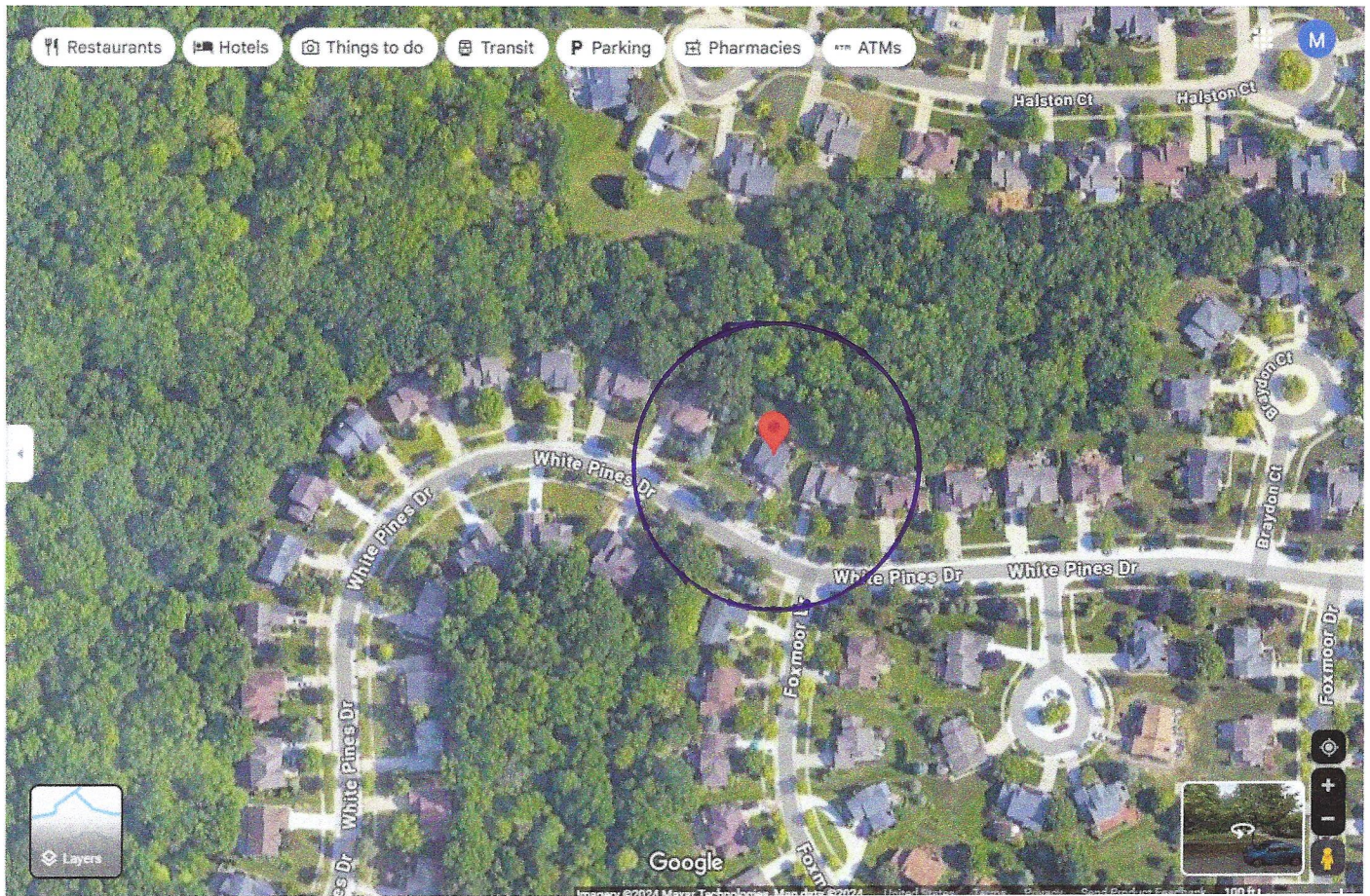
Proposed Covered Deck

Superimposed Upon Original Deck

Elderly Mother: Blind, uses wheelchair for mobility, suffers from skin cancer



Overhead View of Residence and White Pines Dr-Red Dot



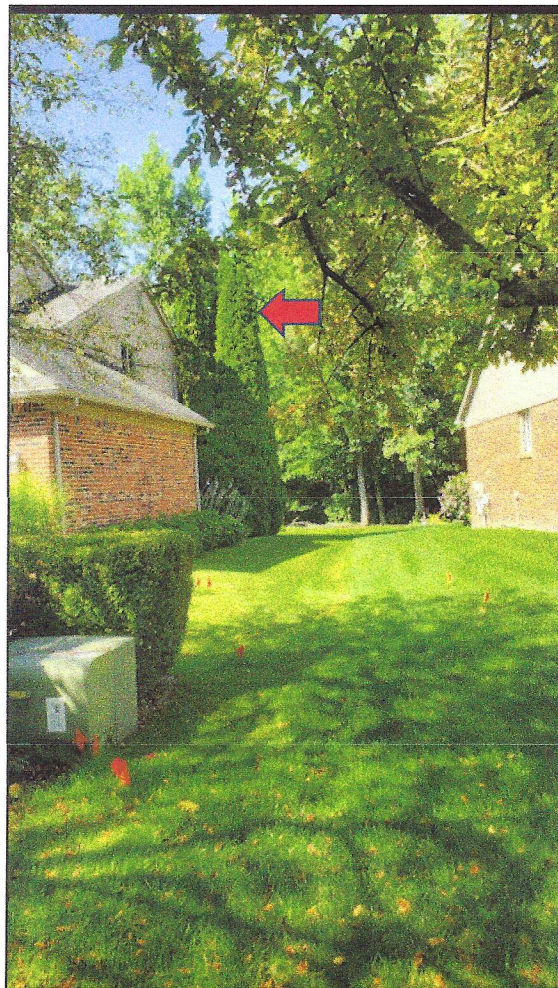
Front of Residence-Below



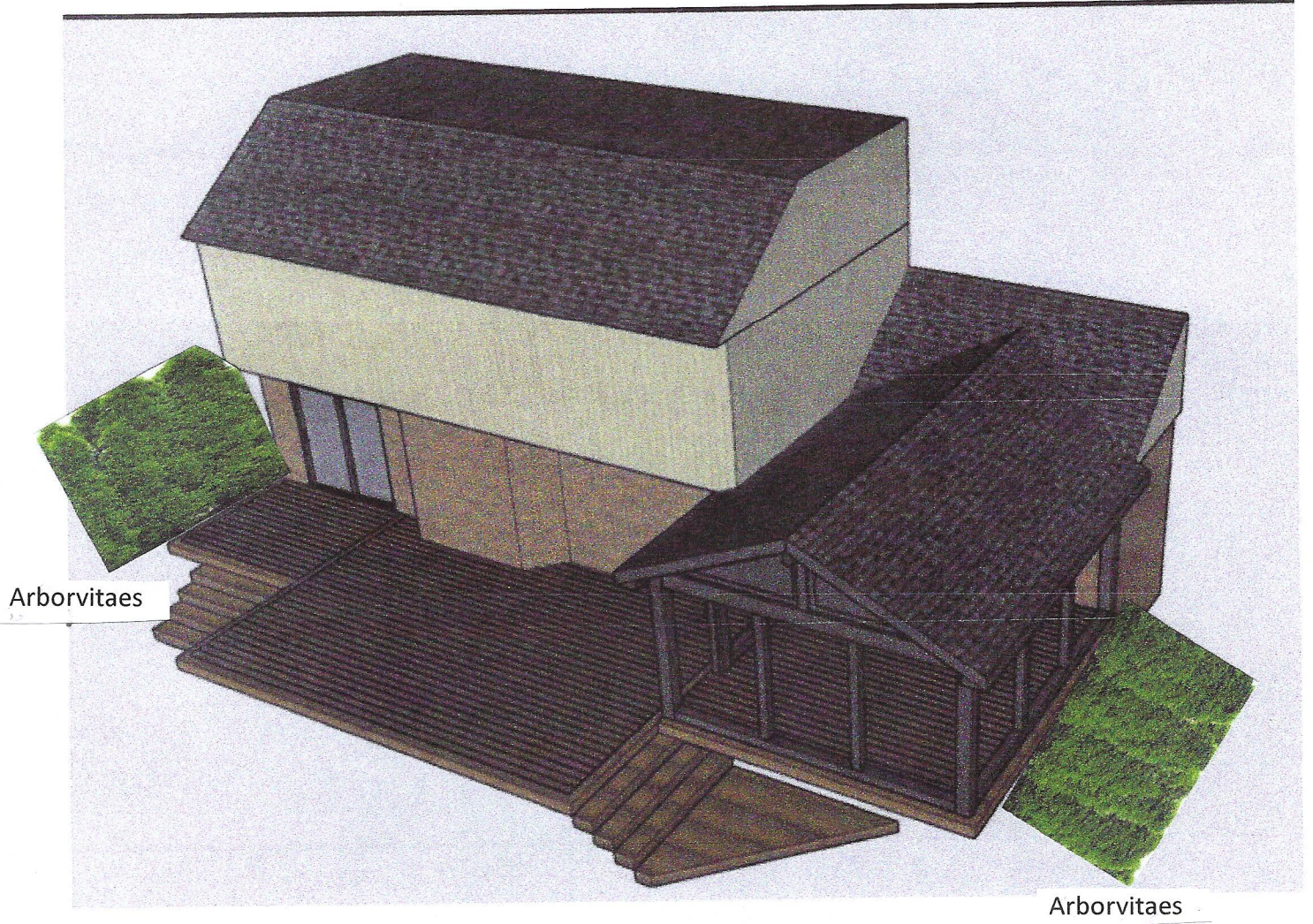
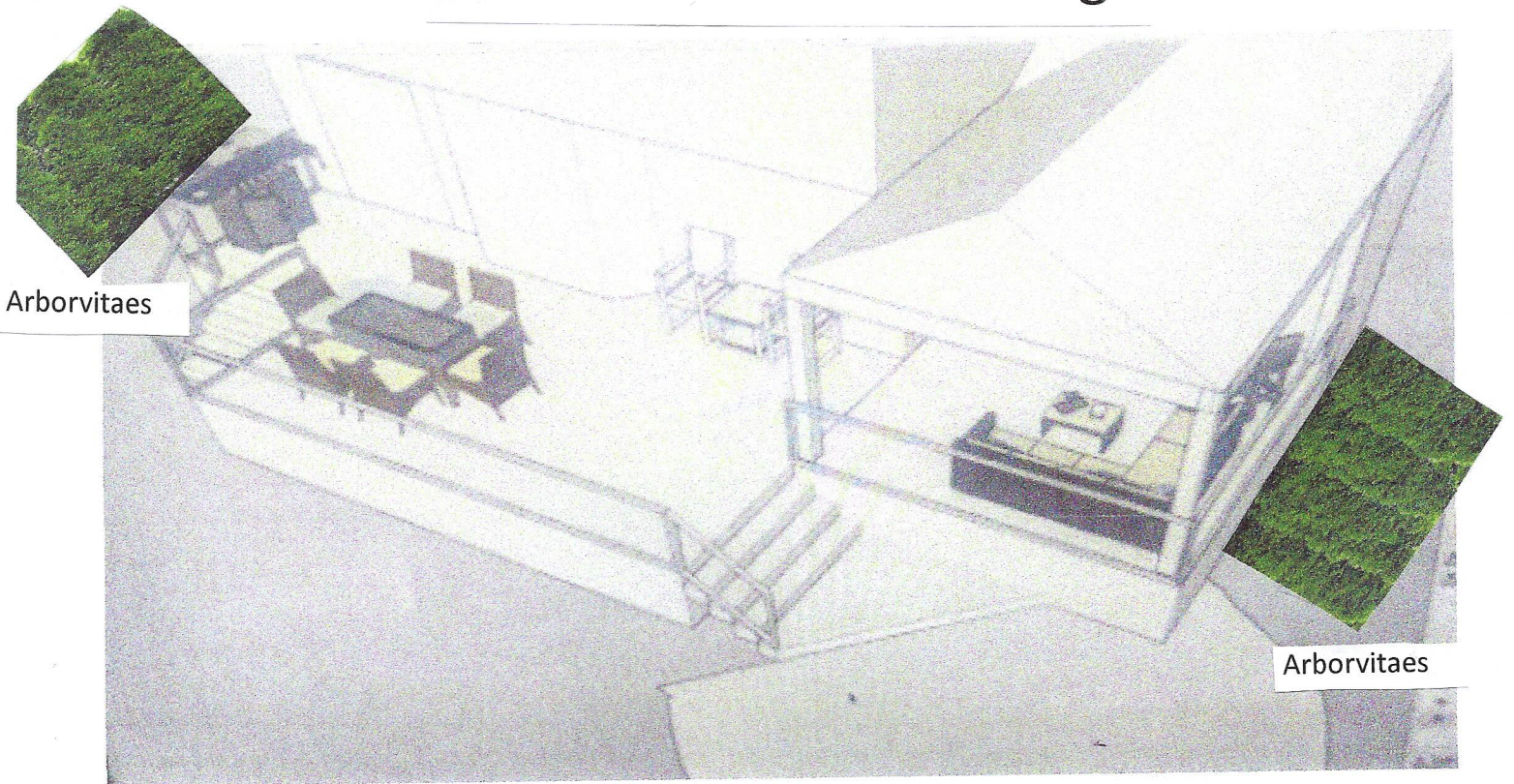
West Side of Residence from Street



East Side of Residence from Street-Red Arrow Arborvitaes



Covered Deck Renderings



Panoramic Of Backyard-West to East



Backyard West to East

1

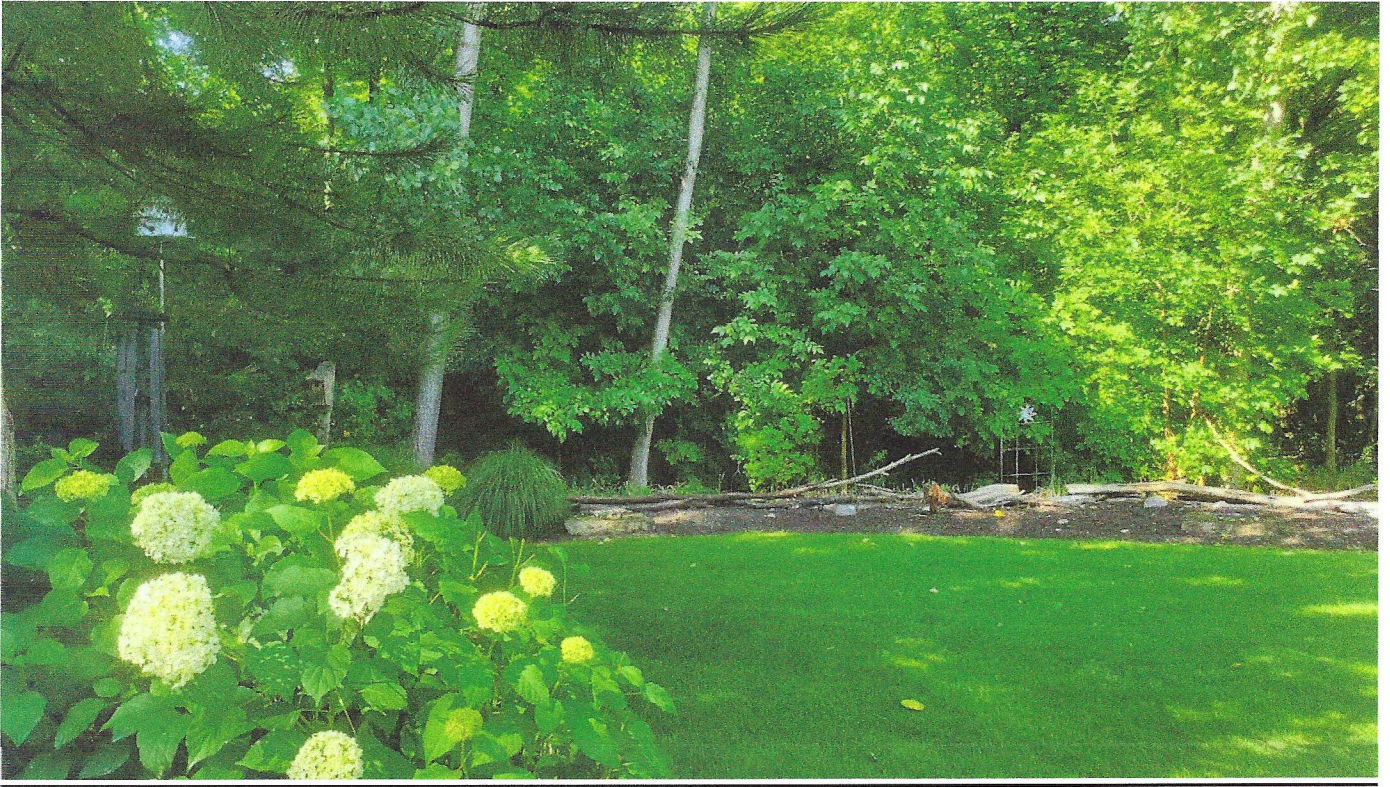


2



Backyard West to East-Continued

3



4



Backyard East

5



6



West Side View from Old Deck

#7

