



# 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: March 9, 2021

REGARDING: 25762 Beck Road, Parcel # 50-22-21-101-026 (PZ21-0005)

BY: Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

#### Applicant

Venkata Chekka

#### Variance Type

Dimensional Variance

#### Property Characteristics

Zoning District:	Residential Acreage
Location:	East of Beck Road and South of Eleven Mile Road
Parcel #:	50-22-21-101-026

#### Request

The applicant is requesting variances from the Novi Zoning Ordinance Section 3.1.1 for a proposed front yard setback of 40 feet (45 feet required by code, variance of 5 foot), a proposed aggregate side yard setback of 30 feet (50 feet required, variance of 20 feet, and a proposed rear yard setback of 40 feet (50 feet required, variance of 10 feet). This variance will accommodate the building of a new ranch home. This property is zoned Residential Acreage (RA).

### II. STAFF COMMENTS:

### III. RECOMMENDATION:

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

- I move that we grant the variance in Case No. **PZ21-0005**, sought by \_\_\_\_\_, for \_\_\_\_\_ because Petitioner has shown practical difficulty requiring \_\_\_\_\_.  
  - Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because \_\_\_\_\_.
  - 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. **PZ21-0005**, 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



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

## ZONING BOARD OF APPEALS APPLICATION

RECEIVED

JAN 25 2021

CITY OF NOVI  
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>				Application Fee: <u>\$250.00</u> Meeting Date: <u>3/9/21</u> ZBA Case #: <u>PZ 21-0005</u>
PROJECT NAME / SUBDIVISION PIONEER MEADOWS				
ADDRESS 25762 BECK ROAD, NOVI MI 48374		LOT/SIUTE/SPACE #		
SIDWELL # 50-22-21 -101 -026		May be obtain from Assessing Department (248) 347-0485		
<b>CROSS ROADS OF PROPERTY</b> OFF BECK BETWEEN SIERRA DRIVE AND SANFORD				
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				
<b>II. APPLICANT INFORMATION</b>				
<b>A. APPLICANT</b>		EMAIL ADDRESS nchekka@hotmail.com	CELL PHONE NO. 248-910-5816	
NAME VENKATA NAGENDER CHEKKA		TELEPHONE NO.		
ORGANIZATION/COMPANY		FAX NO.		
ADDRESS 47647 ALPINE DRIVE	CITY NOVI	STATE MI	ZIP CODE 48374	
<b>B. PROPERTY OWNER</b> <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER				
Identify the person or organization that owns the subject property:	EMAIL ADDRESS simplefunerals@aol.com	CELL PHONE NO. 248 - 227-1954		
NAME THOMAS A MACKSOUD	TELEPHONE NO. 586 - 777-0555			
ORGANIZATION/COMPANY BALLHEIM LLC	FAX NO. 313 - 382-1212			
ADDRESS 28990 WILLOW CREEK STREET	CITY FARMINGTON HILLS	STATE MI	ZIP CODE 48331	
<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 <u>2400</u>	Variance requested	<u>Front yard reduction to 40' (from req. 45')</u>		
2. Section <u>2400 R</u>	Variance requested	<u>Side yard reduction aggregate to 30' (from req. 50')</u>		
3. Section <u>2400</u>	Variance requested	<u>Rear yard reduction to 40' from required 50'</u>		
4. Section _____	Variance requested _____	_____		
<b>IV. FEES AND DRAWINGS</b>				
<b>A. FEES</b>				
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input checked="" 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>				
<input checked="" type="checkbox"/> Dimensioned Drawings and Plans <input checked="" type="checkbox"/> Site/Plot Plan <input checked="" type="checkbox"/> Existing or proposed buildings or addition on the property <input checked="" type="checkbox"/> Number & location of all on-site parking, if applicable		<input checked="" type="checkbox"/> Existing & proposed distance to adjacent property lines <input checked="" type="checkbox"/> Location of existing & proposed signs, if applicable <input checked="" type="checkbox"/> Floor plans & elevations <input checked="" type="checkbox"/> 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

*[Signature]*  
Applicant Signature

01/13/2021  
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.

*Thomas A. M... President*  
Property Owner Signature

1/14/2021  
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:

**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).

Subject lot : Lot#9 , in the sub division of Pioneer Meadows. The hardship on this subject lot is not self created, The RA zoning classification of the city of Novi, results in the lot becoming "non confirming uses" and also being subject to the one acre size lots setback requirements. The subject lots are only approximately 0.28 Acres in size.  
RA zoning including the larger setback requirements is in place at no cause by the Owner/Applicant

## **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 RA Zoning set back requirements are designed for a minimum required one acre size and larger lots are:  
\*Front Line Set back of 45', Rear Line setback of 50', Aggregate Side yard set back of 50ft.

The existing Pioneer Meadows lots are designed for approximately 1/4 acre size lots which exist throughout the sub division and are technically no-confirming use lots, because the lot sizes do not meet the existing RA zone requirement of minimum of one acre size lots. The Pioneer Meadows Sub division minimum set backs are as follows:  
\*Front Line setback of 40', Rear Yard set back of 40ft, Aggregate side yard set back of 30' (15' each side)

## **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.

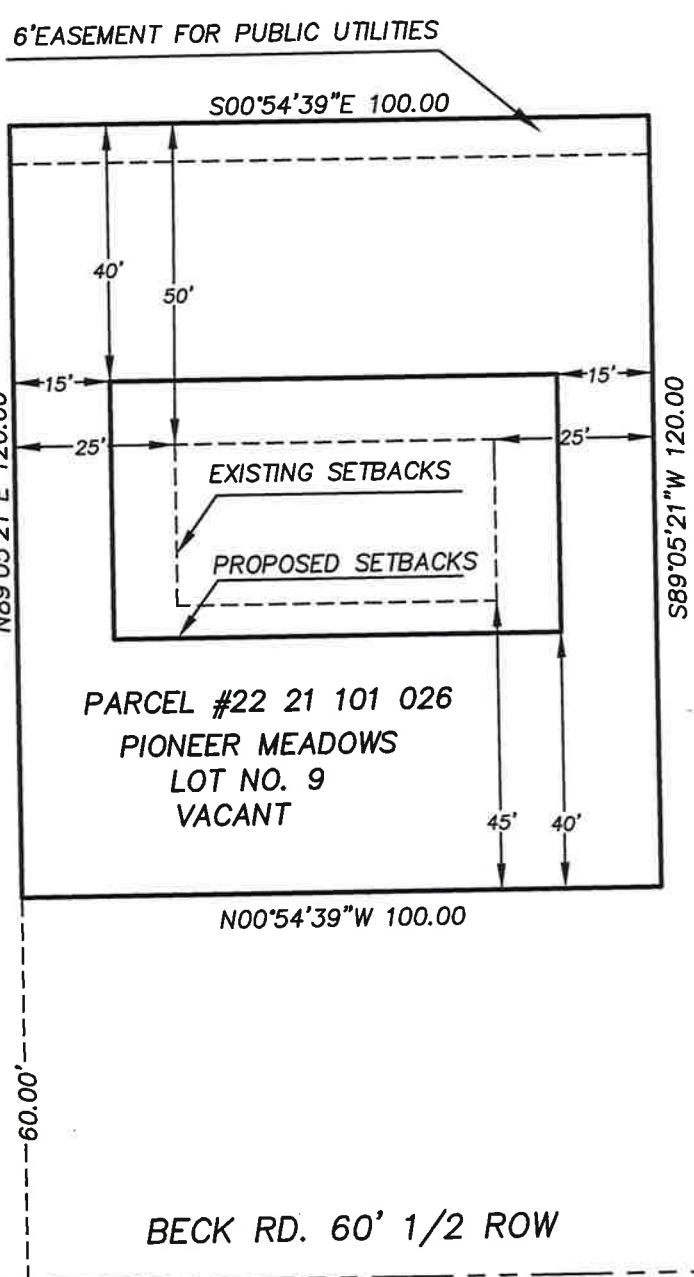
The requested variance is the practical variance to do substantial justice to the applicant as well as the other property owners in the district because the variance when granted will confirm to the Pioneer Meadows sub division deed restrictions set back requirements. For the same reason, the variance will not cause any adverse impact on surrounding property, values or the use and enjoyment of the property in the neighborhood or zoning district.

## **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 requested variance will not cause an adverse impact on surrounding property, property values or use and enjoyment of the property in the neighborhood, because this variance will bring this lot into conformity with the existing Pioneer meadows sub division restrictions as related to required set backs.  
When a house is built with the requested variance will sync with the surrounding environments.

Thanks and Regards



LOT NO. 10

LOT NO. 8

PARCEL #22 21 101 026  
 PIONEER MEADOWS  
 LOT NO. 9  
 VACANT

BECK RD. 60' 1/2 ROW

PARCEL DESCRIPTION:  
 LOT 9 "PIONEER MEADOWS" AS RECORDED IN LIBER 90  
 PAGE 12 OAKLAND COUNTY PLATS.



SCALE 1" = 30'

Drawing for:  
**VANKATA N. CHEKKA**  
 47647 ALPINE DR.  
 NOVI, MI.  
 48374

Drawn By: **JCK**

Date: **1/21/21**

Scale: **1"=30'**

Job Number: **#10853**

**LEGEND**

R. = RECORDED  
 M. = MEASURED  
 D. = DEEDED  
 C. = CALCULATED  
 ⊕ = SET 1/2" IRON BAR  
 ● = FOUND IRON

⊙ = FOUND "T" IRON  
 ⊗ = CONCRETE MONUMENT  
 ○ = FOUND IRON PIPE  
 ⊠ = LATH ON LINE  
 X = CHISELED "X"  
 ○ = SET NAIL / SPIKE

**JCK GROUP, INC.**  
 8615 RICHARDSON RD.  
 COMMERCE TWP., MICHIGAN 48390  
 248-363-2550

STATE OF MICHIGAN  
 Joseph Carl Kapelczak  
 LICENSED PROFESSIONAL SURVEYOR  
 License No. 4001024598

*Joseph C. Kapelczak*