



## 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

**MEETING DATE:** June 11, 2024

**REGARDING:** 24710 Joseph Drive # 50-22-24-327-007 (PZ24-0020)

**BY:** Alan Hall, Deputy Director Community Development

### I. GENERAL INFORMATION:

#### **Applicant**

David Stanley

#### **Variance Type**

Dimensional Variance

#### **Property Characteristics**

Zoning District: This property is zoned One-Family Residential (R-4)

Location: south of Grand River Avenue, east of Meadowbrook Road

Parcel #: 50-22-24-327-007

#### **Request**

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 4.19B to allow an accessory structure in exterior side yard; Section 4.19G to allow an accessory structure to be located 5 ft. from the main building (10 ft. required, variance of 5 ft.).

### II. STAFF COMMENTS:

*The applicant is seeking (2) dimensional variances for an accessory structure. The property has frontage on two streets which limits the placement for a shed. This shed also includes a 4' x 6' ramp area.*

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. **PZ24-0020**, 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. **PZ24-0020**, 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



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# ZONING BOARD OF APPEALS APPLICATION

**RECEIVED**

**MAY 01 2024**

CITY OF NOVI  
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$220.00  
 Meeting Date: 6-11-24  
 ZBA Case #: PZ 24-0020

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION <u>David Stanley - shed location</u>			
ADDRESS <u>24710 Joseph</u>		LOT/SITE/SPACE # <u>#12</u>	
SIDWELL # <u>50-22-24-327-007</u>		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY <u>Brenda Lane + Joseph</u>			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input 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 <u>STANLEYJDC2@yahoo.com</u>	CELL PHONE NO. <u>248-918-1471</u>
NAME <u>David Stanley</u>		TELEPHONE NO. <u>NONE</u>	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>24710 Joseph</u>		CITY <u>Novi</u>	STATE <u>Mich</u> ZIP CODE <u>48375</u>
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>4.19B</u>		Variance requested <u>to allow ACCESSORY STRUCTURE IN</u>	
2. Section _____		Variance requested <u>EXTERIOR side yard.</u>	
3. Section <u>4.19G</u>		Variance requested <u>5 FT. from MAIN building</u>	
4. Section _____		Variance requested <u>(10 FT required VARIANCE of 5 FT.)</u>	
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		• Existing & proposed distance to adjacent property lines	
• Site/Plot Plan		• Location of existing & proposed signs, if applicable	
• Existing or proposed buildings or addition on the property		• Floor plans & elevations	
• Number & location of all on-site parking, if applicable		• 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 John David Stanley \_\_\_\_\_ 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 John David Stanley \_\_\_\_\_ 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  
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:

*HAVING FRONTAGE ON TWO ROADS LIMITS POTENTIAL LOCATIONS.*

*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:

*New septic field + power lines feeding my home AND other neighbors limits location.*

*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:

*my neighbors to the east, DEAN + OLGA have expressed a strong preference for the requested variance location instead of along their property line.*

## **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).

All possible locations are very limited by a large septic field.

## **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.

If this shed was moved 5 ft east to meet 10 ft requirement, it would block the only underground pathway to replace the water & power that my well provides. The original (1964) water supply ruptured about 10 yrs ago and was replaced using this route through my back yard.

## **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.

This is an accessory structure, pre-made and delivered with a 4'x6' ramp.

## **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.

I have the complete support of all of my neighbors who will see all or parts of this shed when installed.

















To who it MAY CONCERN,

4/30/2024

We as Dave & Cindy Stanley neighbors  
who live at 24699 Willowbrook Dr, Novi,  
MI, fully support the placing of a  
STORAGE SHED ALONG BENDA, LANE.

We have been their neighbors, over  
30 YRS. AND HAVE BEEN GOOD NEIGHBORS.

The shed will NOT AFFECT ESTHETICS  
IN OUR VIEW OF BACK YARDS.

AGAIN we fully support this endeavor  
of the STANLEYS.

Respectfully Yours

Mr. Hunter

Dean Hountrals

OLGA HOUNTRALS  
Olga Hountrals

To whom it may concern,

My husband and I fully support  
placing this new shed in this corner  
location along Brenda Lane.

Sincerely

Marie & Tom Kennedy



04/30/24

To Whom it may concern,

We (Tina M. Bray + Johnny L. Bray) support Dave and  
Cindy Stanley placing a storage shed on (Brenda Lane)  
their property next to Brenda Lane.

Tina Bray  Johnny L. Bray  
Tina + Johnny Bray

40557 Brenda Lane  
Novi, MI 48375

4/30/2024

City Of Novi

45175 Ten Mile Road  
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To whom it may concern,  
I am writing considering Dave and Cindy Stanley, whom reside at 24710 Joseph St. My wife and I reside at 40601 Brenda Ln. Dave and Cindy mentioned that they would like to install a shed and there a lot just south east of their home, alongside Brenda Lane. We both approve of the shed. If there are any questions, feel free and contact us at 248-943-9584.

SINCERELY,

DAVID & LYNDIA

A handwritten signature in black ink, appearing to read "David & Lynda", written over the printed name "DAVID & LYNDIA".

BIELENDA