



# 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 14, 2017

REGARDING: 1705 East Lake Drive (PZ17-0005)

BY: Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**

Gary Ehlers

**Variance Type**

DIMENSIONAL VARIANCE

**Property Characteristics**

Zoning District: One Family Residential (R-4)  
Location: north of Thirteen Mile Road and west of Novi Road  
Parcel #: 50-22-02-357-015

**Request**

The applicant is requesting a variance from the CITY OF NOVI Zoning Ordinance Section 3.1.5 to allow for the installation of a sun room/storage room in the side yard. This property is zoned One Family Residential (R-4).

### II. STAFF COMMENTS:

*The applicant request is for side yard variance of 4 feet minimum is 10 feet, rear yard variance of 20 feet minimum is 35 feet, Aggregate total of 12 feet, 25 feet required and lot coverage of 41% minimum is 25%.*

### 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. **PZ17-0005**, 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. **PZ17-0005**, 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 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.

Larry Butler  
Deputy Director Community Development  
City of Novi



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# ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>				Application Fee: _____	
PROJECT NAME / SUBDIVISION Sunroom/Storage				Meeting Date: _____	
ADDRESS 1705 E. Lake Dr.		LOT/SIUTE/SPACE #		ZBA Case #: PZ _____	
SIDWELL # 50-22-02 - 357 - 015		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY East Lake Dr. and Monticello					
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 checked="" type="checkbox"/> NO					
<b>II. APPLICANT INFORMATION</b>					
<b>A. APPLICANT</b>		EMAIL ADDRESS gehlers@mi.rr.com		CELL PHONE NO. 734-536-1811	
NAME Gary Ehlers				TELEPHONE NO.	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS 1705 E. Lake Dr.		CITY Novi	STATE Michigan	ZIP CODE 48377	
<b>B. PROPERTY OWNER</b> <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	
<b>III. ZONING INFORMATION</b>					
<b>A. ZONING DISTRICT</b>					
<input type="checkbox"/> R-A <input checked="" 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>3.1.5</u>		Variance requested		<u>Side Yard min. 10' (proposed 4')</u>	
2. Section <u>3.1.5</u>		Variance requested		<u>Agg. total min. 25' (proposed 12')</u>	
3. Section <u>3.1.5</u>		Variance requested		<u>Rearyard min. 35' (proposed 20')</u>	
4. Section <u>3.1.5</u>		Variance requested		<u>Lot coverage min 25% 600 st. ft (proposed 41%)</u>	
<b>IV. FEES AND DRAWINGS</b>					
<b>A. FEES</b>					
<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>B. DRAWINGS 1-COPY &amp; 1 DIGITAL COPY SUBMITTED AS A PDF</b>					
<input type="checkbox"/> Dimensioned Drawings and Plans <input type="checkbox"/> Site/Plot Plan <input type="checkbox"/> Existing or proposed buildings or addition on the property <input type="checkbox"/> Number & location of all on-site parking, if applicable			<input type="checkbox"/> Existing & proposed distance to adjacent property lines <input type="checkbox"/> Location of existing & proposed signs, if applicable <input type="checkbox"/> Floor plans & elevations <input 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

\_\_\_\_\_  
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.

\_\_\_\_\_  
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



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# ZONING BOARD OF APPEALS VARIANCE APPLICATION CHECKLIST

The following items are required for a complete Variance application. Incomplete applications will be returned.

**Signed Application Form**

Complete the Zoning Board of Appeals application form. Application must be signed by the applicant and the property owner (if different).

**Response to Variance Review Standards – Dimensional, Use, or Sign**

Select the applicable Review Standards for the requested Variance and complete in full. Use additional paper if needed. If you don't know which Review Standards to complete, call the Community Development Department at 248.347.0415 for guidance.

**Dimensioned Site Plan (1 copy & 1 digital copy submitted as a PDF)**

- Existing or proposed buildings or additions on the property.
- Number and location of all on-site parking spaces.
- Existing and proposed distances to adjacent property lines.
- Location of existing and proposed signs, if applicable.
- Any other information relevant to the Variance application.

**Dimensioned Drawings and Plans (1 copy & 1 digital copy submitted as a PDF)**

- Floor plans and elevations with all proposed buildings and additions.
- All existing and proposed signs on the property (photographs may be used).
- For use variances, include floor plan showing the existing and proposed layout and functions of each area.
- For multi-family residential structures or projects, a summary showing the existing and proposed number of dwelling units by type (efficiency, one-bedroom, two-bedroom, etc.)

**Other Helpful Information – Optional (1 copy & 1 digital copy submitted as a PDF)**

- Photographs of the lot or structure that shows the special conditions or circumstances described in the application.
- Photographs or maps that show how other properties in the area enjoy the same type of property rights related to the Variance.
- Letters of support from the neighbors who would be most affected by your request.

**Fee (make check payable to the City of Novi)**

Single Family Residential (Existing) \$200 (With Violation) \$250  
Single Family Residential (New) \$250  
Multiple/Commercial/Industrial \$300 (With Violation) \$400  
Signs \$300 (With Violation) \$400  
House Moves \$300  
Special Meetings (At discretion of Board) \$600

### Additional Information

In the course of reviewing the application, the Planning Department staff may request additional information from the applicant.



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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:

request to build sunroom/storage in back of house. need entryway into house and place for coats and shoes before entering back of house from driveway along with small storage shed to store lawnmower/ snow blower/ 2 bicycles etc.

*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).

have no garage. need back entry way and 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.

old home redone 3 times and was built in 1950's which most all does not conform due to small lot size.

## **Standard #4. Minimum Variance Necessary.**

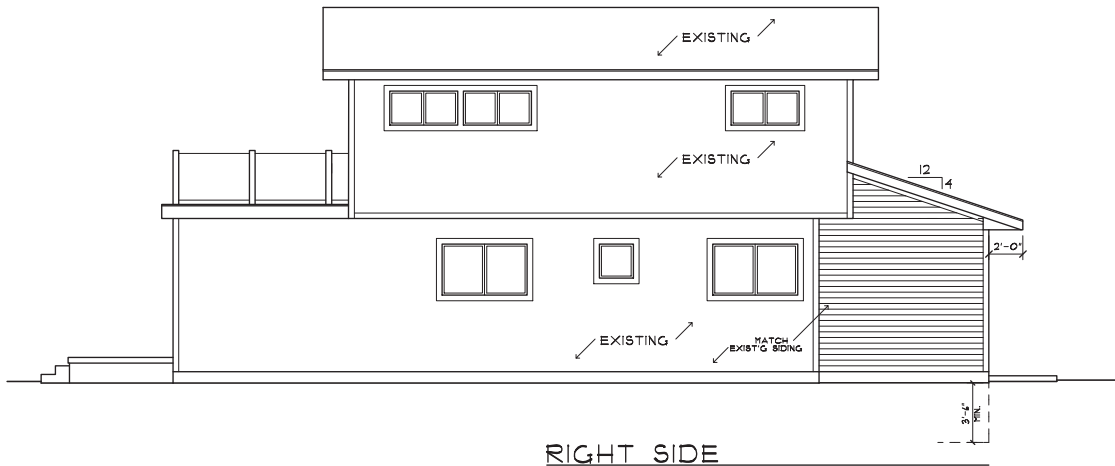
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

i need to store small items that will take care of house and property. I need a mudroom/sunroom with closet before entering house directly.

## **Standard #5. Adverse Impact on Surrounding Area.**

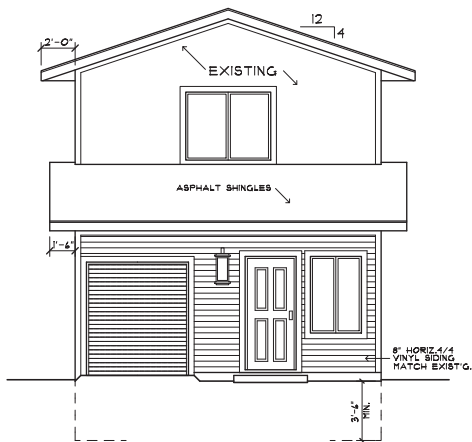
Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

i believe it will be very presentable and is no further out towards road than neighbors and still will leave at least room for parking 3 cars in driveway behind house.



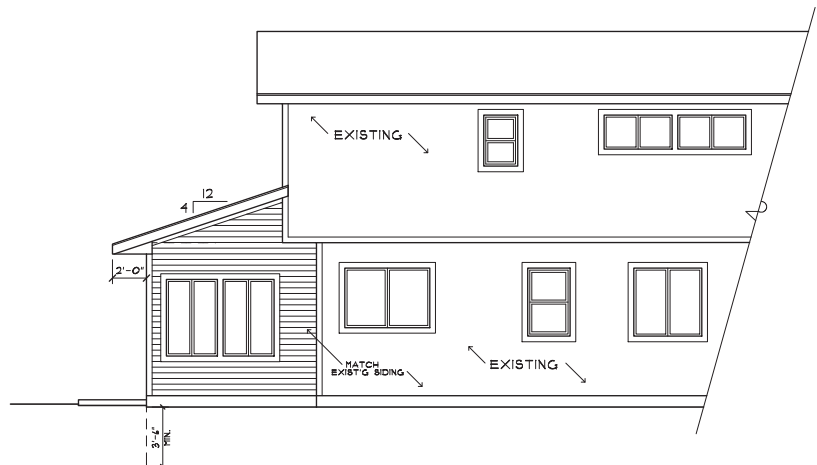
**RIGHT SIDE**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION**

SCALE: 1/4" = 1'-0"



**LEFT SIDE**

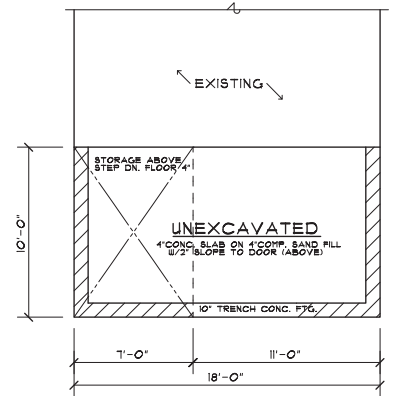
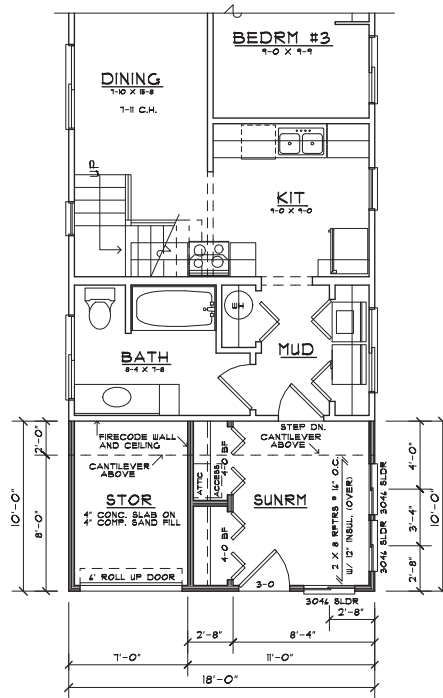
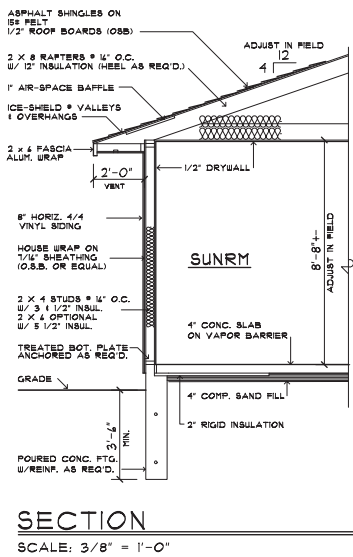
SCALE: 1/4" = 1'-0"

BUILDER: \_\_\_\_\_  
 RESIDENCE FOR: MR. & MRS. GARY EHLERS

**STIRLING DESIGNS** L.L.C.  
 P L L A N S  
 HOWELL, MI 48843  
 PHONE: (617) 546-0289

NO: 061021E  
 SHEET NO:  
 OF 2 SHEETS





**BUILDER/CONTRACTOR NOTE:**

PLANS SHOWN ARE A CONCEPT DERIVED FROM MEETINGS WITH BUILDER AND/OR OWNER AND ARE TO BE USED AS A REFERENCE FOR CONSTRUCTION PURPOSES ONLY AND MAY NOT BE SOLD TO OTHERS.

BUILDER/CONTRACTOR IS RESPONSIBLE FOR MEETING ALL CURRENT BUILDING CODES PERTAINING TO THESE PLANS REGARDLESS IF SHOWN OR NOT SHOWN.

BUILDER/CONTRACTOR IS ALSO RESPONSIBLE FOR ACQUIRING ANY ENGINEERING REQUIRED SUCH AS BUT NOT LIMITED TO FOOTINGS, FOUNDATIONS, HEADERS, BEAMS, FLOOR JOISTS, RAFTERS, TRUSSES, ETC.

ALL SIZES AND DIMENSIONS SHOWN FOR FOOTINGS, FOUNDATIONS, FLOOR PLANS, BEAMS, FLOOR JOISTS, TRUSSES, RAFTERS, ETC., MUST BE VERIFIED BY A QUALIFIED BUILDER, ENGINEER AND/OR SUPPLIER.

CURRENT BUILDING CODES FOR THE AREA IN WHICH THIS STRUCTURE IS TO BE BUILT IS SUPERSEDES ANYTHING SHOWN ON THESE PLANS.

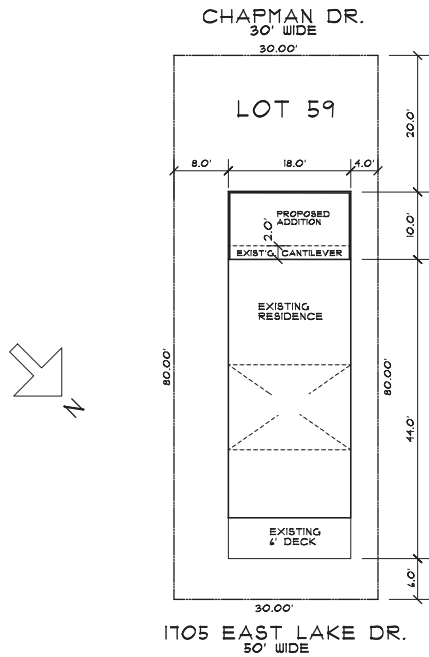
STRILING DESIGN ASSUMES NO RESPONSIBILITY FOR ANY CONSTRUCTION PROJECT INCLUDING BUT NOT LIMITED TO ANY ERRORS AND/OR OMISSIONS TO THE PLANS PROVIDED.

**NOTE:** DIMENSION WITNESS LINE INDICATES FINISH SIDE OF SHEATHING OR DRYWALL.  
FIRST FLOOR WALL HT. = 8'-0" UNLESS OTHERWISE NOTED.

**WINDOW NOTE:**

WINDOW SIZES ARE APPROXIMATE. A WINDOW SCHEDULE MUST BE OBTAINED FROM THE WINDOW MANUFACTURER FOR R.O. SIZES. 3046 INDICATES A 3'-0" X 4'-4" WINDOW.

NO: OE41021P  
SHEET NO:  
2  
OF 2 SHEETS



**PLOT PLAN**

SCALE: 1" = 10.0'

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CURRENT BUILDING CODES FOR THE AREA IN WHICH THIS STRUCTURE IS TO BE BUILT IN SUPERSEDES ANYTHING SHOWN ON THESE PLANS.

STIRLING DESIGN ASSUMES NO RESPONSIBILITY FOR ANY CONSTRUCTION PROJECT INCLUDING BUT NOT LIMITED TO ANY ERRORS AND/OR OMISSIONS TO THE PLANS PROVIDED.

NO: OE41021P

SHEET NO:

2P

OF 2 SHEETS