



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:** September 12, 2023

REGARDING: 1537 West Lake Drive, Parcel # 50-22-03-131-006 (PZ23-0034)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Remodeling Star Inc

Variance Type

Dimensional Variance

Property Characteristics

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

Location: East of West Park Drive, South of Pontiac Trail

Parcel #: 50-22-03-131-0006

Request

The applicant is requesting variances from City of Novi Zoning Ordinance Section 3.1.5 for a front yard setback of 15 ft. (30 ft. required, variance of 15 ft.); for a side yard setback of 1 ft. (10 ft. required, variance of 9 ft.); for an aggregate total of 8 ft. (25 ft. required, variance of 17 ft.). This variance would accommodate the building of a second story addition on an existing home. This property is zoned One-Family Residential (R-4).

II. STAFF COMMENTS:

This property is a narrow parcel located on Walled Lake. The existing home is currently nonconforming with the R-4 zoning district. The proposed addition does not change the existing footprint of the home. The applicant is seeking (3) dimensional variances because the new second floor addition will require these in order to utilize the existing conditions of the first floor.

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. **PZ23-0034**, 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. **PZ23-0034**, 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



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

AUG 01 2023

CITY OF NOVI
COMMUNITY DEVELOPMENT

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: 200.00	
PROJECT NAME / SUBDIVISION Supervisors Plat #2				Meeting Date: Sep 12 2023	
ADDRESS 1537 West Lake Dr. Novi 48337		LOT/SUITE/SPACE # Lot 4		ZBA Case #: PZ 23-0034	
SIDWELL # 50-22-03-131-006		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY Beck Rd to W Park Dr to Ludlow Dr. to West Lake Dr. # 1537					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?				REQUEST IS FOR:	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				<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 laura@remodelingstar.com		CELL PHONE NO. 810-588-0736	
NAME Huard				TELEPHONE NO. 734-203-7410	
ORGANIZATION/COMPANY Remodeling Star Inc.				FAX NO. 734-506-1070	
ADDRESS 9299 E. Mi State Rd 36		CITY Whitmore Lake		STATE MI	ZIP CODE 48189
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 mcLellan84@yahoo.com		CELL PHONE NO. 248-990-1566	
NAME McLellan, Jeffery + Deanna				TELEPHONE NO. 248-990-1566	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS 1537 West Lake Dr.		CITY Novi		STATE MI	ZIP CODE 48337
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 _____		Variance requested Dimensional			
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 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

Gaura Thurnel
Applicant Signature

Aug 1, 2023
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:

Unknown

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).

Non Compliant property. Instructed to Comply by ZB and go through process.

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.

There will not be any.

Standard #4. Minimum Variance Necessary.

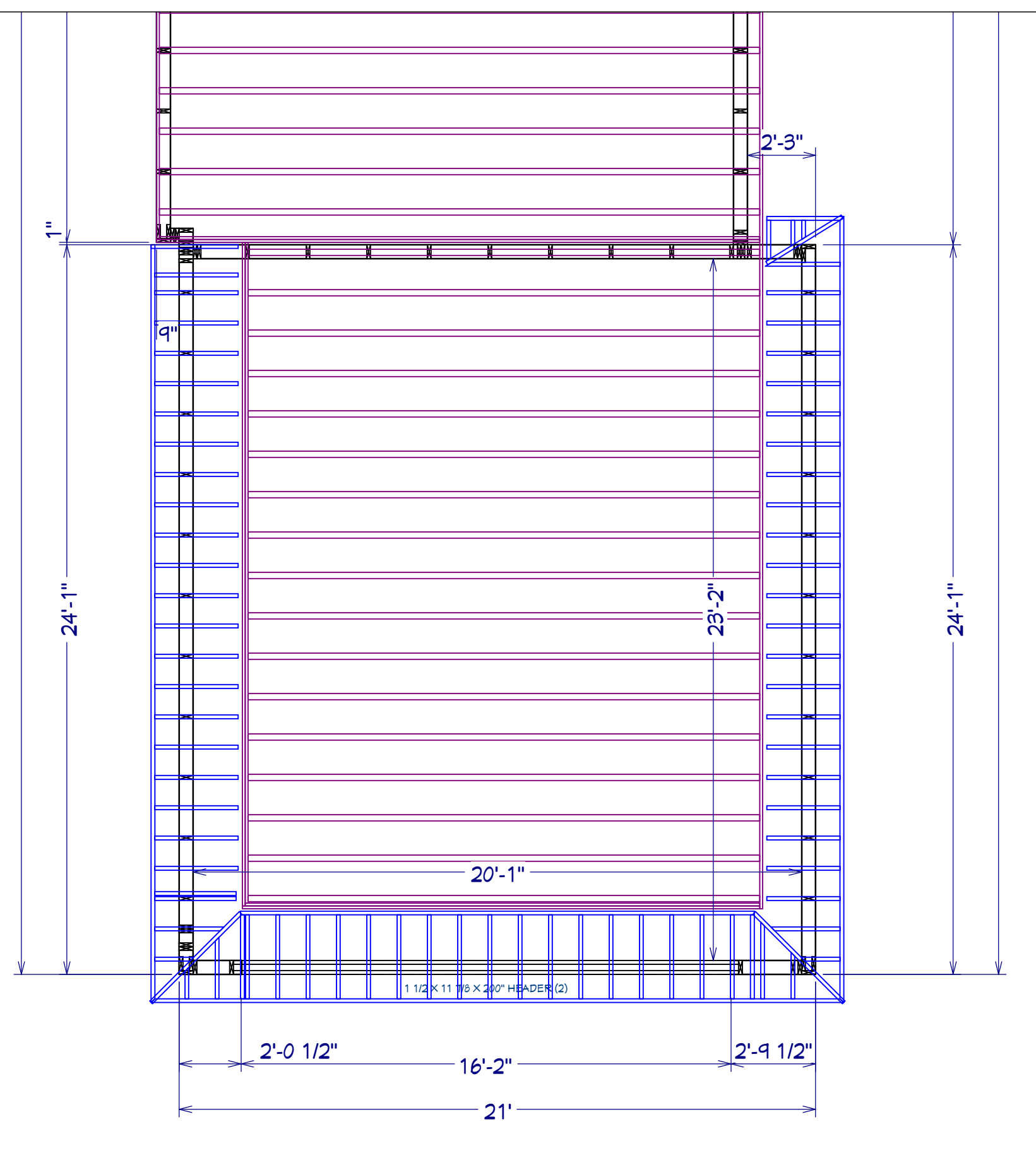
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

No exceeding existing footprint from previous

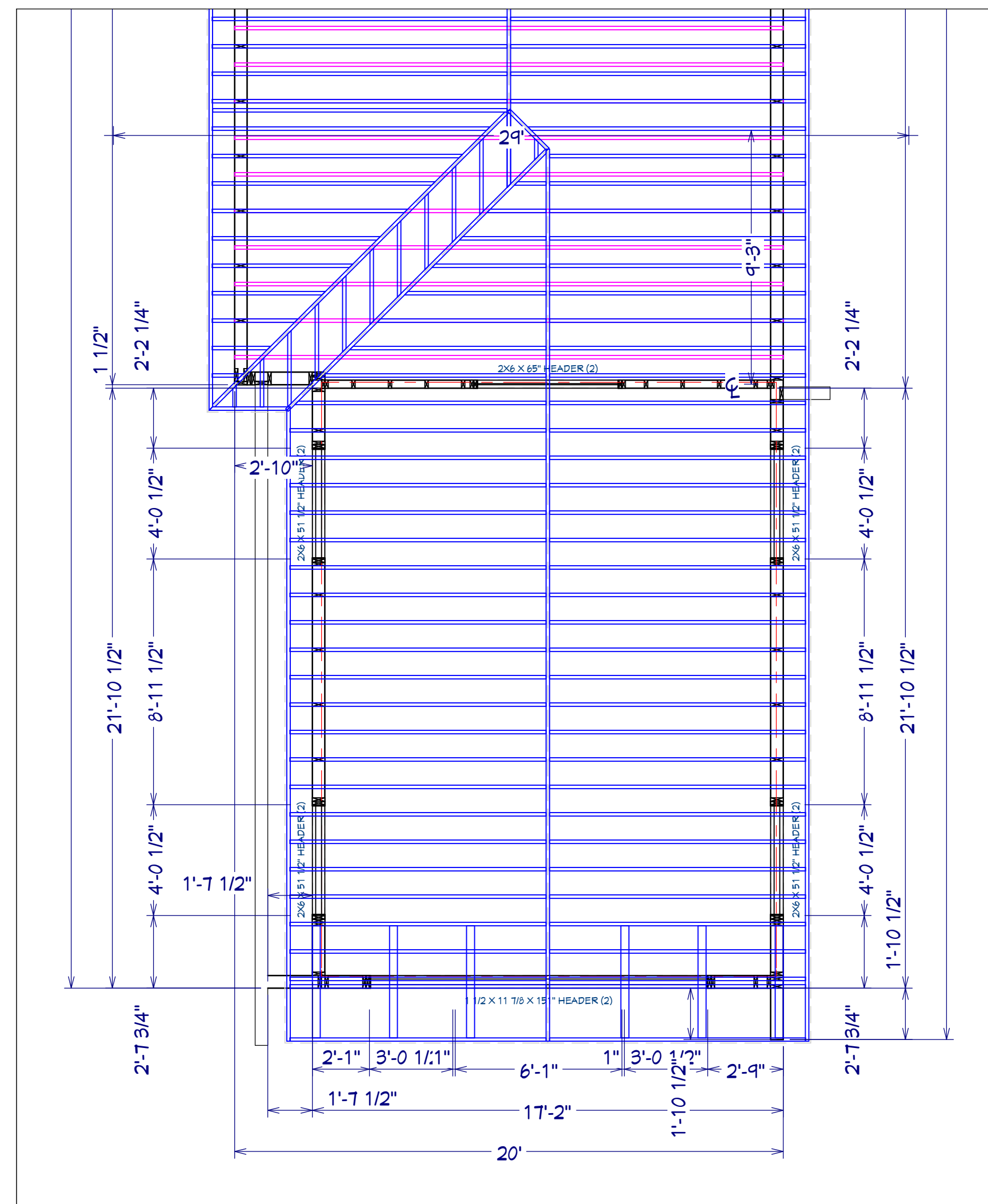
Standard #5. Adverse Impact on Surrounding Area.

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.

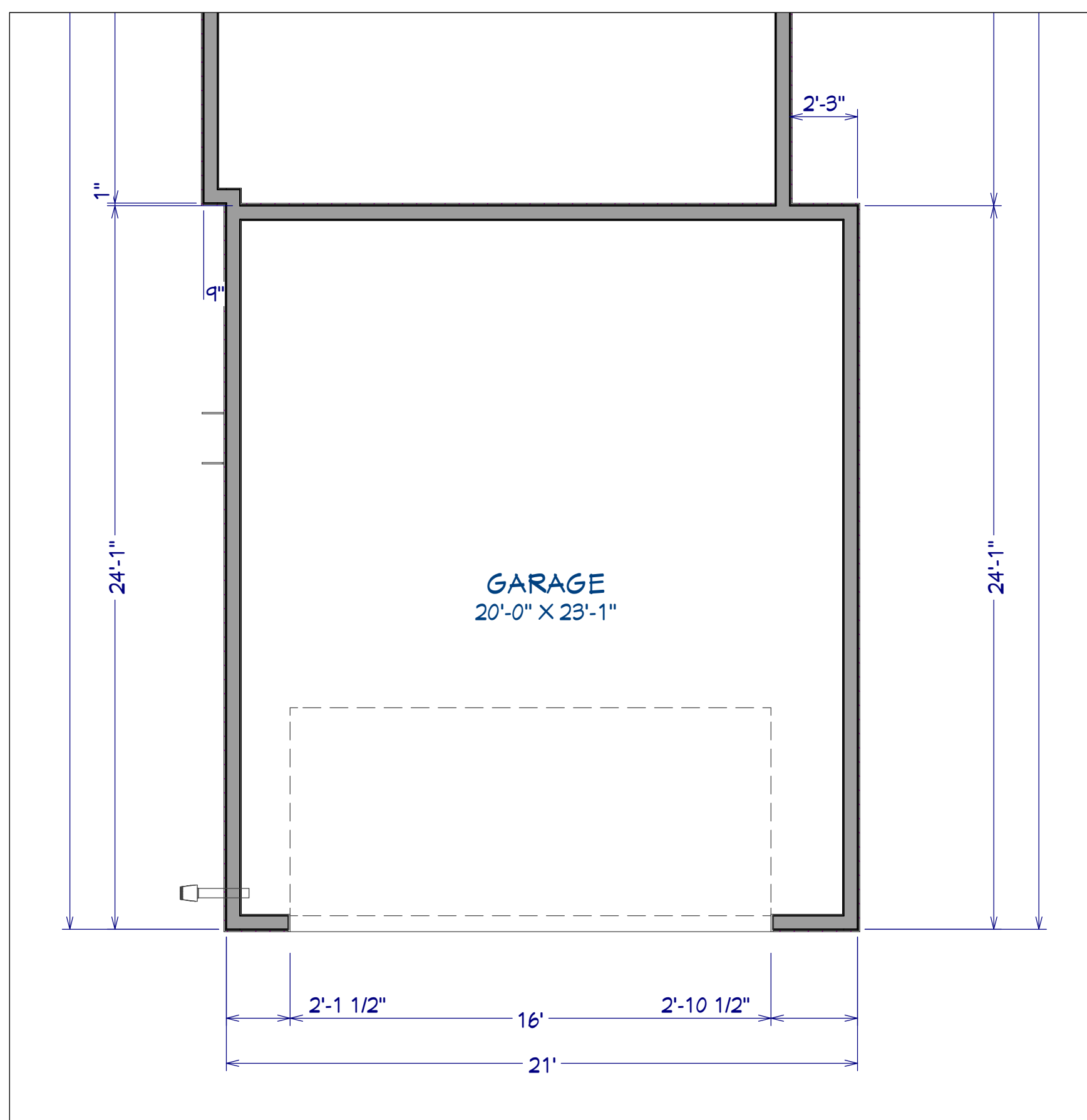
Simple expansion to existing conforming to rest of neighborhood.



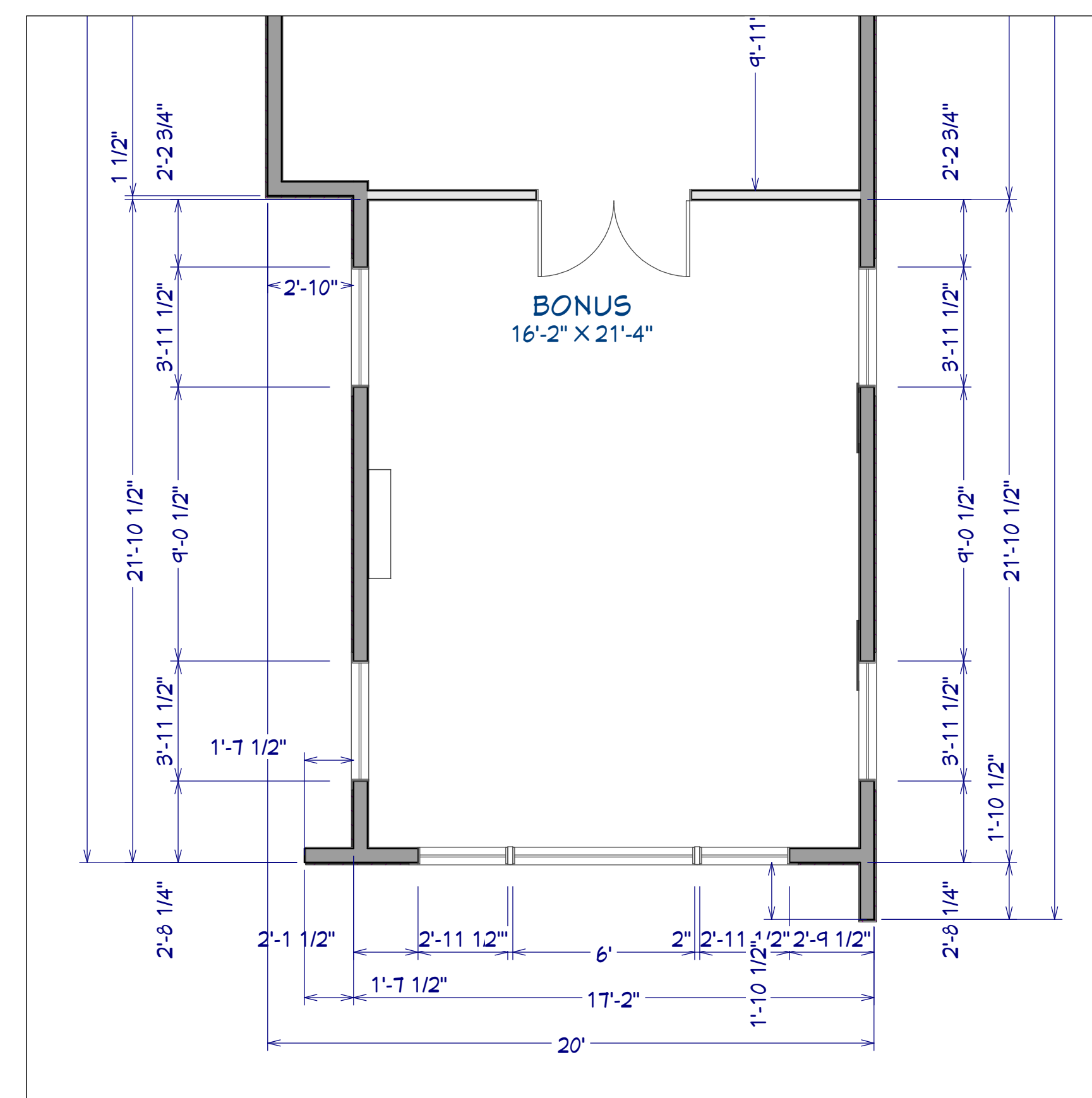
Garage Framing, Floor Plan View



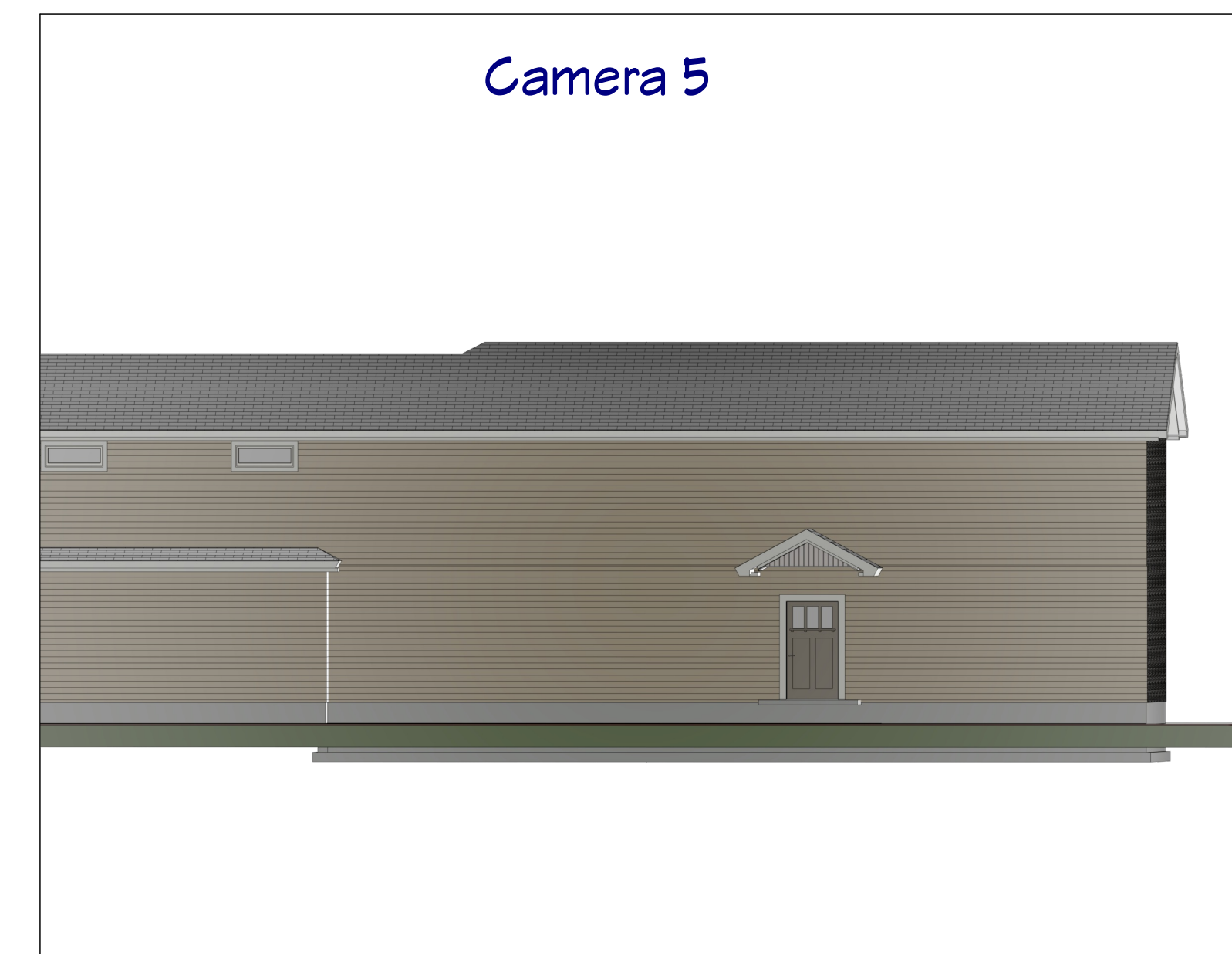
Framing, Roof Plan View



Floor Plan View Dimensioned

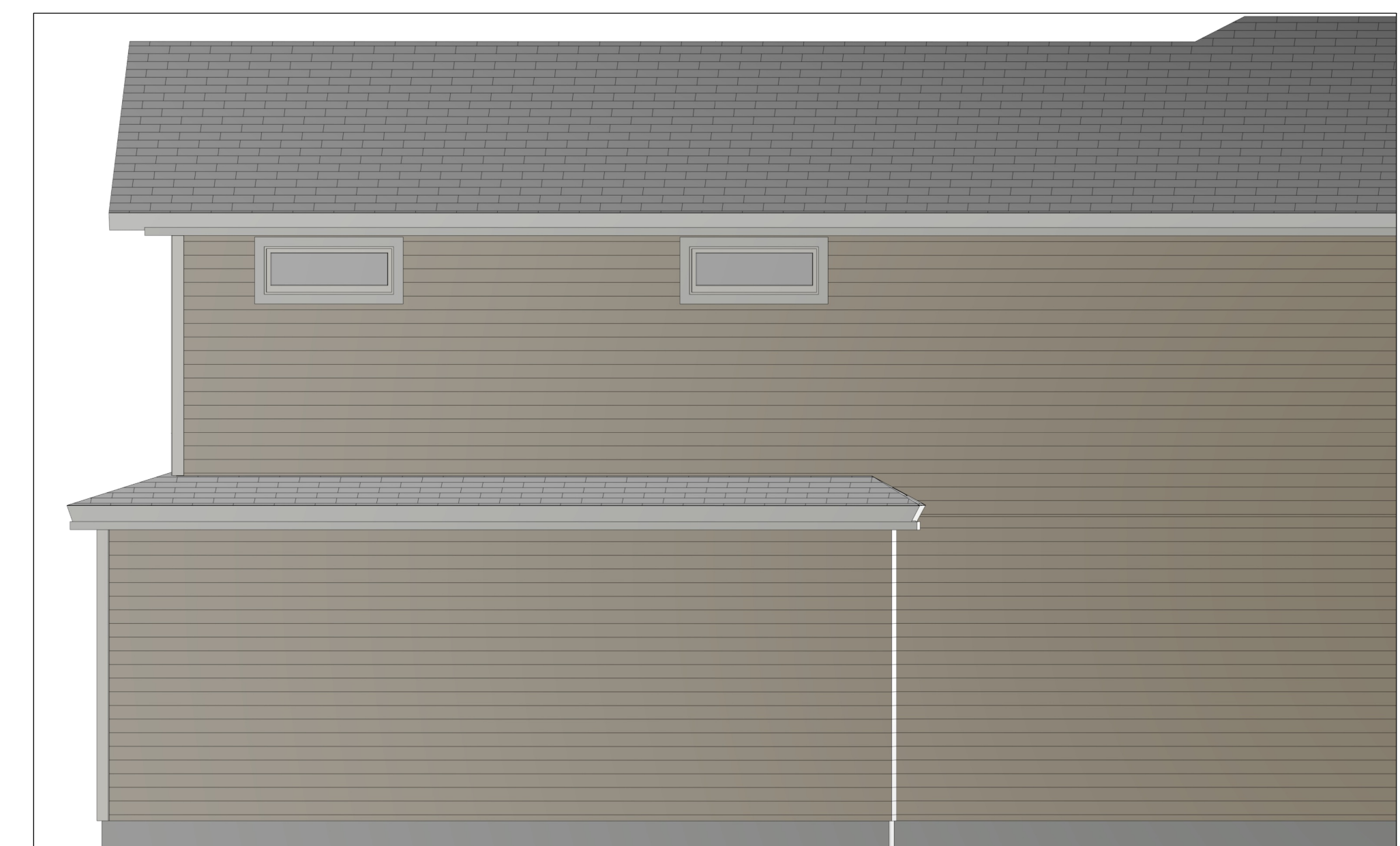


Floor Plan View Dimensioned

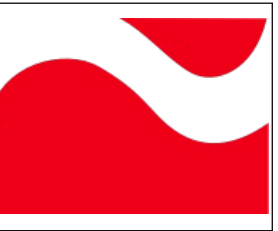


Camera 5

Camera 5



Camera 5



REMODELING STAR

Remodeling Star-Design
9299 east M-36, Whitmore Lake Michigan 48189
(888) 983-1238 project@remodelingstar.com

McLellan
1537 West Lake Dr.
Novi, Michigan 48377

2nd story room expansion

P-1

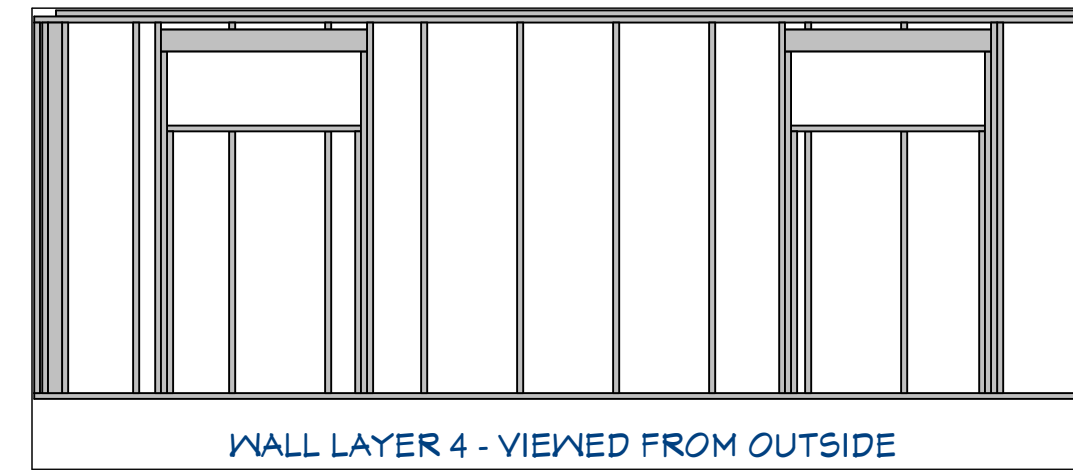
DATE:

7/31/2023

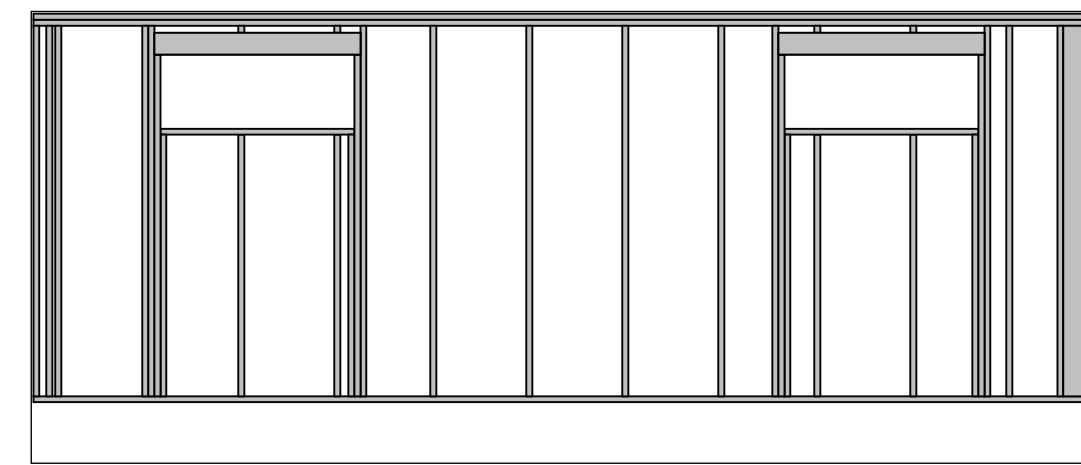
SCALE: 1/8"

SHEET:

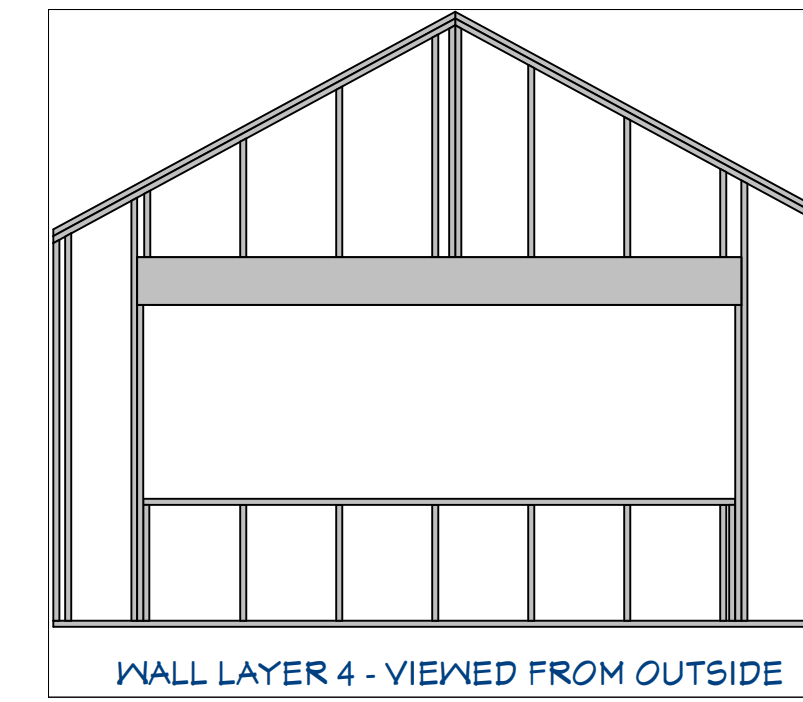
A-1



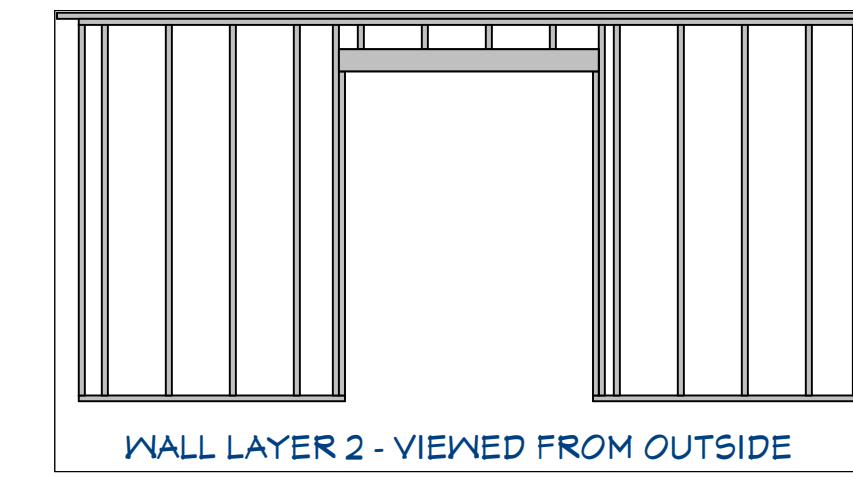
Wall Detail - 8



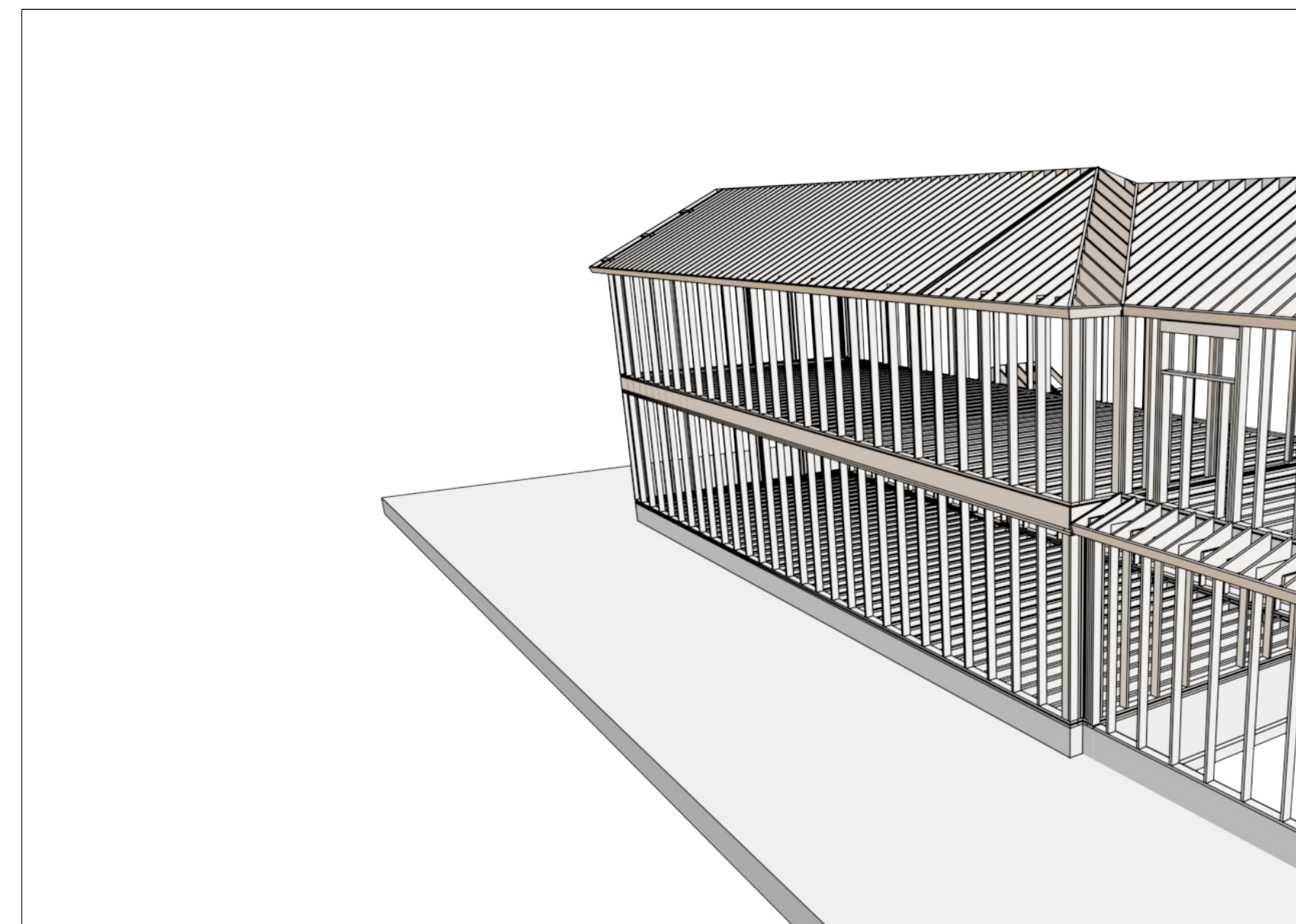
Wall Detail - 9



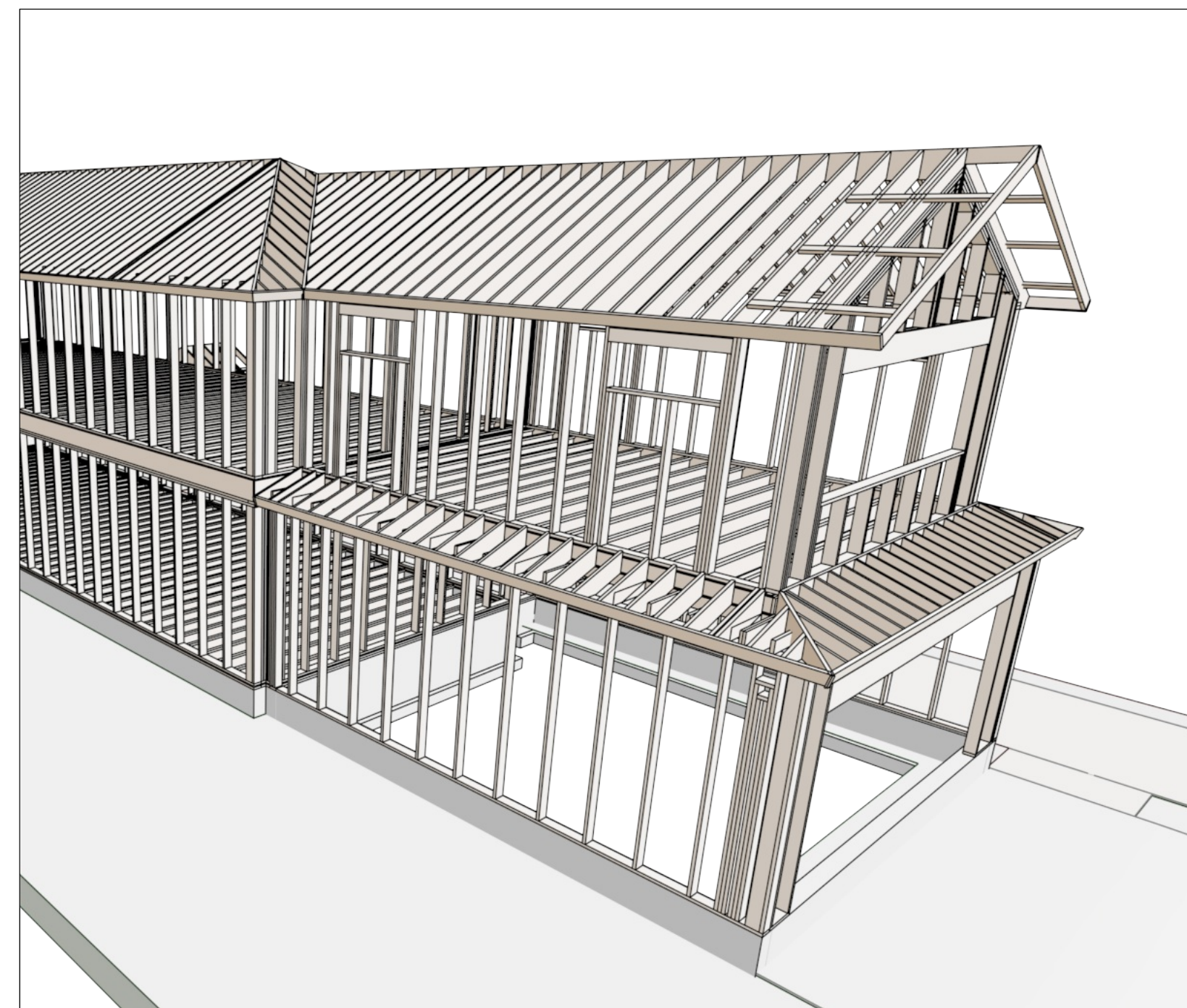
Wall Detail - 1



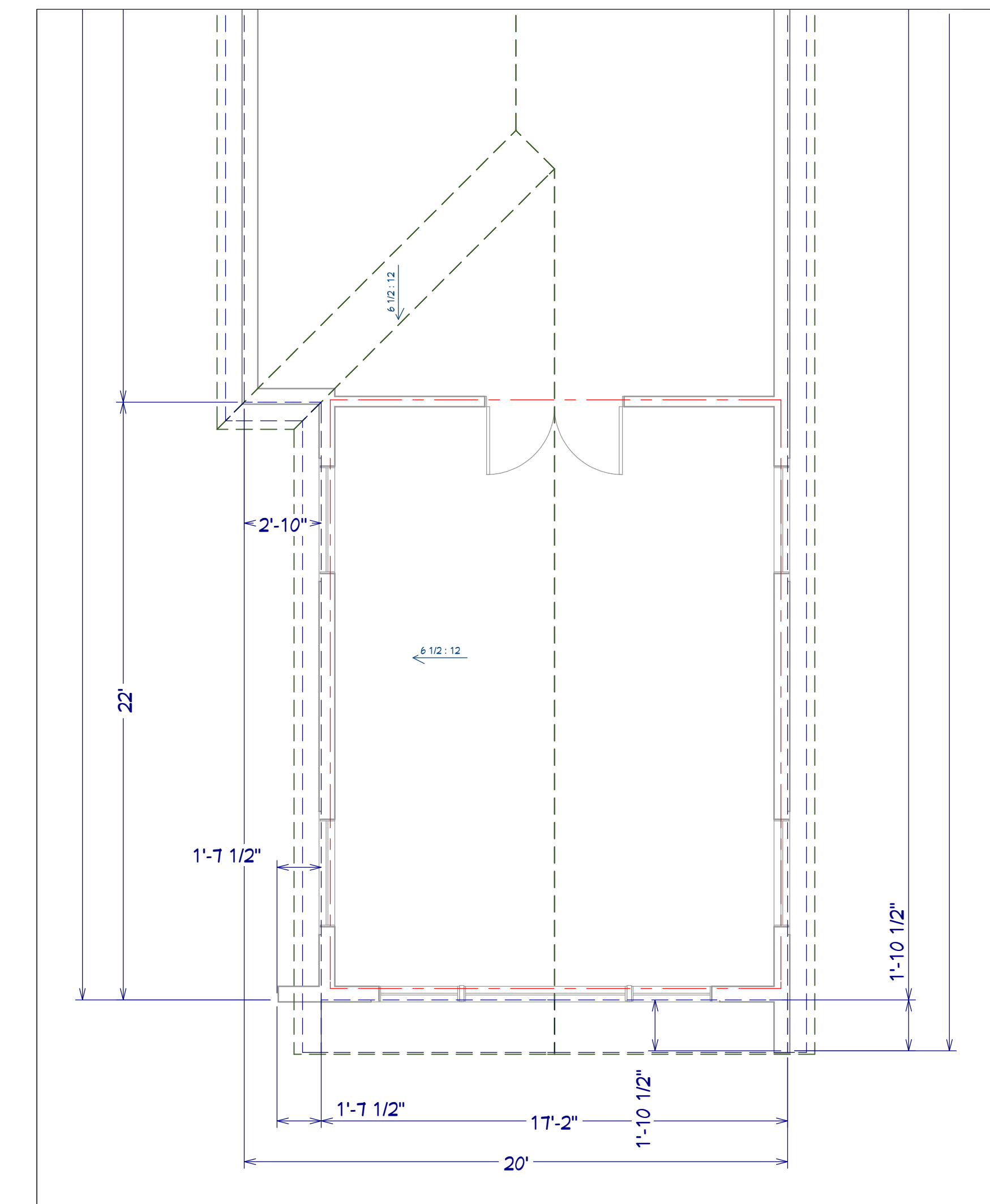
Wall Detail - 11



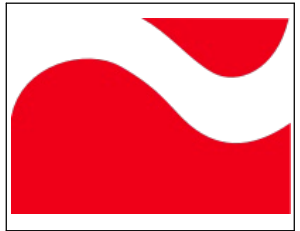
Camera 4



Camera 4



Roof Plan View



REMODELING STAR

Remodeling Star-Design
9299 east M-36, Whitmore Lake Michigan 48189
(888) 983-1238 project@remodelingstar.com

McLellan
1537 West Lake Dr.
Novi, Michigan 48377

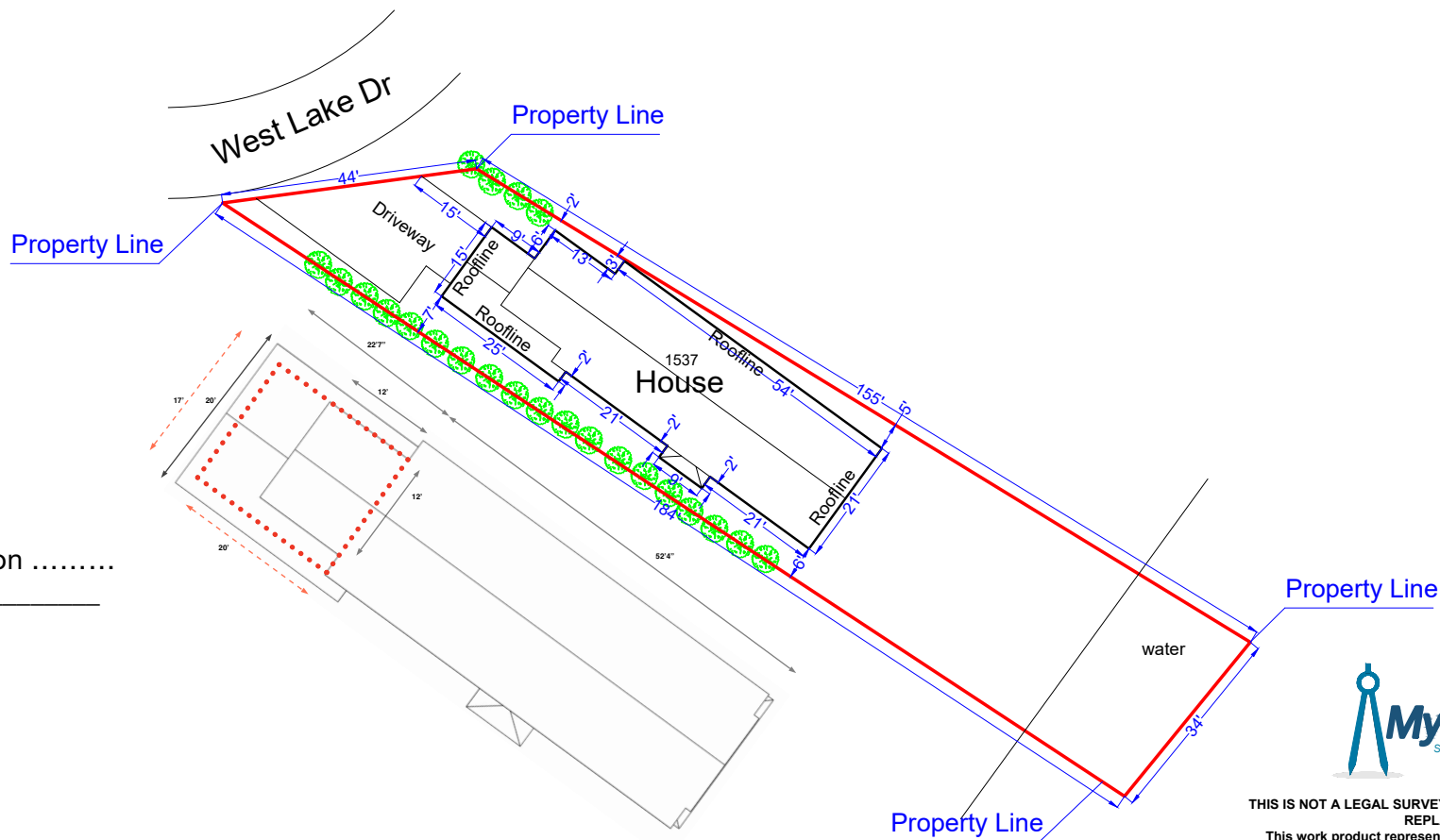
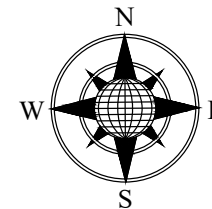
DATE:

7/31/2023

SCALE: 1/8

SHEET:

A-2



Room expansion
Existing. _____



THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE

This work product represents only generalized locations of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise location of any feature, object or boundary.

1537 West Lake Dr
Novi, Michigan 48377
1":20'