



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:** November 14, 2023

REGARDING: 1927 West Lake Drive, Parcel # 50-22-03-131-026 (PZ23-0045)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Ronnie & Wafaa Jamil

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 #: 50-22-03-131-026

Request

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 4 ft. (10 ft. required, variance of 6 ft.); for an aggregate total of 8 ft. (25 ft. required, variance of 17 ft.); for an increase in lot coverage to 37% (25% maximum, variance of 12%) This variance would accommodate the building of a new home. This property is zoned One-Family Residential (R-4).

II. STAFF COMMENTS:

The applicant is seeking (3) different variances, as stated above, and did not submit architectural drawings for review. This property is a narrow parcel located on Walled Lake. Any walk or terrace in the side yard cannot be taller than 9" (per Section 3.32.9). The overhangs of the home will be limited to an 8" projection, including the gutter system, if provided. (Per Section 3.32.8). Drainage patterns along both side yards will need to be designed per the City of Novi's Engineering Standards and Construction Details. No utility pieces of equipment (condenser / generator) are shown on the plan and should be considered if located in the side yard. The site plan does not indicate if the elevated rear deck is enclosed or covered. The home will need to comply with the R-4 zoning district with regards to the height, number of stories, etc....

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. **PZ23-0045**, 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. **PZ23-0045**, 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



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RECEIVED

SEP 27 2023

**CITY OF NOVI
 COMMUNITY DEVELOPMENT**

**ZONING BOARD OF APPEALS
 APPLICATION**

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: \$250	
PROJECT NAME / SUBDIVISION					
ADDRESS 1927 West Lake Drive		LOT/SUITE/SPACE #			
SIDWELL # 50-22-03-131-026		May be obtained from the Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?			REQUEST IS FOR:		
<input checked="" type="checkbox"/> YES <input 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 type="checkbox"/> NO					
II. APPLICANT INFORMATION					
A. APPLICANT		EMAIL ADDRESS WJamil@sbnglobal.net		CELL PHONE NO. 248-330-8462	
NAME Bonnie & Wafaa Jamil		TELEPHONE NO.			
ORGANIZATION/COMPANY		FAX NO.			
ADDRESS 35649 Lancashire Drive		CITY Farm Hills		STATE MI	
				ZIP CODE 48331	
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 WJamil@sbnglobal.net		CELL PHONE NO. 248-563-7982	
NAME Wafaa Jamil		TELEPHONE NO.			
ORGANIZATION/COMPANY		FAX NO.			
ADDRESS 35649 Lancashire Drive		CITY Farm Hills		STATE MI	
				ZIP CODE 48331	
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 3.1.5 Variance requested Min Side yard 10" / Requesting 4"					
2. Section _____ Variance requested Ass + H Required 25% / Requesting 8"					
3. Section _____ Variance requested Max Lot Coverage 25% / requesting 31%					
4. Section _____ Variance requested _____					
IV. FEES AND DRAWINGS					
A. FEES					
<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. 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 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 scheduled 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 an 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 7.10 – Miscellaneous

No order of the ZBA 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 ZBA 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

9/27/23
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 conditions:

Chairperson, Zoning Board of Appeals

Date



Community Development Department

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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:

Lot is too narrow to build a house

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).

I acquired the property as is

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.

Lot is too small to build a house

Standard #4. Minimum Variance Necessary.

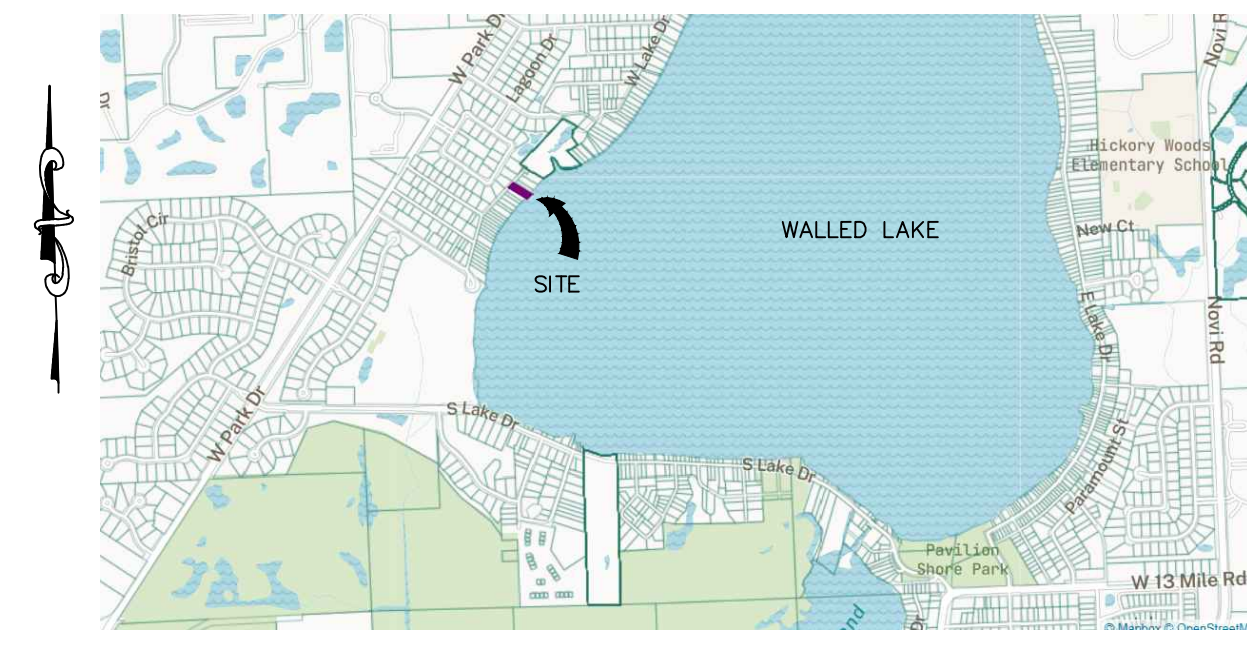
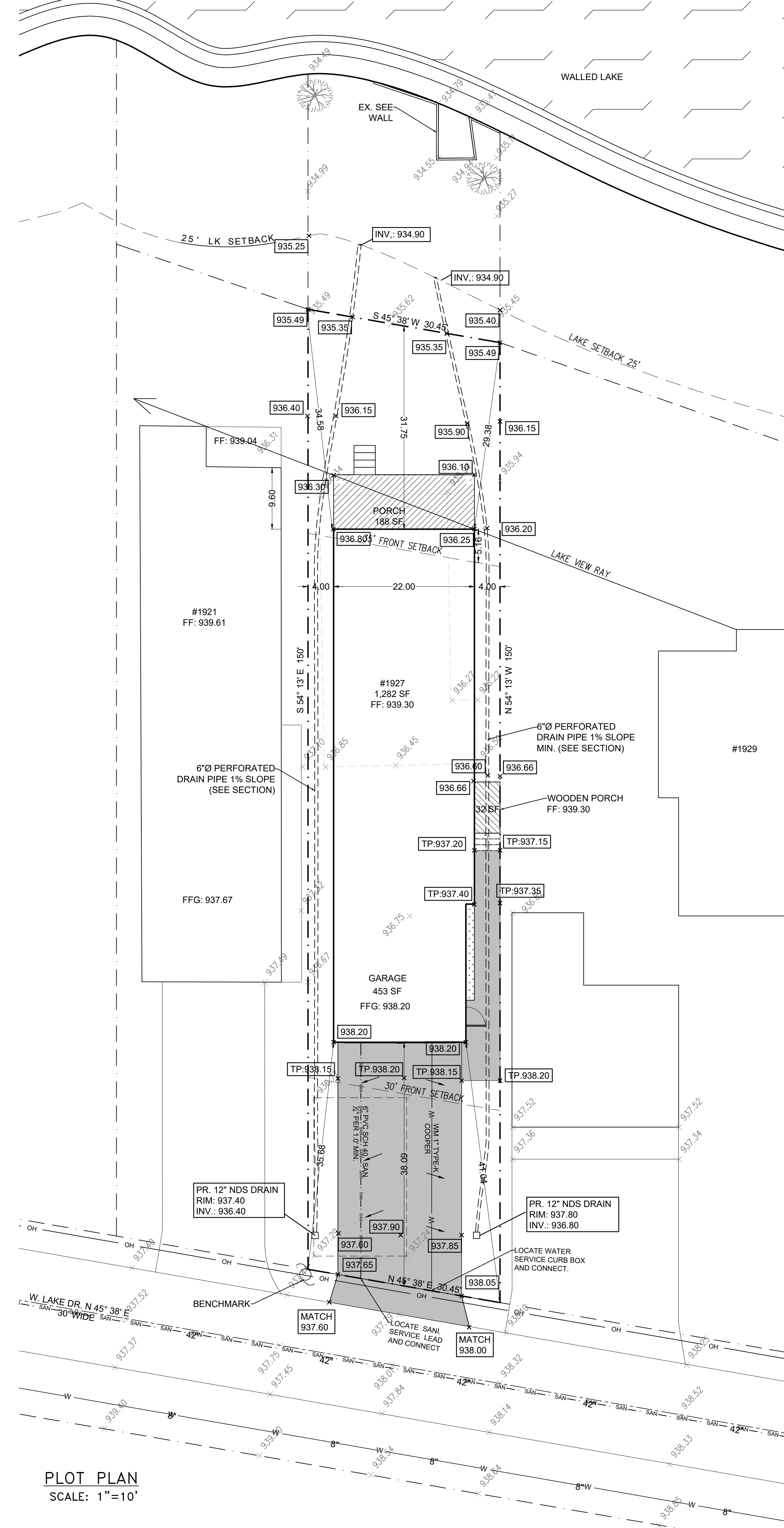
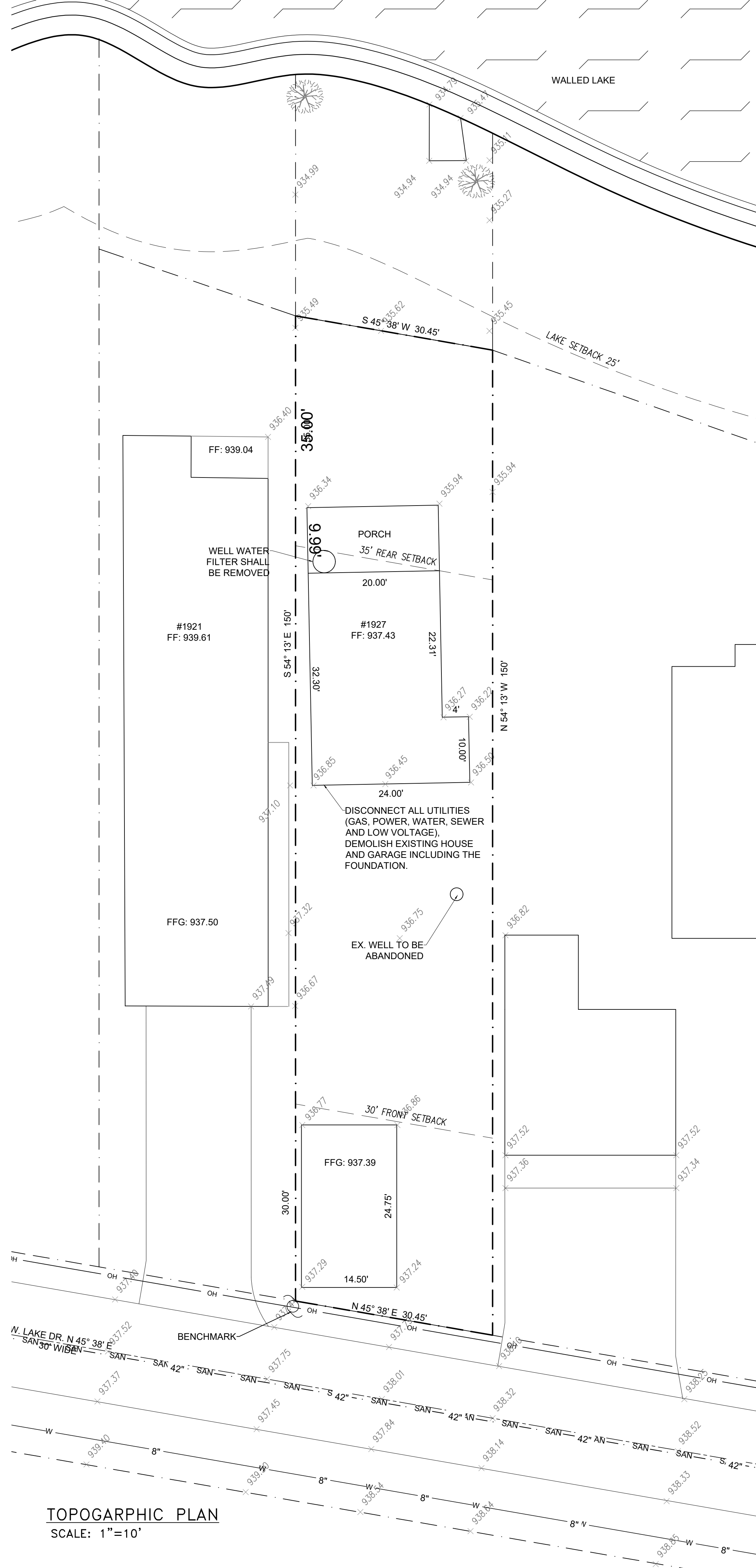
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

lot is only 30" wide as the other homes on the same street, need a variance to build a livable home

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.

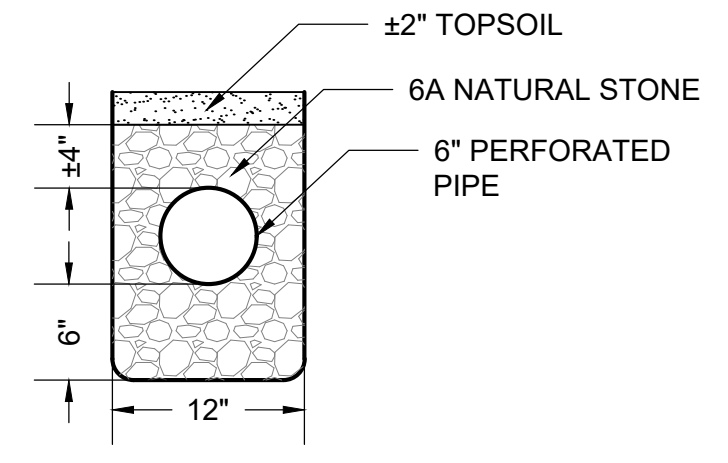
the house will add more value to surrounding homes in the area



LOCATION MAP
NOT TO SCALE

SITE INFORMATION:
 ZONING: R-4
 AREA: 4,500 SF ==> 0.10 AC
 AREA COVERED:
 BUILDING STRUCTURE: 1,282 SF
 SIDE PORCH: 32 SF
 BACK PORCH: 188 SF
 GARAGE: 453 SF
 1,855/4,500 x 100%=43.4% ==> 25% MAX.
SETBACKS:
 MINIMUM FRONT YARD SETBACK: 30 FT
 MINIMUM REAR YARD SETBACK: 35 FT
 MINIMUM SIDE YARD SETBACK: 10 FT ONE SIDE
 25 FT TAL 2 SIDES

BY GRAPHIC PLOTTING ONLY, THIS PARCEL IS LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA ZONE AE. (EL. 934) PER THE FLOOD INSURANCE RATE MAP, MAP NUMBER 26125C0488F, EFFECTIVE DATE OF SEPTEMBER 29, 2006.



PREF. PIPE SECTION
SCALE: 1"=1.0'

BENCH MARK DATA (NAVD-88 DATUM)

BENCHMARK 1
 NAIL ON THE WEST SIDE OF UTILITY POLE.
 ELEVATION: 938.81

LEGAL DESCRIPTION:
 T1N, R8E, SEC 3 BENTLEY SUB LOT 25

LEGEND	
PROPERTY LINE	—
OVER-HEAD WIRES	— OW — OW —
GAS LINE	— GAS — GAS —
WATER MAIN	— WM — WM —
SANITARY LINE	— SAN — SAN —
STORM LINE	— STORM — STORM —
FENCE	— ○ — ○ —
SANITARY SEWER MAN HOLE	⊗
STORM SEWER CATCH BASIN	⊗
POWER POLE / LIGHT POLE	⊗ PP / LP
FIRE HYDRANT	⊗
WATER SHOT-OFF	⊗
ASPHALT PAVEMENT	▬
CONCRETE PAVEMENT	▬
	○ SURFACE DRAIN DIRECTION
000.00	GRADE
TP:000.00	TOP OF THE PAVEMENT

BEARING CONSTRUCTION AND CONSULTING L.L.C.
 32969 HAMILTON CT.
 STE. 120
 FARMINGTON HILLS, MI
 PH:(248) 470-9057

PROJECT
 SINGLE FAMILY HOME
 1927 W. LAKE DR.
 NOVI, MI

CLIENT

REVISIONS
 7/7/2023
 9/26/2023

NOTES

APPROVED BY
 LARRY MEROGI

SEAL



SCALE:
 AS NOTED

DATE
 6/24/2023

SHEET TITLE
 TOPO AND PLOT PLAN

SHEET
 SP-1