



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

MEETING DATE: July 9, 2024

REGARDING: 325 South Lake Drive # 50-22-03-477-008 (PZ24-0026)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Ronald Johnston

Variance Type

Dimensional Variance

Property Characteristics

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

Location: on South Lake Drive, west of Thirteen Mile Road

Parcel #: 50-22-03-477-008

Request

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.32(10)A.ii.a for a 117.25 sq. ft. shed (100 sq. ft. allowed, variance of 17.25 sq. ft.); Section 3.32(10)A.ii.b to allow 11.725% lot coverage (5% allowed, variance of 6.725%). This variance would accommodate an addition to an accessory structure on lake front property.

II. STAFF COMMENTS:

The applicant is proposing to construct an oversize shed structure on the lakefront lot associated with an existing residence. The structure would meet setback requirements but would exceed the maximum allowable 100 square feet. The proposed structure would be the only building on the lakeside parcel.

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. **PZ24-0026**, 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. **PZ24-0026**, 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 21 2024
 CITY OF NOVI
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$220.00</u> Meeting Date: <u>7-9-24</u> ZBA Case #: <u>PZ 24-0026</u>
PROJECT NAME / SUBDIVISION BATHROOM ADDITION TO OUTBUILDING				
ADDRESS 325 SOUTH LAKE DR		LOT/SIUTE/SPACE # 35		
SIDWELL # 50-22-03 -477 -008		May be obtain from Assessing Department (248) 347-0485		
CROSS ROADS OF PROPERTY SOUTH LAKE DR AND 13 MILE ROAD				
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 type="checkbox"/> NO				
II. APPLICANT INFORMATION				
A. APPLICANT		EMAIL ADDRESS jj1409@yahoo.com	CELL PHONE NO. 248-240-2005	
NAME RON JOHNSTON		TELEPHONE NO. 248-240-2005		
ORGANIZATION/COMPANY		FAX NO.		
ADDRESS 325 SOUTH LAKE DR		CITY NOVI	STATE MI	
		ZIP CODE 48377		
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 jj1409@yahoo.com	CELL PHONE NO. 248-240-2005	
NAME RON JOHNSTON		TELEPHONE NO. 248-240-2005		
ORGANIZATION/COMPANY		FAX NO.		
ADDRESS 325 SOUTH LAKE DR		CITY NOVI	STATE MI	
		ZIP CODE 48377		
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>3.32(10)A.ii.a</u>	Variance requested	<u>117.25sqft shed(100sqft allowed, variance of 17.25sqft)</u>	
2. Section	<u>3.32(10)A.ii.b</u>	Variance requested	<u>11.725 lot coverage (5% allowed, variance of 6.725%)</u>	
3. Section	_____	Variance requested	_____	
4. Section	_____	Variance requested	_____	
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				
<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 				



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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:

The shape and narrowness of the property create the circumstances for the variance

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:

The environmental condition creating this condition is the increased traffic on South Lake Dr.

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).

The practical difficulty for the need of the variance is the nonconforming lot.

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 dimensional variance restricts the use of my property by not allowing storage of boat and ock equipment that is now stored outside on the property

Standard #4. Minimum Variance Necessary.

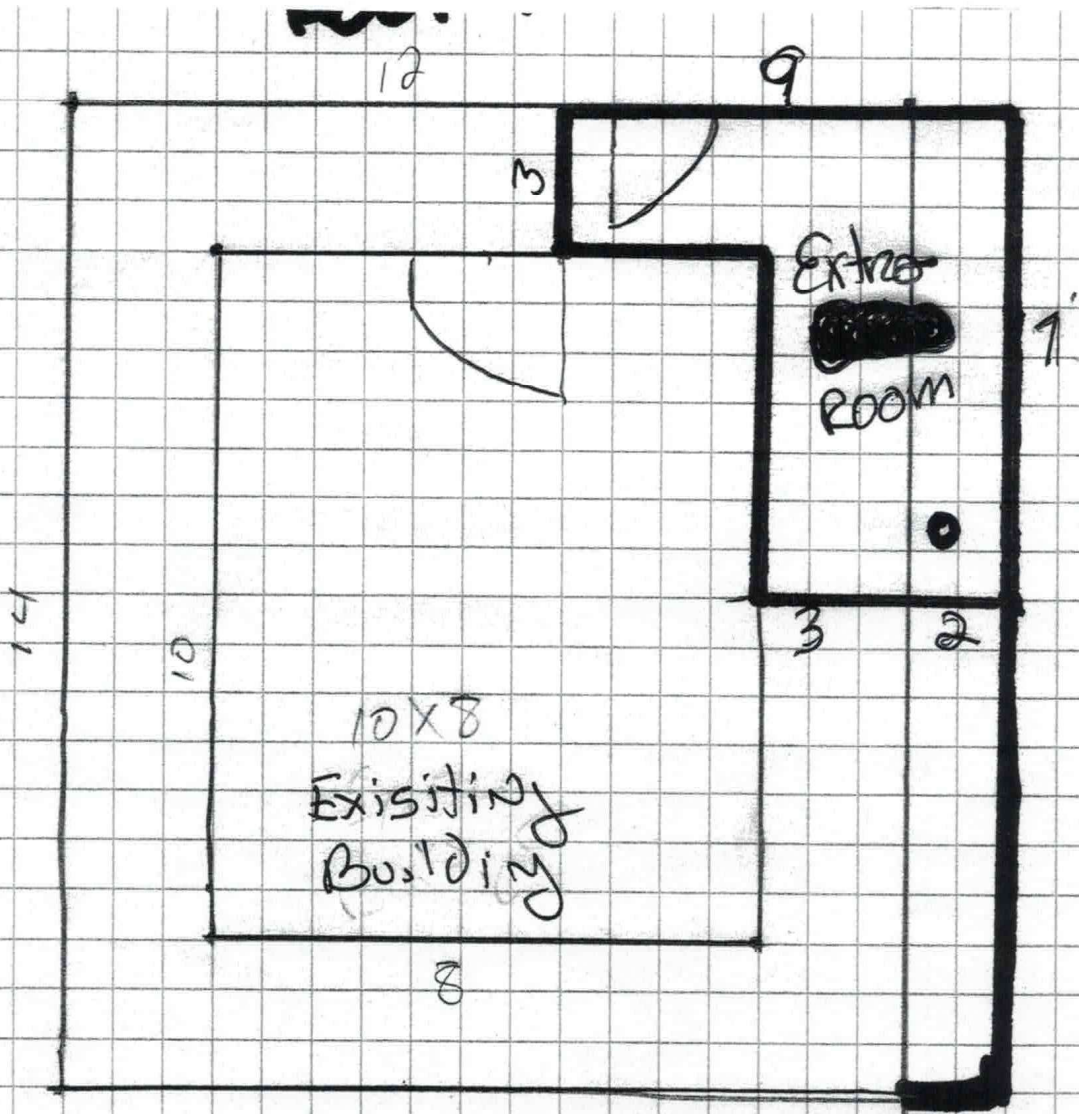
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

We are asking for a small addition to an existing building to store boat and dock equipment when not in use. it will be attached to the building on the road side and will match the existing building and roof line. Other property owners and neighbors on both sides have given their blessing.

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 variance will not cause an adverse impact because one it is just slightly over the variance to begin with and it will actually clean up the outdoor storage by putting the boat and dock accessories inside. I know the neighbors would appreciate that. They even said great idea!



NOTE:
SHED ENCRD. 1.0'±
AS SHOWN.

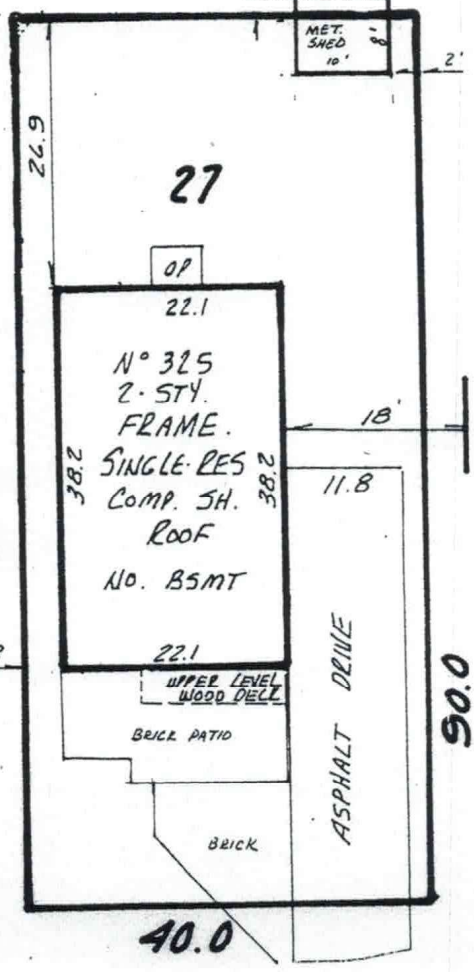
NOTE: PROPERTY SUBJECT TO
EASEMENTS AND/OR RESTRICTIONS
OF RECORD, IF ANY.

SCALE: 1" = 20' N

LEGAL DESCRIPTION:
LOTS #27 & 35, "Walled
Lake Shores Subdivision",
City of Novi, Oakland
County, Michigan. Rec'd
I. 28, P. 20 Plats, O.C.R.

VACANT

90.0



RES

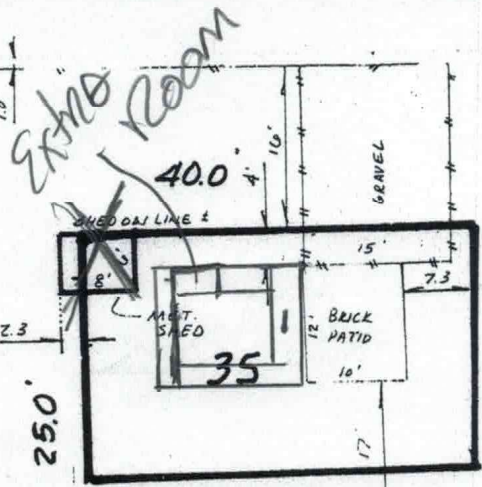
90.0

40.0

SOUTH LAKE DR. 50' R.O.W.

20' ASPH.

NOTE:
SHED ENCRD. 2.3'±
AS SHOWN.



36

25.0

35

40.0

25.0

34

SEA WALL

FILE NO: 262992-86123

DATE: 11/18/02

APPLICANT: Ronald Johnston, Jr.

WALLED LAKE



We hereby certify that all data collected for the property described is accordance with the laws of Michigan as interpreted in and applied to the same, and that the same is true and correct. This report is intended to be used for the purpose of recording and is not to be used for any other purpose. The boundaries and areas shown are based on the data furnished and are not to be construed as a warranty of accuracy. The boundaries and areas shown are based on the data furnished and are not to be construed as a warranty of accuracy. The boundaries and areas shown are based on the data furnished and are not to be construed as a warranty of accuracy.

