



# 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: November 10, 2020

REGARDING: 23780 E Le Bost Drive, Parcel # 50-22-25-126-009 (PZ20-0051)

BY: Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

#### Applicant

Jovica Stosic

#### Variance Type

Dimensional Variance

#### Property Characteristics

Zoning District:	Single Family Residential
Location:	East of Meadowbrook Road and South of Ten Mile Road
Parcel #:	50-22-25-126-009

#### Request

The applicant is requesting variance from the Novi Zoning Ordinance Section 3.1.5 for a proposed 27 foot front yard setback (30 feet required, variance of 3 feet); and an aggregate total side yard setback of 20.5 feet (25 feet required, variance of 4.5 feet). These variances would accommodate the building an attached garage to replace an existing carport. This property is zoned Single Family Residential (R-4).

### II. STAFF COMMENTS:

### 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. **PZ20-0051**, 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. **PZ20-0051**, 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 Petitioner's 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: <u>\$200.00</u>
PROJECT NAME / SUBDIVISION <u>23780 E Le Bost</u>		ADDRESS <u>23780 E Le Bost</u>		Meeting Date: <u>Nov 10<sup>th</sup></u>
SIDWELL # 50-22- <u>25-126-009</u>		LOT/SUITE/SPACE # <u>128</u>		ZBA Case #: <u>PZ 20-0051</u>
CROSS ROADS OF PROPERTY <u>E Le Bost Dr</u>				
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input checked="" 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				
<b>II. APPLICANT INFORMATION</b>				
<b>A. APPLICANT</b>		EMAIL ADDRESS <u>STJovica@yaHoo.com</u>	CELL PHONE NO. <u>248-508-7479</u>	
NAME <u>Jovica Stosil</u>		TELEPHONE NO.		
ORGANIZATION/COMPANY		FAX NO.		
ADDRESS <u>23780 E Le Bost</u>		CITY <u>NOVI</u>	STATE <u>MI</u>	ZIP CODE <u>48275</u>
<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 type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input checked="" 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>Construct Attached Garage</u> 2. Section _____ Variance requested _____ 3. Section _____ Variance requested _____ 4. Section _____ Variance requested _____				
<b>IV. FEES AND DRAWINGS</b>				
<b>A. FEES</b>				
<input checked="" type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meeting				
<b>B. DRAWINGS 1-COPY &amp; 1 DIGITAL COPY SUBMITTED AS:</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 checked="" type="checkbox"/> Number & location of all on-site parking, if applicable				

3.1.5 Section  
 Front Required 30'  
 Proposed 27'  
 3 Fee Reduction  
 ---  
 Agg total Both 25'  
 Required  
 20.5 Proposed  
 4.5' Reduction

erty lines  
 ible  
 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 10/1/20

### 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 10/1/20

## 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:

*Typical Lot*

**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:

*Typical*

**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:

*Existing Home with carport was already non-conforming  
Simply remodelling carport to more attractive garage*

## 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).

Need garage to fit in with adjoining homes

Applicant was unaware of code when purchased.

## 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.

Home exists closer to property than current code permits

Cannot move home

## 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.

Applicant is simply replacing existing carport, and needs 4ft additional for garage structure.

## 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.

Neighbor to south has fence, no reduced enjoyment

Adding garage increases property values

Neighbors ~~were~~ have been solicited with no objections

52

126

22-25-126-007

37 27

140.00

140 22  
80 00

22-25-126-008

80.00

127

140.00

Willowbrook Estates Sub No 2

ELLE POST

7.6"  
41

22-25-126-009

80.00

27 FT

128

140.00

80 00

95 00

18.8  
31.8  
13 FT

80 00

22-25-126-010

80.00

129

140.00

90.00



80.00

4

## "GARAGE DIMENSION AND MATERIAL"

GARAGE D. 21 X 18.6

GARAGE WALL HEIGHT 8'

ROOF: TRUSS

ROOF SHEATHING 7/16 OSB

ROOF: SHINGLE

WALL SHEATHING 7/16 OSB

2X4 STUDS

SIDING: SIDING VINYL

HOUSE WRAP

SILL SEALER

TRIM MATERIAL: SUB-FASCIA 2X6

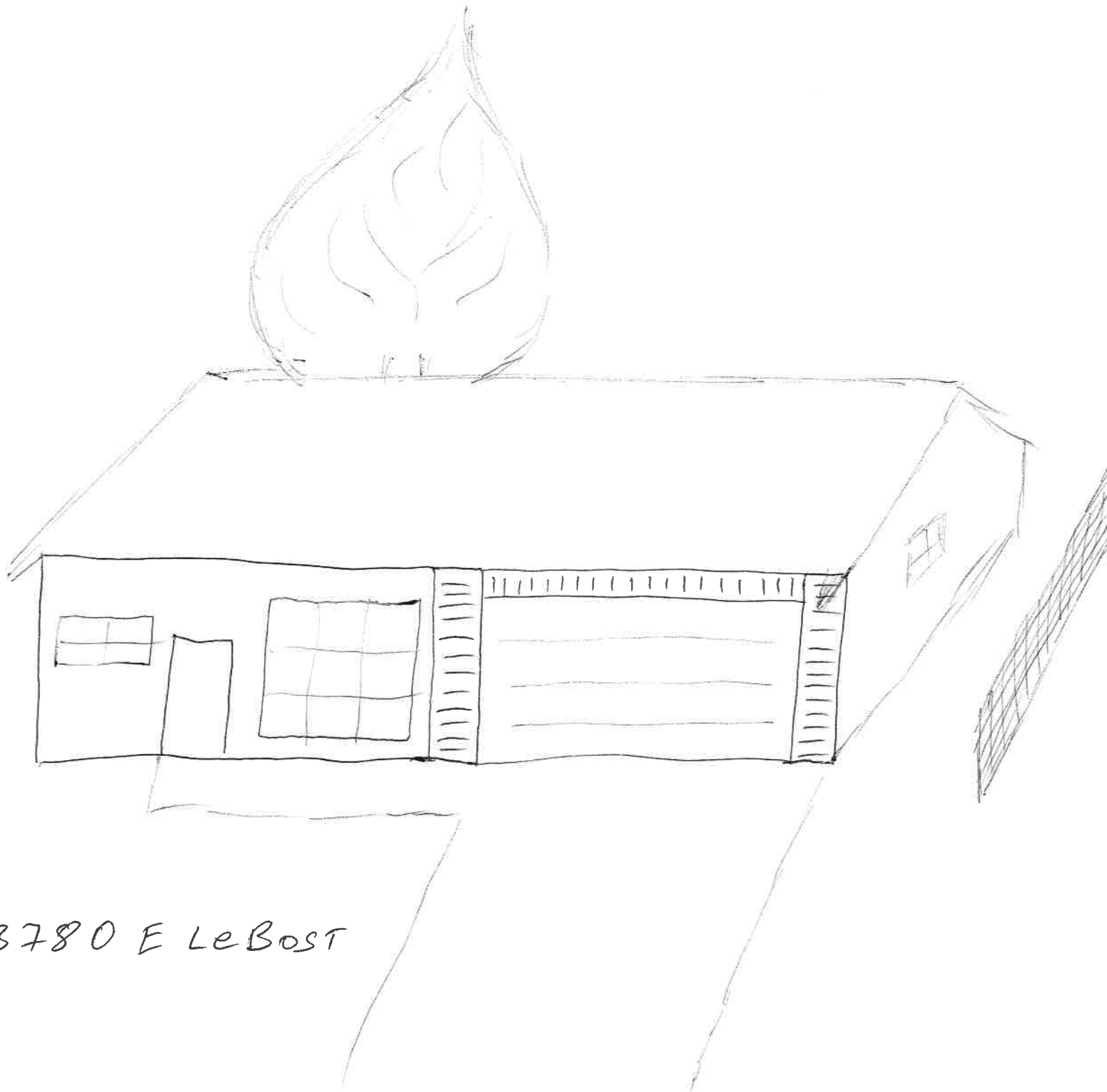
FASCIA 1X8 R/S

WINDOW VINYL

GARAGE DOOR: ALUMINUM PANELS

ELECTRIC WIRING: ROMEX 14/2 NM-B WIRE





23780 E LeBost