



# 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:** July 11, 2023

**REGARDING:** 47770 Alpine Drive, Parcel # 50-22-29-227-042 (PZ23-0022)

**BY:** Alan Hall, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**

Steven Erkins

**Variance Type**

Dimensional Variance

**Property Characteristics**

Zoning District: This property is zoned One Family Residential (R-3)

Location: West of Beck Road, South of 10 Mile

Parcel #: 50-22-29-227-042

**Request**

The applicant is requesting variance from the City of Novi Zoning Ordinance section 3.1.4 for a proposed rear yard setback of 19.24 feet (35 feet required, variance of 15.76' feet). This variance will accommodate the building of a new deck. This property is zoned One Family Residential (R-3).

### II. STAFF COMMENTS:

*This property has a special dimensional consideration because it has street frontage on the front and the side of the house. Placing the new deck within the rear yard setback appears to be a logical placement.*

### 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. **PZ23-0022**, 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. **PZ23-0022**, 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.

**Zoning Board of Appeals**

Steven Erkins  
Case # PZ23-0022

July 11, 2023

Page 3 of 3

Alan Hall – Deputy Director Community Development - City of Novi



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 www.cityofnovi.org

# ZONING BOARD OF APPEALS APPLICATION

**RECEIVED**

**JUN 01 2023**

**CITY OF NOVI  
 COMMUNITY DEVELOPMENT**

**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 New Deck with Roof / Valencia Estates South Subdivision				Meeting Date: <u>July 11 2023</u>	
ADDRESS 47770 Alpine Drive		LOT/SIUTE/SPACE # Lot #42		ZBA Case #: <u>PZ 23-0022</u>	
SIDWELL # 50-22- 29 - 227 - 042		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY 10 Mile Road and Becky Road					
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 Serkins213@gmail.com		CELL PHONE NO. (248) 613-8585	
NAME Steven Erkins		TELEPHONE NO.			
ORGANIZATION/COMPANY		FAX NO.			
ADDRESS 47770 Alpine Drive		CITY Novi		STATE Michigan	ZIP CODE 48374
<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 Serkins213@gmail.com		CELL PHONE NO. (248) 613-8585	
NAME Steven Erkins		TELEPHONE NO.			
ORGANIZATION/COMPANY		FAX NO.			
ADDRESS 47770 Alpine Drive		CITY Novi		STATE Michigan	ZIP CODE 48374
<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>16 ft. Proposed - 19.24 ft. Existing - 35 ft. Required</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) \$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>					
• Dimensioned Drawings and Plans		• Existing & proposed distance to adjacent property lines			
• Site/Plot Plan		• Location of existing & proposed signs, if applicable			
• Existing or proposed buildings or addition on the property		• Floor plans & elevations			
• Number & location of all on-site parking, if applicable		• 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

*Steven Erkins*

Applicant Signature

5-30-23

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.

*Steven Erkins*

Property Owner Signature

5-30-23

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 a amendment.  
 Not Applicable     Applicable    If applicable, describe below:

The shallowness of the property and the placement of the home on the property was already in existence at the time of purchase. And on the effective date of the zoning ordinance.

*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).

Home was purchased with the 35 ft. setback already in existence.

## **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 placement of the house as purchased is already at the 35 ft. setback. Any project over .24 ft would require a variance.

## **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.

The 16 ft. variance for the covered structure on the new deck is the minimum needed to cover the 16 ft deck.

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

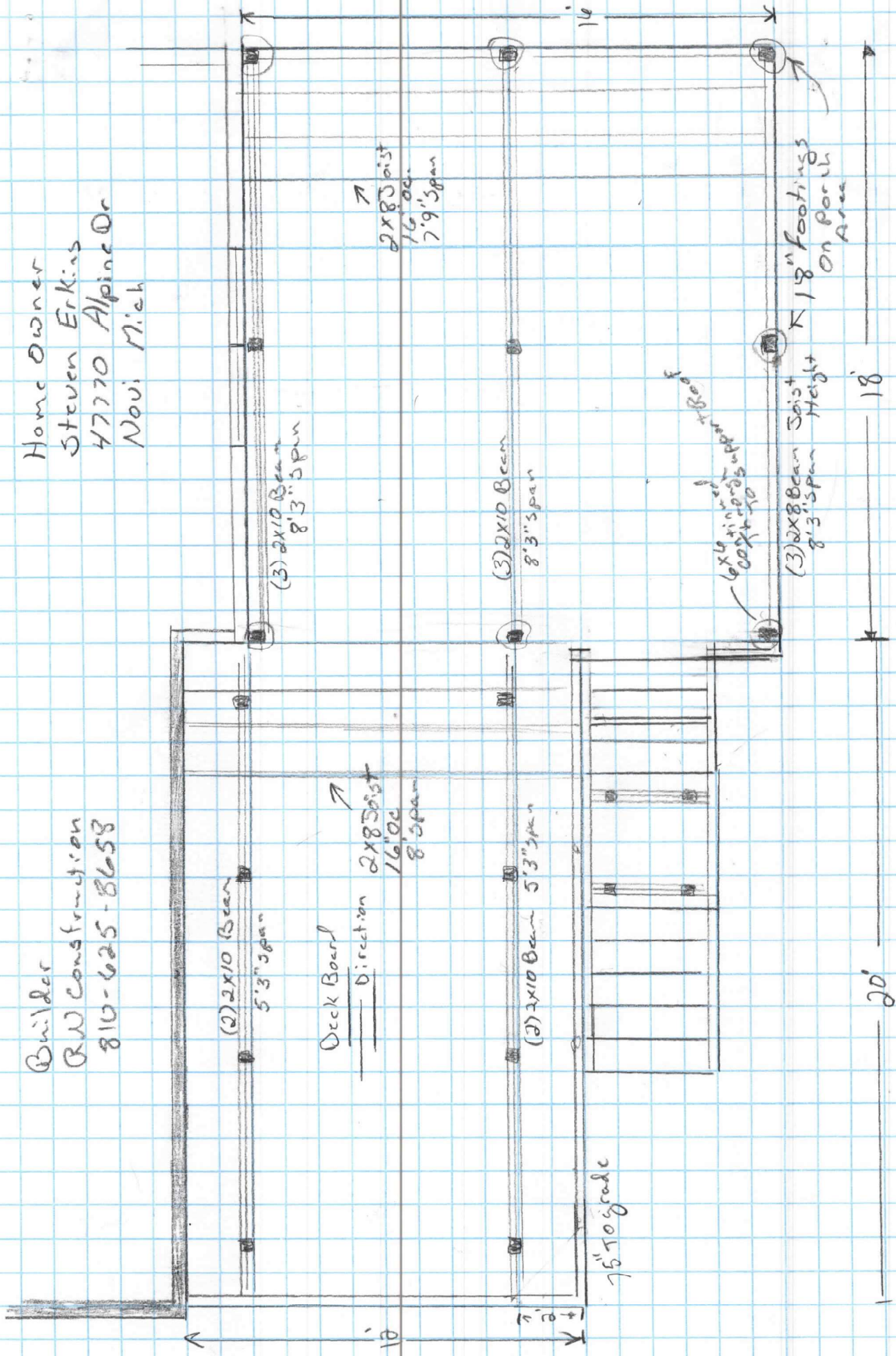
Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

This project will not cause any adverse impact to surrounding properties. There are similar structures in the same neighborhood that has not adversely impacted the community.



Home Owner  
 Steven Erkins  
 47770 Alpine Dr  
 Novi Mich

Builder  
 RW Construction  
 810-625-8658

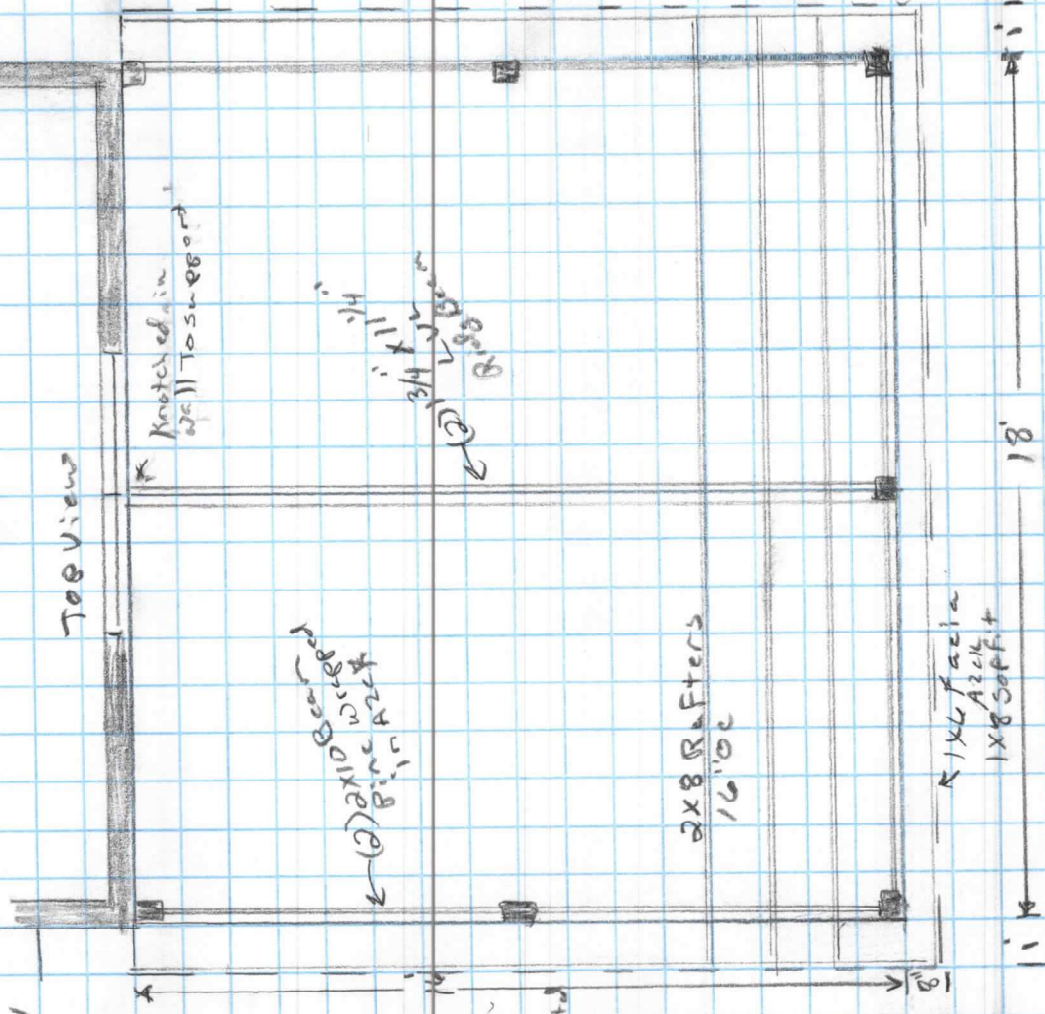
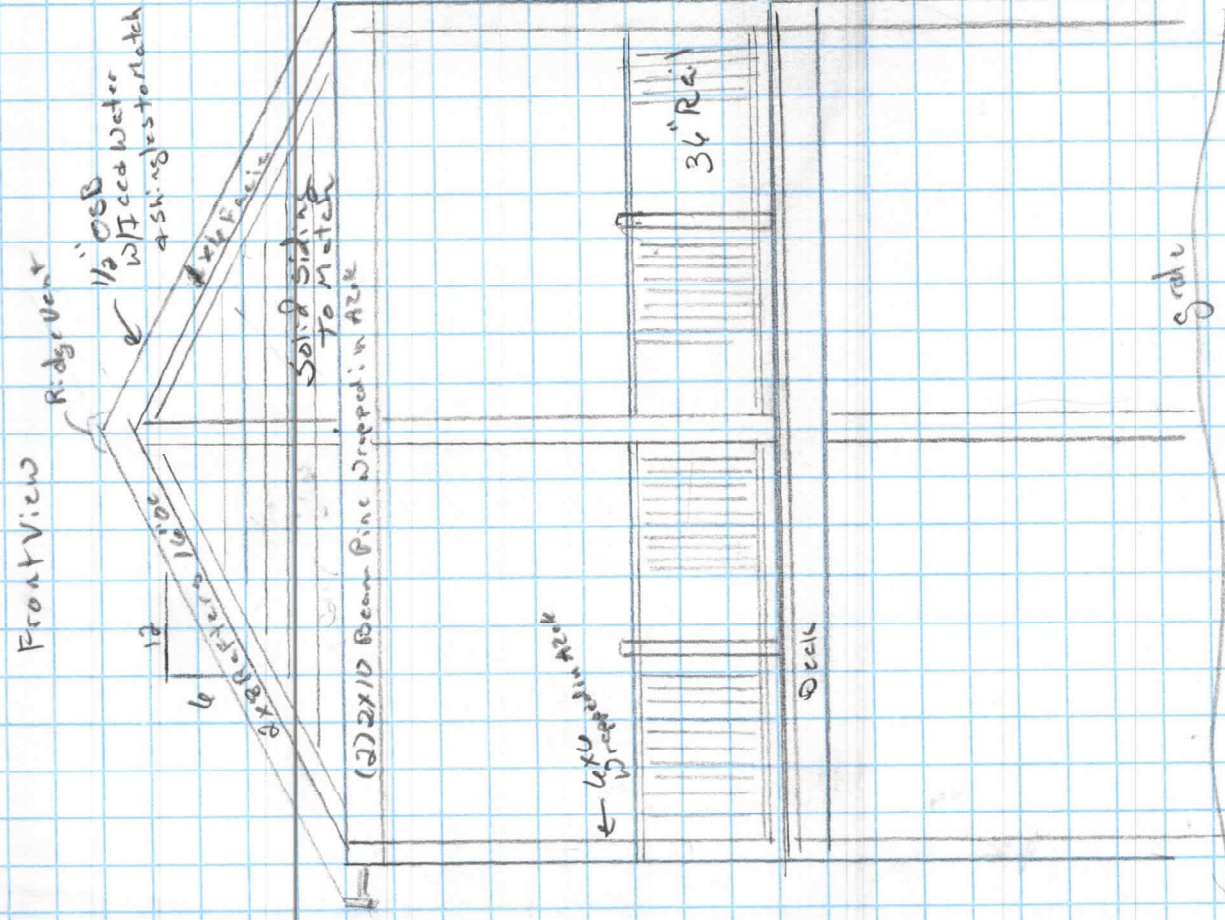


Scale 1/4" = 1'

5/15/22 Quote

Homeowner  
 Steven Erkins  
 47770 Alpine Or  
 Novi MI: 48374

Builder  
 RW Construction  
 810-625-8658



Scale 1/4" = 1'

HOUSE

ATTACHMENT FOR  
LANDINGS, STAIRS,  
ETC. R311.5.1

Decking  
Material: Trex

A 4" sphere cannot  
pass through

WHEN  
ATTACHING  
BOND TO BOND,  
FOLLOW  
SECTION R507

DO NOT  
PENETRATE  
BRICK

PROVIDE  
LATERAL  
BRACING

All Post Must Bear on  
Undisturbed Soil - Minimum 42"  
below Finish Grade

Height Above  
Grade: 75"

Less than 4"

Less than 4"

Guardrail  
minimum 36"

Guardrail minimum 34" off nosing

BLOCK & SCREW OR USE  
APPROVED BRACKETS ON  
RAIL POSTS

A 6" sphere cannot  
pass through

Grade

Rise: Max 8 1/4"  
Run: 9" Min  
Nosing: 3/4" - 1 1/4"  
All risers will be equal  
Tread 10"  
No nose if tread = 11"

Post Size: 6x6

8'x18"  
Pads For Posts

4"  
12" Minimum

BEAMS (3) 2x10  
BEAM SIZE: (2) 2x10  
Post to Post Span: 5'3"  
8'3"

JOIST  
Joist Size: 2x8  
Spacing: 16" OC

Joist Span: 7'9" Max

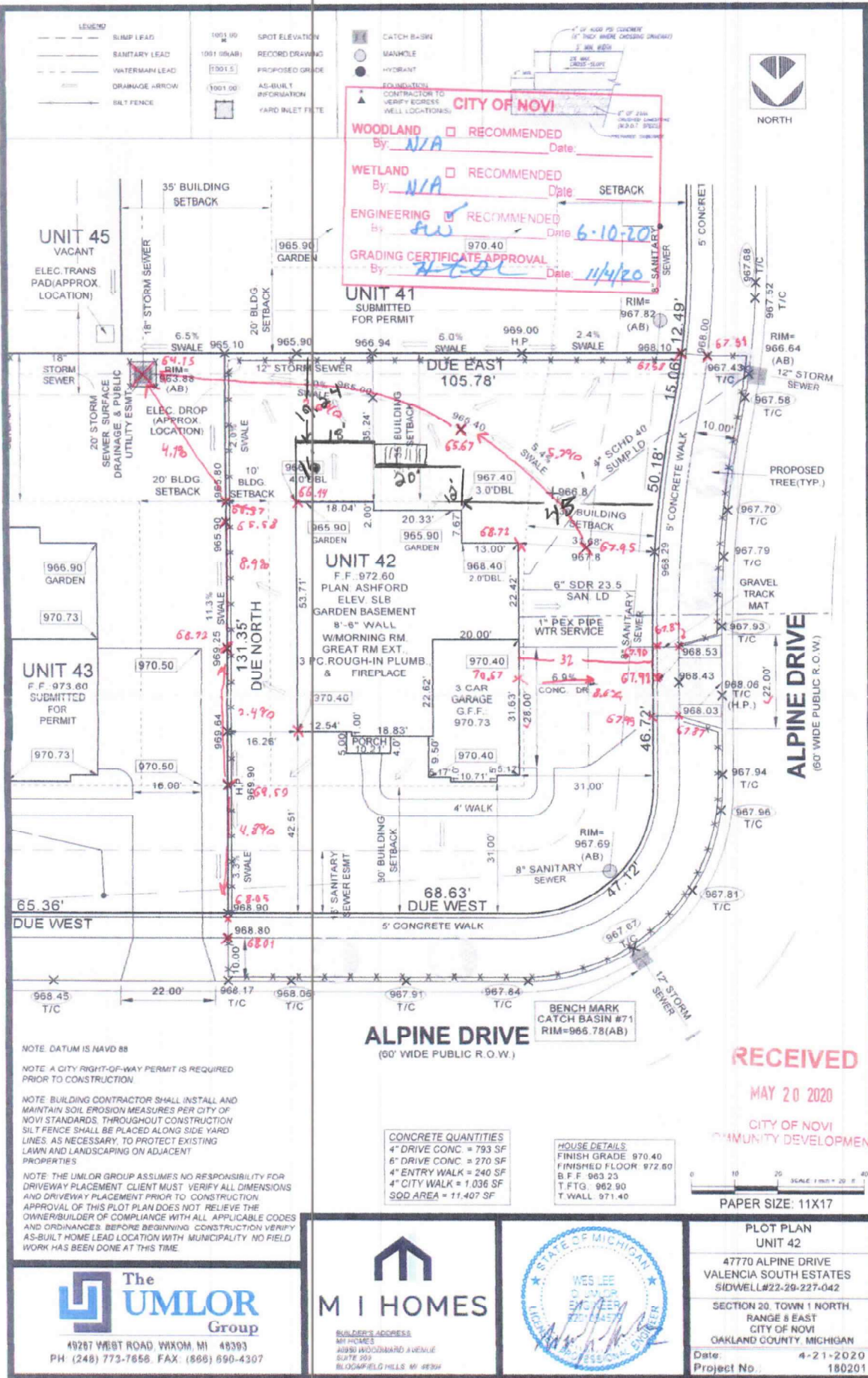
POST AT HOUSE MUST BE TO  
HOUSE FOOTING DEPTH

Footing: 42"

**\*\*PLEASE FILL IN ALL REQUIRED INFORMATION\*\***  
Revised: 4/29/22

Beam/Post Connection Method and Hardware to be Used: Knock Post so beam will rest on it

and install 2: 7" Thru-bolts through beam + post



**LEGEND**

---	SUMP LEAD	1001.00	SPOT ELEVATION	○	CATCH BASIN
---	SANITARY LEAD	1001.00	RECORD DRAWING	○	MANHOLE
---	WATERMAIN LEAD	1001.5	PROPOSED GRADE	○	HYDRANT
---	DRAINAGE ARROW	1001.00	AS-BUILT INFORMATION		
---	SILT FENCE		YARD INLET FITE		

**CITY OF NOVI**  
 CONTRACTOR TO VERIFY EXCESS WELL LOCATIONS:  
 **WOODLAND**  RECOMMENDED  
 By: N/A Date: \_\_\_\_\_  
 **WETLAND**  RECOMMENDED  
 By: N/A Date: SETBACK  
 **ENGINEERING**  RECOMMENDED  
 By: RW Date: 6-10-20  
 **GRADING CERTIFICATE APPROVAL**  
 By: H.T.S. Date: 11/4/20

**UNIT 45**  
 VACANT  
 ELEC. TRANS PAD (APPROX. LOCATION)

**UNIT 41**  
 SUBMITTED FOR PERMIT

**UNIT 43**  
 F.F. 973.60  
 SUBMITTED FOR PERMIT

**UNIT 42**  
 F.F. 972.60  
 PLAN ASHFORD  
 ELEV SLB  
 GARDEN BASEMENT  
 8'-6" WALL  
 W/MORNING RM  
 GREAT RM EXT  
 3 P.C. ROUGH-IN PLUMB & FIREPLACE

NOTE: DATUM IS NAVD 88  
 NOTE: A CITY RIGHT-OF-WAY PERMIT IS REQUIRED PRIOR TO CONSTRUCTION  
 NOTE: BUILDING CONTRACTOR SHALL INSTALL AND MAINTAIN SOIL EROSION MEASURES PER CITY OF NOVI STANDARDS. THROUGHOUT CONSTRUCTION SILT FENCE SHALL BE PLACED ALONG SIDE YARD LINES. AS NECESSARY, TO PROTECT EXISTING LAWN AND LANDSCAPING ON ADJACENT PROPERTIES  
 NOTE: THE UMLOR GROUP ASSUMES NO RESPONSIBILITY FOR DRIVEWAY PLACEMENT. CLIENT MUST VERIFY ALL DIMENSIONS AND DRIVEWAY PLACEMENT PRIOR TO CONSTRUCTION. APPROVAL OF THIS PLOT PLAN DOES NOT RELIEVE THE OWNER/BUILDER OF COMPLIANCE WITH ALL APPLICABLE CODES AND ORDINANCES. BEFORE BEGINNING CONSTRUCTION VERIFY AS-BUILT HOME LEAD LOCATION WITH MUNICIPALITY. NO FIELD WORK HAS BEEN DONE AT THIS TIME.

**CONCRETE QUANTITIES**  
 4" DRIVE CONC = 793 SF  
 6" DRIVE CONC = 270 SF  
 4" ENTRY WALK = 240 SF  
 4" CITY WALK = 1,036 SF  
 SOD AREA = 11,407 SF

**HOUSE DETAILS**  
 FINISH GRADE 970.40  
 FINISHED FLOOR 972.60  
 B.F.F. 963.25  
 T.F.T.G. 962.90  
 T.WALL 971.40

**RECEIVED**  
 MAY 20 2020  
 CITY OF NOVI  
 COMMUNITY DEVELOPMENT

SCALE 1" = 20' = 40'  
 PAPER SIZE: 11X17

**The UMLOR Group**  
 49267 WEST ROAD WIXOM, MI 48393  
 PH (248) 773-7856 FAX: (888) 690-4307

**M I HOMES**  
 BUILDER'S ADDRESS  
 MI HOMES  
 4930 WOODWARD AVENUE  
 SUITE 209  
 BLOOMFIELD HILLS, MI 48304



**PLOT PLAN UNIT 42**  
 47770 ALPINE DRIVE  
 VALENCIA SOUTH ESTATES  
 SIDWELL#22-29-227-042  
 SECTION 20, TOWN 1 NORTH  
 RANGE 8 EAST  
 CITY OF NOVI  
 OAKLAND COUNTY, MICHIGAN  
 Date: 4-21-2020  
 Project No. 180201

PBR20-0180