



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: June 11, 2024

REGARDING: 23408 Winnsborough Drive # 50-22-27-428-008 (PZ24-0019)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Coy Construction

Variance Type

Dimensional Variance

Property Characteristics

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

Location: north of Nine Mile Road, west of Novi Road

Parcel #: 50-22-27-428-008

Request

The applicant is requesting variances from City of Novi Zoning Ordinance Section 3.1.5 for a rear yard setback of 28 ft. (35 ft. required, variance of 7 ft.). This variance would accommodate the addition of a deck on the rear of the home.

II. STAFF COMMENTS:

The applicant is seeking a dimensional variance to allow a screened-in area with a roof to be built over an existing deck at the rear of the home.

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. **PZ24-0019**, 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. **PZ24-0019**, 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

RECEIVED

MAY 01 2024

CITY OF NOVI
COMMUNITY DEVELOPMENT



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ZONING BOARD OF APPEALS
APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: **\$220.00**
Meeting Date: **6-11-24**
ZBA Case #: **PZ 24-0019**

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION Russell # 24081-P		Application Fee: \$220.00	
ADDRESS 23408 Winnsborough Ln.	LOT/SIUTE/SPACE #	Meeting Date: 6-11-24	
SIDWELL # 50-22-	May be obtain from Assessing Department (248) 347-0485		ZBA Case #: PZ 24-0019
CROSS ROADS OF PROPERTY West off Novi Road + North of w. 9 mile road			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input 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 type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS Heathere@coyconstruction.com	CELL PHONE NO.
NAME Coy Construction / Michael McCoy		TELEPHONE NO. 248-363-1050	
ORGANIZATION/COMPANY Coy Construction		FAX NO.	
ADDRESS 4214 Martin Road	CITY Commerce	STATE MI	ZIP CODE 48390
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	CELL PHONE NO.
NAME Mark + Laura Russell		TELEPHONE NO. 248-444-8386	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS 23408 Winnsborough Ln.	CITY NOVI	STATE MI	ZIP CODE 48375
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 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	7' REAR YARD	
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) \$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 			



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 SCREEN PORCH ON EXISTING TRAIL DECK

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Michael L. McCoy
Applicant Signature

4/29/2024
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.

Mal Fennell
Property Owner Signature

4/25/2024
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

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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:

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:

There is a small stream and standing water running through, which leaves a breeding ground for mosquitos. Thus making the existing deck unusable ^{and/or} in the evening.

- 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 need for this variance is because of the stream and standing water - and is not the result of any body's actions

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.

By not granting the 7' variance, the homeowner would only be able to build a ~~narrow~~ nine foot porch; which is barely usable.

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.

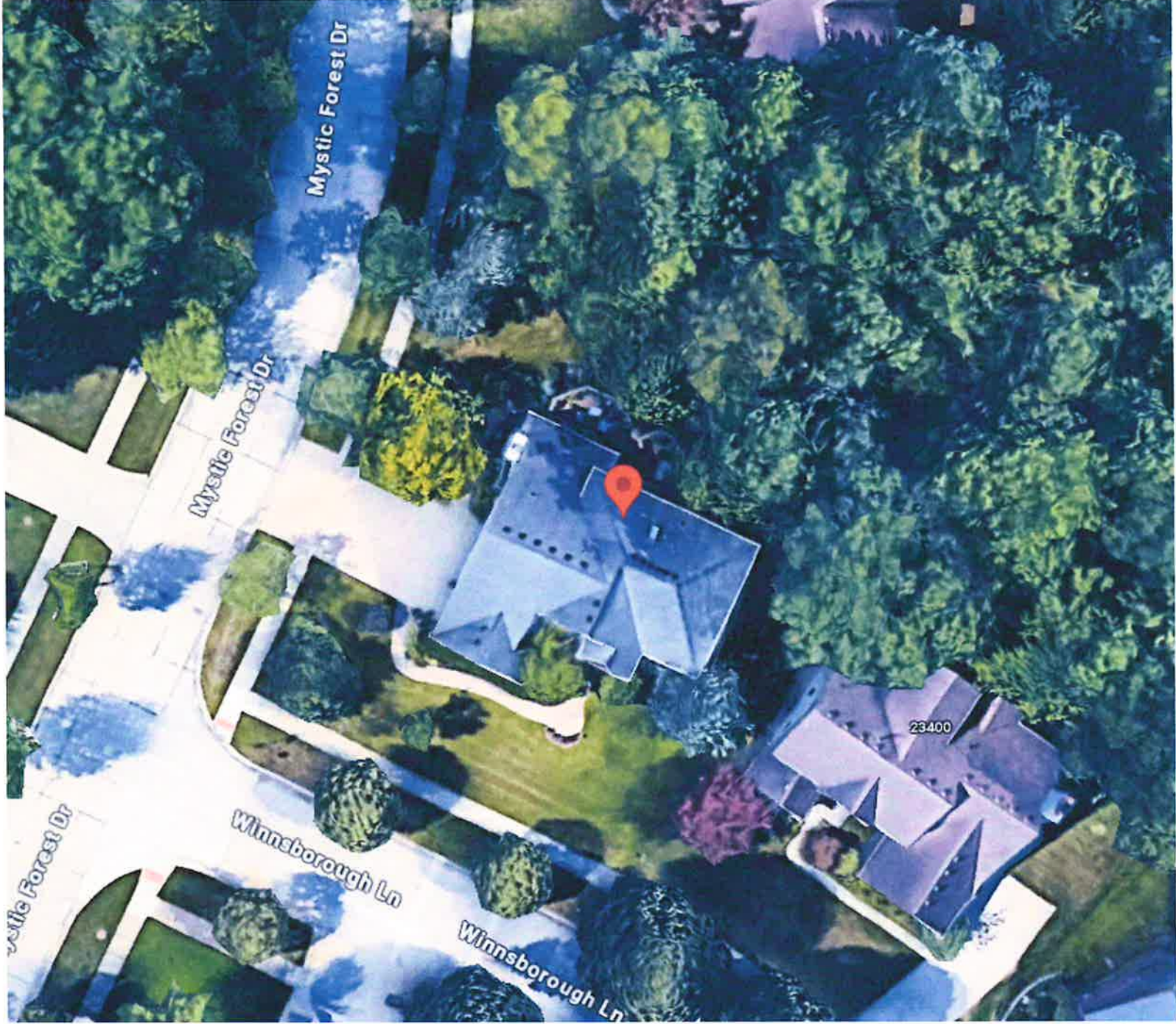
By granting the 7' variance, it will allow the homeowner to enjoy a modest size room at approx. 140 sq ft. This room size & shape is in keeping with the nine other screen porches built in the neighborhood.

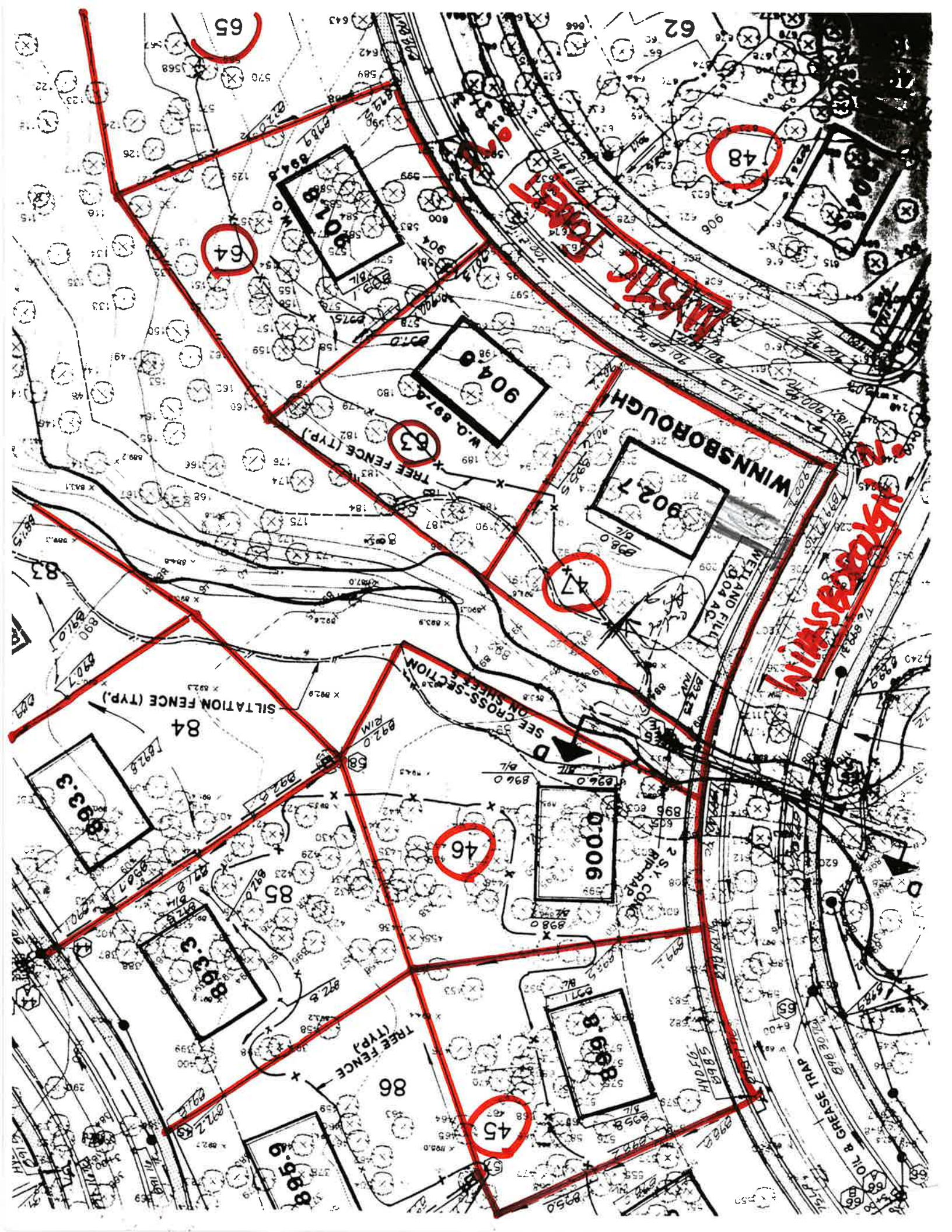
Standard #5. Adverse Impact on Surrounding Area.

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 heavily wooded rear yard

The existing deck & screened porch in the heavily wooded rear yard is not very visible from the neighbors - again this screen room

It will only add value to this home & the surrounding properties





48

54

53

47

46

45

MYSTIC FOREST

WINNSBOROUGH

WETLAND FILL
0.04 AC

SILTATION FENCE (TYP.)

D SEE CROSS-SECTION

SY. CONC. PIPE

TREE FENCE (TYP.)

OIL & GREASE TRAP

904.8
W. O. 897.4

902.7

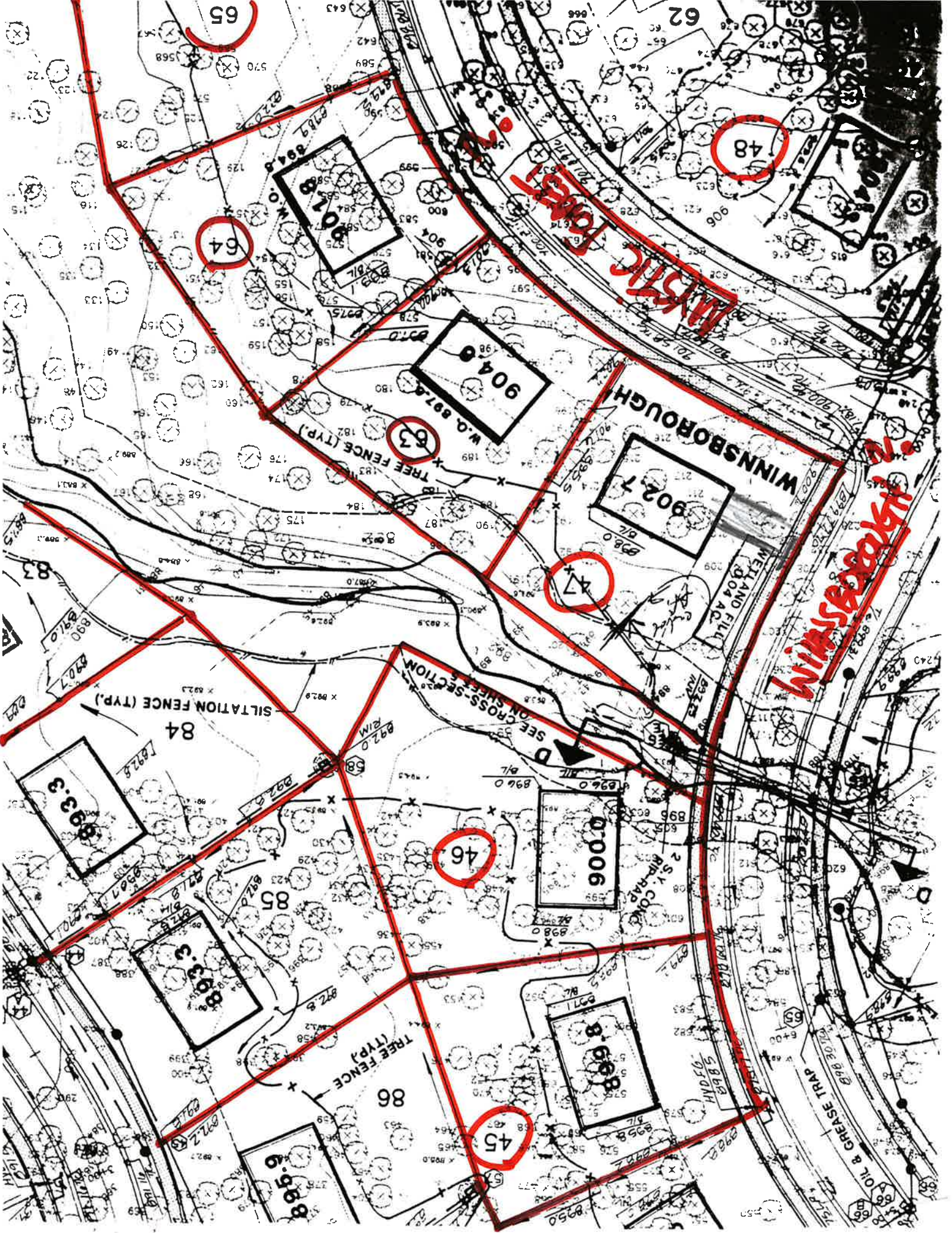
893.3

893.3

0.006

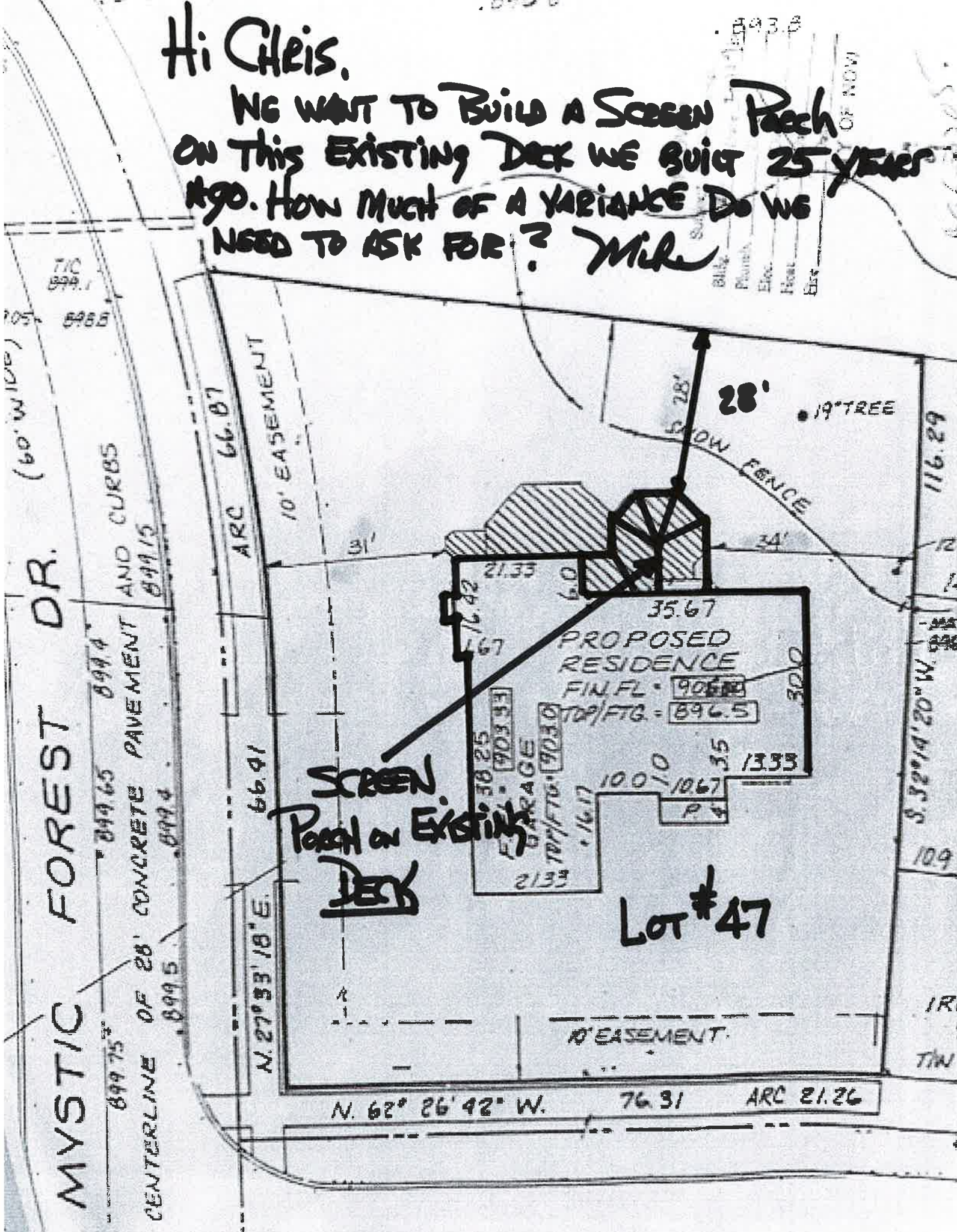
8.668

6.998



Hi Chris,

WE WANT TO BUILD A SCREEN PORCH ON THIS EXISTING DECK WE BUILT 25 YEARS AGO. HOW MUCH OF A VARIANCE DO WE NEED TO ASK FOR? Mike



MYSTIC FOREST DR.

CENTERLINE OF 28' CONCRETE PAVEMENT

ARC 66.87
10' EASEMENT

N. 27° 33' 18" E. 66.91

N. 62° 26' 42" W. 76.31

ARC 21.26

Lot #47

SCREEN PORCH ON EXISTING DECK

PROPOSED RESIDENCE
FIN FL = 905.82
TOP/FTG = 896.5

EXISTING GARAGE
FIN FL = 903.33
TOP/FTG = 903.0

28'

28'

19' TREE

SNOW FENCE

10' EASEMENT

S. 32° 14' 20" W. 116.29

109

IR

T/W

TIC 899.1

898.5

AND CURBS 899.15

899.4

899.4

899.5

899.75

899.65

899.4

(60' WIDE)

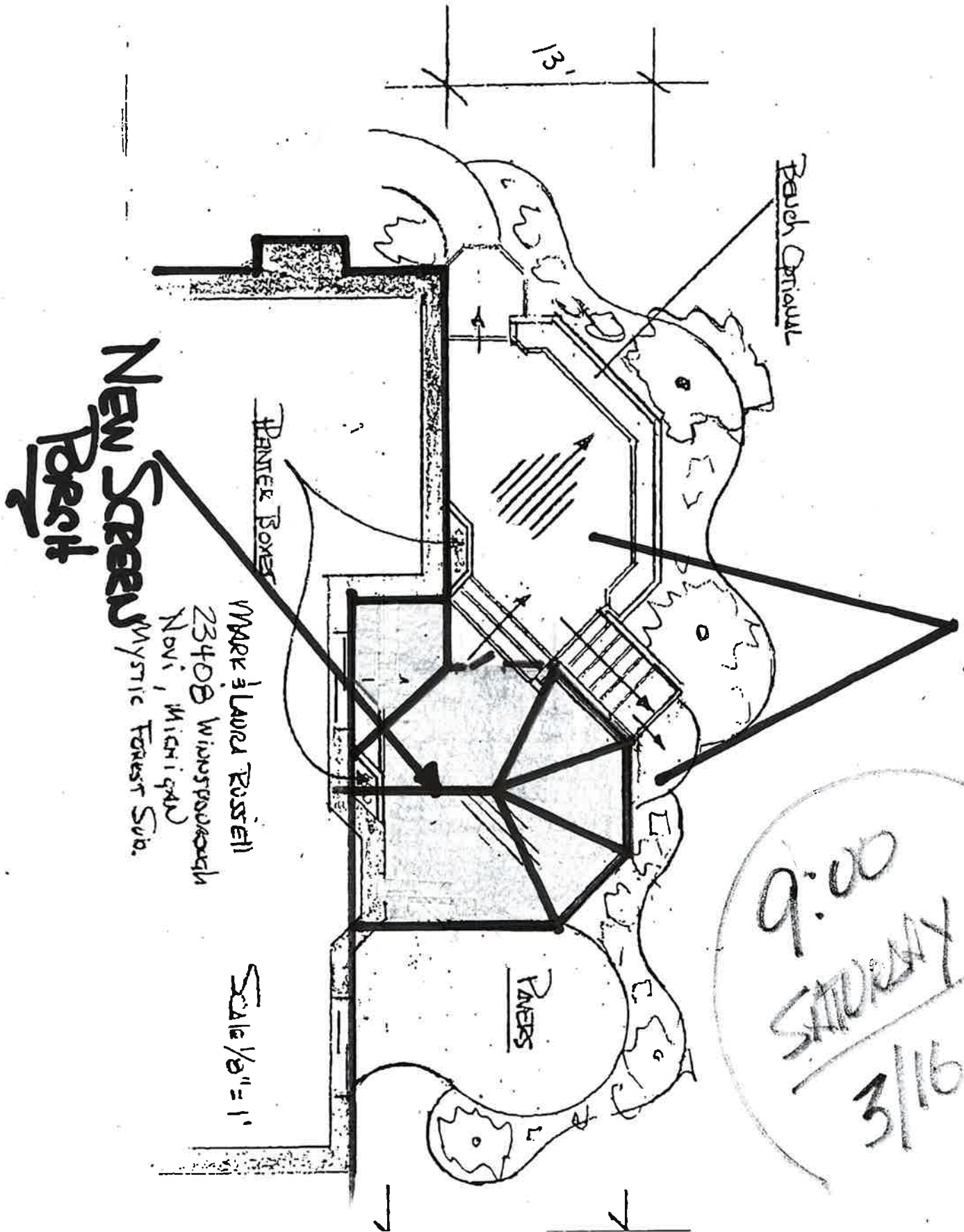
Bill
Plan
Elev
Foot
Elev

OF NOW

1993.8

EXISTING DECK

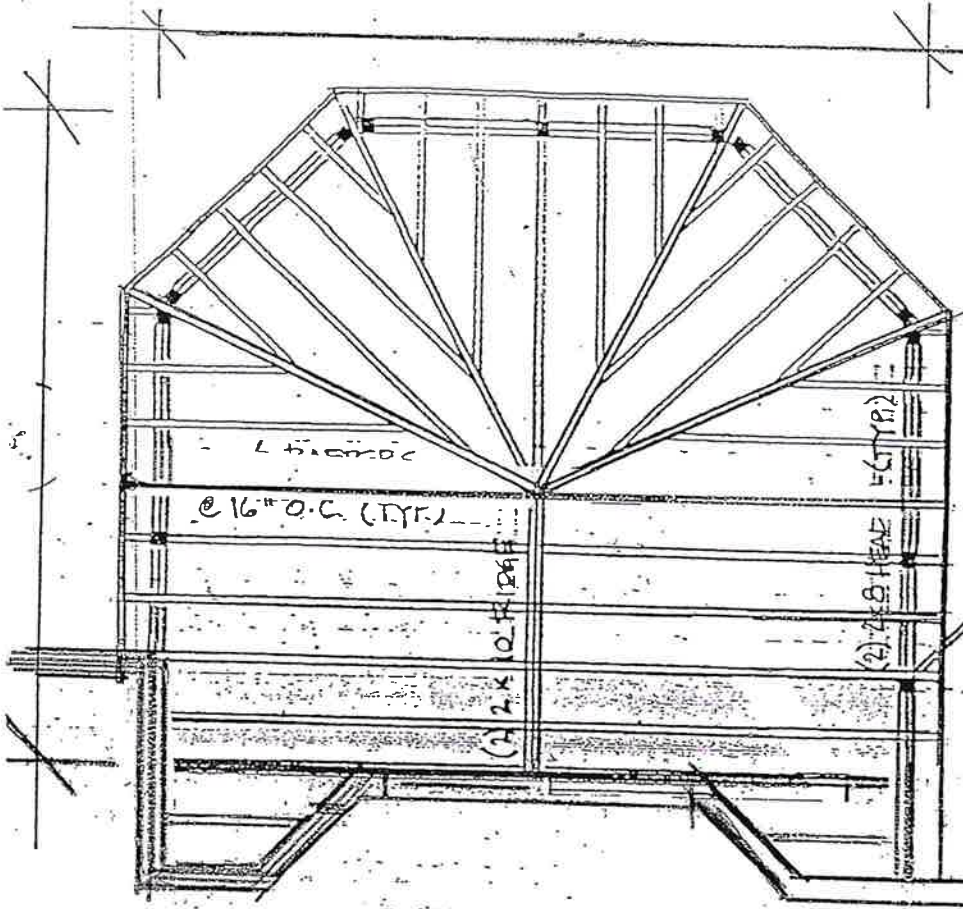
9:00
SATURDAY
3/16



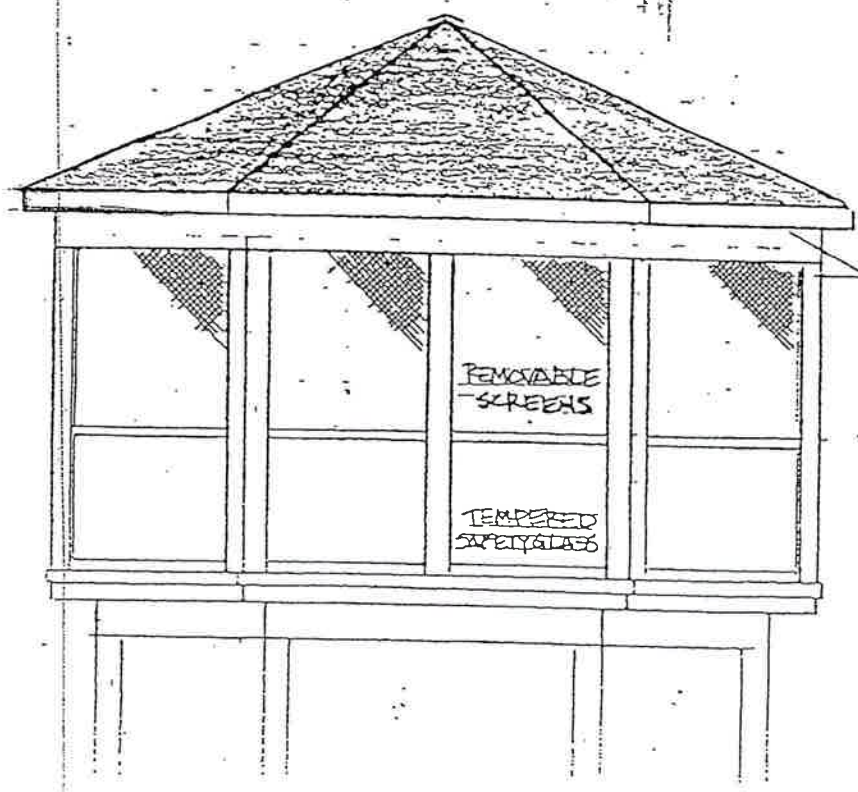
MARK & LAUREN RUSSELL
23408 WINDSPROCKED LN
NOVI, MICHIGAN
MYSTIC FOREST SUB.

Scale 1/8" = 1'

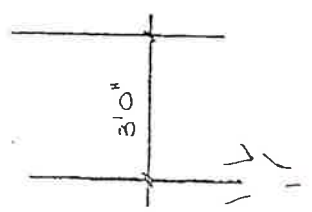
- RIDGE - 2x10
- POSTS - 4x4 CEDAR
- HEADERS - 2- 2x8"
- RAFTERS - 2x6" 16" O.C.
- SHEETING - 7 1/2" OSB
- ICE & WATER SHIELD
- 15# FELT
- DRIP & SHINGLES TO MATCH
- 36" ALUMINUM STORM DOOR
- SOFFIT VENTS
- EXTERIOR CEDAR OR AZEK TRIM



FRAME DETAIL
SCALE 1/4" = 1'-0"

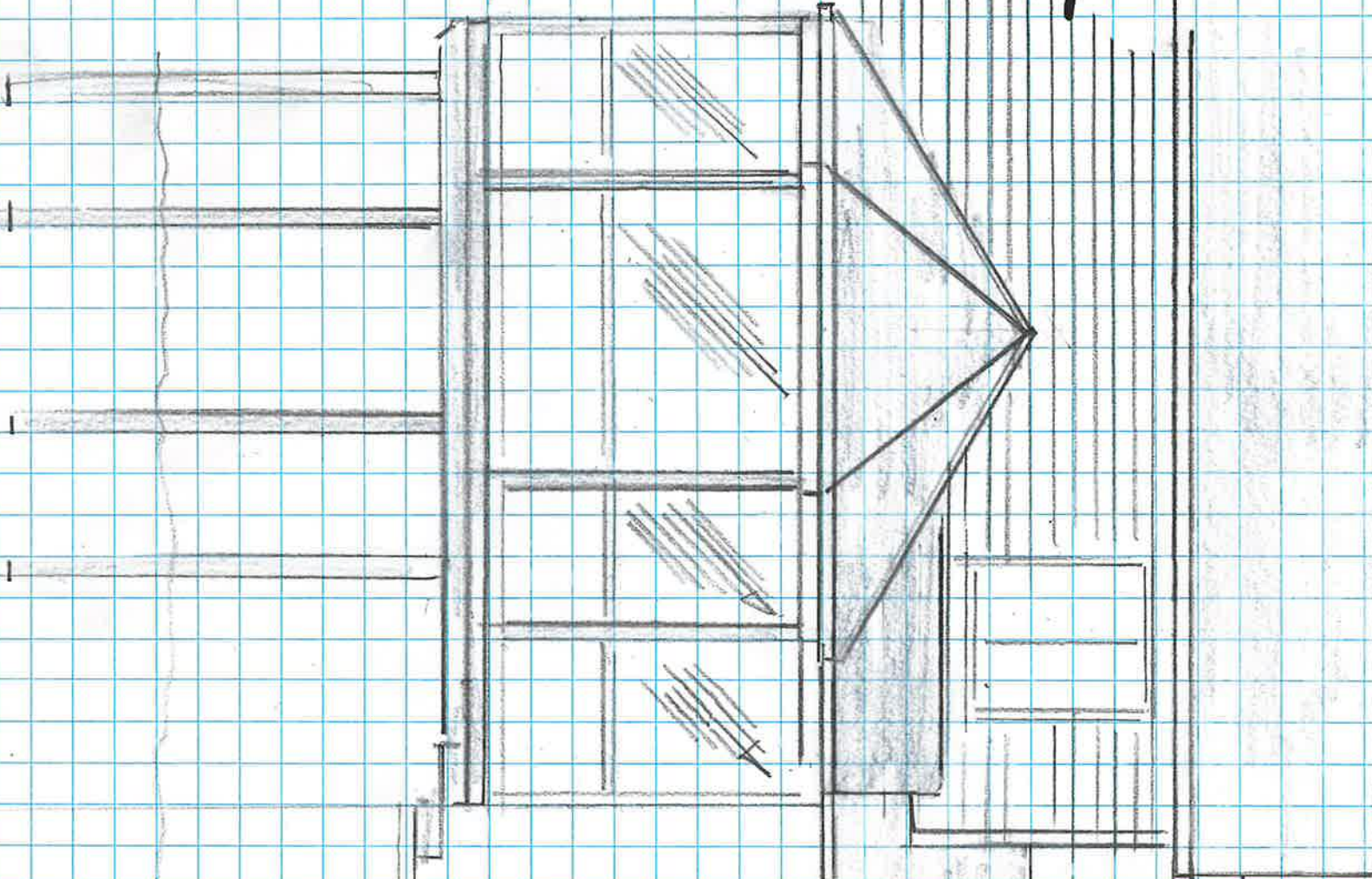


1x6 R.S. CEDAR TRIM



FRONT ELEVATION DETAIL
SCALE 1/2" = 1'-0"

Pg. 3 of 6



REAR ELEVATION
SCALE 1/4" = 1'

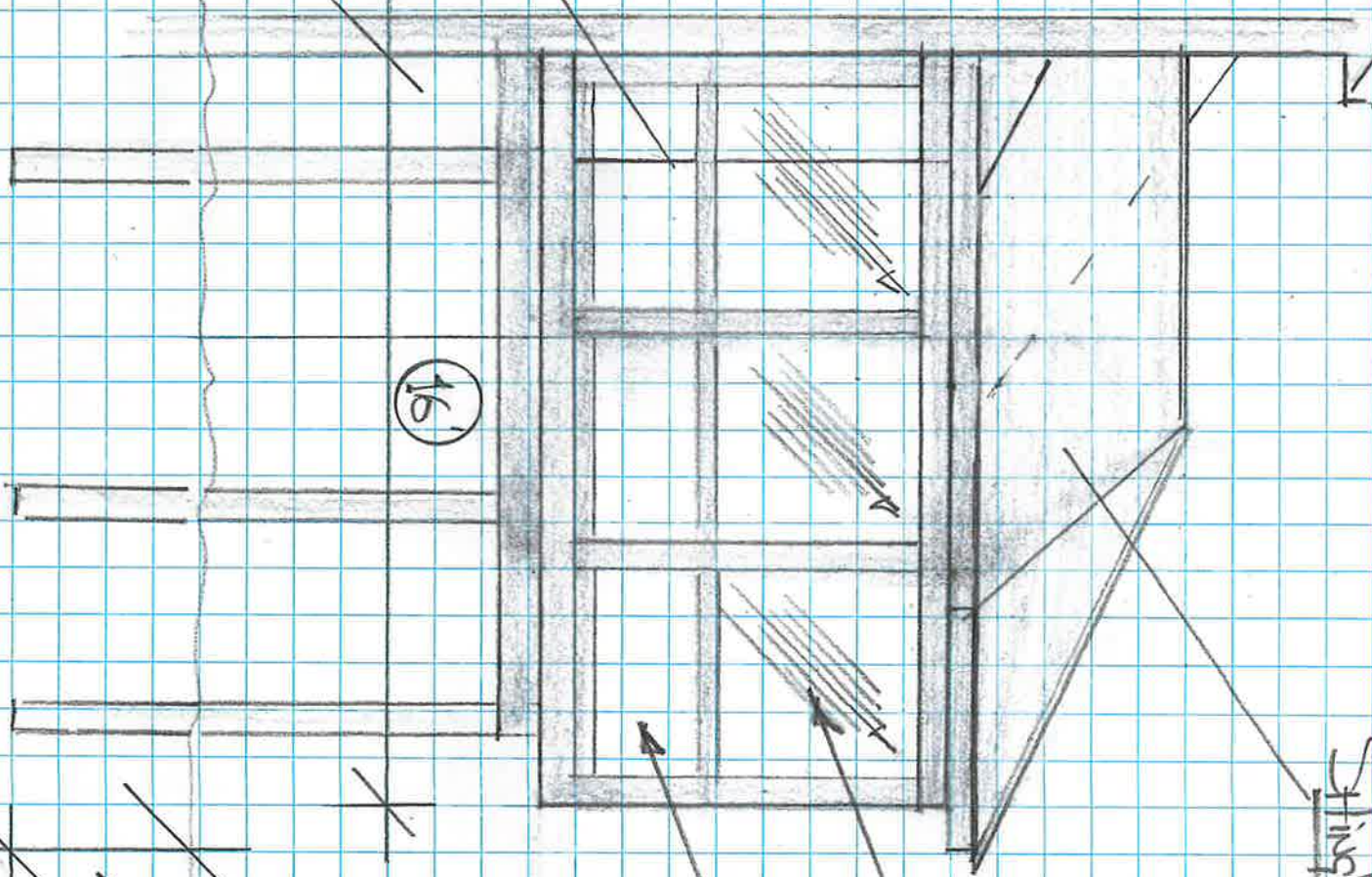


Pg. 4 of 6



Rosell
RESIDENCE

Bay Window



(16)

42"

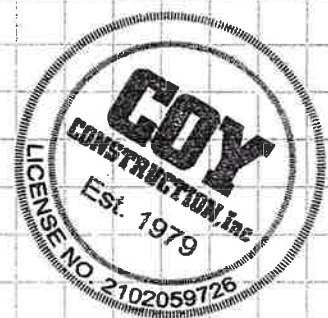
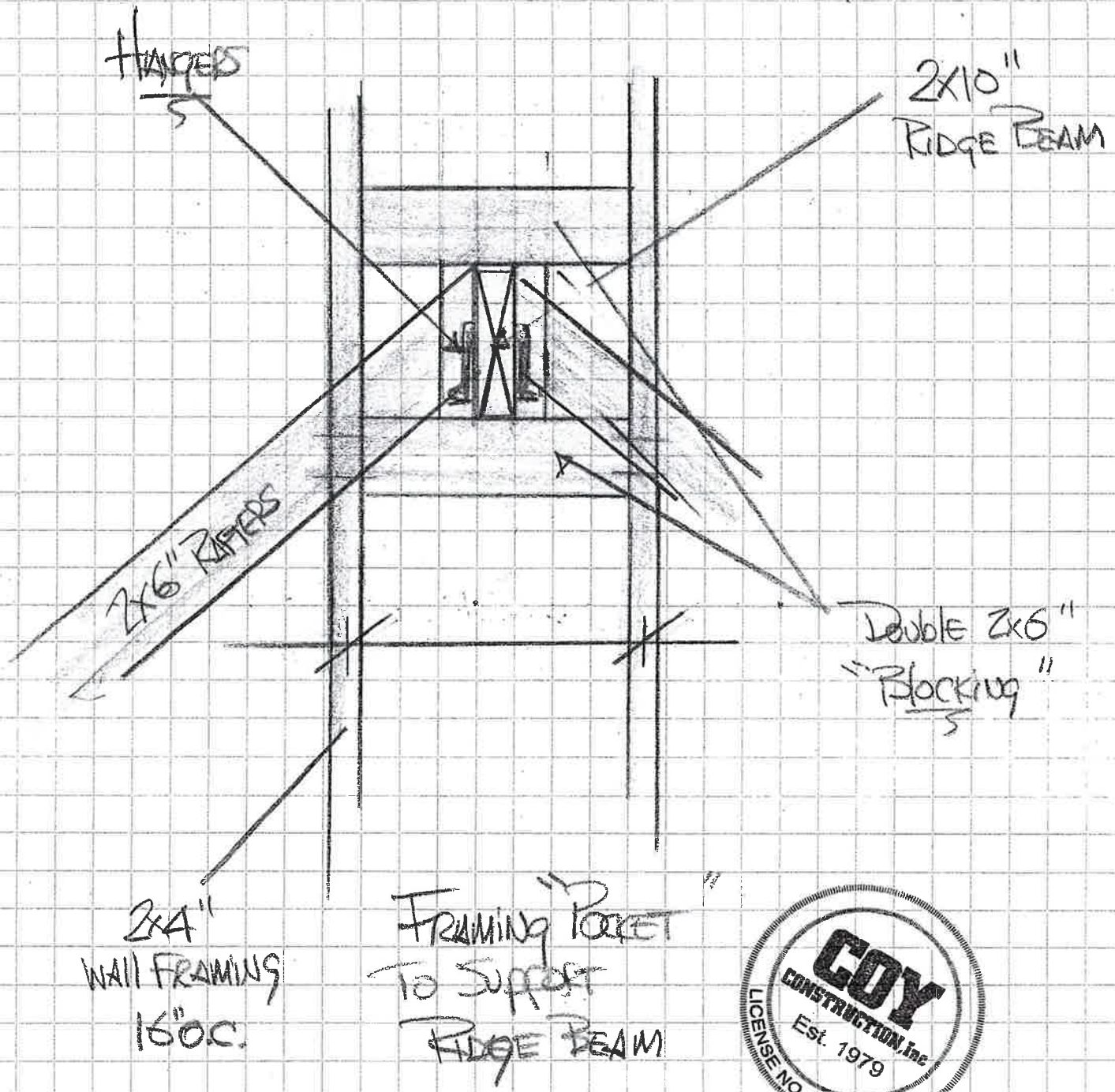
Single to Wall

SCREENS

TEMPERED GLASS

SIDE ELEVATION

SCALE 1/4" = 1'



R 60F6

2x6 RAFTERS
16" O.C.

WALL FRAMING
DETAIL
SCALE 1" = 6"

2-2x8 FLEDS

ALUMINUM SIMPSON STAPLS

2x4 SILL PLATE

4x4 CORNER WALL POSTS

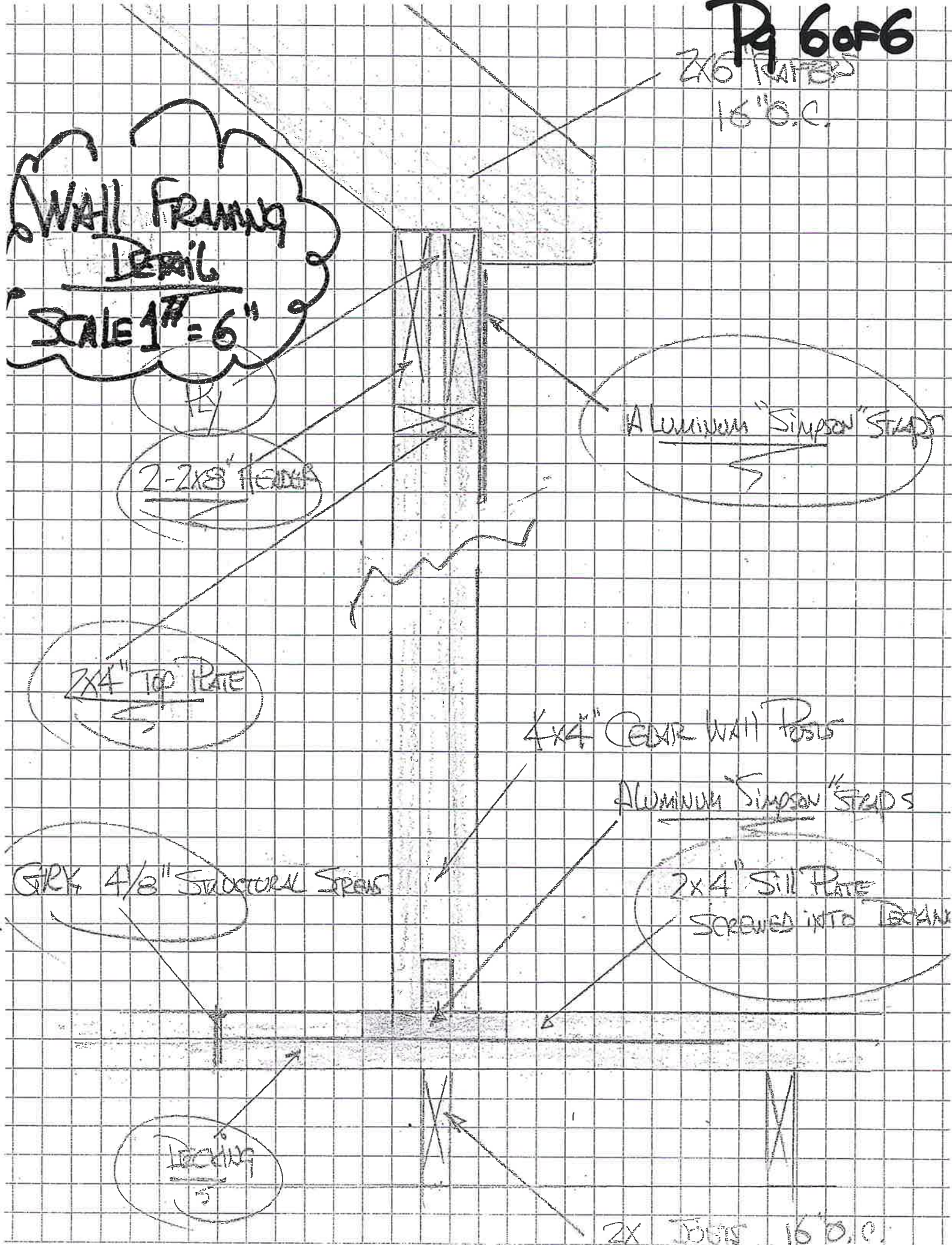
ALUMINUM SIMPSON STAPLS

GIRK 4/8" STRUCTURAL STEPS

2x4 SILL PLATE
SCREWED INTO TIEBACK

INSULATION

2x JOISTS 16" O.C.

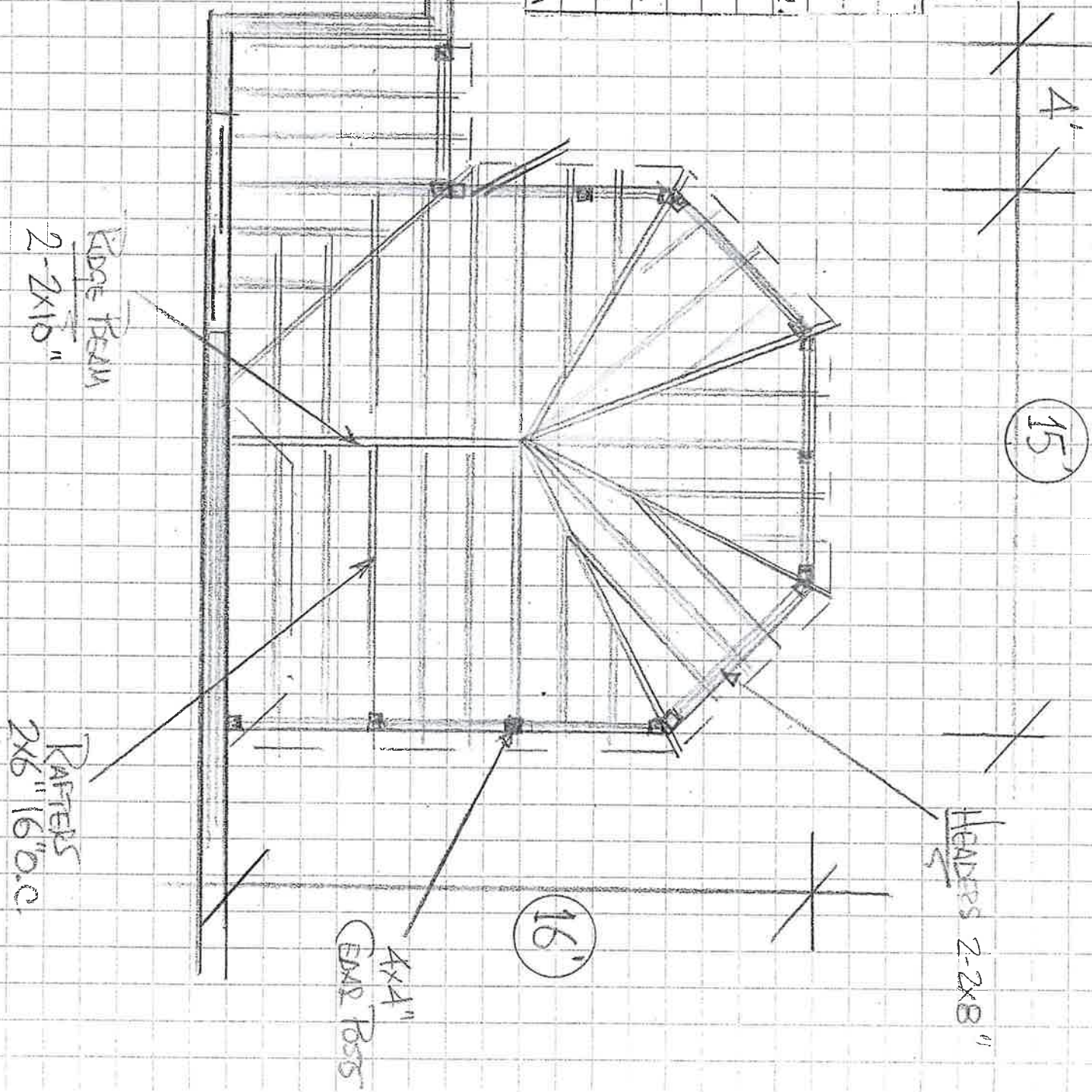


- RIDGE - 2x10
- POSTS - 4x4 CEDAR
- HEADERS - 2-2x8"
- RAFTERS - 2x6" 16" o.c.
- SHEATHING - 7/8" OSB
- ICE/WATER SHIELD
- 15# FELT
- Drip & Shingles To Match
- 36" ALUMINUM Storm Door
- SOFFIT VENTS
- EXTERIOR CEILING OR KECK-TILIN



FRAMING DETAIL

SCALE 1/4" = 1'



15'

16"

HEADERS 2-2x8"

4x4"
CEILING POSTS

RAFTERS
2x6" 16" o.c.

RIDGE BEAM
2-2x10"