



# 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: April 10, 2018

REGARDING: 623 South Lake Drive, Parcel # 50-22-03-455-001 (PZ18-0004)

BY: Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**

Zach Gielow

**Variance Type**

Dimensional Variance

**Property Characteristics**

Zoning District:	Single Family Residential
Location:	East of West Lake Drive and South of South Lake Drive
Parcel #:	50-22-03-455-001

**Request**

The applicant is requesting a variance from the City of Novi Code of Ordinance Section 3.1.5 for a proposed side yard variances of 5.05 feet aggregate side yard of 9.05 , 25 feet total minimum required by code and proposed lot coverage of 36%, 25% maximum allowed by code. 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. **PZ18-0004**, 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. **PZ18-0004**, 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\_\_\_\_\_.

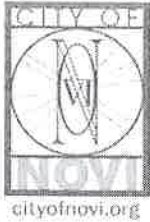
(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that \_\_\_\_\_.

(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.

Larry Butler  
Deputy Director Community Development  
City of Novi



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## ZONING BOARD OF APPEALS APPLICATION

**APPLICATION MUST BE FILLED OUT COMPLETELY**

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JAN 30 2018

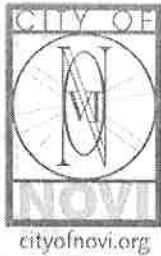
CITY OF NOVI  
COMMUNITY DEVELOPMENT

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>			
PROJECT NAME / SUBDIVISION 623 S Lake Dr Addition			
ADDRESS 623 S Lake Dr		LOT/SIUTE/SPACE #	
SIDWELL # 50-22-03 - 455 - 001		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY South Lake and Berstadt St			
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 checked="" type="checkbox"/> NO			
<b>II. APPLICANT INFORMATION</b>			
<b>A. APPLICANT</b>		EMAIL ADDRESS zgielow@gmail.com	
NAME Zachary Gielow		CELL PHONE NO. 734-620-3365	
ORGANIZATION/COMPANY		TELEPHONE NO. 734-620-3365	
ADDRESS 623 S Lake Dr		CITY Novi	
		STATE MI	
		ZIP CODE 48377	
<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	
NAME		CELL PHONE NO.	
ORGANIZATION/COMPANY		TELEPHONE 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 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>B. VARIANCE REQUESTED</b>			
INDICATE ORDINANCE SECTION (§) AND VARIANCE REQUESTED:			
1. Section <u>3.1.5</u> Variance requested <u>MIN. SIDE YARD PROPOSED 4.95 (VAR. 5.05 FT)</u>			
2. Section <u>3.1.5</u> Variance requested <u>AGGREGATE SIDE YARD PROPOSED 15.95 (VAR. 9.05 FT)</u>			
3. Section <u>3.1.5</u> Variance requested <u>PROPOSED LOT COVERAGE OF 30%</u>			
4. Section <u>3.1.5</u> 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>			
<ul style="list-style-type: none"> <li>• Dimensioned Drawings and Plans</li> <li>• Site/Plot Plan</li> <li>• Existing or proposed buildings or addition on the property</li> <li>• Number &amp; location of all on-site parking, if applicable</li> <li>• Existing &amp; proposed distance to adjacent property lines</li> <li>• Location of existing &amp; proposed signs, if applicable</li> <li>• Floor plans &amp; elevations</li> <li>• Any other information relevant to the Variance application</li> </ul>			

Application Fee: \$200.00  
 Meeting Date: March 13<sup>th</sup>, 2018  
 ZBA Case #: PZ 18-0004



JAN 30 2018



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**CITY OF NOVI  
COMMUNITY DEVELOPMENT 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 property is very narrow (only 38 feet wide) which makes it hard to build a sizable living space. The homeowner would like to build an eight foot addition on the north end of the existing structure. Both neighboring lots (east and west end of the property) have a structure further north than that of the applicant. The homeowner would like to be at the same distance north as both neighboring properties to create a living space that is reasonable for a family, and the narrowness of the lot makes it hard to do so.

*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).

The property is very narrow (only 38 feet wide) which makes it hard to build a sizable living space. The homeowner would like to build an eight foot addition on the north end of the existing structure. Both neighboring lots (east and west end of the property) have a structure further north than that of the applicant. The homeowner would like to be at the same distance north as both neighboring properties to create a living space that is reasonable for a family, and the narrowness of the lot makes it hard to do so. The requested variance is not the result of any action taken by the current or previous homeowner, but is a result of the narrow-shaped parcel.

## **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 property is very narrow (only 38 feet wide) which makes it hard to build a sizable living space. The homeowner would like to build an eight foot addition on the north end of the existing structure. Both neighboring lots (east and west end of the property) have a structure further north than that of the applicant. The homeowner would like to be at the same distance north as both neighboring properties to create a living space that is reasonable for a family, and the narrowness of the lot makes it hard to do so.

## **Standard #4. Minimum Variance Necessary.**

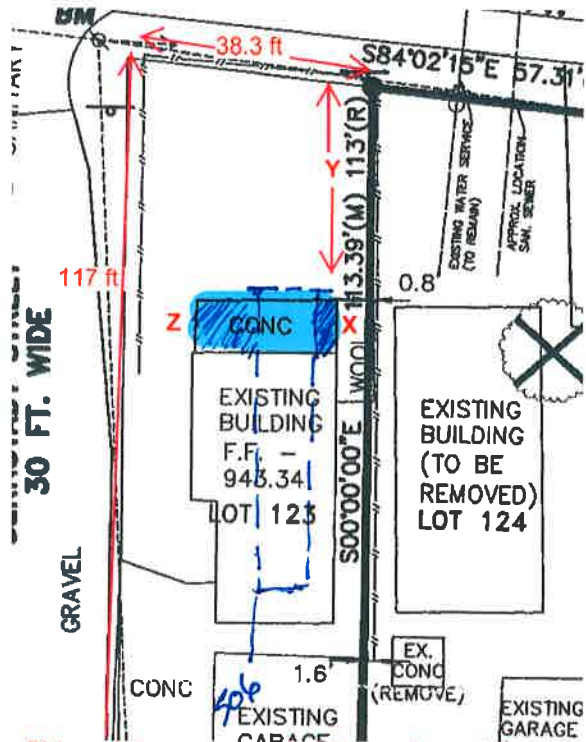
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

The variance requested is roughly 8 feet. This is the minimum required variance to create a comfortable living room space for a family home. The variance length is not unreasonable considering both neighboring properties have existing structures at the proposed distance on the north end of all properties.

## **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 adversely impact the surrounding neighbors, as their structures are at the same distance north as the proposed addition would be. The variance is a reasonable distance to add a comfortable living space that will not interfere with other property views.



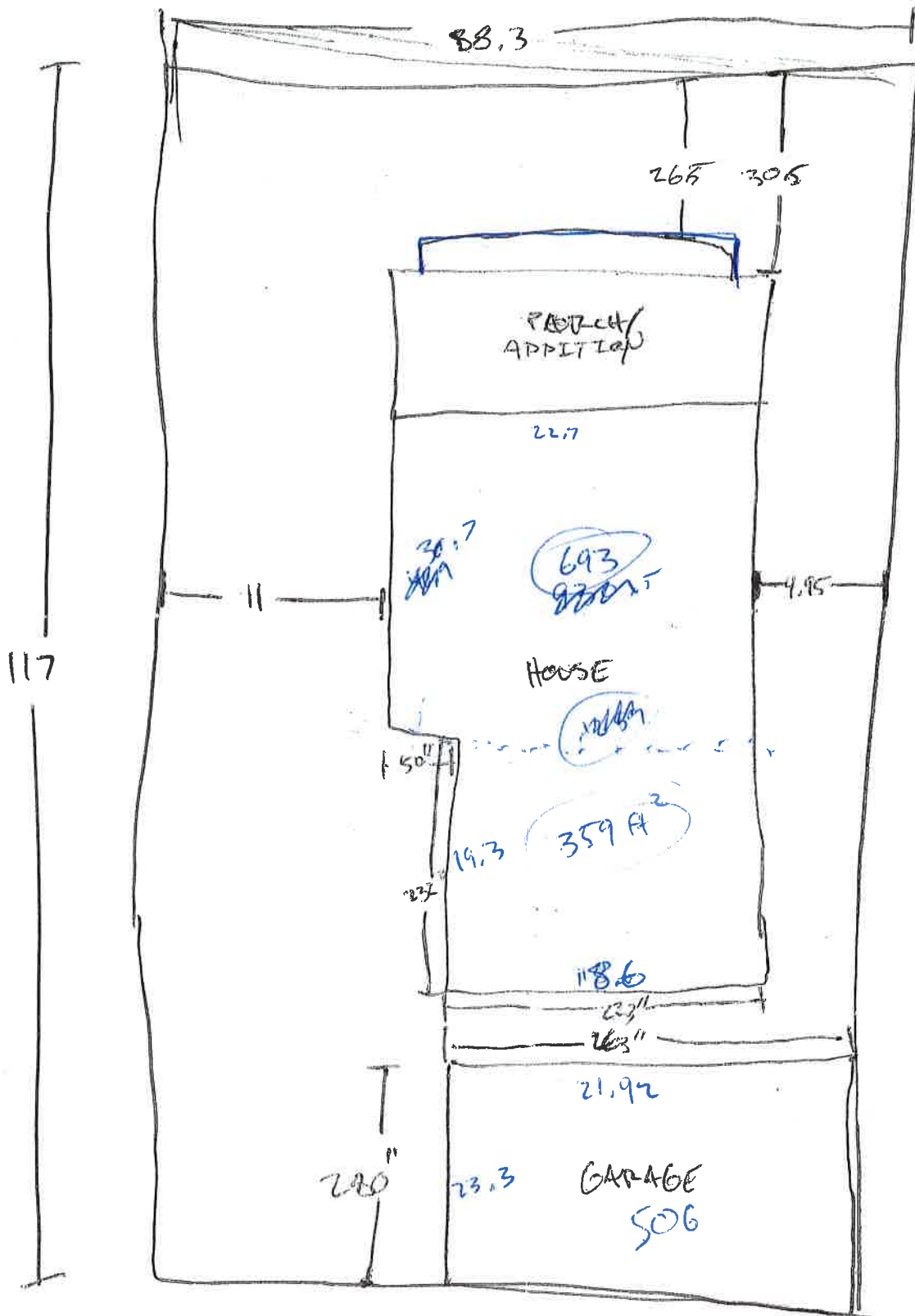
Distance between proposed addition and property lines:

- X (distance to E property line) = 4.95 ft
- Y (distance to N property line) = 30.5 ft
- Z (distance to W property line) = 11 ft

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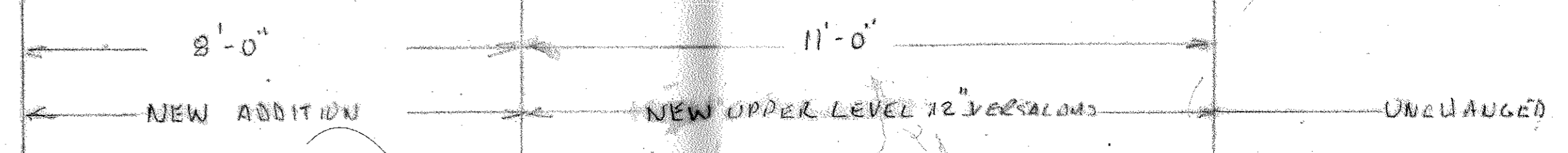
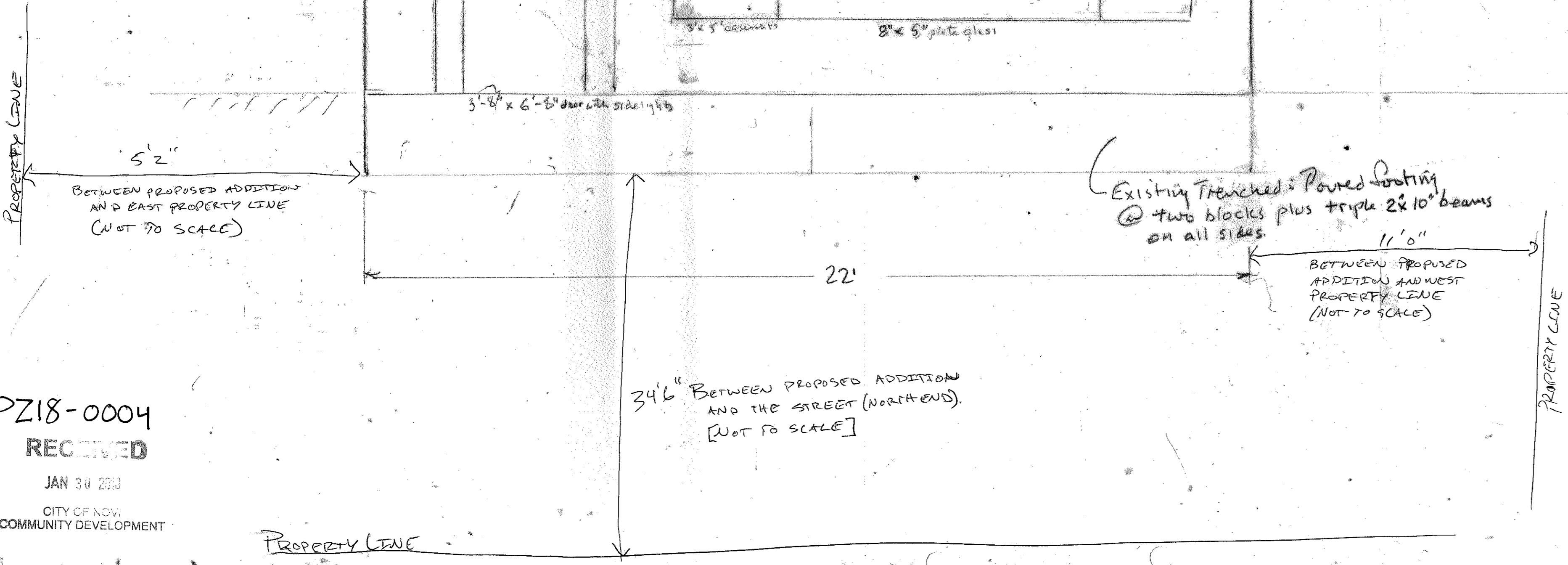
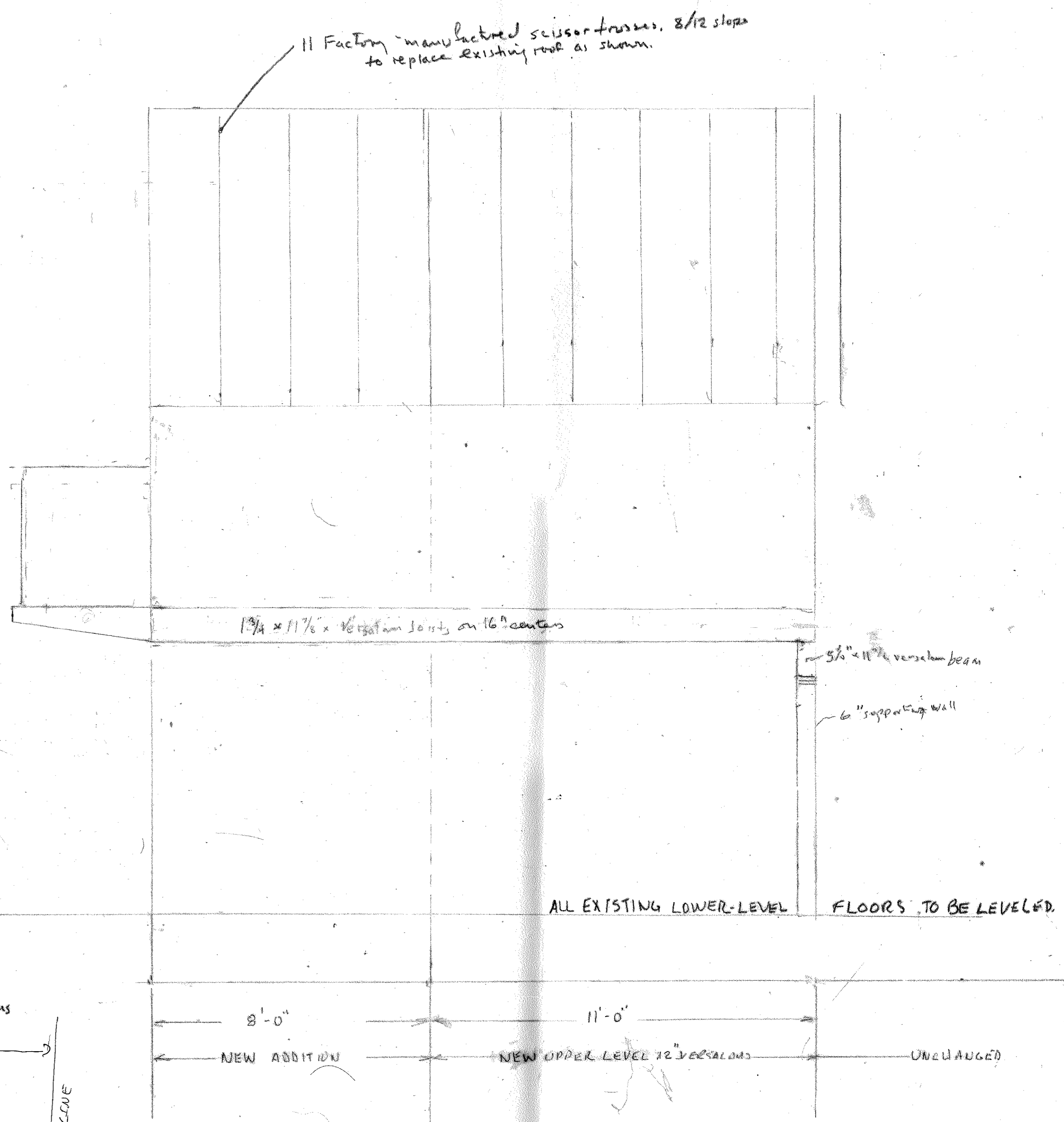
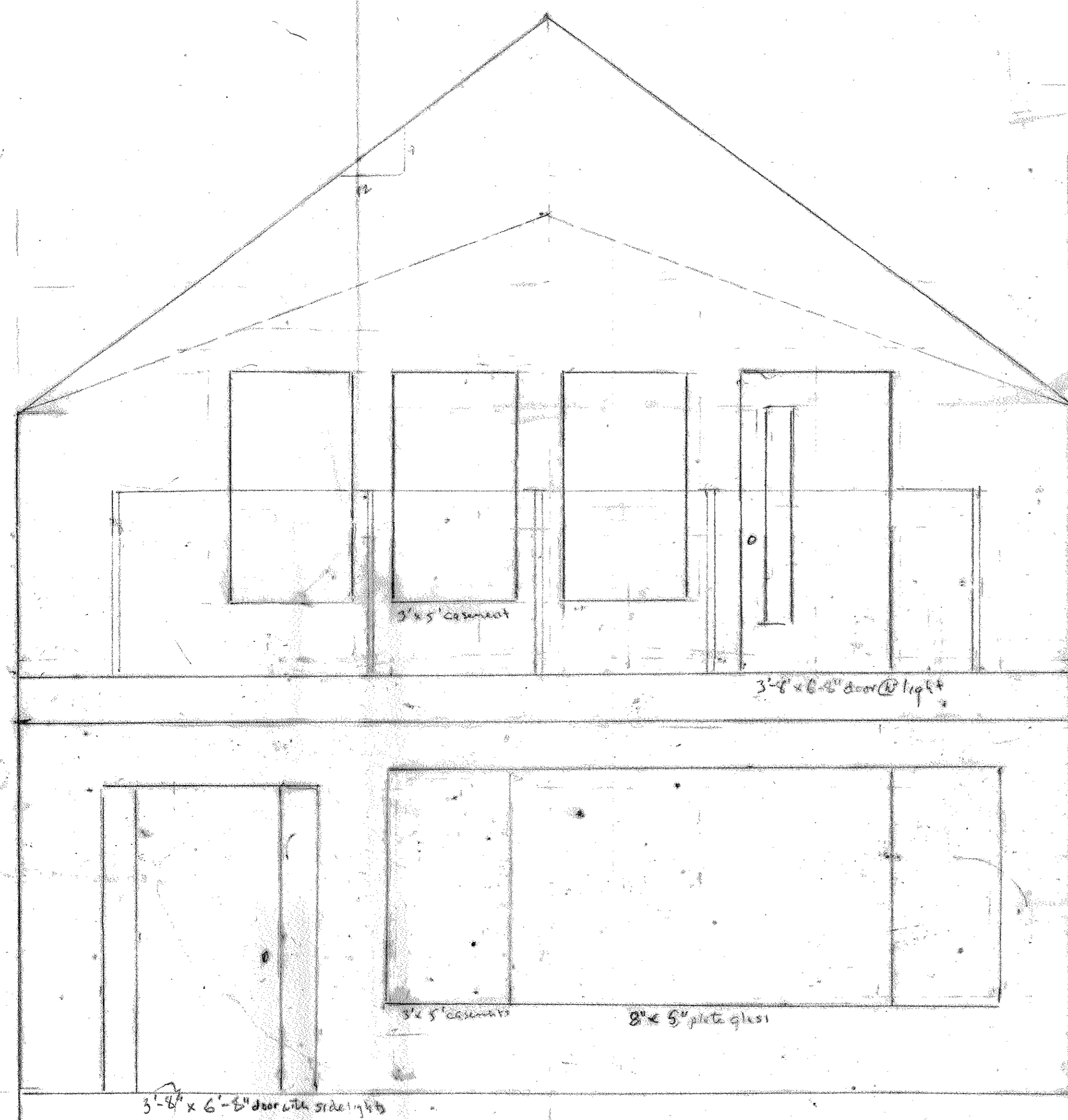
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CITY OF NOVI  
COMMUNITY DEVELOPMENT



4337 ft<sup>2</sup> total  
 (25ft?)  
 1558 ft<sup>2</sup> total  
 (w/ garage)  
 = 36%  
 37%





ALL EXISTING LOWER-LEVEL FLOORS TO BE LEVELLED.

PZ18-0004  
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 CITY OF NOVI  
 COMMUNITY DEVELOPMENT

8' EXTENSION TO 623 SOUTH LAKE RD  
 NOVI, MI 49377  
 WORK TO BE ACCOMPLISHED BY HOMEOWNER  
 ZACHARY BIELOW