



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 8, 2025

REGARDING: 1401 East Lake Drive #50-22-02-329-027 (PZ25-0029)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Joseph Yono

Variance Type

Dimensional Variance

Property Characteristics

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

Location: on East Lake Drive, north of Thirteen Mile Road

Parcel #: 50-22-02-329-027

Request

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.32.7 to allow an uncovered deck to project 8 ft. 4.5 in. from the rear property line (17 ft. required, variance of 8 ft. 7.5 in.).

II. STAFF COMMENTS:

The applicant is seeking a dimensional variance to construct a new 7' x 9' composite deck, with stairs, to an existing home. The site resides at the corner of East Lake Drive and Herman Street which leaves limited room on the property for this amenity.

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. **PZ25-0029**, 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. **PZ25-0029** 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

APPLICATION MUST BE FILLED OUT COMPLETELY

RECEIVED

JUN 02 2025

CITY OF NOVI
COMMUNITY DEVELOPMENT

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$220</u>	
PROJECT NAME / SUBDIVISION <u>YONO'S</u>				Meeting Date: <u>1/18/25</u>	
ADDRESS <u>1401 E LAKE DR.</u>		LOT/SIUTE/SPACE #		ZBA Case #: <u>PZ 25-0029</u>	
SIDWELL # 50-22-		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY <u>HERMAN ST & Paramount St</u>					
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 <u>JR YONO 730 @ AOL.COM</u>		CELL PHONE NO. <u>586 996 9000</u>	
NAME <u>JOSEPH YONO</u>				TELEPHONE NO.	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS <u>5412 Kingsway Ct</u>		CITY <u>W.B.</u>		STATE <u>MI</u> ZIP CODE <u>48322</u>	
B. PROPERTY OWNER <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	
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 <u>ADDING Deck with STAIRS</u>					
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					

PZ25-0029



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 scheduled ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next scheduled 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 established within such a period; provided, however, where such use permitted is dependent upon the erection or alteration of 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

6-2-25

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

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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Novi, MI 48375
(248) 347-0415 Phone
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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.
Describe below:

The existing proximity to the rear yard property line does not allow for a small sized deck to allow access to the rear yard from inside of this residence.

OR

- b. **Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. **Describe below:**

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. **Describe below:**

7225-0029

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).

Mr. and Mrs. Yono have built a reasonably sized home on this lot to match the existing architectural context of other recently constructed homes along the Walled Lake area and greater Novi in general. As a result of fitting this home on the lot, they are left with a rather small rear yard. They are simply looking for a functional way to enter and exit the rear of their home.

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.

If we were to strictly follow the rear yard setback here, a small deck would be impossible to build.

Standard #4. Minimum Variance Necessary.

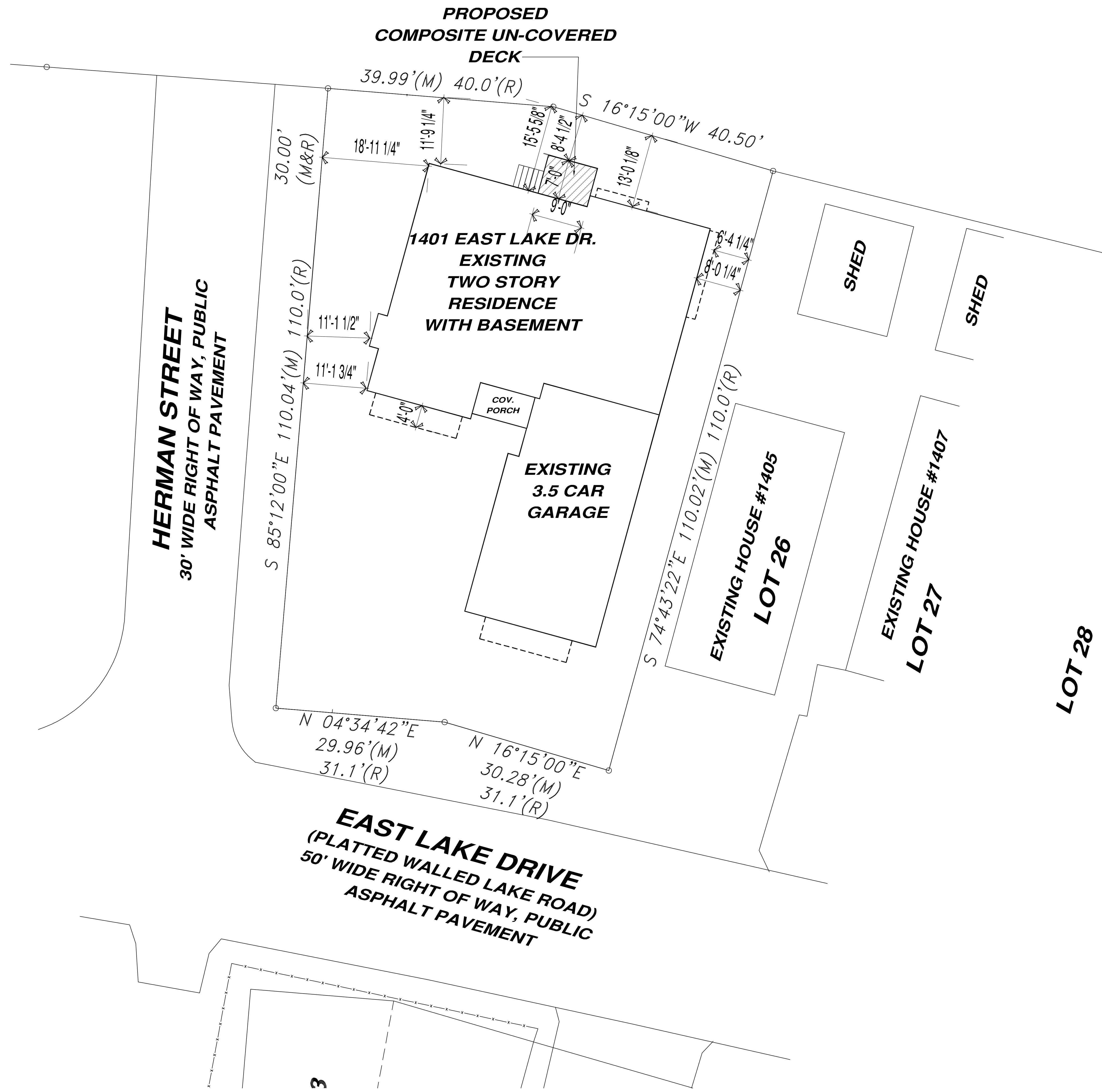
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

At 7'-0" x 9'-0" in dimension, this is about as small as you will see for a composite wood deck. We intentionally kept this size to a reasonable length and width for this application.

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 location of this deck will not affect anyone's view or even really be visible from anywhere except on the Yono's rear yard along Hermann Street. This will have no adverse affect on any surrounding properties.



conceptual site plan

scale: 1/8" = 1'-0"

**DO NOT SCALE
DRAWINGS - USE
FIGURED DIMENSIONS
ONLY**

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DESIGN SERVICES, LLC

P. 586.630.2763
PINNACLEDESIGNSERVICES.COM

PROJECT:

YONO CUSTOM RESIDENCE
1401 EAST LAKE DR.
NOVI, MI

REVIEW	BIDDING	PERMIT	REVISED	REVISED	REVISED	REVISED
05.29.2025						

21101

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