



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:** November 19, 2024

REGARDING: 1375 East Lake Drive # 50-22-02-328-009 (PZ24-0058)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Josh & Erin Robinson

Variance Type

Dimensional Variance

Property Characteristics

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

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

Parcel #: 50-22-02-328-009

Request

The applicant is requesting a variance from City of Novi Zoning Ordinance Section 3.32(10)A.ii.a for a 330 sq. ft. shed (100 sq. ft. allowed, variance of 230 sq. ft.); Section 3.32(10)A.ii.a to allow 10.75 ft. shed height (9 ft. allowed, variance of 1.75 sq. ft.); Section 3.32(10)A.ii.b to allow 8.57% lot coverage (5% allowed, variance of 3.57%); Section 4.19.1.J to allow 2 accessory structures on a lot having less than 21,780 sq. ft. (1 allowed, variance of 1). This variance would accommodate a second accessory structure on a lot with water frontage.

II. STAFF COMMENTS:

The applicant, located at 1375 East Lake Drive, is seeking (4) variances to place a second accessory structure to be located on the waterfront. This case was previously heard earlier this year and was approved on June 11, 2024 granting variances for the second accessory structure at 330 Sq. Ft. with the height of 10.75 ft. This was approved with the understanding that the existing accessory structure would be removed and the two lots would be combined thus not needing a lot-coverage variance.

This is now before the board again because the applicant does not wish to combine the two lots. Therefore, with this understanding, which may have had influence in the last meeting, these (4) variances are requested to be heard.

- 1) *A variance to allow a second accessory structure on a lot having less than 21,780 SF (The two lots stand-alone – this request is for the lot which the shed will reside)*
- 2) *A variance of 230 sq. Ft. to allow a 130% increase for the shed to be 330 Sq. Ft. in total.*
- 3) *A variance of 1.75-feet for a total height of 10.75-feet.*
- 4) *A variance for an increase of 3.57% regarding lot coverage on the single lot, 5% is allowed – this would be 8.57% in total.*

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. **PZ24-0058**, 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. **PZ24-0058**, 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 _____

Zoning Board of Appeals

Josh & Erin Robinson

Case # PZ24-0058

November 19, 2024

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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

RECEIVED

OCT 01 2024

CITY OF NOVI
COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

| | | | | | |
|---|--|--|---|--|--|
| I. PROPERTY INFORMATION (Address of subject ZBA Case) | | | | Application Fee: \$220.00 Meeting Date: 11-19-24 ZBA Case #: PZ 24-0058 | |
| PROJECT NAME / SUBDIVISION Josh & Erin Robinson Household | | | | | |
| ADDRESS 1375 E. Lake Dr. | | | | LOT/SIUTE/SPACE # | |
| SIDWELL # 50-22-20 -32b -U1U | | May be obtain from Assessing Department (248) 347-0485 | | | |
| CROSS ROADS OF PROPERTY 13 mile & E. Lake Dr. | | | | | |
| 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 josh@strivecreative.com | | CELL PHONE NO. 248.756.3464 | |
| NAME Joshua Robinson | | | | TELEPHONE NO. | |
| ORGANIZATION/COMPANY | | | | FAX NO. | |
| ADDRESS 1375 E. Lake Dr. | | CITY Novi | STATE MI | ZIP CODE 48377 | |
| 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 josh@strivecreative.com | | CELL PHONE NO. 248.756.3464 | |
| NAME Joshua Robinson | | | | TELEPHONE NO. | |
| ORGANIZATION/COMPANY | | | | FAX NO. | |
| ADDRESS 1375 E. Lake Dr. | | CITY Novi | STATE MI | ZIP CODE 48377 | |
| 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 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. VARIANCE REQUESTED | | | | | |
| INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED: | | | | | |
| 1. Section <u>3.32(10)Aia</u> | | Variance requested | | <u>330 sq ft shed (100 allowed, variance of 230 sq ft)</u> | |
| 2. Section <u>3.2(10)Aia</u> | | Variance requested | | <u>11.75 ft shed height (9 ft allowed, variance of 2.75 ft)</u> | |
| 3. Section <u>3.32(10)Aib</u> | | Variance requested | | <u>8.57% lot coverage (5% allowed, variance of 3.57%)</u> | |
| 4. Section <u>4.19.1.J</u> | | Variance requested | | <u>2 accessory structures (1 allowed, variance of 1)</u> | |
| IV. FEES AND DRAWINGS | | | | | |
| A. FEES | | | | | |
| <input 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 | | | <ul style="list-style-type: none"> 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 _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Applicant Signature

9-30-24

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.

Property Owner Signature

9-30-24

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:

The lakeside setting of our property exposes it to unique environmental challenges such as high winds and potential water-related issues. These conditions have historically caused damage and present ongoing risks, a storage solution like the proposed shed would effectively resolve these issues.

and/or

- c. **Abuffing 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 the variance is primarily due to the property's location across a busy road, creating significant safety concerns when moving bulky items to and from the lakeside, along with the additional challenges of high winds and proximity to the lake.

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 necessity for the variance primarily stems from the safety concerns associated with transporting bulky lake items across a busy road. This will allow us to construct a shed of sufficient size to safely store these items, reducing the frequency of potentially hazardous crossings. Additionally, securing these items is crucial to protect them from adverse weather, and theft, which can be prevalent given the lakeside setting. The ability to store these items indoors not only addresses these safety and security concerns but also enhances the aesthetic appeal of the property by keeping the outdoor area clear and orderly.

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 precisely calculated to meet essential safety needs, allowing us to safely store bulky lake items and reduce dangerous crossings. The shed size is determined by the space needed to securely protect these items from weather and theft, ensuring the variance is minimal and necessary. This approach addresses key safety and security concerns efficiently, enhancing property usability without excess.

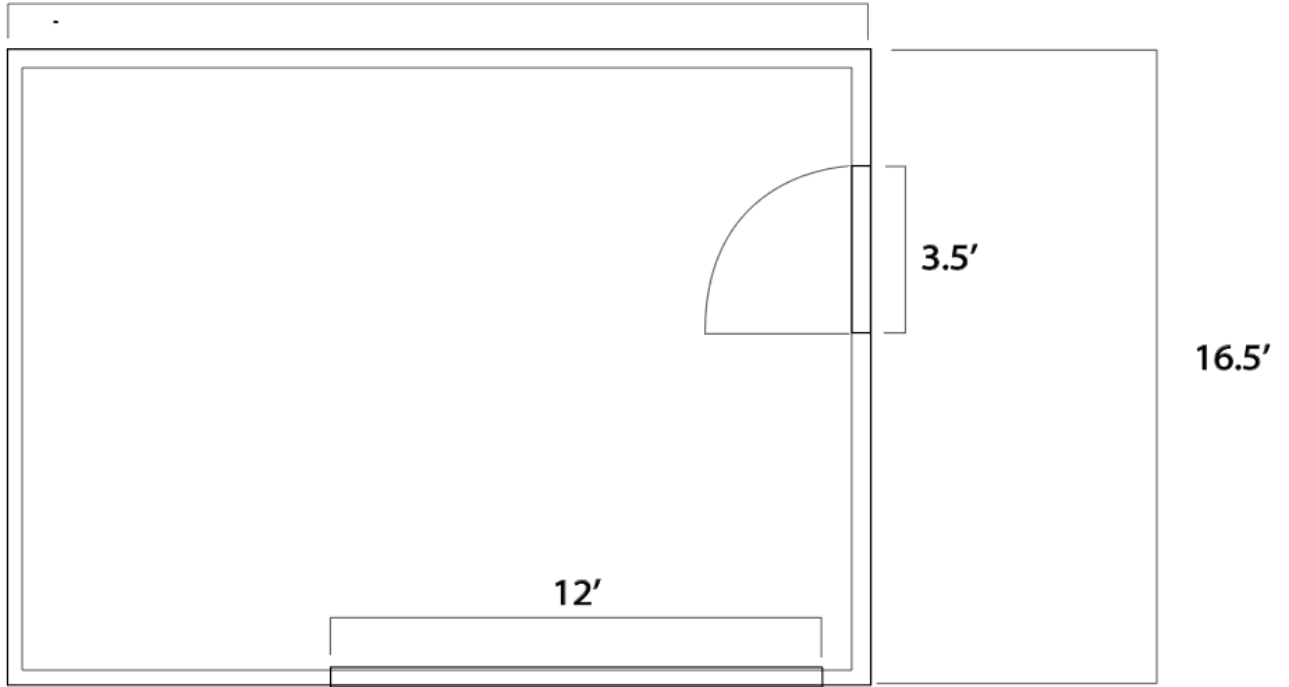
Standard #5. Adverse Impact on Surrounding Area.

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.

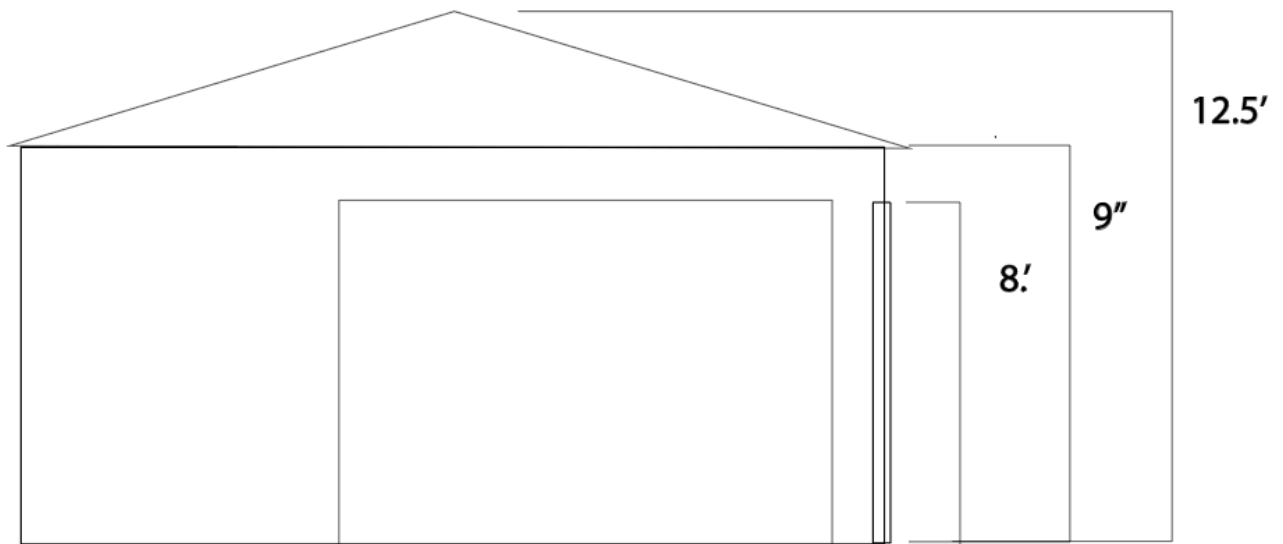
The proposed shed, designed to match the refacing of our house, will enhance the lakeside aesthetic. Owning the property closest to the shed ensures minimal impact on neighbors, and the organized, attractive lakeside area will improve the overall visual appeal of the neighborhood. By reducing clutter and enhancing safety, the shed will increase property values for our home and for our neighbors.

Robinson Storage Structure

Top View 20'



Side View



Aerial View

