



# 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 12, 2022

**REGARDING:** **23956 Presidio Lane, Parcel # 50-22-29-227-051 (PZ22-0029)**

**BY:** Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**

Steve Kolis

**Variance Type**

Dimensional Variance

**Property Characteristics**

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

Location: West of Beck Road, and South of 10 Mile Road

Parcel #: 50-22-29-227-051

**Request**

The applicant is requesting variance from the City of Novi Zoning Ordinance section 3.1.5 for a rear yard setback of 30.27 feet (35 feet required, variance of 4.73 feet). This variance will accommodate the building of a new screened in porch. This property is zoned Single Family Residential (R-3).

### II. STAFF COMMENTS:

***A revised proposed parcel description was submitted after the initial request. This eliminated the need for the frontage variance noted in the ZBA application and the notices.***

### 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. **PZ22-0029**, 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. **PZ22-0029**, 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.

Larry Butler - Deputy Director Community Development - City of Novi



45175 Ten Mile Road  
 Novi, MI 48375  
 (248) 347-0415 Phone  
 (248) 735-5600 Facsimile  
 www.cityofnovi.org

# ZONING BOARD OF APPEALS APPLICATION

**RECEIVED**

**MAY 31 2022**

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-</u>	
PROJECT NAME / SUBDIVISION <u>Kolis Deck</u>				Meeting Date: <u>7/12/2022</u>	
ADDRESS <u>23956 Presidio Lane</u>		LOT/SUITE/SPACE # <u>VET 1st/1</u>		ZBA Case #: <u>PZ 22-0029</u>	
SIDWELL # <u>50-22-</u>		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY <u>10 mile + Beck</u>					
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 <u>Steve @ Gilhomes team . com</u>		CELL PHONE NO. <u>734-502-4866</u>	
NAME <u>Steve Kolis</u>				TELEPHONE NO. <u>11</u>	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS <u>23956 Presidio Lane</u>		CITY <u>Novi</u>		STATE <u>MI</u>	ZIP CODE <u>48374</u>
<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		CELL PHONE NO.	
NAME				TELEPHONE NO.	
ORGANIZATION/COMPANY				FAX 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 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>4.75' reduction variance REAR YARD SETBACK</u>			
2. Section _____		Variance requested _____			
3. Section _____		Variance requested _____			
4. Section _____		Variance requested _____			
<b>IV. FEES AND DRAWINGS</b>					
<b>A. FEES</b>					
<input 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>					
<input type="checkbox"/> Dimensioned Drawings and Plans <input type="checkbox"/> Site/Plot Plan <input type="checkbox"/> Existing or proposed buildings or addition on the property <input type="checkbox"/> Number & location of all on-site parking, if applicable			<input type="checkbox"/> Existing & proposed distance to adjacent property lines <input type="checkbox"/> Location of existing & proposed signs, if applicable <input type="checkbox"/> Floor plans & elevations <input type="checkbox"/> 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

5/30/22  
\_\_\_\_\_  
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

\_\_\_\_\_  
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**

45175 Ten Mile Road  
Novi, MI 48375  
(248) 347-0415 Phone  
(248) 735-5600 Facsimile  
www.cityofnovi.org

**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:

As shown in the drawings our yard angles slightly due to wetlands. We are hoping to construct a covered porch that very slightly encroaches into this angled setback.

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).

Odd Shaped Lots In order to create a seating area for the family the small corner of the lot variance is needed to function the Deck/Covered porch.

## 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.

Corner of our lot has odd Angle Shape. In order to seat the family the corner of the porch sticks into the setback. (rear) wooded lot with no rear neighbors.

## 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.

Minimum necessary to seat the family on the rear porch area. Designed as minimum as needed for seating setup.

## 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.

Our house sits back in a pretty swamped wooded wetland area. the minimal 4.75' on one corner of a covered porch does not affect our neighbors to the south at all, and extremely minimal to our neighbors to the north.

# Valencia South Estates Condominium Association

May 31, 2022

Lot: 51

Steven and Julie Kolis  
23956 Presidio Lane  
Novi, MI 48374

RECEIVED

MAY 31 2022

CITY OF NOVI  
COMMUNITY DEVELOPMENT

**Re: Alteration/Modification Request – Deck/Covered Porch**

Dear Mr. and Mrs. Kolis,

We are contacting you in response to your recent application for approval to install an 11.5' x 21'-4.5" deck along the side of your home, as well as the installation of a 17.75' x 19' covered porch (roof overhang will be approximately 22' x 20') in the rear of your home.

Please be advised that the Board of Directors has reviewed and approved your request, contingent upon following the plans as submitted. A copy of the alteration/modification request is enclosed for your records. We would like to take this opportunity to remind you of the following:

- The maintenance and upkeep of the alteration will be your responsibility and that of any successor owners of the unit.
- Any damage to the Common Elements or Limited Common Elements is your responsibility.
- Once the plan has been approved, no changes can be made without written approval.

Thank you for your time and attention in this matter. Should you have any further questions, please feel free to contact me directly at (248) 720-2432 Ext. 246 or via e-mail at [kriston@thmanagement.net](mailto:kriston@thmanagement.net).

Sincerely,



Kriston Detmer  
Community Manager

On Behalf of the Board of Directors, Valencia South Estates Condominium Association

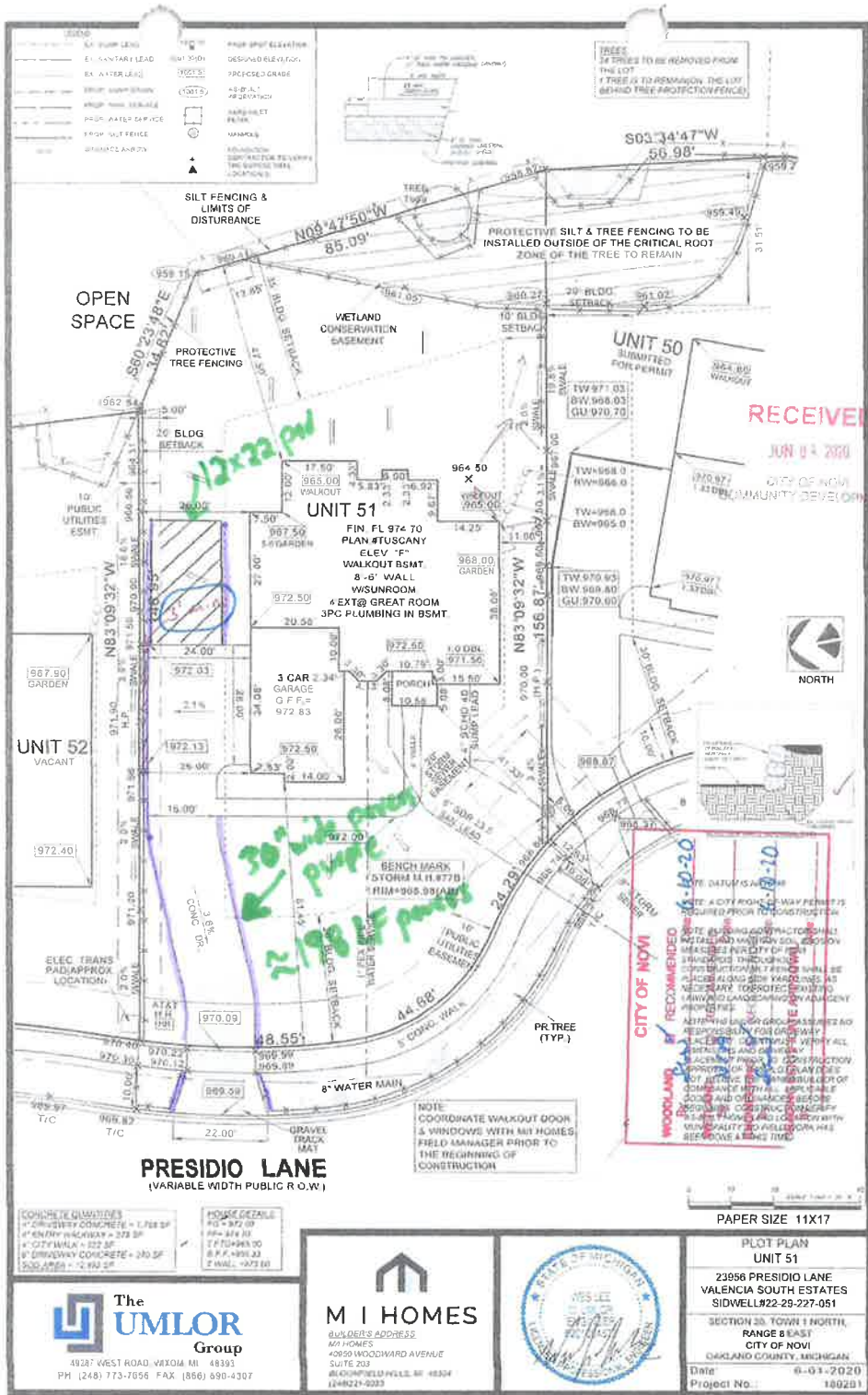
PE/jj  
Encl.











SYMBOL	DESCRIPTION
---	4" WATER MAIN
---	8" WATER MAIN
---	12" WATER MAIN
---	18" WATER MAIN
---	24" WATER MAIN
---	30" WATER MAIN
---	36" WATER MAIN
---	42" WATER MAIN
---	48" WATER MAIN
---	54" WATER MAIN
---	60" WATER MAIN
---	66" WATER MAIN
---	72" WATER MAIN
---	78" WATER MAIN
---	84" WATER MAIN
---	90" WATER MAIN
---	96" WATER MAIN
---	102" WATER MAIN
---	108" WATER MAIN
---	114" WATER MAIN
---	120" WATER MAIN
---	126" WATER MAIN
---	132" WATER MAIN
---	138" WATER MAIN
---	144" WATER MAIN
---	150" WATER MAIN
---	156" WATER MAIN
---	162" WATER MAIN
---	168" WATER MAIN
---	174" WATER MAIN
---	180" WATER MAIN
---	186" WATER MAIN
---	192" WATER MAIN
---	198" WATER MAIN
---	204" WATER MAIN
---	210" WATER MAIN
---	216" WATER MAIN
---	222" WATER MAIN
---	228" WATER MAIN
---	234" WATER MAIN
---	240" WATER MAIN
---	246" WATER MAIN
---	252" WATER MAIN
---	258" WATER MAIN
---	264" WATER MAIN
---	270" WATER MAIN
---	276" WATER MAIN
---	282" WATER MAIN
---	288" WATER MAIN
---	294" WATER MAIN
---	300" WATER MAIN
---	306" WATER MAIN
---	312" WATER MAIN
---	318" WATER MAIN
---	324" WATER MAIN
---	330" WATER MAIN
---	336" WATER MAIN
---	342" WATER MAIN
---	348" WATER MAIN
---	354" WATER MAIN
---	360" WATER MAIN
---	366" WATER MAIN
---	372" WATER MAIN
---	378" WATER MAIN
---	384" WATER MAIN
---	390" WATER MAIN
---	396" WATER MAIN
---	402" WATER MAIN
---	408" WATER MAIN
---	414" WATER MAIN
---	420" WATER MAIN
---	426" WATER MAIN
---	432" WATER MAIN
---	438" WATER MAIN
---	444" WATER MAIN
---	450" WATER MAIN
---	456" WATER MAIN
---	462" WATER MAIN
---	468" WATER MAIN
---	474" WATER MAIN
---	480" WATER MAIN
---	486" WATER MAIN
---	492" WATER MAIN
---	498" WATER MAIN
---	504" WATER MAIN
---	510" WATER MAIN
---	516" WATER MAIN
---	522" WATER MAIN
---	528" WATER MAIN
---	534" WATER MAIN
---	540" WATER MAIN
---	546" WATER MAIN
---	552" WATER MAIN
---	558" WATER MAIN
---	564" WATER MAIN
---	570" WATER MAIN
---	576" WATER MAIN
---	582" WATER MAIN
---	588" WATER MAIN
---	594" WATER MAIN
---	600" WATER MAIN
---	606" WATER MAIN
---	612" WATER MAIN
---	618" WATER MAIN
---	624" WATER MAIN
---	630" WATER MAIN
---	636" WATER MAIN
---	642" WATER MAIN
---	648" WATER MAIN
---	654" WATER MAIN
---	660" WATER MAIN
---	666" WATER MAIN
---	672" WATER MAIN
---	678" WATER MAIN
---	684" WATER MAIN
---	690" WATER MAIN
---	696" WATER MAIN
---	702" WATER MAIN
---	708" WATER MAIN
---	714" WATER MAIN
---	720" WATER MAIN
---	726" WATER MAIN
---	732" WATER MAIN
---	738" WATER MAIN
---	744" WATER MAIN
---	750" WATER MAIN
---	756" WATER MAIN
---	762" WATER MAIN
---	768" WATER MAIN
---	774" WATER MAIN
---	780" WATER MAIN
---	786" WATER MAIN
---	792" WATER MAIN
---	798" WATER MAIN
---	804" WATER MAIN
---	810" WATER MAIN
---	816" WATER MAIN
---	822" WATER MAIN
---	828" WATER MAIN
---	834" WATER MAIN
---	840" WATER MAIN
---	846" WATER MAIN
---	852" WATER MAIN
---	858" WATER MAIN
---	864" WATER MAIN
---	870" WATER MAIN
---	876" WATER MAIN
---	882" WATER MAIN
---	888" WATER MAIN
---	894" WATER MAIN
---	900" WATER MAIN
---	906" WATER MAIN
---	912" WATER MAIN
---	918" WATER MAIN
---	924" WATER MAIN
---	930" WATER MAIN
---	936" WATER MAIN
---	942" WATER MAIN
---	948" WATER MAIN
---	954" WATER MAIN
---	960" WATER MAIN
---	966" WATER MAIN
---	972" WATER MAIN
---	978" WATER MAIN
---	984" WATER MAIN
---	990" WATER MAIN
---	996" WATER MAIN
---	1002" WATER MAIN
---	1008" WATER MAIN
---	1014" WATER MAIN
---	1020" WATER MAIN
---	1026" WATER MAIN
---	1032" WATER MAIN
---	1038" WATER MAIN
---	1044" WATER MAIN
---	1050" WATER MAIN
---	1056" WATER MAIN
---	1062" WATER MAIN
---	1068" WATER MAIN
---	1074" WATER MAIN
---	1080" WATER MAIN
---	1086" WATER MAIN
---	1092" WATER MAIN
---	1098" WATER MAIN
---	1104" WATER MAIN
---	1110" WATER MAIN
---	1116" WATER MAIN
---	1122" WATER MAIN
---	1128" WATER MAIN
---	1134" WATER MAIN
---	1140" WATER MAIN
---	1146" WATER MAIN
---	1152" WATER MAIN
---	1158" WATER MAIN
---	1164" WATER MAIN
---	1170" WATER MAIN
---	1176" WATER MAIN
---	1182" WATER MAIN
---	1188" WATER MAIN
---	1194" WATER MAIN
---	1200" WATER MAIN

RECEIVED  
JUN 04 2020  
CITY OF NOVI  
COMMUNITY DEVELOPMENT

CITY OF NOVI  
RECOMMENDED  
WOODLAND  
NOTE: A CITY HOME 12-WAY PERMIT IS REQUIRED PRIOR TO CONSTRUCTION.  
NOTE: ALL SETBACKS AND PROTECTIVE FENCING SHALL BE PLACED ALONG SIDE YARD LINES AS NECESSARY TO IDENTIFY SETBACKS TO ADJACENT LANDSCAPING OR NEIGHBORHOOD PROPERTIES.  
NOTE: THE LANDSCAPING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NOVI AND THE STATE OF MICHIGAN PRIOR TO CONSTRUCTION.  
NOTE: THE LANDSCAPING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NOVI AND THE STATE OF MICHIGAN PRIOR TO CONSTRUCTION.  
NOTE: THE LANDSCAPING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NOVI AND THE STATE OF MICHIGAN PRIOR TO CONSTRUCTION.

**CONCRETE QUANTITIES**  
 4" CONCRETE ON GRADE = 1.128 SF  
 4" ENTRY PORCH = 32.2 SF  
 4" CITY WALK = 22.2 SF  
 6" DRIVEWAY CONCRETE = 240 SF  
 6" DRIVEWAY = 2,400 SF

**POUR SCHEDULE**  
 #1 = 972 SF  
 #2 = 374 SF  
 #3 = 204 SF  
 #4 = 1,400 SF  
 #5 = 1,022 SF

**The UMLOR Group**  
 49287 WEST ROAD, WAXHIA MI 48393  
 PH (248) 773-7056 FAX (866) 690-4307

**M I HOMES**  
 BUILDER'S ADDRESS  
 MI HOMES  
 4050 WOODWARD AVENUE  
 SUITE 203  
 BLOOMFIELD HILLS MI 48304  
 248424-9233



PAPER SIZE 11X17

**PLOT PLAN**  
**UNIT 51**  
 23956 PRESIDIO LANE  
 VALENCIA SOUTH ESTATES  
 SIDWELL#22-29-227-051

SECTION 30, TOWN 1 NORTH,  
 RANGE 8 EAST  
 CITY OF NOVI  
 OAKLAND COUNTY, MICHIGAN

Date: 6-03-2020  
 Project No.: 1802B

PBR20-0112