



## 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:** September 12, 2023

**REGARDING:** 1619 West Lake Drive, Parcel # 50-22-03-131-052 (PZ23-0027)

**BY:** Alan Hall, Deputy Director Community Development

### I. GENERAL INFORMATION:

#### **Applicant**

Jonathan Jacob

#### **Variance Type**

Dimensional Variance

#### **Property Characteristics**

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

Location: East of West Park Drive, South of Pontiac Trail

Parcel #: 50-22-03-131-052

#### **Request**

The applicant is requesting a variance from City of Novi Zoning Ordinance Section 5.1.2 to allow storage of one (1) recreational equipment or trailer under 6 ft. tall in the front yard of a residentially zoned property between June 1<sup>st</sup> and September 30<sup>th</sup> of each year. This property is zoned One Family Residential (R-4).

### II. STAFF COMMENTS:

*This property is a narrow parcel located on Walled Lake. Access to either side-yard is limited. The requested variance is limited to one trailer under 6'-0" tall 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. **PZ23-0027**, 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. **PZ23-0027**, 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) 347-0423.

Alan Hall – Deputy Director Community Development - City of Novi



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# ZONING BOARD OF APPEALS APPLICATION

**RECEIVED**

JUL 10 2023

CITY OF NOVI  
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>				Application Fee: <u>250</u>	
PROJECT NAME / SUBDIVISION				Meeting Date: <u>9-12-23</u>	
ADDRESS <b>1619 W Lake Drive</b>		LOT/SUITE/SPACE #		ZBA Case #: <u>PZ 23-0027</u>	
SIDWELL # 50-22- <u>03</u> - <u>131</u> - <u>052</u>		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY <b>W Lake Drive / W Lake Drive</b>					
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 checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
<b>II. APPLICANT INFORMATION</b>					
<b>A. APPLICANT</b>		EMAIL ADDRESS <b>jrjacob19@hotmail.com</b>		CELL PHONE NO. <b>248-408-5702</b>	
NAME <b>Jonathan Jacob</b>				TELEPHONE NO. <b>248-408-5702</b>	
ORGANIZATION/COMPANY <b>N/A</b>				FAX NO.	
ADDRESS <b>1619 W Lake Drive</b>		CITY <b>Novi</b>		STATE <b>Michigan</b>	ZIP CODE <b>48377</b>
<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 <b>N/A</b>		CELL PHONE NO. <b>N/A</b>	
NAME <b>N/A</b>				TELEPHONE NO. <b>N/A</b>	
ORGANIZATION/COMPANY <b>N/A</b>				FAX NO. <b>N/A</b>	
ADDRESS <b>N/A</b>		CITY <b>N/A</b>		STATE <b>N/A</b>	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 (S) AND VARIANCE REQUESTED:					
1. Section _____ Variance requested _____					
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 checked="" 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> </ul>			<ul style="list-style-type: none"> <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>		





# 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 Zoning 5.1 - Rec Vehicle Parking/Storage

## VI. APPLICANT & PROPERTY SIGNATURES

### A. APPLICANT

Applicant Signature  Date 7-10-23

### 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 \_\_\_\_\_



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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:  
My property lot is extremely narrow as observed in the photographs. It is also enclosed with fencing, which prevents anything of size to be moved to the lake side yard.

*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 dimensions of this property area extremely narrow. The property itself has always been a very narrow piece of property. There have been no manipulations to make it narrower than it appears on the map.

## **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.

This area will not house anything over 6ft as stated in the ordinance. This area is solely for a boat trailer and nothing else.

## **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.

This request is to house a boat trailer. My property does not afford me the ability to put a boat trailer on the lake side. It would not fit due to the narrowness of the property itself. I have an outbuilding and a well maintained area that fits the trailer (pictured). I am not requesting anything more than the storage of a boat trailer (not an RV) in this space.

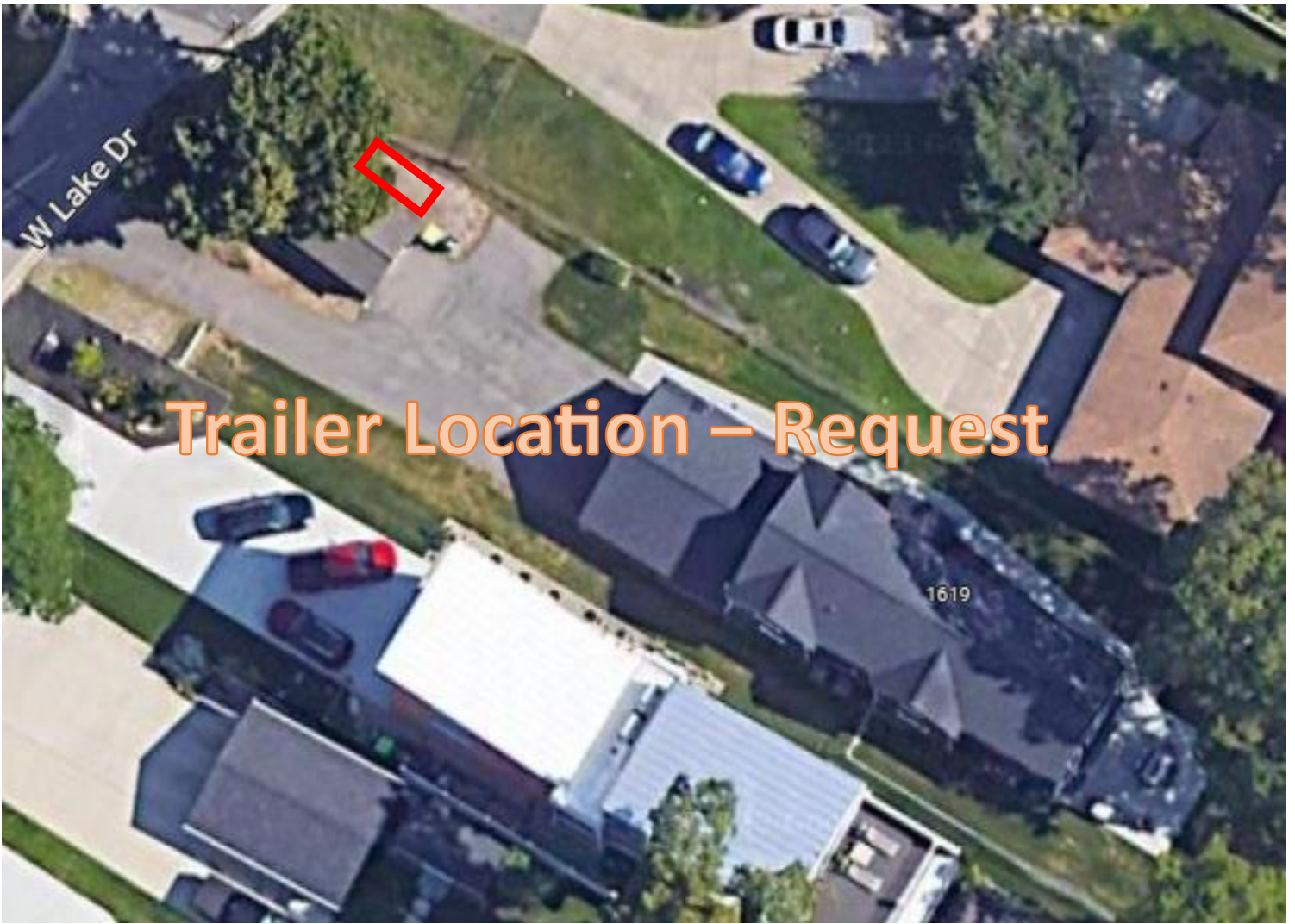
## **Standard #5. Adverse Impact on Surrounding Area.**

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.

This home is my livelihood and I strive to maintain the appearance and structure of my property and home. I am merely requesting assistance in approving a well-maintained parking spot for my boat trailer in the off season time period. I do not, nor plan to have an RV or anything else that would be cause concern or potential violaton. There have been zero complaints from my neighbors on any location of my trailer. My goal is to maintain the property to the upmost standard, just as my relatives have before me.

The Following Pages include:

- Dimensioned Site Plan/Drawings
- Photographs of the lot structure that shows special conditions or circumstances described in the application.



**Dimensioned Site Plan/Drawing**



1619 W Lake Drive  
Trailer Location





View from Street Looking North  
1619 W Lake Drive






View from Street Looking East  
@ 1619 W Lake Drive







 Red Line Represents Current Fencing

**This Photograph is of the lot structure at 1619 W Lake Drive that shows the special condition/circumstance described in the application**

The Following Photographs show:

- Other properties in the area enjoying the same type of property rights related to the Variance/Ordinances



206 Rexton St





Photo from the driveway of 1619  
W Lake Drive, looking North





1641 W Lake Drive







1641 W Lake Drive



1641 W Lake Drive





1623 W Lake Drive





1627 W Lake Drive





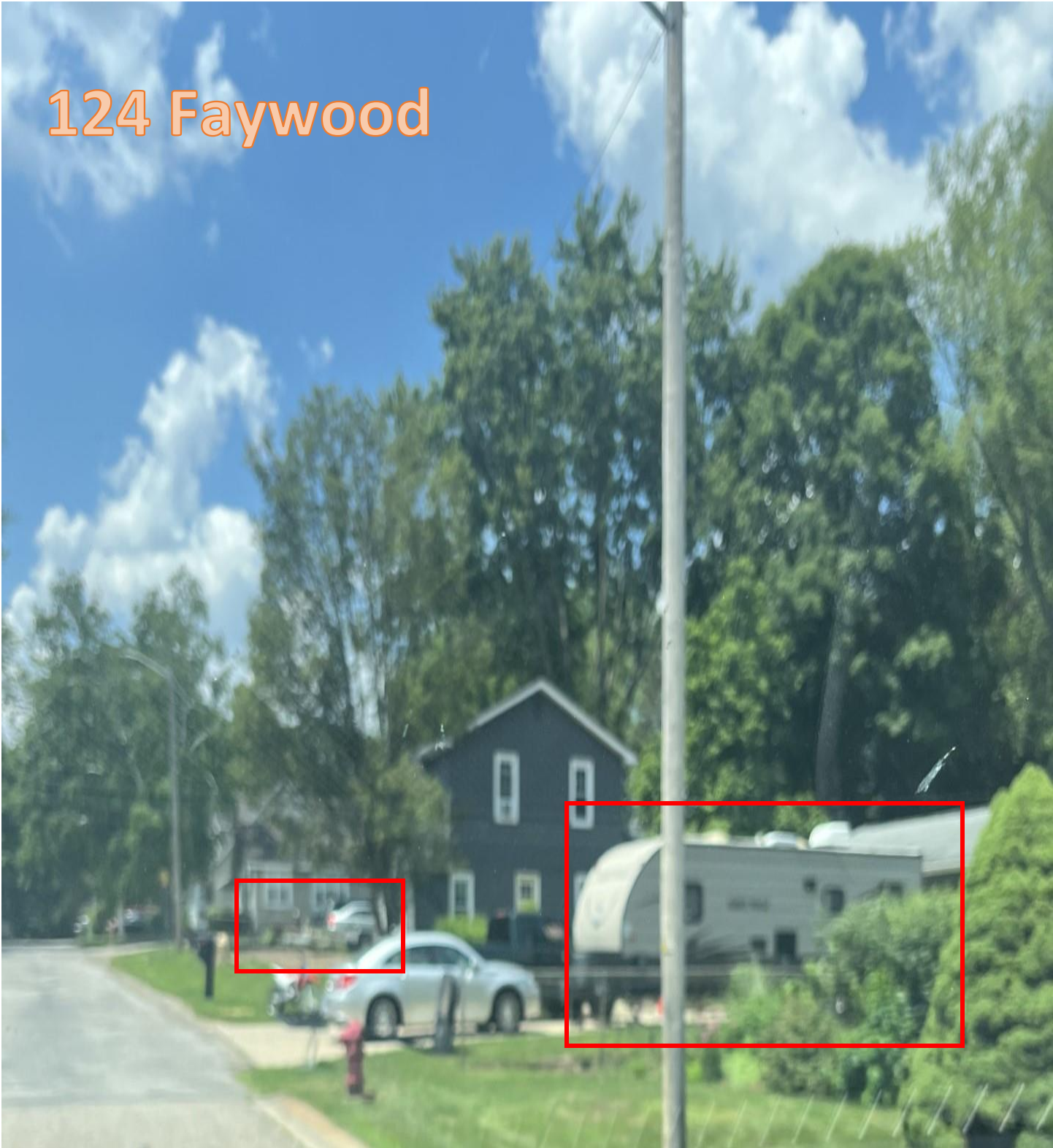
1640 W Lake Drive

Pod





# 124 Faywood





124 Faywood

SLOW  
ADULTS  
AT PLAY





124 Faywood





121 Faywood





121 Faywood





214 N Haven



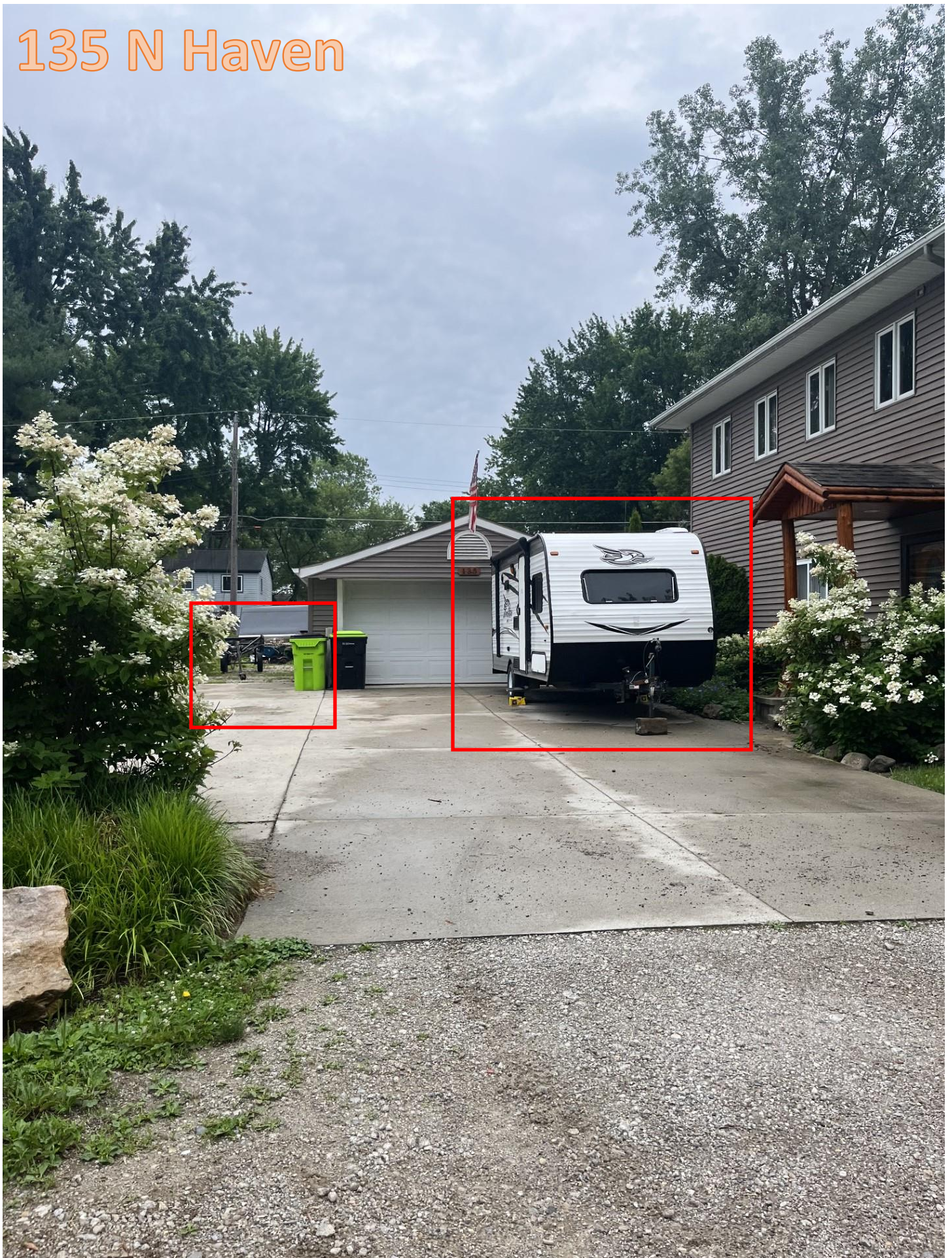


136 N Haven





135 N Haven





117 Rexton





1405 W Lake Drive



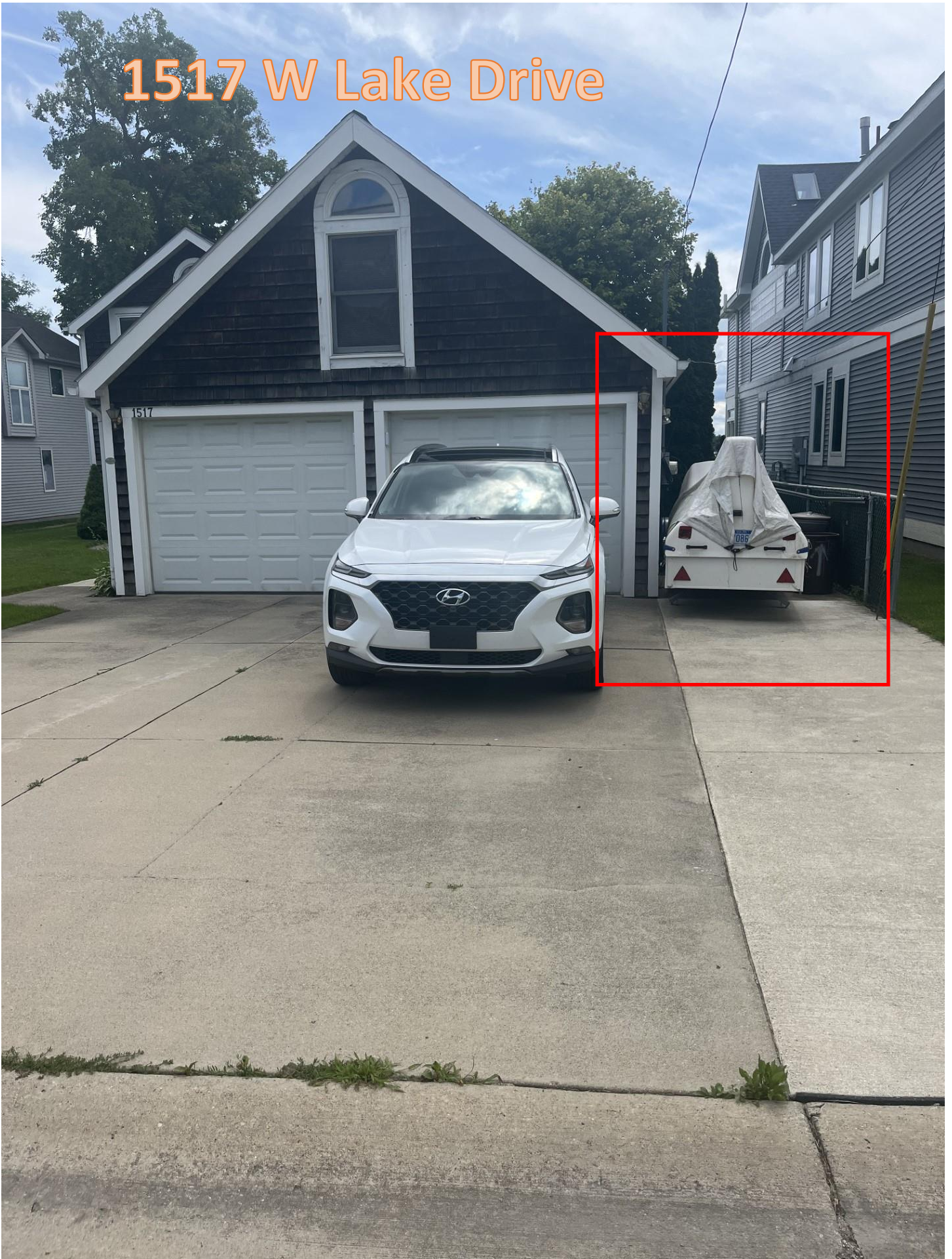


31053 Bancroft





1517 W Lake Drive







1320 W Lake Drive



Pickford / Penhill / S Lake Ct / W Lake Drive Neighborhood





















## South Lake Drive & East Lake Drive



















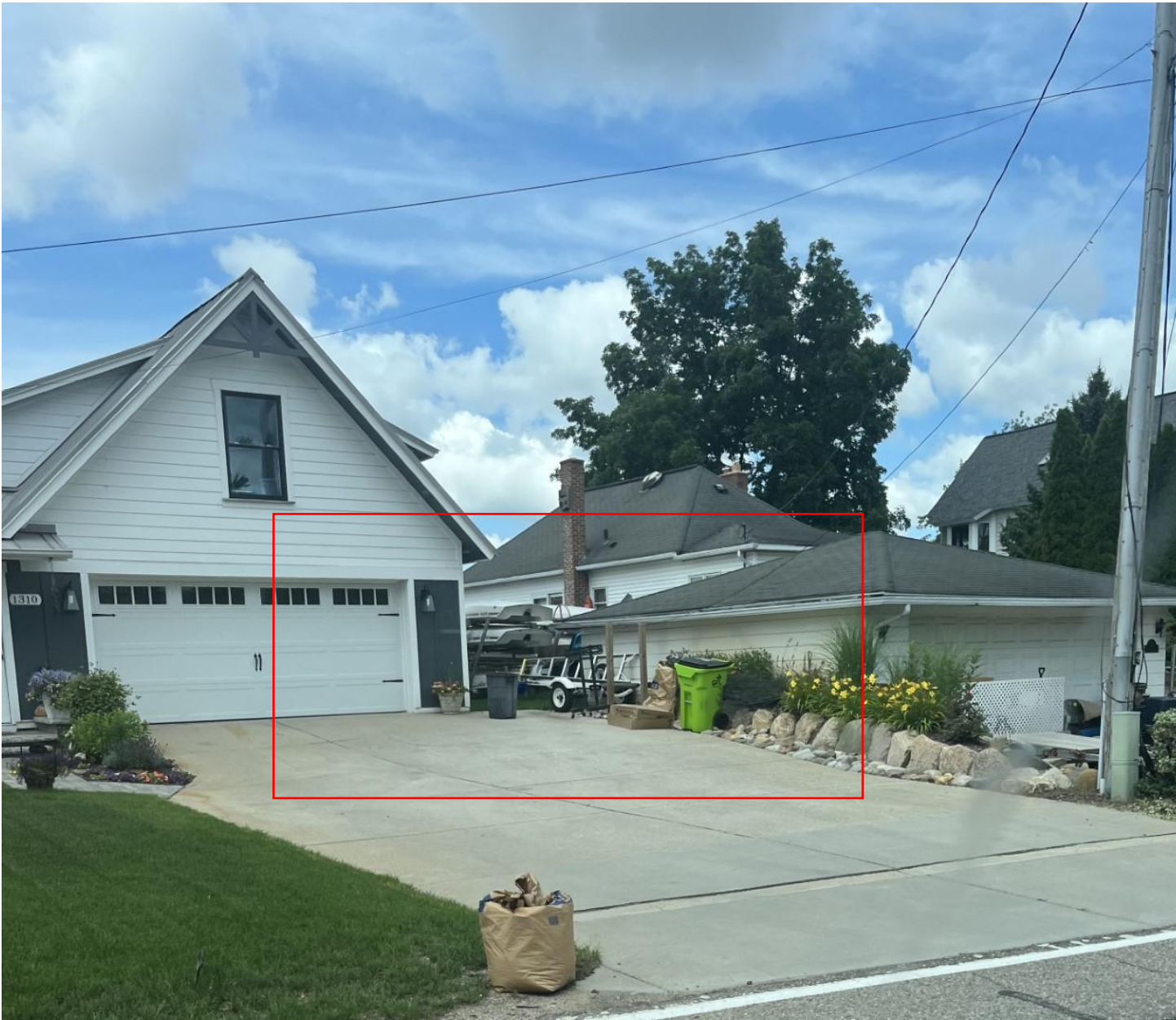




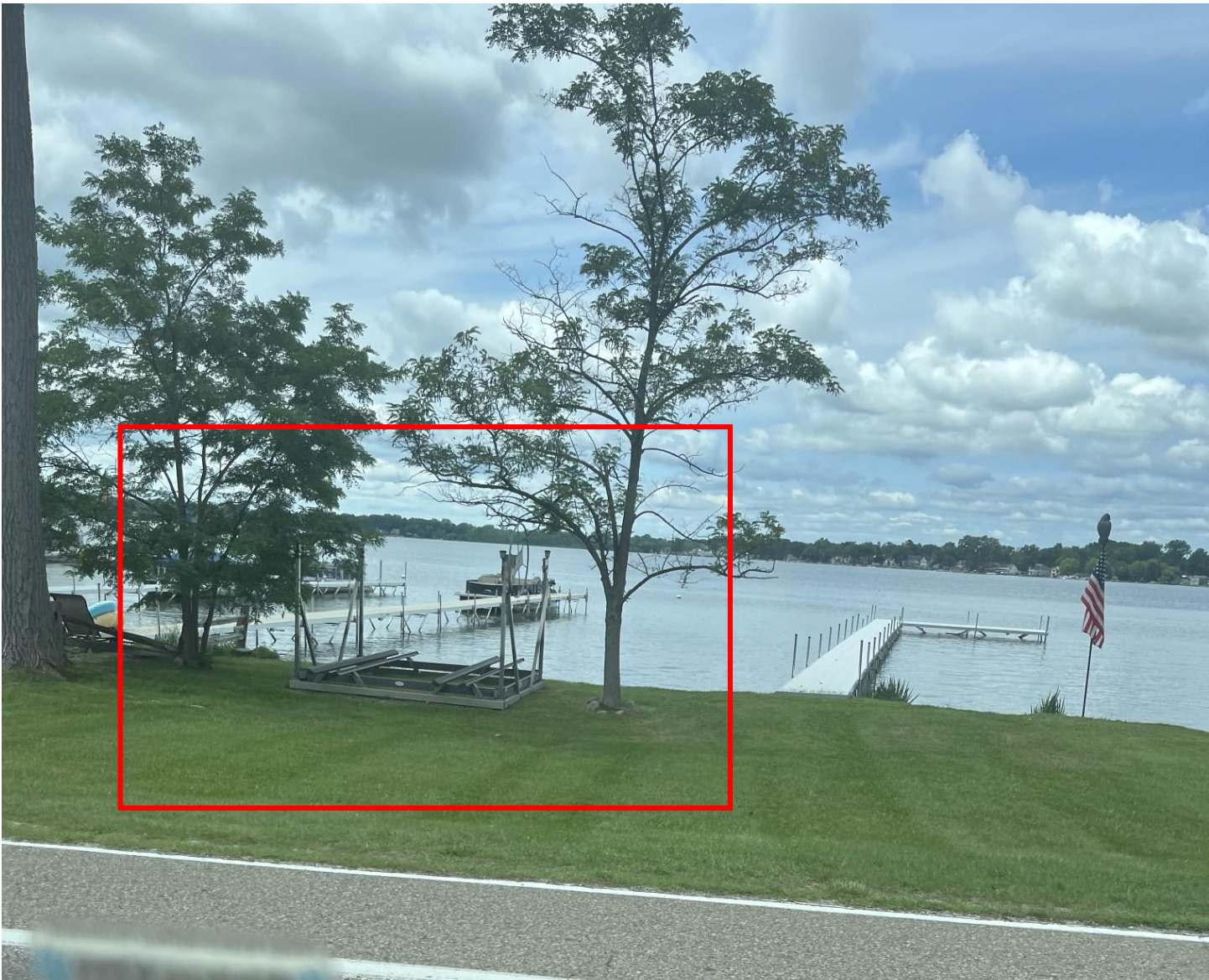














Ludlow, West of West Lake Drive

Grass/Weeds approx. 12in

