



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: April 8, 2025
(Previously heard on March 11, 2025)

REGARDING: 130 Buffington Drive #50-22-03-331-007 (PZ25-0005)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Ori Halpert

Variance Type

Dimensional Variance

Property Characteristics

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

Location: south of South Lake Drive, east of West Park Drive

Parcel #: 50-22-03-331-007

Request

The applicant is requesting variances from City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 5 ft (10 ft required, variance of 5 ft); for a side yard aggregate total of 15 ft (25 ft required, variance of 10 ft); for a front yard setback of 24 ft (30 ft required, variance of 6 ft) This variance would accommodate the building of a new home. This property is zoned One-Family Residential (R-4).

II. STAFF COMMENTS:

The applicant is seeking (3) variances to construct a 24' wide home on a vacant piece of property. (Previously there was a home demolished on this site in 2021)

- 1) 6' front yard setback variance
- 2) 5' side yard setback variance (Any measurement less than 5' requires 1-hr fire protection)
- 3) 10' aggregate total variance

Note: This case was previously before the board on March 11th and was postponed for the applicant to provide more information. Th applicant has removed the rear accessory structure from the design and has provided more detail on the driveway design with dimensions. Chapter 11 of the Novi Code of Ordances, Section 11_219 states that the minimum driveway width is 10'.

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. **PZ25-0005**, 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. **PZ25-0005**, 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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FEB 03 2025

CITY OF NOVI
COMMUNITY DEVELOPMENT



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ZONING BOARD OF APPEALS
APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)		Application Fee: <u>\$275.00</u>	
PROJECTNAME/ SUBDIVISION		Meeting Date: <u>3-11-25</u>	
ADDRESS 130 Buffington St Novi, MI 48377		ZBA Case #: <u>PZ 25-0005</u>	
LOT/SUITE/SPACE#			
SDWELL# 50-22-03 -331 -007		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY Lilley Trail and s lake dr			
IS THE PROPERTY WITHIN A HOMEOWNER SA ASSOCIATION JURISDICTION?		REQUEST IS FOR:	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<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			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS ori@otrinvestments.com	
NAME ori halpert		CELL PHONO NO. 3135399695	
ORGANIZATION/COMPANY ons investments llc		TELEPHONO NO.	
ADDRESS 24739 middlebelt		FAX NO.	
CITY farmington hills		STATE mi	
ZIP CODE 48336			
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	
NAME		CELL PHONO NO.	
ORGANIZATION/COMPANY		TELEPHONO NO.	
ADDRESS		FAX NO.	
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 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>3.1.5</u>		Variance requested <u>5 ft side yard setback (10 ft required, variance of 5 ft)</u>	
2. Section <u>3.1.5</u>		Variance requested <u>15ft side yard agg total (25 ft required, variance of 10 ft)</u>	
3. Section <u>3.1.5</u>		Variance requested <u>24 front yard setback (30 ft required, variance of 6 ft)</u>	
4. Section _____		Variance requested _____	
IV. FEES AND DRAWINGS			
A. FEES			
<input type="checkbox"/> Sngle Family Residential (Existing) \$220 <input type="checkbox"/> (With Violation) \$275 <input checked="" type="checkbox"/> Sngle 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 ASA PDF			
• Dimensioned Drawings and Plans		• Existing & proposed distance to adjacent property lines	
• Site/Plot Plan		• Location of existing & proposed signs, if applicable	
• Existing or proposed buildings or addition on the property		• Floor plans & elevations	
• Number & location of all on-site parking, if applicable		• Any other information relevant to the Variance application	



cityofnovi.org

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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:

The property is only 40' wide and the R-4 zoning requires a property to be 80'. The narrowness of the property makes it impossible to the construct a house. The R-4 zoning setbacks would create an unbuildable footprint.

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 existing property width of 40', instead of 80' min. lot width in the R-4 zoning setback requirements is not self-created. A dimensional variance is necessary to make this a buildable lot.

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.

We believe the strict compliance with regulations for the front (30' required) and side setbacks (25' required and 10' required) would unreasonably prevent the property owner from using the property.

Standard #4. Minimum Variance Necessary.

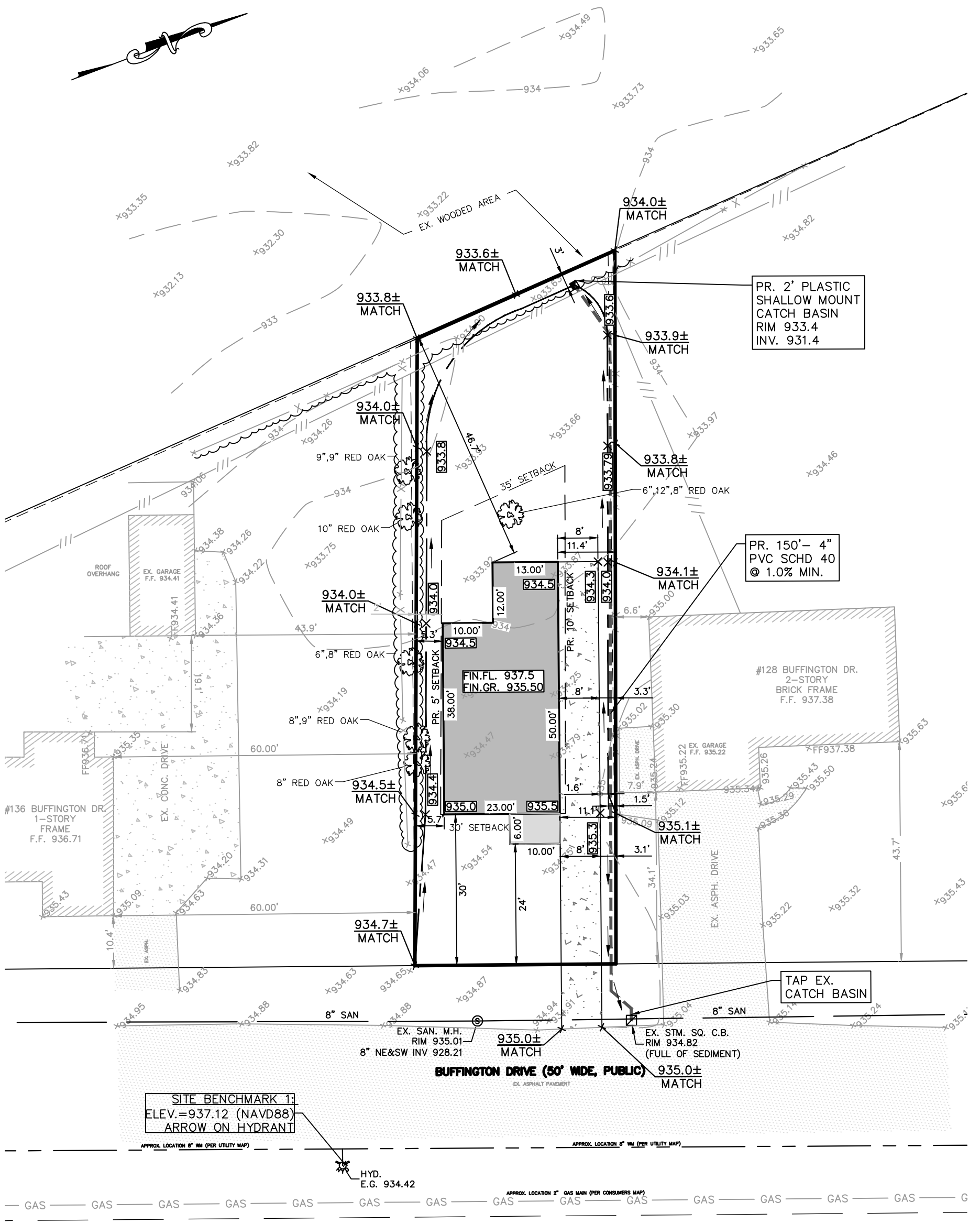
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

We believe the reduced setback requirements, front from 30' to 24', one side from 25' to 10' and 10' to 5', is the minimum necessary to build a 24' wide house. We are not asking for rear yard variance.

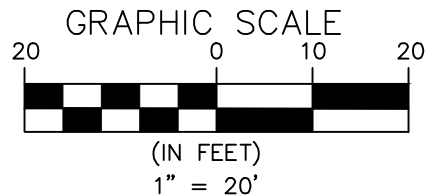
Standard #5. Adverse Impact on Surrounding Area.

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 existing houses to the south and north of our property have front and side setbacks that vary in dimension. The southern house has an existing front setback of 10.5' and the northern house has a front setback of 34.0'. If we take the average of both that is 22.25' and we are asking for a 24' front setback. the current side setback of the northern house to the south property line is 6.7'. We are asking for a 10' side setback (our driveway) adjacent to this house.



KEY	
PROPOSED ELEVATION	XXX.XX



REVISIONS: 	PROJECT NO: 24-235 DATE: 03-20-25 DRAWN BY: S.E.P. CHECKED BY: L.M.D. SCALE: 1"=20'	 SEIBER KEAST LEHNER ENGINEERING SURVEYING CLINTON TOWNSHIP OFFICE 17001 NINETEEN MILE ROAD, SUITE 3 CLINTON TOWNSHIP, MI 48038 586.412.7050 © COPYRIGHT 2021 FARMINGTON HILLS OFFICE 39205 COUNTRY CLUB DRIVE, SUITE C8 FARMINGTON HILLS, MI 48331 248.308.3331	CLIENT INFO: ONS INVESTMENTS 24739 MIDDLEBELT ROAD FARMINGTON HILLS, MI. 48336 (313) 539-9695 PROJECT LOCATION: PART OF THE SW 1/4 OF SECTION 3, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MI	PROJECT NAME: #130 BUFFINGTON DR. LOT 52, "LAKEWOODS SUBDIVISION" SHEET TITLE: PLOT PLAN PAGE: 3 of 3
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Fletcher, Sarah

From: rlevy13@gmail.com
Sent: Saturday, March 8, 2025 1:25 PM
To: Fletcher, Sarah
Subject: RE: ZONING BOARD OF APPEALS - 130 Buffington Dr 50-22-03-331-007

Here are my comments in case the pdf is not viewable –

City of Novi
ZBA
45175 Ten Mile Rd
Novi, MI 48375

RECEIVED
MAR 10 2025
CITY OF NOVI
COMMUNITY DEVELOPMENT

Please note my comments to: 130 Buffington Dr #50-22-03-331-007 (PZ25-0005)

Please note my **Approval** to the requested variance.

Comments:

The proposed lot has is vacant and is in a growing residential area where new construction helps increase the value of all surrounding homes, the surrounding area and improve the image of the City of Novi itself.

Due to the size of the lot, and in order to build a home that is suitable for a family, the variances requested are very reasonable. This new construction will add the beauty and value to all the surrounding homes and is in the best interest of the local community.

Reuben Levy
Owner of 208 Henning St. Novi MI 48377
Permanent residence: 42630 Morgan Creek Ct. Novi MI 48377
3/8/25

From: rlevy13@gmail.com <rlevy13@gmail.com>
Sent: Saturday, March 8, 2025 1:23 PM
To: 'sfletcher@cityofnovi.org' <sfletcher@cityofnovi.org>
Subject: ZONING BOARD OF APPEALS - 130 Buffington Dr 50-22-03-331-007

Hi Sarah,

Please find my comments for the above subject property for ZBA.

Reuben Levy
42630 Morgan Creek Ct
Novi MI 48377

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MAR 10 2025

CITY OF NOVI
COMMUNITY DEVELOPMENT

TO: CITY OF NOVI
ZONING BOARD OF APPEALS
45175 TEN MILE ROAD
NOVI, MI 48375

Please note my comments to:

130 Buffington Drive # 50-22-03-331-007 (PZ25-0005)

Please note my: (Approval) **(Objection)** to the requested variance.

Comments:

Any structure on 130 Buffington with a 5 foot
variance would be dangerously to close, especially
with our fireplace situated near the lot line.

Previous cottage was 11.5 ft from our lot line +
17.5 ft was distance between our home + previous
cottage.

Elevation at 130 Buffington is 933.7 and we are at
933.8 Any back fill on the 40 ft lot will
cause flooding to us.

All homes on Buffington are about 16 to 20 ft
apart!

(PLEASE PRINT CLEARLY)

(NOVI RESIDENTS FOR
52 YEARS)

Name: GERALD + LORETTA MONTES

Address: 128 BUFFINGTON NOVI

Date: 3-9-2025

Anonymous comments will not be considered.

Zoning Board of Appeals meetings are broadcast live on Spectrum channel 13-1 and AT&T U-verse
channel 99. They are also streamed live on the City's website at cityofnovi.org.

TO: CITY OF NOVI
ZONING BOARD OF APPEALS
45175 TEN MILE ROAD
NOVI, MI 48375

RECEIVED

MAR 04 2025

**CITY OF NOVI
COMMUNITY DEVELOPMENT**

Please note my comments to:

130 Buffington Drive # 50-22-03-331-007 (PZ25-0005)

Please note my: (Approval) (Objection) to the requested variance.

Comments:

✓ Lot too small

* No yard

* Drainage issues

* No parking

* Variances would impede access to electrical in rear of house

(PLEASE PRINT CLEARLY)

Name: Margaret Bellex

Address: 1235 Smith Lake Dr. Novi

Date: 2/27/2025

Anonymous comments will not be considered.

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TO: CITY OF NOVI
ZONING BOARD OF APPEALS
45175 TEN MILE ROAD
NOVI, MI 48375

RECEIVED

FEB 26 2025

**CITY OF NOVI
COMMUNITY DEVELOPMENT**

Please note my comments to:

130 Buffington Drive # 50-22-03-331-007 (PZ25-0005)

Please note my: (Approval) (Objection) to the requested variance.

Comments:

I fully approve this variance. New homes will only help the neighborhood and bring additional value to all residents.

(PLEASE PRINT CLEARLY)

Name: Nick Keese

Address: 148 Henning Novi, MI 48377

Date: 2-26-25

Anonymous comments will not be considered.

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