



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

MEETINGDATE: October 13, 2026

REGARDING: 1201 South Lake Drive #50-22-03-332-003 (PZ26-0040)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Marc Kennedy

Variance Type

Dimensional Variance

Property Characteristics

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

Location: north of South Lake Drive, west of Henning Street

Parcel #: 50-22-03-332-003

Request

The applicant is seeking a variance from the City of Novi Zoning Ordinance Section 3.1.5 of the City of Novi Zoning Ordinance for a proposed new roof to be constructed over an existing porch that is measured 4.0 ft from the front property line. (30 ft. required, variance of 26 ft.).

II. STAFF COMMENTS:

The applicant is seeking a 26-foot dimensional variance to cover an existing deck (currently located in the front yard setback) with a new roof.

The appearance will be in keeping with the existing home.

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. **PZ26-0040**, 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. **PZ26-0040** 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

JUL 16 2026

CITY OF NOVI
COMMUNITY DEVELOPMENT

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$220.00</u>	
PROJECT NAME / SUBDIVISION				Meeting Date: <u>9/8/26</u>	
ADDRESS <u>1201 South Lake Dr</u>		LOT/SUITE/SPACE #		ZBA Case #: <u>PZ 26-0040</u>	
SIDWELL # 50-22- <u>03</u> - <u>332</u> - <u>003</u>		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? ☐ YES ☒ NO			REQUEST IS FOR: ☒ RESIDENTIAL ☐ COMMERCIAL ☐ VACANT PROPERTY ☐ SIGNAGE		
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? ☐ YES ☒ NO					
II. APPLICANT INFORMATION					
A. APPLICANT		EMAIL ADDRESS		CELL PHONE NO.	
NAME <u>MARC Kennedy</u>				TELEPHONE NO. <u>↓</u>	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS <u>1201 South Lake Dr</u>		CITY <u>Novi</u>		STATE <u>MI</u>	
				ZIP CODE <u>48777</u>	
B. PROPERTY OWNER ☒ 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					
☐ R-A ☐ R-1 ☐ R-2 ☐ R-3 ☒ R-4 ☐ RM-1 ☐ RM-2 ☐ MH					
☐ I-1 ☐ I-2 ☐ RC ☐ TC ☐ TC-1 ☐ OTHER _____					
B. VARIANCE REQUESTED					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section <u>3.1.5</u> Variance requested <u>Need variance of 5 feet front setback 30 ft. required</u>					
2. Section _____ Variance requested _____					
3. Section _____ Variance requested _____					
4. Section _____ Variance requested _____					
IV. FEES AND DRAWINGS					
A. FEES					
☐ Single Family Residential (Existing) \$220 ☐ (With Violation) \$275 ☐ Single Family Residential (New) \$275					
☐ Multiple/Commercial/Industrial \$330 ☐ (With Violation) \$440 ☐ Signs \$330 ☐ (With Violation) \$440					
☐ House Moves \$330 ☐ Special Meetings (At discretion of Board) \$660					
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF					
• 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					



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

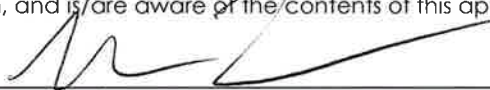

Applicant Signature

7-16-26
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

7-16-26
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:

My lot is narrow and I had to get an easement for the deck years ago. The roof that we want to cover the deck now needs a ZBA approval.

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 practical difficulty arises from the location of the existing deck and the application of current dimensional setback requirements to the proposed roof structure. The deck was lawfully constructed and serves as an established outdoor living area for the residence. While the deck itself is permitted in its current location, the addition of a roof over the existing deck requires dimensional variance relief because the roof structure is subject to different zoning requirements than the uncovered deck.

The need for the variance was not created by the current property owner and is not the result of any

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 requested dimensional variance is necessary to allow a reasonable and customary residential improvement to an existing permitted deck. Strict compliance with the current setback and dimensional requirements would effectively prevent the addition of a covered roof structure over the deck, despite the deck already existing in its current location.

The purpose of the proposed roof is to provide weather protection, improve the usability of the outdoor living space, and enhance the property's functionality for normal residential use. Requiring full compliance with the applicable dimensional standards would impose an unnecessary burden because it would require

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 requested dimensional variance is the minimum variance necessary to allow construction of a covered roof over the existing deck while preserving the reasonable residential use of the property. The proposed roof is limited to the footprint of the existing deck and does not require additional encroachment beyond what is necessary to provide weather protection and improve the functionality of the outdoor living space.

The request seeks only the relief needed to accommodate the roof structure and does not involve expansion of the deck, creation of additional living units, increased density, or any other intensification of

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.

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.

LEGAL DESCRIPTION

PARCEL NO. 22-03-332-003
LOT 33 OF LAKEWOODS, AS
RECORDED IN LIBER 49 OF PLATS,
PAGE 20, OAKLAND COUNTY
RECORDS, OAKLAND COUNTY,
MICHIGAN.

PARCEL NO. 22-03-327-003
EAST 37.50 FEET OF LOT 63 OF
LAKEWOODS, AS RECORDED IN LIBER
49 OF PLATS, PAGE 20, OAKLAND
COUNTY RECORDS, OAKLAND
COUNTY, MICHIGAN.

LEGEND

- FD. IRON
- ⊙ SET CAPPED IRON
- EX. FENCE

NOTE

BEARINGS BASED ON LAKEWOODS,
AS RECORDED IN LIBER 49 OF
PLATS, PAGE 20, OAKLAND COUNTY
RECORDS, OAKLAND COUNTY,
MICHIGAN.

NOTE:
FOUND IRONS
5' TO EAST

WALLED LAKE

EDGE OF WATER
10-4-12

PARCEL NO.
22-03-327-003

EX.
BLOC

○ EAST 37.50'
OF LOT 63

LOT 64

LOT 65

PART OF
LOT 63

SOUTH LAKE DRIVE
(66 FT. WIDE)

LOT 35

LOT 34

LOT 33
PARCEL NO.
22-03-332-003

LOT 32

HENNING STREET
(50 FT. WIDE)

LOT 3



I HEREBY CERTIFY THAT I HAVE
SURVEYED THE PROPERTY HEREIN
DESCRIBED, AND THAT THERE ARE NO
VISIBLE ENCROACHMENTS UPON THE
ABOVE DESCRIBED PROPERTY, EXCEPT
AS SHOWN HEREON.

Ginger Michalski-Wallace
GINGER MICHALSKI-WALLACE
PROFESSIONAL SURVEYOR NO. 47964

CLIENT:

KENNEDY

BOUNDARY SURVEY

1201 SOUTH LAKE DRIVE

SECTION: 3 TOWNSHIP: 1 N RANGE: 8 E
CITY OF NOVI
OAKLAND COUNTY
MICHIGAN

DATE: 10-5-12

DRAWN BY: GLM

CHECKED BY: JF

0 15 30

FBK: 251

CHP: dm

SCALE FOR 1" = 30 FT.
1" = 10 FT.



46892 WEST ROAD
SUITE 109
NOVI, MICHIGAN 48377
(248) 928-3701 (BUS)
(248) 928-3765 (FAX)

RECEIVED

JUL 13 2026

CITY OF NOVI
COMMUNITY DEVELOPMENT

PB26-0243

Combo with Deck Contract # 1708

CONTRACTS

NO: 1632



FRESH OUTLOOK CONSTRUCTION

www.freshoutlookconstruction.com

586-799-4874

Builder License
#262200110

PROPOSAL SUBMITTED TO

Mack Kennedy

PHONE

(810) 955-5659

DATE

6/15/26

STREET

1201 S Lake Rd

EMAIL

Marc. Kennedy 45@Yahoo.Com

CITY, STATE, ZIP

Novi MI 48377

JOB ADDRESS

Build Hip style Shed Roof over
new Deck

Black Aluminum Roof

Post & Beams wrapped in

EDAR
VERSETTA STONE GRANITE PEAK

edar T&G Soft

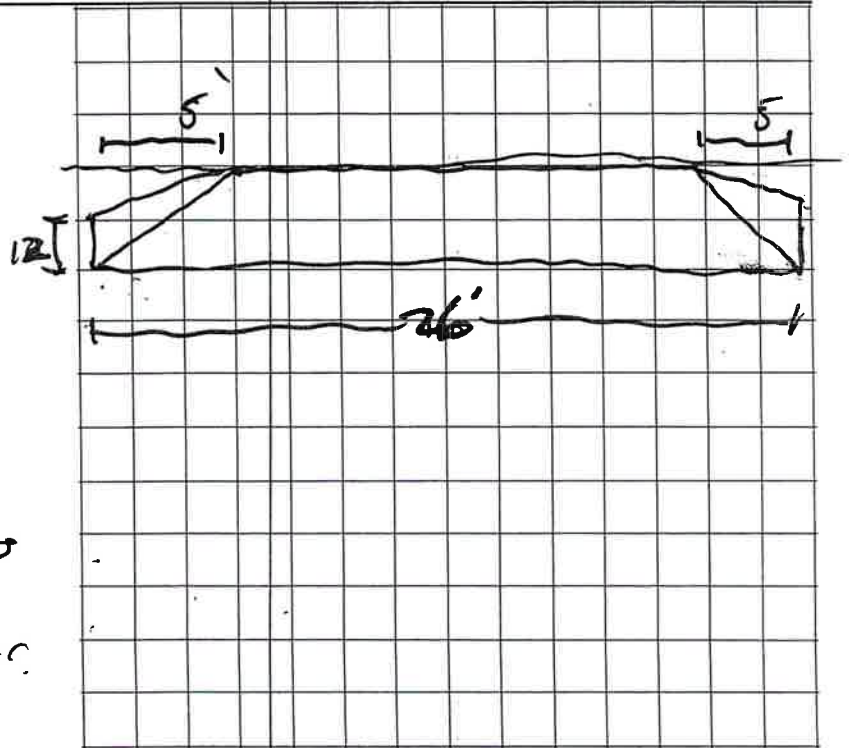
No painting or staining.

2" Black Gutter & Downspouts

Includes Plans, Permits, Labor
& material

Remove vinyl Siding on Front of Home as Needed For
Building of New Roof & Re-install (Re-use Existing if possible)
Certainted Tuscan Clay Double 4"

Estimated Install 10-12 weeks subject to change



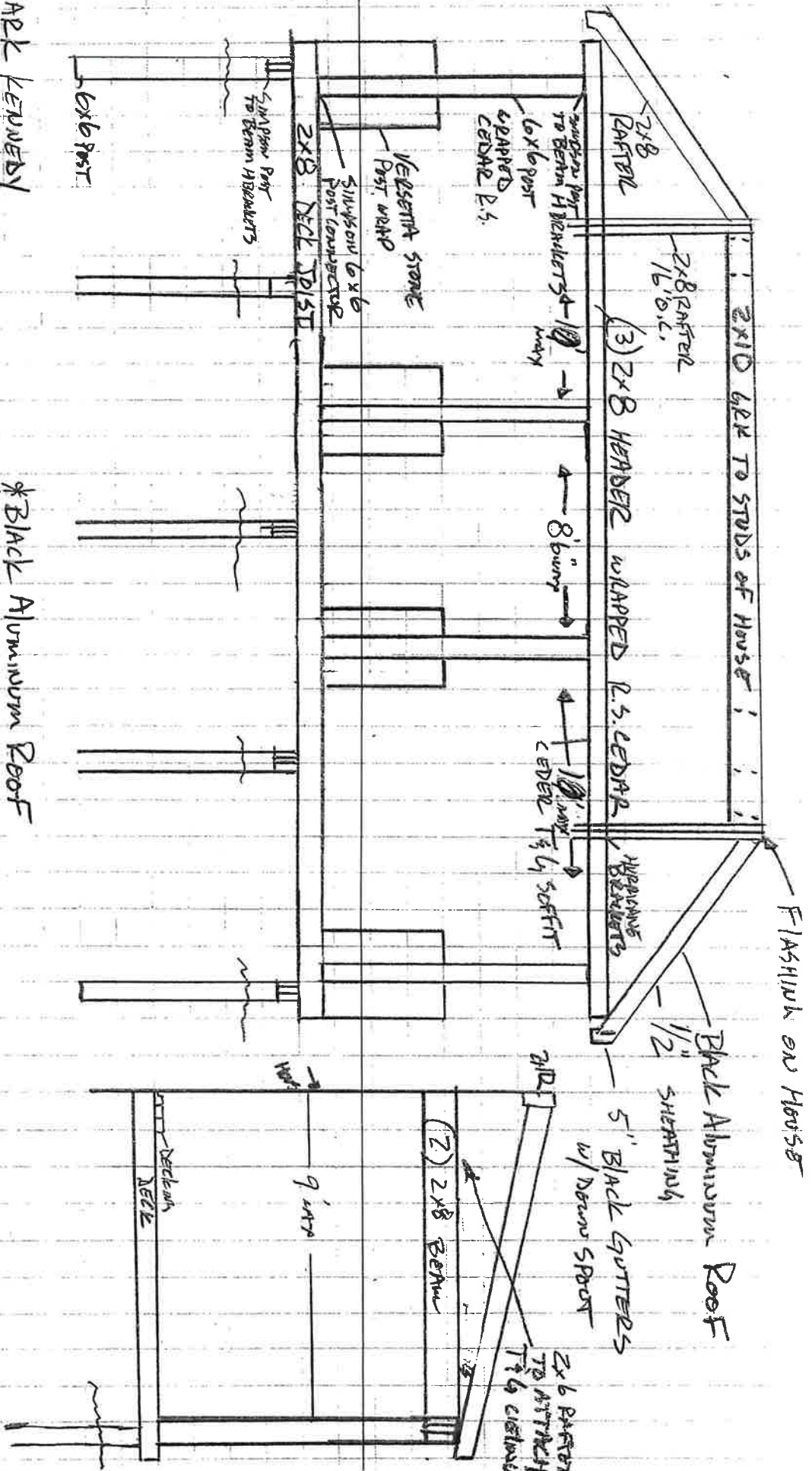
We propose hereby to furnish material and labor- complete in accordance with above specifications for the sum of \$ 10,000 dep
dollars (\$ 34,800) Payment to be made as follows \$ 22,380 start \$ 22,380 compl

Acceptance of Contract- The above prices, specifications and conditions are satisfactory and are hereby accepted.
you are authorizes to do the work as specified. payment will be made as outlined above

Date of acceptance

6-15-2026

Signature



MARK KENNEDY
1201 S. LAKE RD
ADW, MI 48377

- * Black Aluminum Roof
- * Black Gutters
- * VERSETTA STONE ~ 40" tall BASE. Post WEAR GRANITE PEEK
- * CEDAR P.S. Post WRAP & BERMES
- * CEDAR T & G SOFFIT
- * 4" soffit vents across FRONT - 2" soffit vents on EACH SIDE