



# 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: May 14, 2019

REGARDING: 1410 Paramount St, Parcel # 50-22-02-331-006 (PZ19-0015)

BY: Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**

Jeffrey Rooke

**Variance Type**

Dimensional

**Property Characteristics**

Zoning District:	Single Family Residential
Location:	West of Novi Road and North of Thirteen Mile Road
Parcel #:	50-22-02-331-006

**Request**

The applicant is requesting a variance from The City of Novi Zoning Ordinance Section 5.11.1.Aii to allow the installation of a fence to the property line to prevent unauthorized usage of existing property. Fences shall not extend toward the front of the property near than the minimum front yard setback distance. R4 front setback is 30 feet minimum allowed. This properties are zoned Single Family Residential (R-4).

### II. STAFF COMMENTS:

### 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. **PZ19-0015**, 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. **PZ19-0015**, 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



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## ZONING BOARD OF APPEALS APPLICATION

RECEIVED

MAR 29 2019

CITY OF NOVI  
COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>			
PROJECT NAME / SUBDIVISION			
ADDRESS <u>1410 Paramount St.</u>		LOT/SIUTE/SPACE #	
SIDWELL # <u>50-22-02-331-006</u>		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		REQUEST IS FOR: <input 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>jeffreyrooke@gmail.com</u>	CELL PHONE NO. <u>248 787 1833</u>
NAME <u>Jeffrey Rooke</u>		TELEPHONE NO.	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>1409 East Lake Drive</u>	CITY <u>Novi</u>	STATE <u>MI</u>	ZIP CODE <u>48377</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 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 <u>5.11</u>		Variance requested <u>Fence to property line</u>	
2. Section _____		Variance requested _____	
3. Section _____		Variance requested _____	
4. Section _____		Variance requested _____	
<b>IV. FEES AND DRAWINGS</b>			
<b>A. FEES</b>			
<input checked="" 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>			
<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 \_\_\_\_\_

## VI. APPLICANT & PROPERTY SIGNATURES

### A. APPLICANT

\_\_\_\_\_  
Applicant Signature

3/29/19  
\_\_\_\_\_  
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



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## Community Development Department

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Novi, MI 48375

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## REVIEW STANDARDS DIMENSIONAL VARIANCE

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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**

If applicable, describe below:

**and/or**

**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.

Fencing to the property line would simply stop unauthorized people from using the property and making a mess of the grass and landscaping. I have no intention of building a home on the property as it is simply an extension of our back yard from our residence at 1409 East Lake Drive. We would like to have the full use of the property, just as many other property owners on Paramount street, who are fenced to the property line.

**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.

Fencing to the property line would ensure our control over our property from unauthorized parking and the impact it has on us as owners, and the neighbors who must put up with the traffic. The city would not be negatively impacted as the fence to the property line would fit in with fencing to the property line by other property owners on Paramount Street. The variance would ensure maximum enjoyment for us as a family and be an improvement to traffic issues for the neighbors.

**Standard #5. Minimum Variance Necessary.** 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.

There would be no adverse impact to the surrounding property. The neighbors would benefit from the reduction in traffic and noise, as well as the landscaping improvements.

Novi Zoning Board of Appeals  
1410 Paramount Street  
Parcel Number - 50-22-331-006

March 29, 2019

I am requesting the board allow me to fence to the property line on Paramount Street. I own From Paramount right out to Walled Lake (comprised of three lots). This spring I purchased 1410 Paramount which is behind my house to use as a play area for my family (soccer, frisbee, playing with the dog etc.) I will not be building a house on the 1410 Paramount lot as I intend to enjoy it as an extension of our house lot at 1409 East Lake Drive.

- a) I want to maximize the fenced area for my families enjoyment
- b) Half of the area is already fenced or abuts buildings
- c) No home will be build on this property
- d) I want to limit people parking on the 1410 Paramount lot as has happen with the previous lot owner. When people from outside the neighborhood use the lake, or when neighbors have people visiting, this empty lot is always used as a parking lot. I know that if a fence is back 40 from the road it will be full of cars etc.
- e) I want to prevent the lot from being used as a place for parking boat trailers when people visit the lake for the day
- f) Many homes on Paramount have fencing right to the property line

1410 Paramount is a back street where many older homes already have fencing to the property line so allowing fencing to the property line would not be out of place. There would be no negative impact to any neighbor and in fact the improvement with landscaping would be a benefit to all homeowners in the vicinity.



Jeffrey Rooke  
Residence - 1409 East Lake Drive  
Variance requested - 1410 Paramount Street  
248 787 1833  
[jeffreyrooke@gmail.com](mailto:jeffreyrooke@gmail.com)

# City of Novi



### MAP INTERPRETATION NOTES

Map information depicted is not intended to replace or substitute for any official or primary source. This map was created to meet National Map Accuracy Standards and uses the most recent accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a Licensed Michigan Surveyor as defined in Michigan Public Act 122 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.



1 inch = 47 feet



Map Print Date:  
3/29/2019



**City of Novi**  
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Lot For Sale - \$39K Lake 1 White Background

**1410 PARAMOUNT ST** NOVI, MI 48377 (Property Address)

Parcel Number: 50-22-02-331-006



Item 1 of 2 2 Images / 0 Sketches

**Property Owner:** JOHN T HARVEY, INC

**Summary Information**

- > Assessed Value: \$18,900 | Taxable Value: \$17,820
- > 4 Building Department records found
- > Property Tax information found

**Parcel is Vacant**

**Owner and Taxpayer Information**

<b>Owner</b>	JOHN T HARVEY, INC 1321 WEST LAKE NOVI, MI 48377	<b>Taxpayer</b>	SEE OWNER INFORMATION
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**General Information for Tax Year 2019**

<b>Property Class</b>	Residential – Vacant	<b>Unit</b>	50 CITY OF NOVI
<b>School District</b>	Walled Lake	<b>Assessed Value</b>	\$18,900
<b>MAP #</b>	No Data to Display	<b>Taxable Value</b>	\$17,820
<b>USE</b>	0	<b>State Equalized Value</b>	\$18,900
<b>PROP USE CODE</b>	No Data to Display	<b>Date of Last Name Change</b>	12/14/2016
<b>USER ALPHA 3</b>	No Data to Display	<b>Notes</b>	Not Available
<b>Historical District</b>	No	<b>Census Block Group</b>	No Data to Display
<b>USE</b>	No Data to Display	<b>Exemption</b>	No Data to Display

**Principal Residence Exemption Information**

**Homestead Date** 12/11/1996

Principal Residence Exemption	June 1st	Final
2019	0.0000 %	-
2018	0.0000 %	0.0000 %

**Previous Year Information**

Year	MBOR Assessed	Final SEV	Final Taxable
2018	\$17,950	\$17,950	\$17,410
2017	\$17,250	\$17,250	\$17,060
2016	\$17,250	\$17,250	\$16,910

**Land Information**

<b>Zoning Code</b>	R-4	<b>Total Acres</b>	0.151
<b>Land Value</b>	\$37,847	<b>Land Improvements</b>	\$0
<b>Renaissance Zone</b>	No	<b>Renaissance Zone Expiration Date</b>	No Data to Display
<b>ECF Neighborhood</b>	CENAQUA SHORES	<b>Mortgage Code</b>	No Data to Display
<b>Lot Dimensions/Comments</b>	No Data to Display	<b>Neighborhood Enterprise ZoneNo</b>	

Lot(s)	Frontage	Depth
Lot 1	60.00 ft	109.70 ft
<b>Total Frontage: 60.00 ft</b>		<b>Average Depth: 109.70 ft</b>

**Legal Description**

T 1N, R8E, SEC 2 CENAQUA SHORES SUB LOT 5 & PART OF LOT 6 ALL DESC AS BEG AT PT DIST N 22-54-10 E 58.80 FT & N 17-00-43 E 44.40 FT FROM SELY COR OF LOT 8, TH N 72-25-52 W 109.66 FT, TH N 16-56-00 E 60 FT, TH S 72-25-54 E 109.74 FT, TH S 17-00-43 W 60 FT TO BEG 4-28-04 FR 005

**Land Division Act Information**

NEIGHBORS TO LOT LINE



LOT F02 VARIANCE.

