



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: June 10, 2025

REGARDING: 49805 Nine Mile Road #50-22-30-476-004 (PZ25-0022)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

J Michael Homes

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: This property is zoned Residential Acreage (R-A)

Location: on Nine Mile Road, west of Garfield Road

Parcel #: 50-22-22-02-151-048

Request

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.1 for a side yard setback of 10 ft. (20 ft. required, variance of 10 ft.); aggregate side yard setback of 30 ft. (50 ft. required, variance of 20 ft.).

II. STAFF COMMENTS:

The applicant is seeking (2) dimensional variances to replace / modify an existing home.

1) A 10-foot side yard setback variance

2) A 20-foot side yard aggregate setback reduction variance

The existing property is narrow compared to other properties in the RA Zoning district.

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. **PZ25-0022**, 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. **PZ25-0022**, 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

MAY 01 2025

CITY OF NOVI
COMMUNITY DEVELOPMENT

Application Fee: \$275.00
Meeting Date: 6-10-25
ZBA Case #: PZ 25-0022

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION 49805 9 Mile Road			
ADDRESS 49805 9 Mile Road		LOT/SIUTE/SPACE #	
SIDWELL # 50-22-304 - 476 - 004		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY South of 9 Mile & West of Garfield Road			
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 type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS bids@jmmichaelhomes.com	
NAME William Moore		CELL PHONE NO. 248-345-4870	
ORGANIZATION/COMPANY J Michael Homes		TELEPHONE NO. 248-345-4870	
ADDRESS 50280 W. 9 Mile Road		CITY Novi	STATE MI
		ZIP CODE 48374	
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 bids@jmmichaelhomes.com	
NAME William Moore		CELL PHONE NO. 248-345-4870	
ORGANIZATION/COMPANY Realistics Corporation		TELEPHONE NO. 248-345-4870	
ADDRESS 50280 W. 9 Mile Road		CITY Novi	STATE MI
		ZIP CODE 48374	
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<input checked="" 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. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>3.1.1</u> Variance requested <u>10' min side yard setback (20'required, variance of 10')</u>			
2. Section <u>3.1.1</u> Variance requested <u>30' side yard agg total (50' required, variance of 20')</u>			
3. Section _____ Variance requested _____			
4. Section _____ Variance requested _____			
IV. FEES AND DRAWINGS			
A. FEES			
<input type="checkbox"/> Single Family Residential (Existing) \$220 <input type="checkbox"/> (With Violation) \$275 <input checked="" type="checkbox"/> Single 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 AS A 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			



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

William P. Munn
Applicant Signature

May 1, 2025

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.

William P. Munn
Property Owner Signature

May 1, 2025

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
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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 lot is exceptional narrow for RA zoning. RA standards call for a minimum width of 150'. The subject lot is 85.10' wide.

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:

FYI: Eastside of property is City of Novi land. Backside is ITC land. We just complete a new build on the adjacent lot to the west.

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).

This proposal is the best solution and will improve the neighborhood appearance. The current property owner did not cause the nonconforming situation. Had the subject property met the minimum lot size requirements, a variance would not be needed.

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 land is unusable if a dimensional variance is strictly enforced. RA zoning calls for a minimum lot with of 150'. Subject lot is 85.10'.

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 variance is the minimal necessary in order to build the size and value of neighboring homes.

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 dimensional variance will not cause an adverse impact on surrounding properties as is it sides to City of Novi woodlands and wetlands and backs to ITC property/trail. Many neighbors and City of Novi code enforcement are ready to see the current structure replaced. Also, It is adjacent, to the west, of a home we just built. 49825 9 Mile Road.

S.E. 1/4 Corner
Section 30
T.1N., R.8E.

Rec. & Meas. 924.00

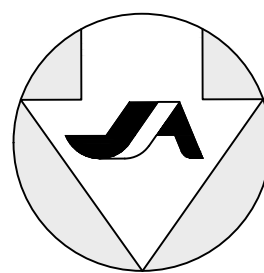
Rec. & Meas. 85.10

DESCRIBED PARCEL

LEGAL DESCRIPTION

ID#: 50-22-30-476-004

LAND SITUATED IN THE CITY OF NOVI, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS:
PART OF THE SOUTHEAST 1/4 OF SECTION 30, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEGINNING AT A POINT DISTANT WEST 924.00 FEET FROM THE SOUTHEAST 1/4 OF SAID SECTION 30; THENCE CONTINUING WEST 85.10 FEET; THENCE NORTH 00°51'00" EAST, 514.70 FEET; THENCE NORTH 58°31'00" EAST, 83.00 FEET AND NORTH 62°35'00" EAST, 14.60 FEET ALONG THE CENTER OF NINE MILE ROAD, THENCE SOUTH 00°51'00" WEST, 564.10 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 1.05 ACRES. (FURNISHED LEGAL DESCRIPTION DOES NOT CLOSE).



TREE LIST

#001	10" Pine
#002	12" Spruce
#003	24" Oak
#004	8" Twin Cherry
#005	32" Silver Maple
#006	6"9"9"14" Maple
#007	9" Oak
#008	8" Cherry
#009	20" Twin Oak
#010	13" Oak
#011	10" Oak
#012	22" Silver Maple
#013	16" Silver Maple
#014	12" Silver Maple
#015	22" Silver Maple
#016	18" Silver Maple
#017	13" Silver Maple
#018	15" Silver Maple

confirm minimum setbacks
with municipality

Zoning:
RA Residential Acreage

Setbacks:	
Front	- 45'
Side	- 20'
Side total	- 50'
Rear	- 50'

*Check title policy for subdivision
deed restrictions that may affect
setback requirements.*

Note: Requires zoning
variance to build.

Novi Datum Benchmark

Arrow on Hydrant
Elevation = 968.84

LEGEND

- 000.00 = Existing elevation
- 000.00 = Proposed elevation
- = Drainage course
- ~~~~~ = Silt fence
- F.G. = Finish Grade
- = Existing contour
- (TBR) = To Be Removed
- 000.00 = As-Built Information



Know what's below.
Call before you dig.



DEMOLITION PLAN

Prepared For: J. Michael Homes
50280 W. Nine Mile Road
Novi, MI 48374
(248) 345-4870

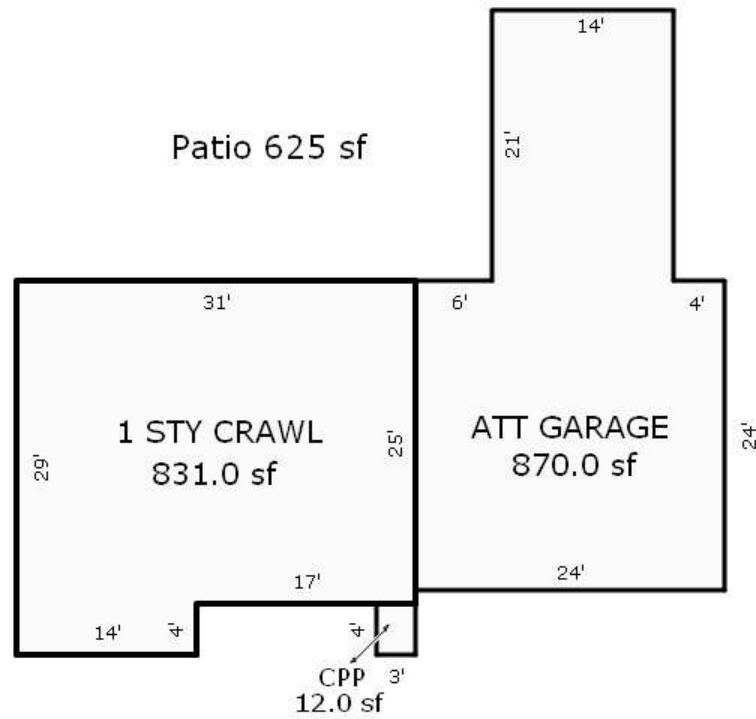
Jekabson & Associates, P.C.
Professional Land Surveyors
1320 Goldsmith, Plymouth, MI 48170
(734) 414-7200 (734) 455-8000

by:

[Signature]

Date	27 Mar 2025
Job No.	25-03-006
Scale	1" = 30'
Drawn	AAH
Checked	JGE
Sheet	1 OF 1

Image/Sketch for Parcel: 50-22-30-476-004



Sketch by Apex Medina™

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