



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: September 8, 2026

REGARDING: **40595 Village Oaks Road #50-22-25-330-005 (PZ26-0046)**

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Dennis and Sally Denoyer

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: this property is zoned One-Family Residential (R-3)

Location: southside of Village Oaks, west of Heatherwoode Road

Parcel #: 50-22-25-330-005

Request

The applicant is requesting a variance from Section 3.1.5 of the City of Novi Zoning Ordinance to permit a covered porch with a front yard setback of 24.5 ft. (30 ft. required, variance of 5.5 ft.).

II. STAFF COMMENTS:

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

30-foot front yard setback required.

An 11-foot variance is requested for a result of a total 19-foot front yard setback to porch.

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. **PZ26-0046**, 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. **PZ26-0046** 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

Application Fee: \$220.00
Meeting Date: 9/08/26
ZBA Case #: PZ 26-0046

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION			
ADDRESS <u>40595 Village Oaks</u>		LOT/SUITE/SPACE #	
SIDWELL # 50-22-	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 <u>DDENOYER@MI.RR.COM</u>	CELL PHONE NO. <u>248-345-3812</u>
NAME <u>Dennis + Sally Denoyer</u>		TELEPHONE NO.	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>40595 VILLAGE OAKS</u>		CITY <u>Novi</u>	STATE <u>MI</u> ZIP CODE <u>48375</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 <u>ddenoyer@mi.rr.com</u>	CELL PHONE NO. <u>(248) 345-3812</u>
NAME <u>Dennis and Sally Denoyer</u>		TELEPHONE NO.	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>40595 Village Oaks</u>		CITY <u>Novi</u>	STATE <u>MI</u> ZIP CODE <u>48375</u>
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>11' VARIANCE OF 19'</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 established within such a period; provided, however, where such use permitted is dependent upon the erection or alteration of 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

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



Community Development Department

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Novi, MI 48375
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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:

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 #1 *Circumstances or Physical Conditions*

STANDARD #2 *Not Self-Created*

We purchased this house in 1992. The non-conformity of the lot dimensions was not disclosed at our real estate closing meeting when we became the new owners. The issue of dimensional variance was never discussed with us.

STANDARD #3 *Strict Compliance*

Strict compliance of dimensional variance will not allow us to build the front porch as designed by the architect, Phillip Hill.

STANDARD #4 *Minimum Variance Necessary*

We are making these improvements to the last house we ever plan to live in. We hope that this house will be able to ensure a continued quality of life in the event that one of us needs to live on the first floor, only. I am 69 years old and retired. My husband anticipates retirement in the near future. He has been under medical care for orthopedic challenges for the past two years. The upgrade we are requesting will enable us to build a front porch capable of accommodating a wheelchair and other devices that will ensure readily achievable access for living on the first floor.

STANDARD #5 *Adverse Impact on Surrounding Area*

There will be no adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

We have maintained solid property values of our home for the past 33 years. Our continued upkeep of the appearance of our home will only enhance the value of adjoining lots in the eyes of a realtor.

VILLAGE OAKS DR. (60' ROW)

LOT 123

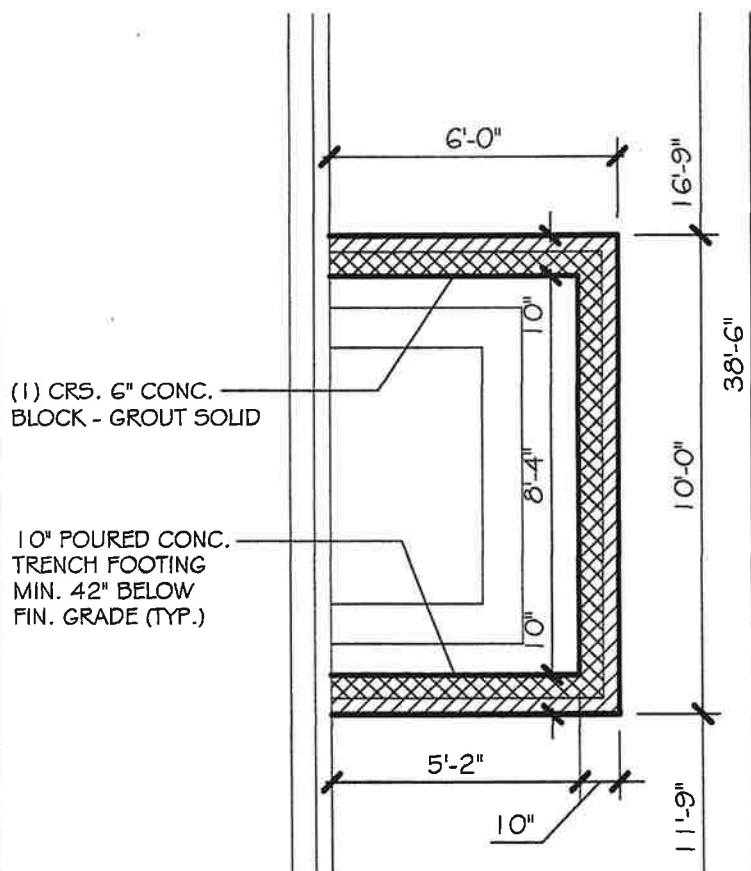
LOT 124

LOT 125



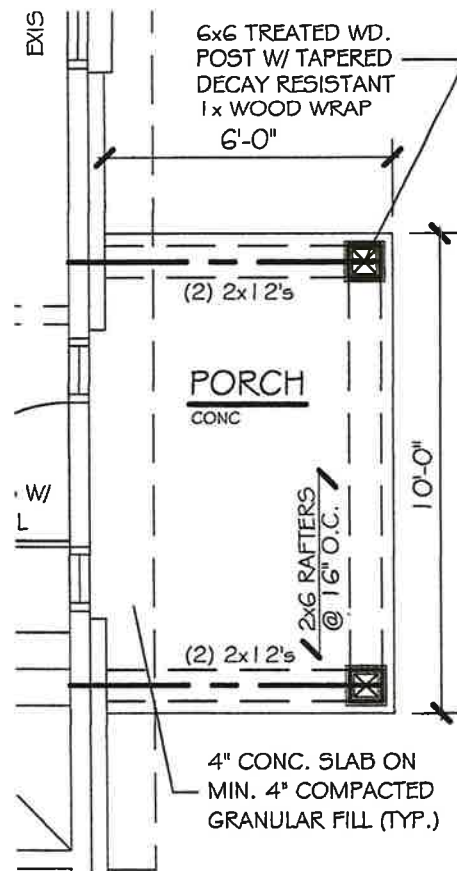
North Elevation

SCALE: 1/8" = 1'-0"



Foundation Plan

SCALE: 1/4" = 1'-0"



Floor Plan

SCALE: 1/4" = 1'-0"

PHILIP J. HILL, RA
3265 THEODORE E.
WIXOM, MICHIGAN 48393
(248) 866-7418

Denoyer Porch Addition
40595 Village Oaks Dr.
Novi, MI 48375

SK-2529A
DATE:
JUNE 8, 2026