



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: 1241 East Lake Drive #50-22-22-02-151-048 (PZ25-0019)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

BSR Deck Construction

Variance Type

Dimensional Variance

Property Characteristics

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

Location: on East Lake Drive, south of Fourteen Mile Road

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

Request

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.32.10.A.ii.a to allow a 560 sq ft floating deck accessory structure on the lake lot (100 sq ft allowed, variance of 460 sq ft); Section 3.32.10.A.ii.b to allow 35% lot coverage (5% allowed, variance of 30%).

II. STAFF COMMENTS:

The applicant is seeking (2) dimensional variances to relocate and modify an existing dock to make it safer and more aesthetically pleasing.

- 1) Size variance of 460 SF (100 SF allowed)*
- 2) Lot Coverage variance to be increased by 30% (5% allowed)*

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. **PZ25-0019**, 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. **PZ25-0019** 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

APR 30 2025

CITY OF NOVI
COMMUNITY DEVELOPMENT

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$220.00</u>	
PROJECT NAME / SUBDIVISION <u>Galloway Lakeside Deck</u>				Meeting Date: <u>6-10-25</u>	
ADDRESS <u>1241 East Lake Dr</u>		LOT/SIUTE/SPACE #		ZBA Case #: <u>PZ 25-0019</u>	
SIDWELL # 50-22- <u>02-151-048</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 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 type="checkbox"/> NO					
II. APPLICANT INFORMATION					
A. APPLICANT		EMAIL ADDRESS <u>bsrdecks@gmail.com</u>		CELL PHONE NO. <u>248-894-1702</u>	
NAME <u>BRYAN RAY</u>				TELEPHONE NO.	
ORGANIZATION/COMPANY <u>BSR DECK Construction</u>				FAX NO.	
ADDRESS <u>26347 Greythorne Tr</u>		CITY <u>Farmington Hills</u>		STATE <u>MI</u>	
				ZIP CODE <u>48334</u>	
B. PROPERTY OWNER <input 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. <u>248-330-3353</u>	
NAME <u>TRACY A. GALLOWAY</u>				TELEPHONE NO.	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS <u>1241 East Lake Dr</u>		CITY <u>Novi</u>		STATE <u>MI</u>	
				ZIP CODE <u>48377</u>	
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 _____ Variance requested <u>Section 3.32</u>					
2. Section _____ Variance requested <u>(A) i i</u>					
3. Section _____ Variance requested <u>A- 360 sq FT DECK</u>					
4. Section _____ Variance requested <u>B- Lot Coverage 30% (5%) Allowed</u>					
IV. FEES AND DRAWINGS					
A. FEES					
<input type="checkbox"/> Single Family Residential (Existing) \$220 <input type="checkbox"/> (With Violation) \$275 <input 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					
• 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

By SR
Applicant Signature

4/21/25
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.

X W. A. Dalling
Property Owner Signature

4/24/25
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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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:

\$- With current DECK and STAIRS, they are rotting.
would like to move DECK to flat part of property to
remove need for RAIS and/or and put a Aluminum gazebo in.

- 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 old DECK is unsafe per my inspection.

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.

✓ Owner can't get down to lake safely because of failing stair case.

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.

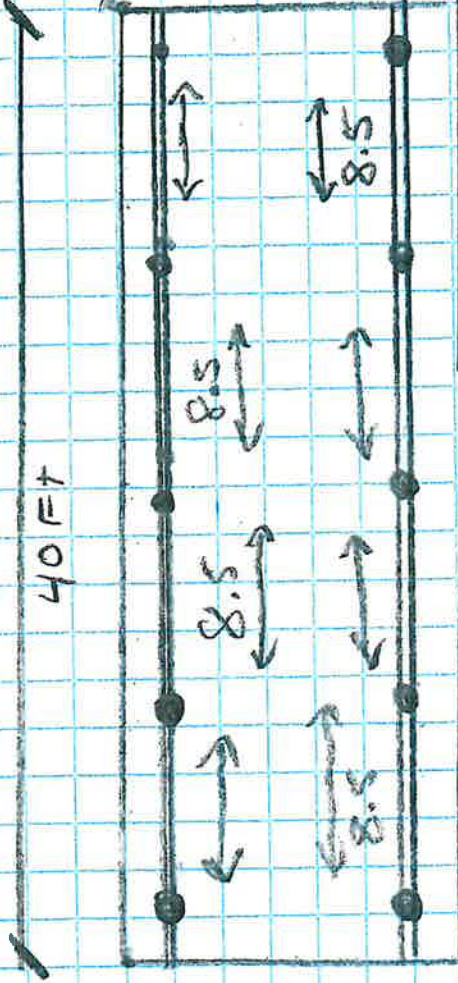
* Its all low profile on the ground. NEW STAIR CASE would be low profile RAILS. The rotting DECK would be removed to eliminate eye sore.

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.

x We are not digging in soil for post. We will be using ICC Approved foundation System to make it environmentally friendly as possible.

LAKE



1241 EAST LK. DR
NOVI

REVISED



PLATFORM

RECEIVED

APR 14 2013

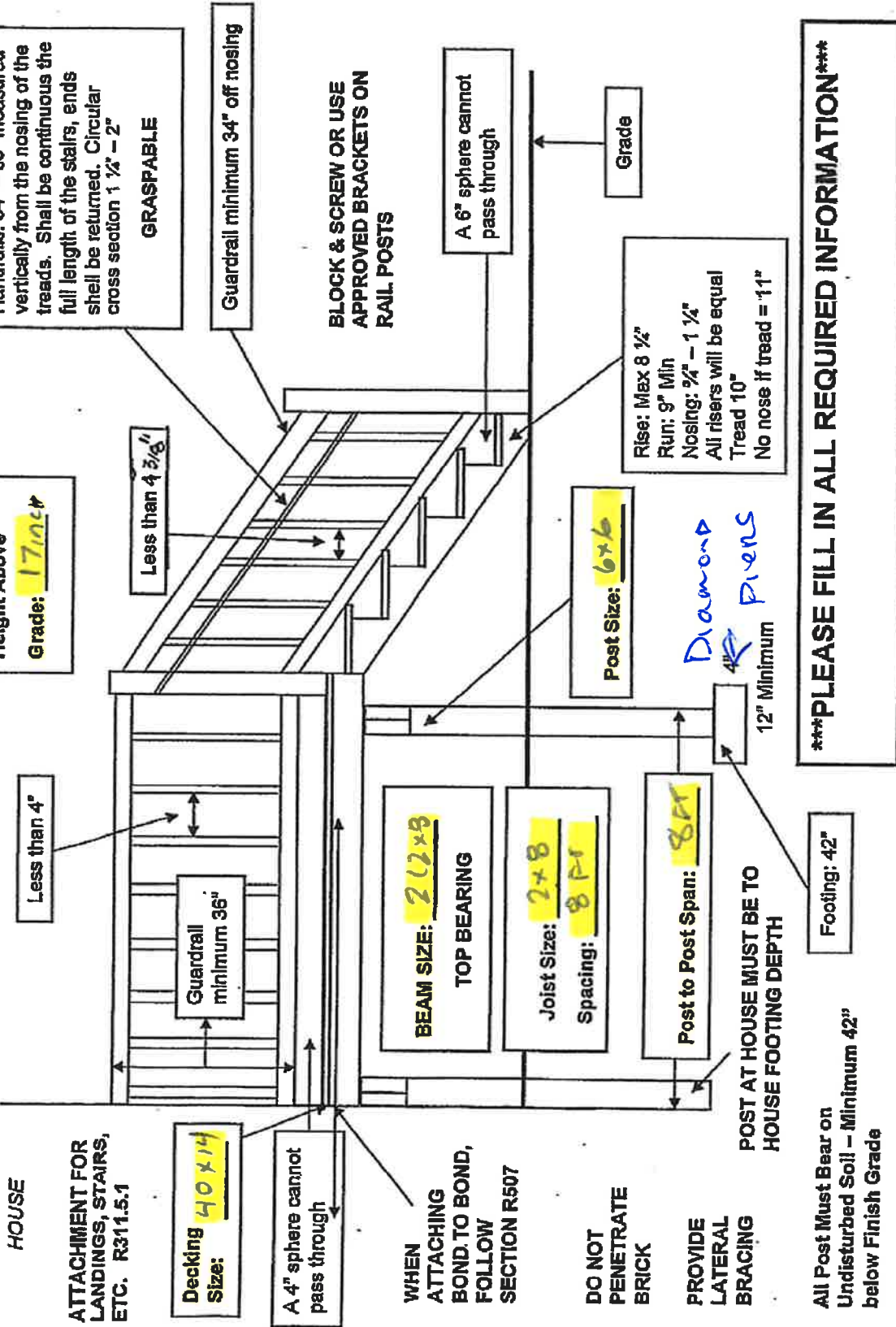
CITY OF NOVI
COMMUNITY DEVELOPMENT

REVISED
4-14-25



PBR 25-0136

DECK FORM



Beam/Post Connection Method and Hardware to be Used:

2- 7 inch Through Bolts

East Lake Dr



REPLACE OLD
DECK with
New Floating
DECK.