



## 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

**MEETING DATE:** July 9, 2024

**REGARDING:** 1725 Paramount Street # 50-22-02-381-022 (PZ24-0030)

**BY:** Alan Hall, Deputy Director Community Development

### I. GENERAL INFORMATION:

#### **Applicant**

Eric Colthurst

#### **Variance Type**

Dimensional Variance

#### **Property Characteristics**

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

Location: north of Thirteen Mile Road, west of Novi Road

Parcel #: 50-22-05-381-022

#### **Request**

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 for a front yard setback of 22.8 ft. (30 ft. required, variance of 7.2ft.); Section 3.1.5 for an exterior side yard setback of 14.5 ft. (30 ft. required, variance of 15.5 ft.); Section 3.1.5 for a 29% lot coverage (25% allowed, variance of 4%); Section 4.19.1.E.i for a 974 sq. ft. garage (850 sq. ft. allowed, variance of 127 sq. ft.). These variances would accommodate a garage addition.

### II. STAFF COMMENTS:

*The applicant is proposing to construct a 14' x 28' garage addition to an existing home on a corner lot. The residence currently includes a 2-car garage. The addition would match the existing building on the north side.*

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. **PZ24-0030**, 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. **PZ24-0028**, 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

RECEIVED

MAY 30 2024

CITY OF NOVI  
COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>				Application Fee: <u>\$220.00</u>	
PROJECT NAME / SUBDIVISION Garage Addition				Meeting Date: <u>7-9-24</u>	
ADDRESS 1725 Paramount Street		LOT/SIUTE/SPACE # 57 & 58		ZBA Case #: <u>PZ 24-0030</u>	
SIDWELL # 50-22-U2 -380 -U24		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY north of Thirteen Mile Road, west of Novi 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					
<b>II. APPLICANT INFORMATION</b>					
<b>A. APPLICANT</b>		EMAIL ADDRESS ericcolthurst@gmail.com		CELL PHONE NO. 734.459.7000	
NAME Eric Colthurst		TELEPHONE NO.			
ORGANIZATION/COMPANY		FAX NO.			
ADDRESS 1725 Paramount Street		CITY Novi		STATE MI	ZIP CODE 48377
<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>3.1.5</u>		Variance requested <u>22.8' front yard setback (30' required, 7.2' variance)</u>			
2. Section <u>3.1.5</u>		Variance requested <u>14.5' ext. side yard setback (30' required, 15.5' variance)</u>			
3. Section <u>3.1.5</u>		Variance requested <u>29% lot coverage (25% allowed, 4% variance)</u>			
4. Section <u>4.19.1.E.i</u>		Variance requested <u>974sqft garage (850sqft allowed, 124sqft variance)</u>			
<b>IV. FEES AND DRAWINGS</b>					
<b>A. FEES</b>					
<input checked="" 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>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

Eric Collette  
Applicant Signature

5/30/24  
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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# 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 shape of the lot is a trapezoid with an abutting curving road that was platted as 50' wide but is only an asphalted 20 wide road which allows an additional 7' to 15' of grass which acts as part of the set back and lot coverage calculations for all the houses on Paramount St. This adds 7' to 15' on the front setback for Applicant and a corresponding amount of square footage (see pictures and drawings either attached hereto or brought to the hearing).

*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).

Applicant purchased the house three years ago and has made multiple improvements, but no additions to the property.

## **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.

This subdivision was platted in the 1920's (I believe) which resulted in multiple small lots, irregular lots and odd shaped lots. There is probably no residential structure on the Novi portion of Walled Lake which doesn't require a variance of some kind. Applicant has 2 lots which makes the addition feasible, and of little impact to the neighbors. Because this is a lake district there is always a need for more storage, especially boats and pontoons.

## **Standard #4. Minimum Variance Necessary.**

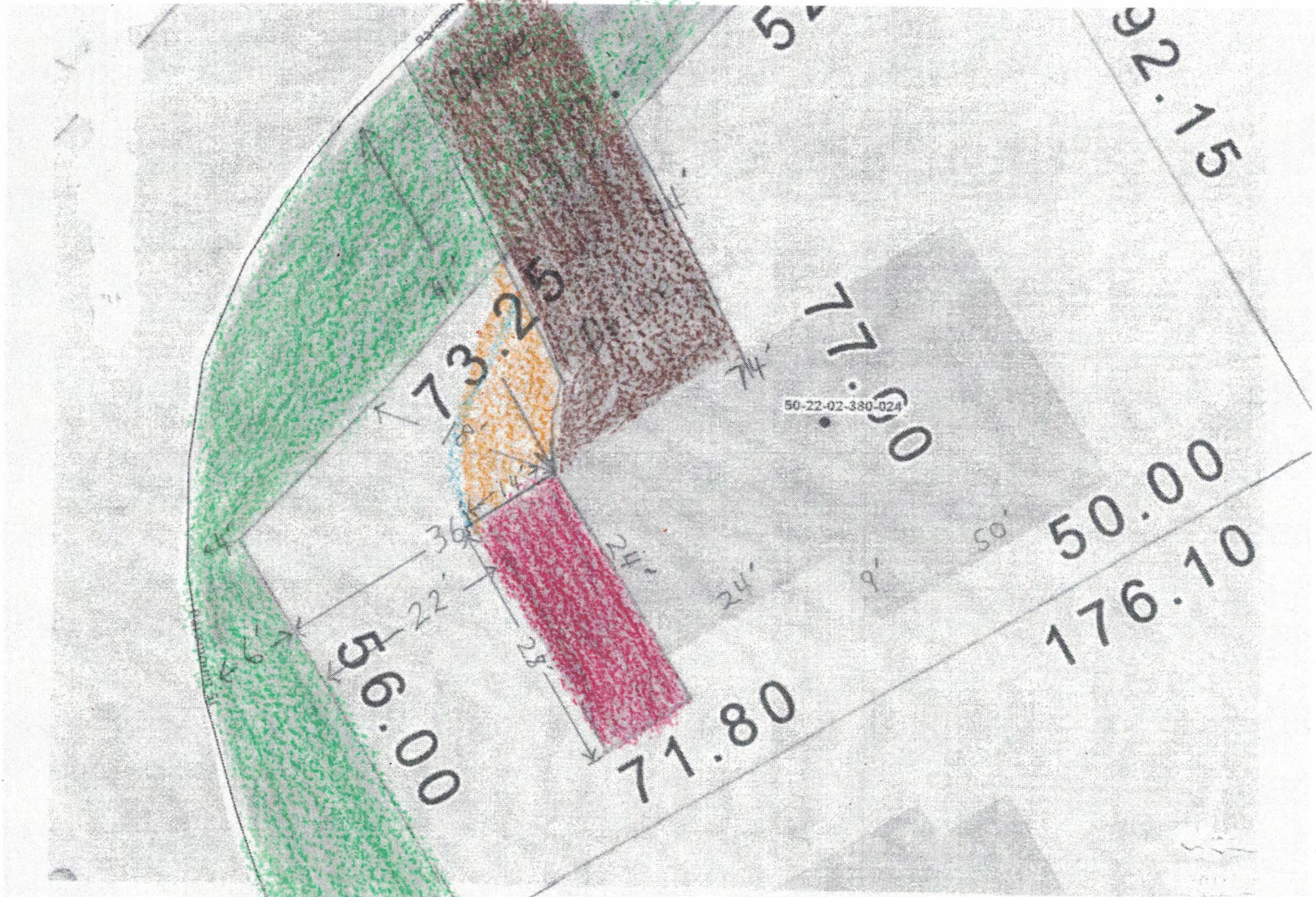
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

Applicant was going to build an 16' wide by 24' deep garage but decided to reduce the width to 14' to allow better vision for motorists and more green space between the addition and the road. Applicant extended the depth to 28' to allow for a man door, a little privacy and a little more storage for an area that was essentially a dead space.

## **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.

This addition is barely noticeable to neighbors and still allows approximately 30' of green space, in this case grass. Applicant didn't want to try store the boat outside behind the house. The neighboring houses don't have garages so this can only be an improvement to the neighborhood.



Eric Colthurst  
 Garage Add.  
 Red: addition  
 Orange: cement apron  
 Green: grass  
 Brown: existing Drive

1. ALL Measurements are rounded
2. If yard between Lot Line and road edge were counted applicant would only need 2' variance on front and no coverage variance.



# CERTIFICATE OF SURVEY

Prepared For: ERIC COLTHURST

Legal Description: PARCEL ID: 22-02-380-024

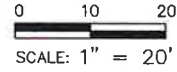
Lots 57 and 58 of CENAQUA SHORES SUB, a subdivision of part of the SW 1/4 of Section 2, T. 1 N., R. 8 E., City of Novi (previously Novi Township), Oakland County, Michigan as recorded in Oakland County Records.

ZONING:

PROPERTY IS ZONED: R-4  
(SINGLE FAMILY RESIDENTIAL)

SETBACKS:

FRONT: = 30 feet  
SIDES: = 10 feet MIN./25 feet TOTAL  
REAR: = 35 feet



**REVISED**  
5-29-24

RECEIVED

MAY 29 2024

CITY OF NOVI  
COMMUNITY DEVELOPMENT

NOTES:  
NEIGHBOR'S FENCE CROSSES PLATTED LOT LINE (AS SHOWN).

NO TITLEWORK WAS SUPPLIED BY CLIENT, THEREFORE ALL EASEMENTS OF RECORD MAY NOT BE SHOWN.

BEARING BASIS:  
HELD BEARING BASIS  
AS PER PLAT OF RECORD.

LEGEND

- - IRON SET
- - IRON FOUND
- MEAS. - MEASURED
- REC. - RECORDED
- FCM - FOUND CONCRETE MONUMENT
- FIR - FOUND IRON ROD
- SCI - SET CAPPED IRON
- x— - EXISTING FENCE LINE

I hereby certify only to the parties hereon, that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set as noted hereon, permanent markers at the exterior corners of said lot and that all visible encroachments of a permanent nature upon said lot, are as shown on this survey. Said lot subject to all easements and restrictions of record.

**ALPINE**  
Land Surveying, Inc.

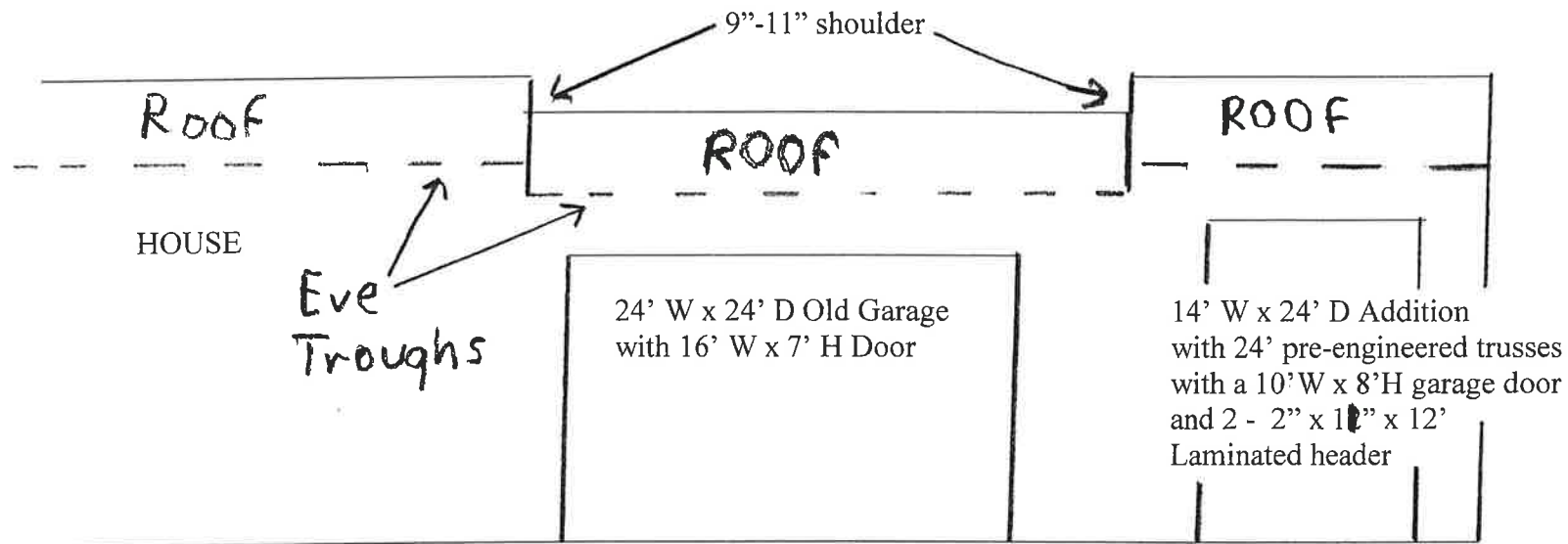
376 BEECH FARM CIRCLE SUITE # 1293  
HIGHLAND, MICHIGAN, 48357  
PHONE: 810-207-8050

FIELD: KG	DATE: 05-21-2024
DRAWN: DJS	JOB NO: 24-6640
CHECKED: KG	SHEET: 1 OF 1
REVISED:	

KAROL L. GROVE  
LICENSED PROFESSIONAL SURVEYOR #39075

PBR24-0076

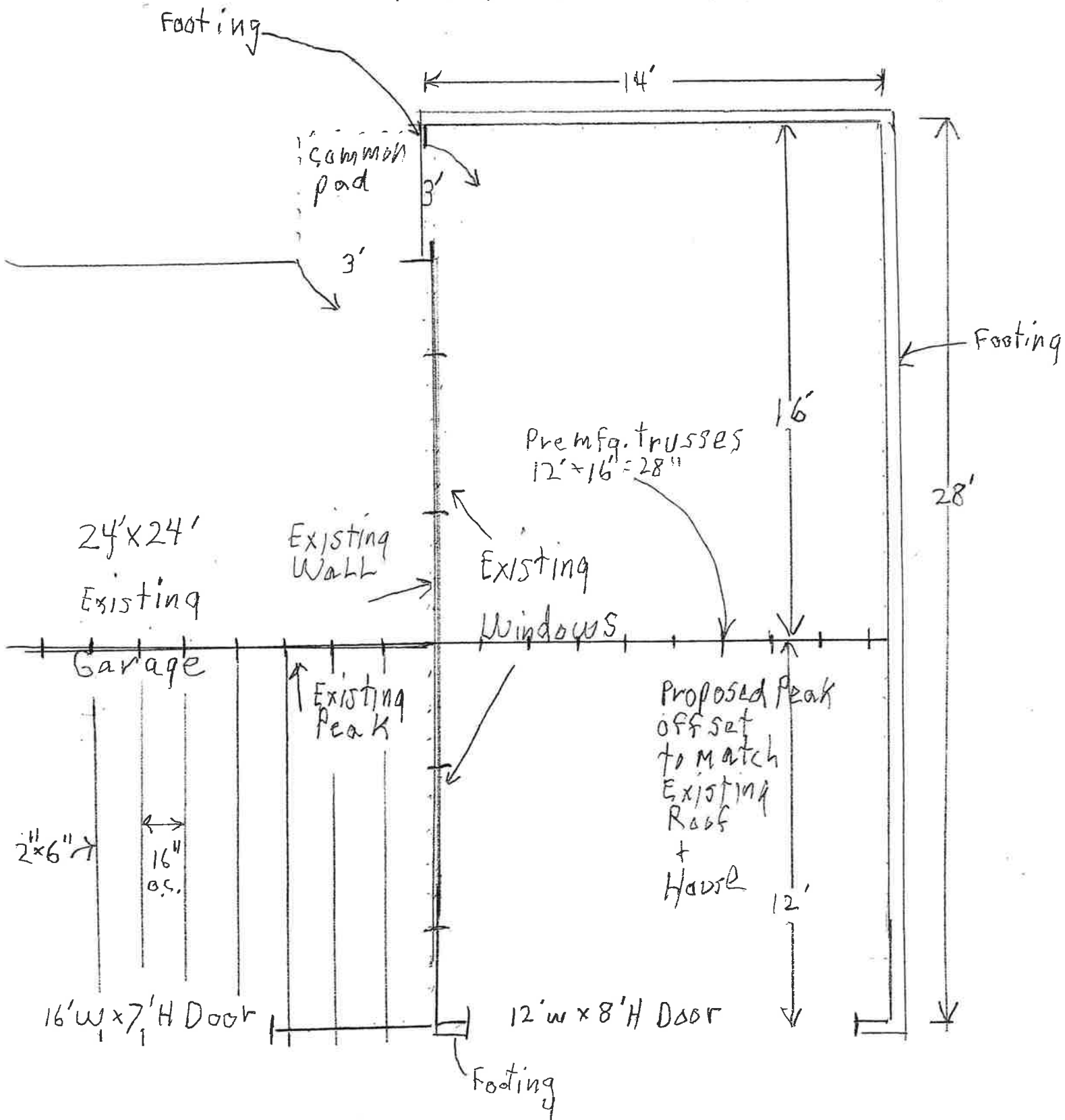
FRONT SIDE VIEW  
OLD HOUSE AND GARAGE  
NEW GARAGE ADDITION



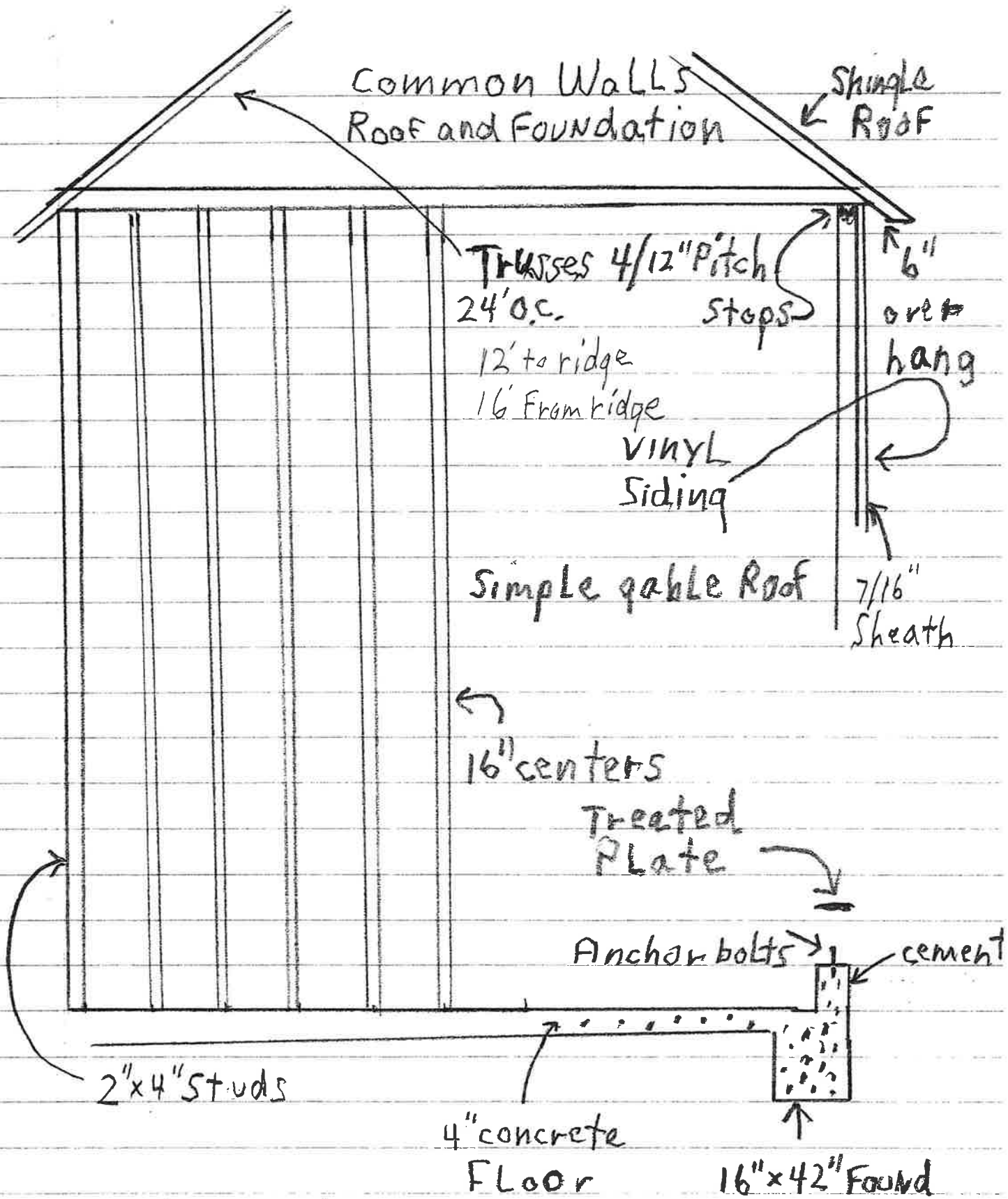
Eric and Susan Colthurst  
1275 Paramount St.  
Novi, MI 48377  
734 459 7000  
ericcolthurst@gmail.com

Lots 57 & 58  
Cenequa Shores Sub  
50-22-02-380-024

# TOP VIEW

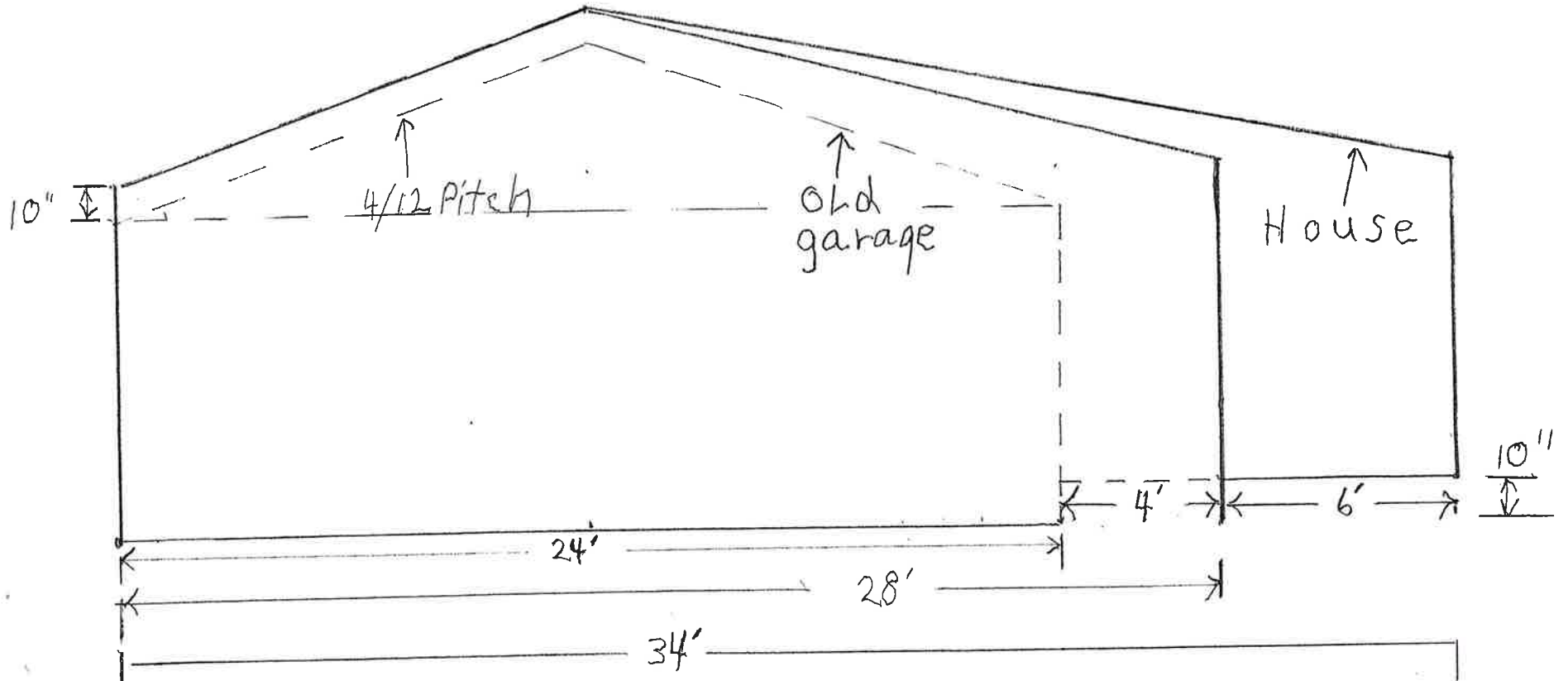


1725 PARAMOUNT ST.



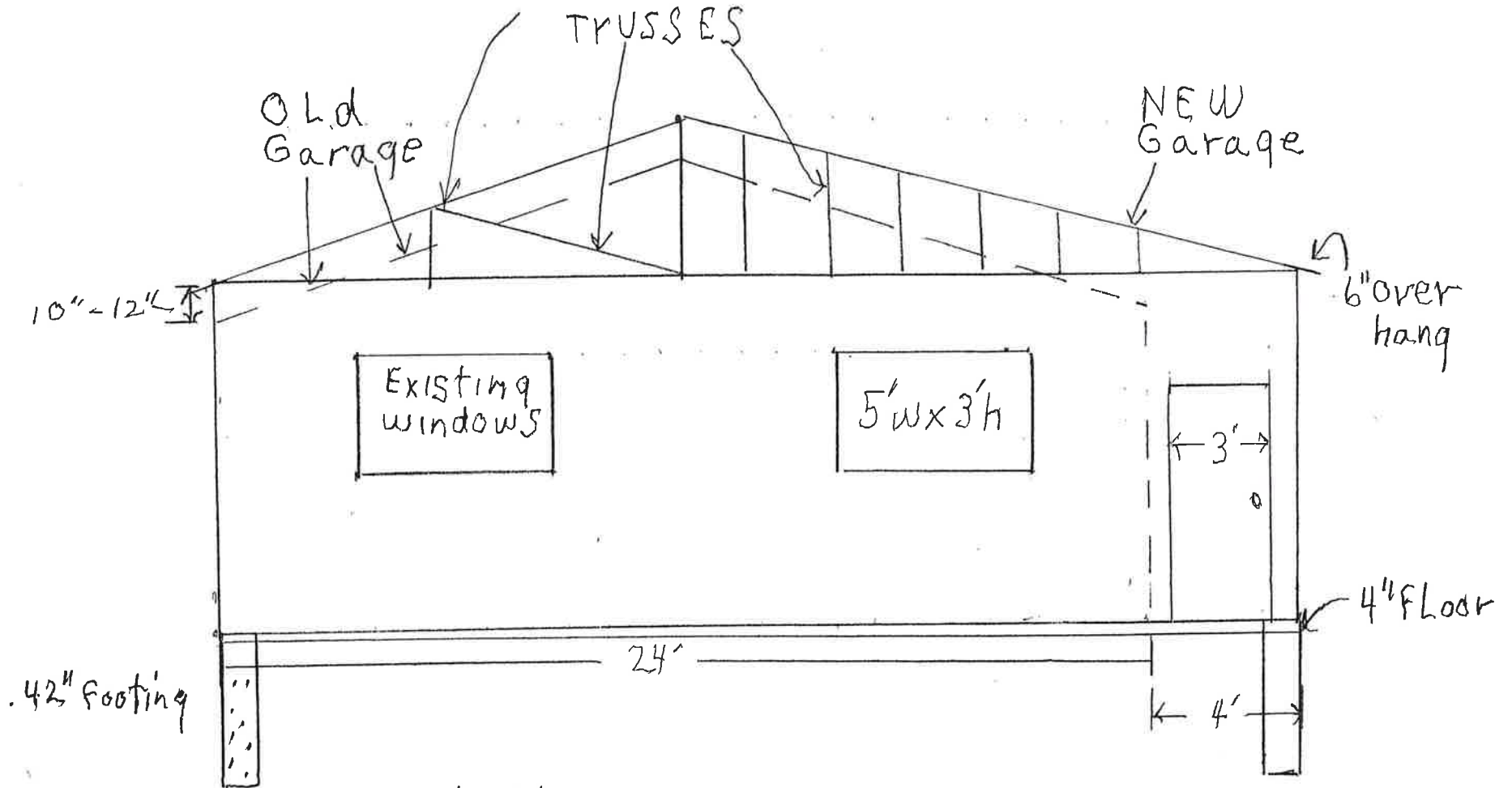
Colthurst  
1725 Paramount St.  
734-459-7000

Side View  
Roof Lines



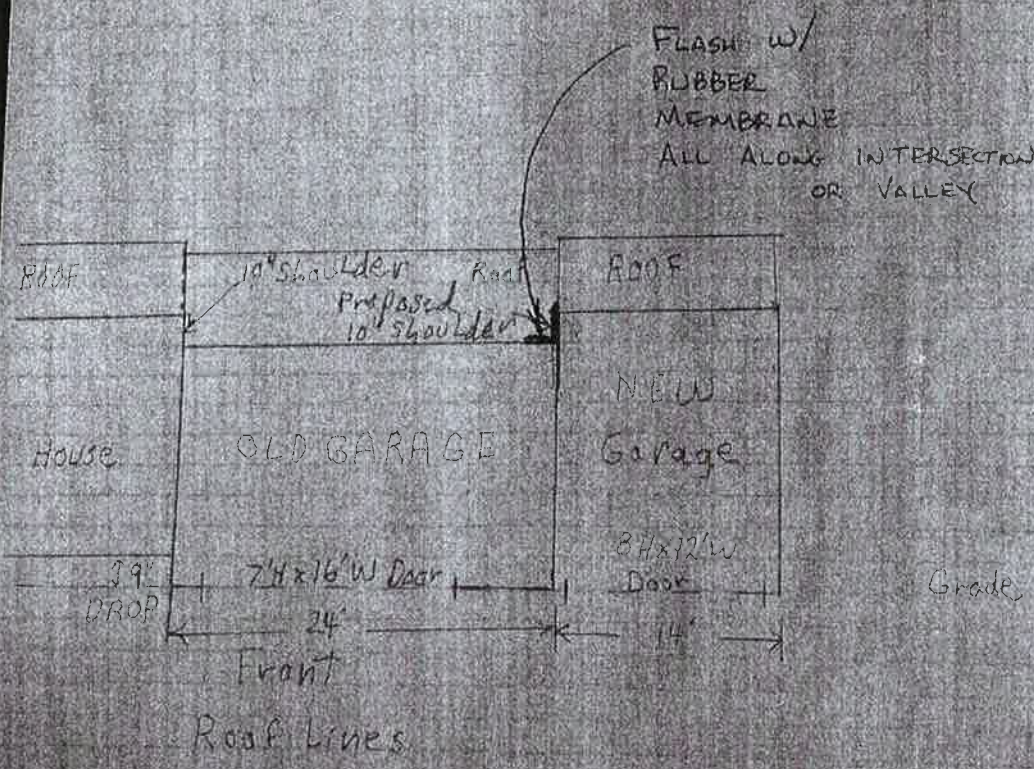
1725 Paramount St

Common Wall  
Side View



1725 Paramount St.

# FRONT VIEW



1725 Paramount St