



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:** November 18, 2025

REGARDING: **2292 Austin Drive #50-22-10-227-018**
AND
2296 Austin Drive #50-22-10-227-019 (PZ25-0056)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Chris Leineke

Variance Type

Dimensional Variance

Property Characteristics

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

Location: west of Old Novi Road, south of Thirteen Mile Road

Parcel #: 50-22-10-227-018 & 50-22-10-227-019

Request

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 4.19.1.G. to allow an accessory building 0 feet from the lot line (6 feet required, variance of 6 feet); to allow a proposed accessory structure 4 feet away from the house, (10 feet minimum required, variance of 6 feet); and Section 3.1.5 for a minimum side yard setback of 5 feet (10 feet required; variance of 5 feet); to allow a lot coverage of 33% (25% allowed, variance of 8%); and to allow a 3.25 foot setback to a new accessory addition (6 feet required, variance of 2.75 feet); For 2296 Austin Drive Section 3.1.5.D to allow a structure with a side yard setback of 8.5 feet minimum (10 feet required, variance of 1.5 feet); and to allow a lot area reduction to 6,533 square feet (10,000 square feet required, variance of 3,467 square feet); to allow a reduced lot width of 42 feet (80 feet required, variance of 18 feet); and Section 4.19.1.G to allow an accessory building 0 feet from the lot line (6 feet required, variance of 6 feet).

II. STAFF COMMENTS:

The applicant(s) are seeking (9) dimensional variances that effect both of their neighboring properties. Both parties have signed the application for consideration. The dividing property line between the two properties is being modified.

On the applicant’s property (2292 Austin Drive) – (5) requested variances:

- 1) A 6-foot reduction side yard variance for a zero-foot lot line setback to the garage structure.*
- 2) To allow a 6-foot separation distance variance from the garage structure and the house.*
- 3) A 5-foot reduced side yard setback variance for the 2-story house.*
- 4) To allow an 8% increase in overall lot coverage.*
- 5) A 2.75-foot reduced side yard setback to a new accessory addition.*

On the neighboring property (2296 Austin Drive) – (4) requested variances:

- 6) A 1.5-foot reduced side yard variance to the existing house and new property line.*
- 7) To allow a 3,467 SF overall lot area reduction for an R-4 zoned property.*
- 8) To allow an 18-foot reduced lot width variance for a lot in an R-4 zoned property.*
- 9) A 6-foot reduction side yard variance for a zero-foot lot line setback to the existing shed.*

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. **PZ25-0056**, 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. **PZ25-0056**, 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 Petitioner's statements that _____

_____.

(d) The variance would result in interference with the adjacent and surrounding properties by _____

Zoning Board of Appeals

Chris Leineke

Case # PZ25-0056

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_____.

(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

SEP 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>CHRIS LEINEKE</u>		Meeting Date: <u>11/18/25</u>	
ADDRESS <u>2292 AUSTIN DRIVE</u>	LOT/SUITE/SPACE #	ZBA Case #: <u>PZ 25-0056</u>	
SIDWELL # <u>50-22-</u>	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>LEINE</u>	
		STATE <u>MI</u> ZIP CODE <u>48377</u>	
B. PROPERTY OWNER ☒ CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		CELL PHONE NO.	
NAME <u>CHRIS LEINEKE</u>			
ORGANIZATION/COMPANY			
ADDRESS	CITY	STATE	ZIP CODE
III. ZONING INFORMATION			
A. ZONING DISTRICT			
☐ R-A ☒ R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐ RM-1 ☐ RM-2 ☐ MH <u>Pl + Air</u>			
☐ I-1 ☐ I-2 ☐ RC ☐ TC ☐ TC-1 ☐ OTHER			
B. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section _____ Variance requested _____			
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

2292 x Ch. J. Smith x Dylana D. Stefano 9/29/25
Applicant Signature Date

2296 x Paul S. Smith x Patricia L. Dickone DATE 9/29/25
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.

Ch. J. Smith _____ Date _____
Property Owner Signature

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
(248) 735-5600 Facsimile
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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:

↳ Most other properties are separated with buildings not being built and/or on the neighbors properties

- 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:

Shailwood Lake Subdivision, very small/narrow lots. Most are 40' wide 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).

EXISTING GARAGE BUILT ON NEIGHBORS PROPERTY THIS CORRECTS THE PROBLEM OF MISBUILT

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.

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.

THIS SOLVES THE PROBLEM OF A GARAGE BUILT ON THE NEIGHBORS PROPERTY AND GETS BOTH HOMEOWNERS PEACE OF MIND THAT NO ONE IS ON ANOTHER PROPERTY OTHER THAN THEIR OWN.

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.

NONE KNOWN

BOUNDARY SURVEY

2292 AUSTIN DRIVE PROPERTY DESCRIPTION:

EXISTING PARCEL:

LAND SITUATED IN THE CITY OF NOVI, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

LOT 91 AND NORTHERLY HALF OF LOT 92, SHAWOOD WALLED LAKE HEIGHTS SUBDIVISION, A PART OF THE NORTHEAST 1/4 OF SECTION 10 AND PART OF THE NORTHWEST 1/4 OF SECTION 11, TOWN 1 NORTH, RANGE 8 EAST, NOVI TOWNSHIP (NOW CITY OF NOVI), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 46, PAGE 48 OAKLAND COUNTY RECORDS.

PROPOSED PARCEL:

LAND SITUATED IN THE CITY OF NOVI, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

LOT 91 AND NORTHERLY HALF OF LOT 92, SHAWOOD WALLED LAKE HEIGHTS SUBDIVISION, A PART OF THE NORTHEAST 1/4 OF SECTION 10 AND PART OF THE NORTHWEST 1/4 OF SECTION 11, TOWN 1 NORTH, RANGE 8 EAST, NOVI TOWNSHIP (NOW CITY OF NOVI), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 46, PAGE 48 OAKLAND COUNTY RECORDS.

ALSO,

THAT PART OF THE SOUTHERLY HALF OF LOT 92, SHAWOOD WALLED LAKE HEIGHTS SUBDIVISION, A PART OF THE NORTHEAST 1/4 OF SECTION 10 AND PART OF THE NORTHWEST 1/4 OF SECTION 11, TOWN 1 NORTH, RANGE 8 EAST, NOVI TOWNSHIP (NOW CITY OF NOVI), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 46, PAGE 48 OAKLAND COUNTY RECORDS, DESCRIBED AS: COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 92; THENCE SOUTH 26 DEGREES 19 MINUTES 20 SECONDS WEST ALONG THE WESTERLY LINE OF LOT 92, 17.00 FEET TO THE SOUTHWESTERLY CORNER OF THE NORTHERLY 1/2 OF LOT 92 AND THE POINT OF BEGINNING; THENCE SOUTH 61 DEGREES 18 MINUTES 46 SECONDS EAST ALONG THE WESTERLY LINE OF THE NORTH 1/2 OF LOT 92, 126.55 FEET TO THE SOUTHEASTERLY CORNER OF THE NORTHERLY 1/2 OF LOT 92; THENCE NORTH 65 DEGREES 11 MINUTES 04 SECONDS WEST 69.71 FEET; THENCE NORTH 19 DEGREES 51 MINUTES 38 SECONDS EAST 3.25 FEET; THENCE NORTH 70 DEGREES 08 MINUTES 22 SECONDS WEST 30.21 FEET; THENCE NORTH 61 DEGREES 47 MINUTES 30 SECONDS WEST 26.40 FEET TO SAID WESTERLY LINE OF LOT 92; THENCE NORTH 26 DEGREES 19 MINUTES 20 SECONDS EAST ALONG SAID WESTERLY LINE OF LOT 92, 6.36 FEET TO THE POINT OF BEGINNING.

2296 AUSTIN DRIVE PROPERTY DESCRIPTION:

EXISTING PARCEL:

LAND SITUATED IN THE CITY OF NOVI, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

THE SOUTHERLY HALF OF LOT 92 AND ALL OF LOT 93, SHAWOOD WALLED LAKE HEIGHTS SUBDIVISION, A PART OF THE NORTHEAST 1/4 OF SECTION 10 AND PART OF THE NORTHWEST 1/4 OF SECTION 11, TOWN 1 NORTH, RANGE 8 EAST, NOVI TOWNSHIP (NOW CITY OF NOVI), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 46, PAGE 48 OAKLAND COUNTY RECORDS.

PROPOSED PARCEL:

LAND SITUATED IN THE CITY OF NOVI, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

PART OF THE SOUTHERLY HALF OF LOT 92 AND ALL OF LOT 93, SHAWOOD WALLED LAKE HEIGHTS SUBDIVISION, A PART OF THE NORTHEAST 1/4 OF SECTION 10 AND PART OF THE NORTHWEST 1/4 OF SECTION 11, TOWN 1 NORTH, RANGE 8 EAST, NOVI TOWNSHIP (NOW CITY OF NOVI), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 46, PAGE 48 OAKLAND COUNTY RECORDS.

EXCEPTING THEREFROM,

THAT PART OF THE SOUTHERLY HALF OF LOT 92, SHAWOOD WALLED LAKE HEIGHTS SUBDIVISION, A PART OF THE NORTHEAST 1/4 OF SECTION 10 AND PART OF THE NORTHWEST 1/4 OF SECTION 11, TOWN 1 NORTH, RANGE 8 EAST, NOVI TOWNSHIP (NOW CITY OF NOVI), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 46, PAGE 48 OAKLAND COUNTY RECORDS, DESCRIBED AS: COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 92; THENCE SOUTH 26 DEGREES 19 MINUTES 20 SECONDS WEST ALONG THE WESTERLY LINE OF LOT 92, 17.00 FEET TO THE SOUTHWESTERLY CORNER OF THE NORTHERLY 1/2 OF LOT 92 AND THE POINT OF BEGINNING; THENCE SOUTH 61 DEGREES 18 MINUTES 46 SECONDS EAST ALONG THE WESTERLY LINE OF THE NORTH 1/2 OF LOT 92, 126.55 FEET TO THE SOUTHEASTERLY CORNER OF THE NORTHERLY 1/2 OF LOT 92; THENCE NORTH 65 DEGREES 11 MINUTES 04 SECONDS WEST 69.71 FEET; THENCE NORTH 19 DEGREES 51 MINUTES 38 SECONDS EAST 3.25 FEET; THENCE NORTH 70 DEGREES 08 MINUTES 22 SECONDS WEST 30.21 FEET; THENCE NORTH 61 DEGREES 47 MINUTES 30 SECONDS WEST 26.40 FEET TO SAID WESTERLY LINE OF LOT 92; THENCE NORTH 26 DEGREES 19 MINUTES 20 SECONDS EAST ALONG SAID WESTERLY LINE OF LOT 92, 6.36 FEET TO THE POINT OF BEGINNING.

NOTES:

1. A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.
2. REFERENCE USED IN THIS SURVEY; (2214 AUSTIN DR. SURVEY BY ALPINE ENGINEERING, INC. DATED 11/04/2013)
3. BEARINGS BASED ON "SHAWOOD WALLED LAKE HEIGHTS SUBDIVISION", OAKLAND COUNTY, MICHIGAN

I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

ANTHONY T. SYCKO, JR., P.S. NO. 47976

REVISED SEPTEMBER 25, 2025



KEM-TEC & ASSOCIATES

22556 GRATIOT AVE. EASTPOINTE, MI 48021
PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS
(586)772-2222 * FAX (586)772-4048

CERTIFIED TO: CHRISTOPHER LEINEKE

FIELD SURVEY: TS MR

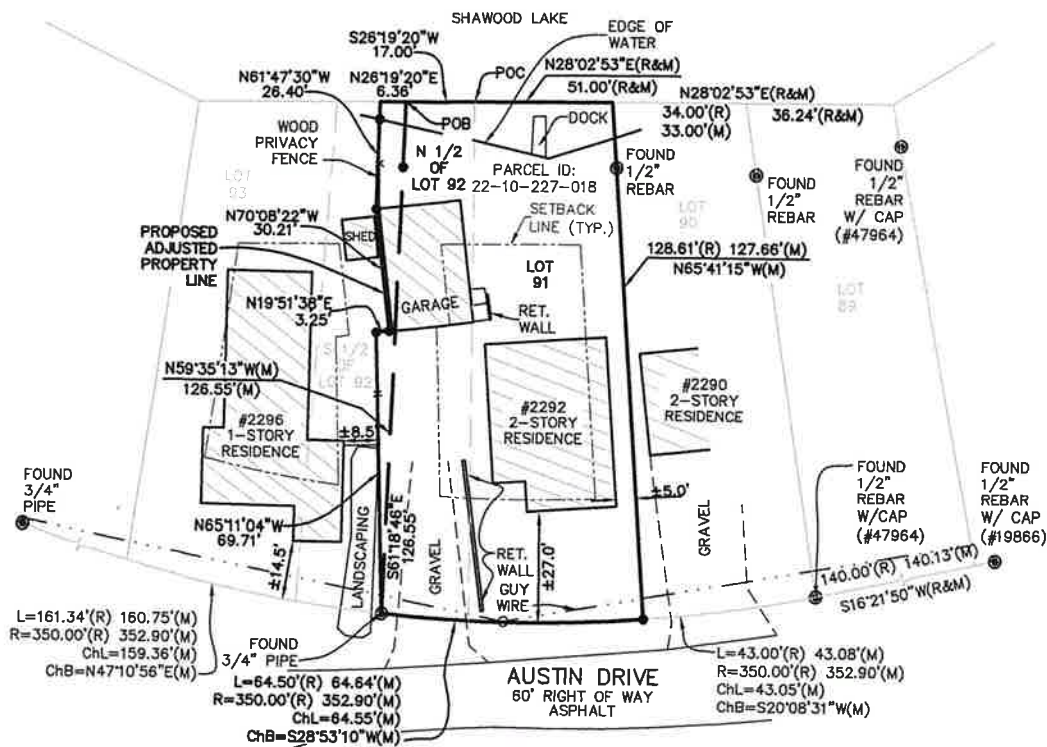
DATE: JUNE 29, 2017

DRAWN BY: QF DLD

SHEET: 1 OF 2

SCALE: N/A

JOB NO.: 17-02043



2292 AUSTIN DRIVE:
7,840± SQUARE FEET = 0.18± ACRES
2298 AUSTIN DRIVE:
6,533± SQUARE FEET = 0.15± ACRES

2292	AUSTIN DRIVE:	±23.2%
2296	AUSTIN DRIVE:	±25.0%

FRONT YARD: 30'
SIDE YARD: 10' ONE, 25' TOTAL
REAR YARD: 35'

- SET 1/2" REBAR WITH CAP, #32341
- FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION



22556 GRATIOT AVE. EASTPOINTE, MI 48021
PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS
(586)772-2222 * FAX (586)772-4048

JOB NO.: 17-02043

All owners of both parcels will need to fill out/sign applications, we would only charge one \$300 fee, we need a clear survey that shows all boundary lines, water, easements, setbacks, etc. 2296 would need to fill out a Rescind and new PRE form (parcel number to be filled in by us, once assigned, then we'd mail them a stamped copy for their records). And, if all variances are approved, we would need a signed deed from 2296 transferring that portion to 2294, however, it would not have to be recorded until the boundary adjustment was complete/approved. **The surveyor will need to provide a drawing with the current parcels and legal descriptions, the proposed parcels and legal descriptions, AND the description of the portion that will be transferred from 2296 to 2294, so it can be included on the deed. That part often gets forgotten/overlooked.**