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 **MEETINGDATE:** September 8, 2026

REGARDING: **1201 South Lake Drive #50-22-03-332-003 (PZ26-0040)**

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant
Marc Kennedy

Variance Type
Dimensional Variance

Property Characteristics

Zoning District:	this property is zoned One-Family Residential (R-4)
Location:	north of South Lake Drive, east of Henning Street
Parcel #:	50-22-03-332-003

Request
The applicant is requesting a variance from Section 3.1.5 of the City of Novi Zoning Ordinance for a proposed covered deck with a front yard setback of 25 ft. (30 ft. required, variance of 5 ft.).

II. STAFF COMMENTS:

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

The appearance will be in keeping with the existing home.

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. **PZ26-0040**, 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. **PZ26-0040** 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
JUL 16 2026
CITY OF NOVI
COMMUNITY DEVELOPMENT

Application Fee: $220.00
Meeting Date: 9/8/26
ZBA Case #: PZ 26-0040

I. PROPERTY INFORMATION (Address of subject ZBA Case)

PROJECT NAME / SUBDIVISION:

ADDRESS: 1201 South Lake dr
LOT/SIUTE/SPACE #:

SIDWELL #: 50-22-03-332-003
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:
CELL PHONE NO.:
NAME: Marc Kennedy
TELEPHONE NO.:
ORGANIZATION/COMPANY:
FAX NO.:
ADDRESS: 1201 South Lake dr
CITY: Novi
STATE: MI
ZIP CODE: 48377

B. PROPERTY OWNER ☒ 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:

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 3.1.5 Variance requested Need variance of 5 feet front setback 30 ft. required
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 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

Applicant Signature _____ Date 7-16-26

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 7-16-26

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
www.cityofnovi.org

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:

My lot is narrow and I had to get an easement for the deck years ago. The roof that we want to cover the deck now needs a ZBA approval.

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).

The practical difficulty arises from the location of the existing deck and the application of current dimensional setback requirements to the proposed roof structure. The deck was lawfully constructed and serves as an established outdoor living area for the residence. While the deck itself is permitted in its current location, the addition of a roof over the existing deck requires dimensional variance relief because the roof structure is subject to different zoning requirements than the uncovered deck.

The need for the variance was not created by the current property owner and is not the result of any

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 requested dimensional variance is necessary to allow a reasonable and customary residential improvement to an existing permitted deck. Strict compliance with the current setback and dimensional requirements would effectively prevent the addition of a covered roof structure over the deck, despite the deck already existing in its current location.

The purpose of the proposed roof is to provide weather protection, improve the usability of the outdoor living space, and enhance the property's functionality for normal residential use. Requiring full compliance

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.

he requested dimensional variance is the minimum variance necessary to allow construction of a covered roof over the existing deck while preserving the reasonable residential use of the property. The proposed roof is limited to the footprint of the existing deck and does not require additional encroachment beyond what is necessary to provide weather protection and improve the functionality of the outdoor living space.

The request seeks only the relief needed to accommodate the roof structure and does not involve expansion of the deck, creation of additional living units, increased density, or any other intensification of

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.

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.

LEGAL DESCRIPTION

PARCEL NO. 22-03-332-003
LOT 33 OF LAKEWOODS, AS RECORDED IN LIBER 49 OF PLATS, PAGE 20, OAKLAND COUNTY RECORDS, OAKLAND COUNTY, MICHIGAN.

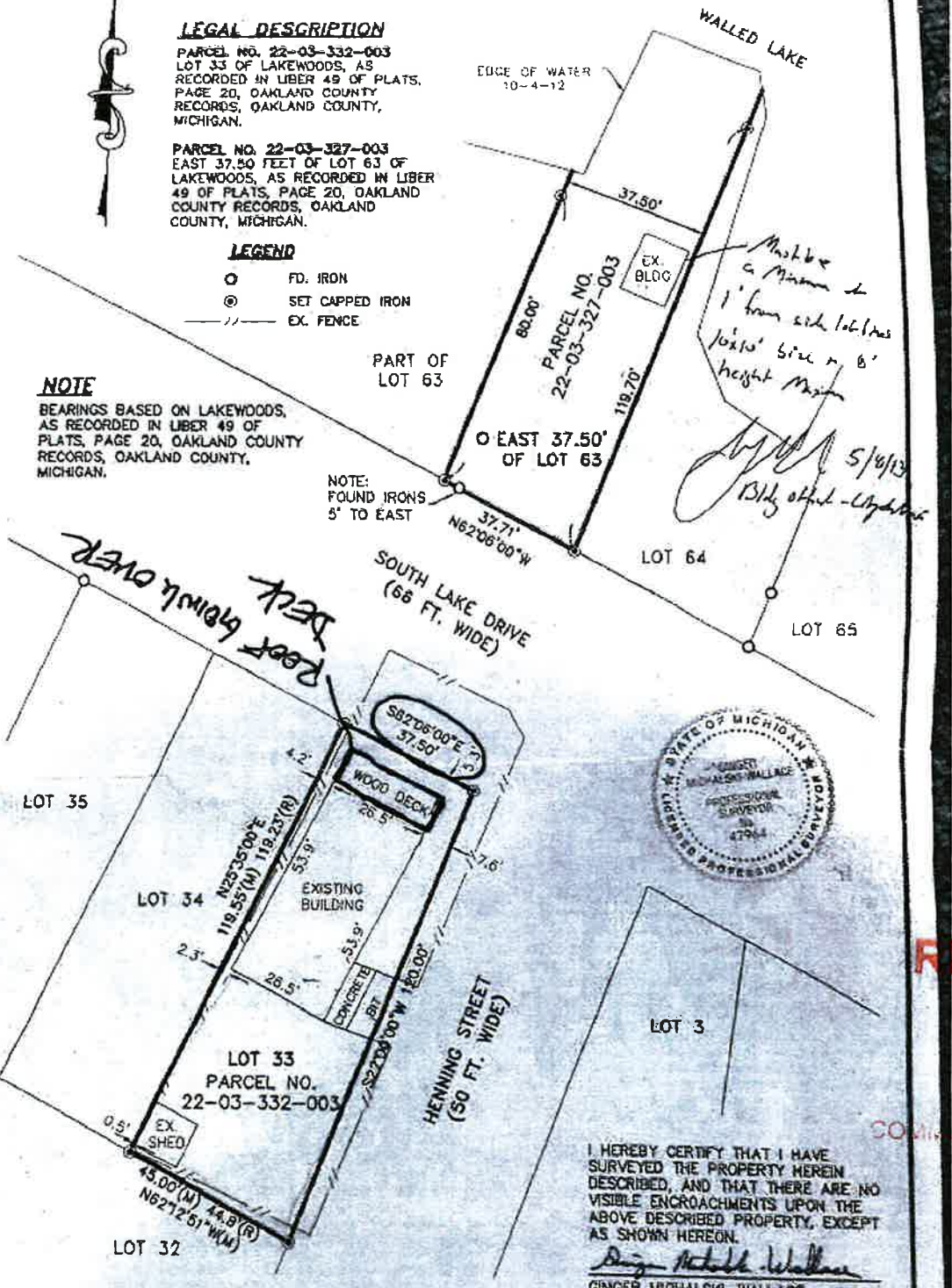
PARCEL NO. 22-03-327-003
EAST 37.50 FEET OF LOT 63 OF LAKEWOODS, AS RECORDED IN LIBER 49 OF PLATS, PAGE 20, OAKLAND COUNTY RECORDS, OAKLAND COUNTY, MICHIGAN.

LEGEND

- FD. IRON
- SET CAPPED IRON
- EX. FENCE

NOTE

BEARINGS BASED ON LAKEWOODS, AS RECORDED IN LIBER 49 OF PLATS, PAGE 20, OAKLAND COUNTY RECORDS, OAKLAND COUNTY, MICHIGAN.



I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED, AND THAT THERE ARE NO VISIBLE ENCROACHMENTS UPON THE ABOVE DESCRIBED PROPERTY, EXCEPT AS SHOWN HEREON.

GINGER MICHALSKI-WALLACE
PROFESSIONAL SURVEYOR NO. 47964

ALPINE ENGINEERING, INC.
CIVIL ENGINEERS & LAND SURVEYORS
46892 WEST ROAD
SUITE 109
NOVI, MICHIGAN 48377
(248) 926-3701 (BUS)
(248) 926-3765 (FAX)

CLIENT: KENNEDY	DATE: 10-5-12
BOUNDARY SURVEY	DRAWN BY: GLM
1201 SOUTH LAKE DRIVE	CHECKED BY: JF
SECTION: 3 TOWNSHIP: 1 N RANGE: 8 E	0 15 30
CITY OF NOVI, OAKLAND COUNTY MICHIGAN	FBK: 251 / CHF: GM / 1 / 12-469
	SCALE: HOR 1"=30 FT. VER 1"= FT.

RECEIVED
JUL 13 2026
CITY OF NOVI
COMMUNITY DEVELOPMENT

PBR26-0243

Combo with Deck Contract # 1708

CONTRACTS

NO: 1632

FRESH OUTLOOK CONSTRUCTION

www.freshoutlookconstruction.com

586-799-4874

Builder License #262200110

PROPOSAL SUBMITTED TO	PHONE	DATE
Mack Kennedy	(810) 955-5659	6/15/26
STREET	EMAIL	
1201 S Lake Rd	Marc.Kennedy45@Yahoo.Com	
CITY,STATE,ZIP		
Novi MI 48377		
JOB ADDRESS		

Build Hip style Shed Roof over new Deck

Black Aluminum Roof

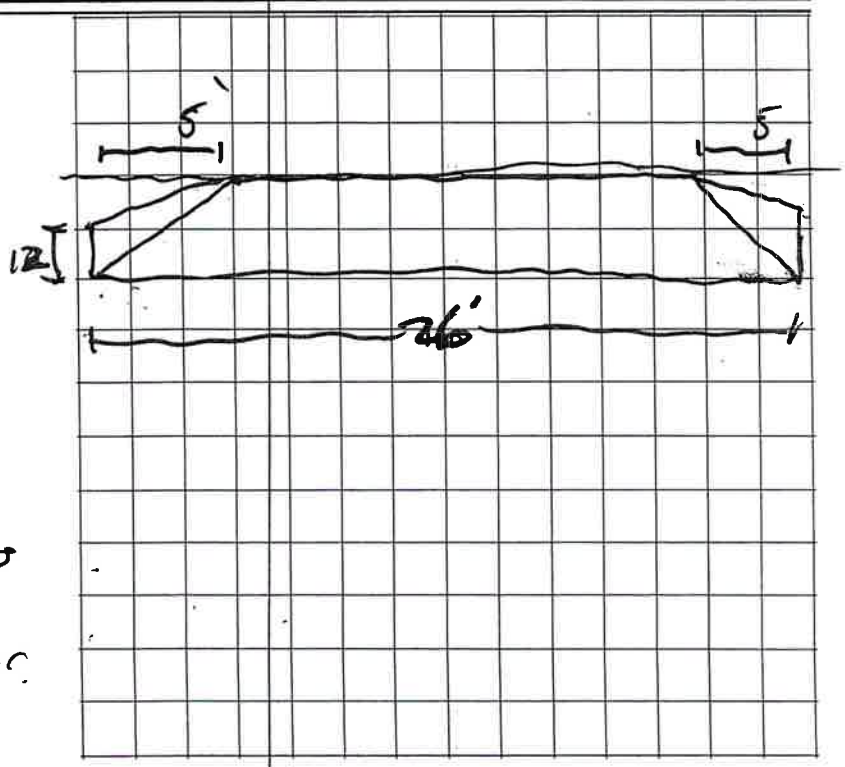
Post & Beams wrapped in CEDAR ~~VERSETTA STONE GRANITE PEAK~~

Cedar T&G Soffit

No painting or Staining.

5" Black Gutter & Downspouts

Includes Plans, Permits, Labor & material



Remove vinyl Siding on Front of Home as Needed For Building of New Roof & Re-install (Re-Use Existing if Possible)

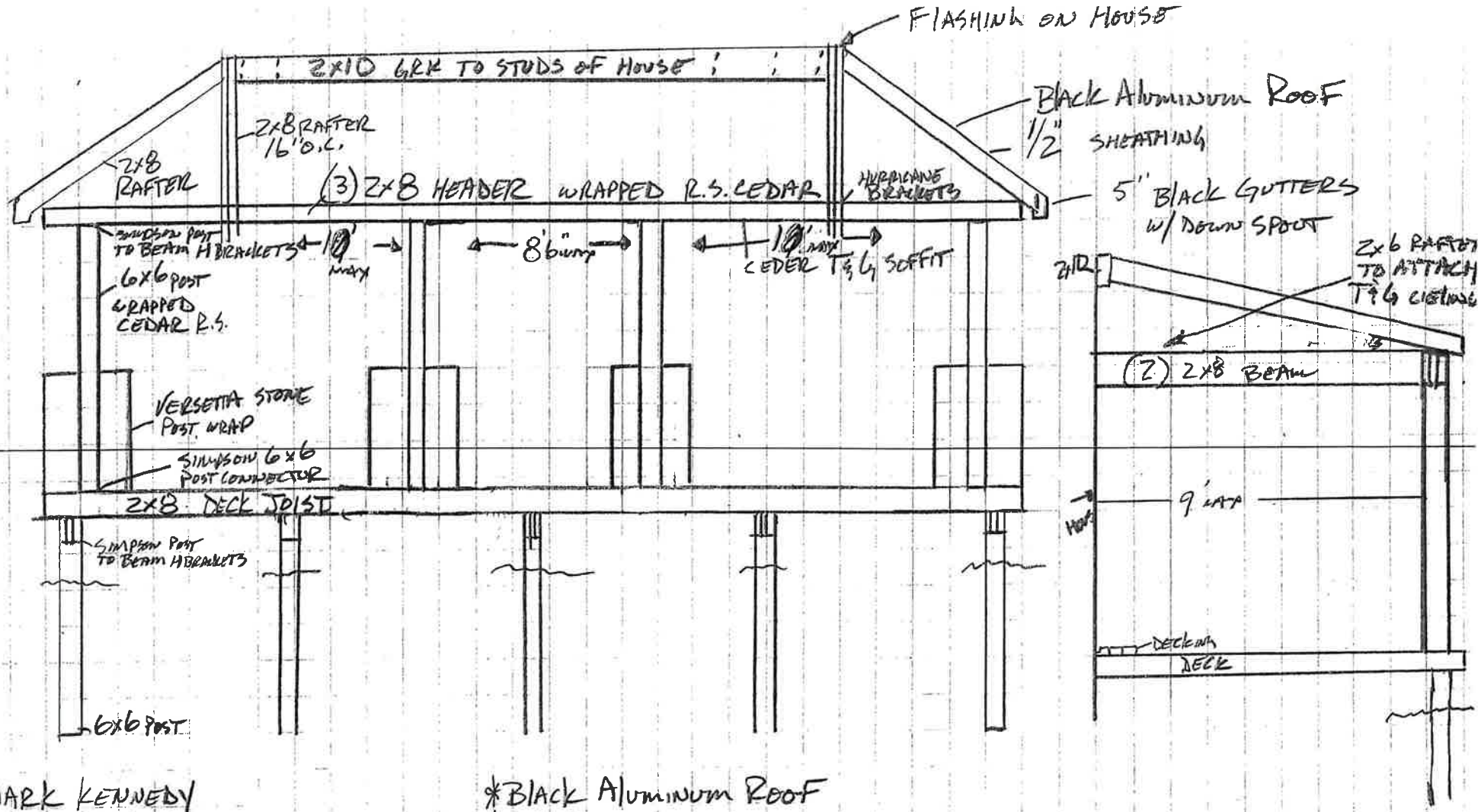
Certainteed Tuscan Clay Double 4"

Estimated Install 10-12 weeks subject to change

We propose hereby to furnish material and labor- complete in accordance with above specifications for the sum of $ 10,000 Dep dollars ($ 54,800) Payment to be made as follows $22,380 start $22,380 compl

Acceptance of Contract- The above prices, specifications and conditions are satisfactory and are hereby accepted. you are authorizes to do the work as specified. payment will be made as outlined above

Date of acceptance 6-15-2026 **Signature** [signature]



MARK KENNEDY
1201 S. LAKE RD
NOVI, MI 48377

* BLACK ALUMINUM ROOF
* BLACK GUTTERS
* VERSETTA STONE ≈ 40" TALL BASE POST WRAP GRANITE PEAK
* CEDAR R.S. POST WRAP & BEAMS
* CEDAR T&G SOFFIT
* 4-SOFFIT VENTS ACROSS FRONT – 2-SOFFIT VENTS ON EACH SIDE

Please note my comments to:

1201 South Lake Drive # 50-22-03-332-003 (PZ26-0040)

Please note my: (Approval) (Objection) to the requested variance.

Comments:

Good to go.

(PLEASE PRINT CLEARLY)

Name: Patti Maniewski

Address: 1207 South Lake Dr

Date: 8/23/26

Anonymous comments will not be considered.

Zoning Board of Appeals meetings are broadcast live on Spectrum channel 13-1 and AT&T U-verse channel 99. They are also streamed live on the City's website at cityofnovi.org.

Please note my comments to:

1201 South Lake Drive # 50-22-03-332-003 (PZ26-0040)

Please note my: (Approval) (Objection) to the requested variance.

Comments:

They have my support to make their home more functional for their family.

(PLEASE PRINT CLEARLY)

Name: Margaret Beller

Address: 1235 South Lake Dr

Date: 8/25/2026

Anonymous comments will not be considered.

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