



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

ZONING BOARD APPEALS DATE: August 15, 2017

REGARDING: 226 Henning Dr, Parcel # 50-22-03-376-004 (PZ17-0031)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Ann Smith

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Single Family Residential
Location:	West of Old Novi Rd and South of South Lake Drive
Parcel #:	50-22-03-376-004

Request

The applicant is requesting a variance from the City of Novi Ordinance Section 3.32 for a front yard setback of 11 feet for construction of a new 7 feet by 24 feet unenclosed porch, 30 feet allowed. This property is zoned Single Family Residential(R-4).

II. STAFF COMMENTS:

Parcel is a uniquely shaped corner lot.

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. **PZ17-0031**, 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. **PZ17-0031**, 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.

Larry Butler
Deputy Director Community Development
City of Novi



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ZONING BOARD OF APPEALS APPLICATION
 APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)

PROJECT NAME / SUBDIVISION: Front Porch
 ADDRESS: 226 Hemming
 LOT/SUITE/SPACE #: _____
 SIDWELL #: 50-22-03 - 376 - 004
 May be obtained from the Assessing Department (248) 347-0485

Application Fee: \$200.00
 Meeting Date: August 15th 2017
 ZBA Case #: PZ 17-0031

II. APPLICANT INFORMATION

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

A. APPLICANT

NAME: Ann S. Smith
 ORGANIZATION/COMPANY: _____
 ADDRESS: 226 Hemming
 CITY: Novi
 STATE: MI
 ZIP CODE: 48377
 CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER

B. PROPERTY OWNER

Identify the person or organization that owns the subject property:
 EMAIL ADDRESS: _____
 CELL PHONE NO.: _____
 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 OTHER _____

B. VARIANCE REQUESTED
 I-1 I-2 RC TC TC-1 OTHER _____

INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:
 1. Section 3.32 Variance requested
Setback of 11ft, 26ft required
 2. Section _____ Variance requested
variance request of 15ft
 3. Section _____ Variance requested
for unimproved front
 4. Section _____ Variance requested
Porch

IV. FEES AND DRAWINGS

A. FEES
 Single Family Residential (Existing) \$200 (With Violation) \$250
 Single Family Residential (New) \$250
 Multiple/Commercial/Industrial \$300 (With Violation) \$400
 Signs \$300 (With Violation) \$400
 House Moves \$300
 Special Meetings (At discretion of Board) \$600

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
 Floor plans & elevations
 Location of existing & proposed signs, if applicable
 Existing & proposed distance to adjacent property lines
 Number & location of all on-site parking, if applicable
 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 scheduled 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 an 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

Ann S. Smith
Applicant Signature

June 26 2017
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.

Ann S. Smith
Property Owner Signature

June 26 2017
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 conditions:

Chairperson, Zoning Board of Appeals

Date



Community Development Department

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
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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.

Describe below:

SIZE OF CORNER LOT IS SMALL

OR

- b. **Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. **Describe below:**

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. **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).

NOT SELF CREATED. PROPERTY OWNER CAN'T CHANGE THE SHAPE OF LOT.

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.

SIZE OF VARIANCE IS INSIGNIFICANT AND WOULD NOT IMPEDE ON A PUBLIC SIDEWALK. TRAFFIC IS LIGHT, NOT A HIGHLY TRAVELED AREA.

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.

BUFFER OF GREEN SPACE AND SET BACKS OF OTHER PROPERTIES WOULD BE UNAFFECTED.

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.

PORCH WILL IMPROVE CURB APPEAL AND OVERALL PRESENTATION OF THE PROPERTY AND IT'S SURROUNDING PROPERTIES.

24' x 6.5'
or 7'

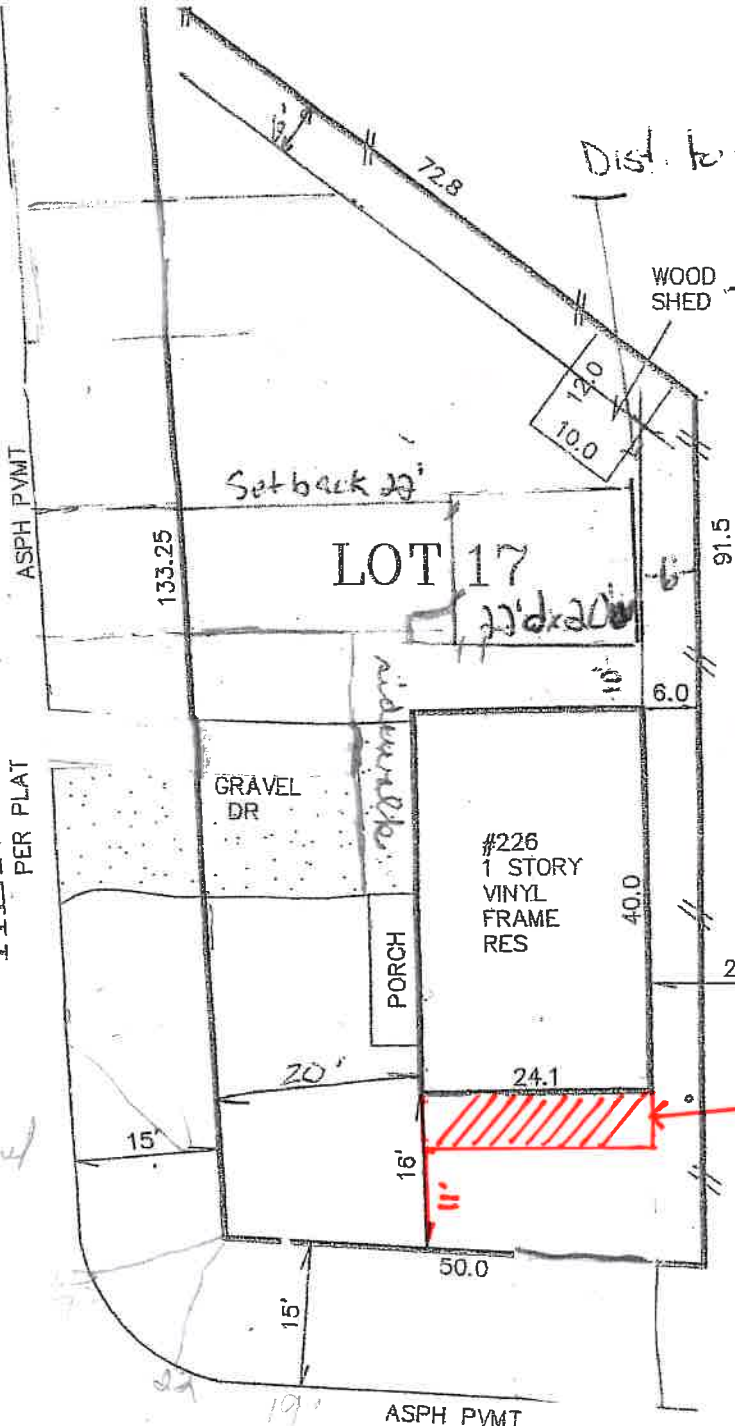
4x4 Posts

Hand Rail

Railings min 36"



HERBERT
PER PLAT



Asking for
8' variance

PROPOSED NEW
7' x 24' PORCH

19'
Porch to
Ground

HENNING 50' WD.

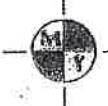
We hereby certify that this mortgage inspection shows the improvement(s) as located on the premises described. That the improvement(s) are entirely within lot lines and that there are no encroachments upon the premises described by the improvement(s) of any adjoining premises except as indicated. We further certify that this mortgage certificate is prepared for identification purposes only for the mortgagee in connection with a new mortgage within 120 days of date shown, and is not to be used to establish property lines, easement lines, public right-of-ways, building lines, conformity or non-conformity to state, county, or local ordinances and/or codes, etc. Easements as shown are per recorded plat unless otherwise noted. Fences and driveway locations shown are approximate. To accurately locate fences, driveways and property corners, a certified Land Survey (State Survey) is recommended.



LEGAL DESCRIPTION PROVIDED BY OTHERS.

JOB NO. 02-59035 SCALE 1" = 20'

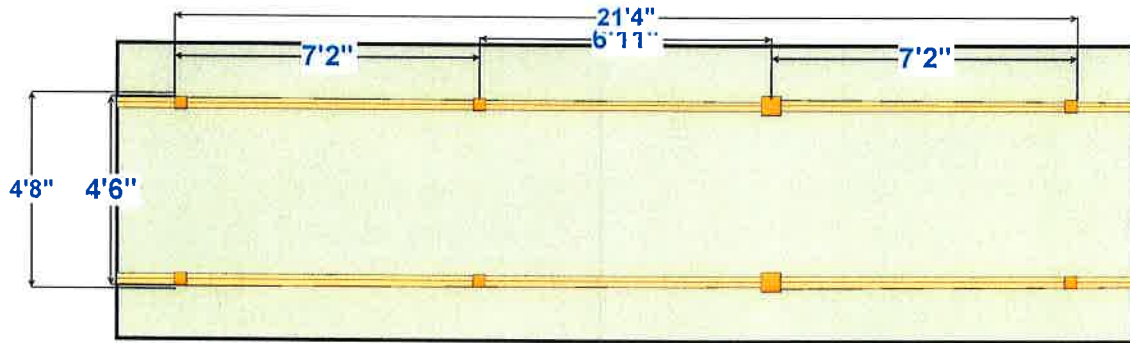
DATE 10-16-02 DR. BY Rmo



MICHAEL J.

244-095
70 Oliver

Post and Beam Dimension Sheet for Level 1

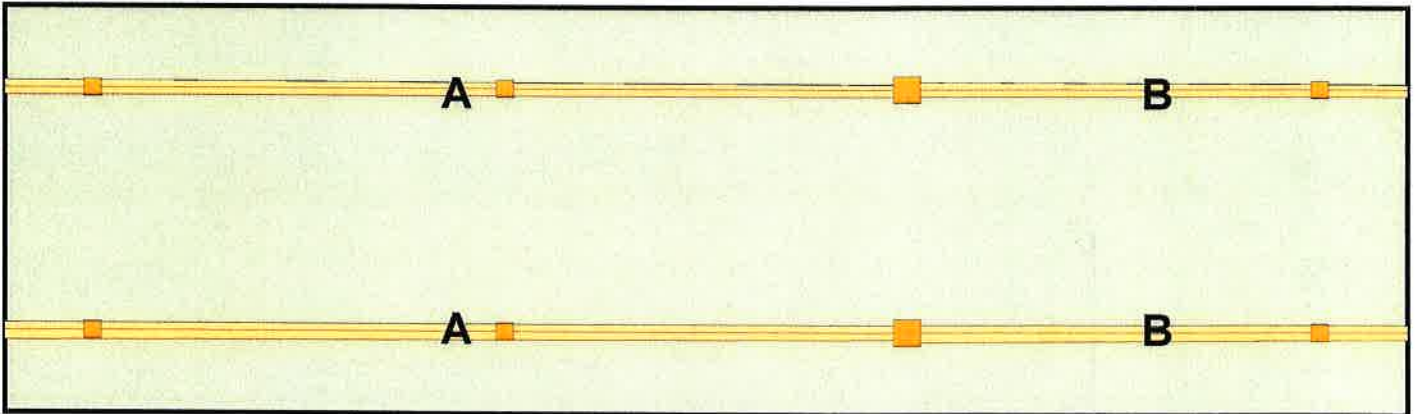


Layout dimension sheets are intended as a construction aid. Not all options selected are shown.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met.

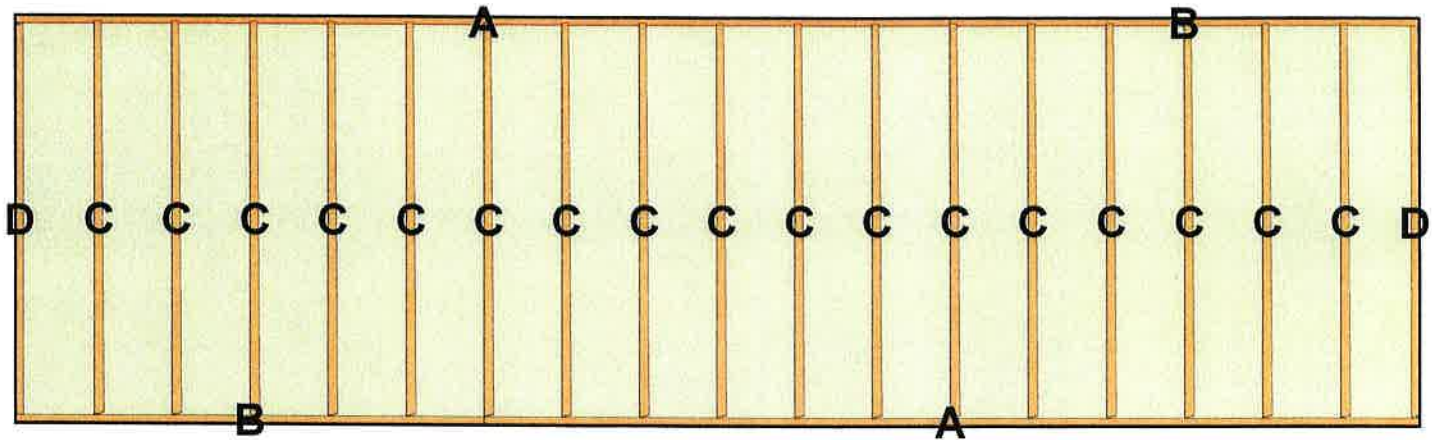
This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF THE WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS.

Beam Layout for Level 1



Mark	Length	Description
A	15' 6"	4-2X8 AC2
B	8' 7"	4-2X8 AC2

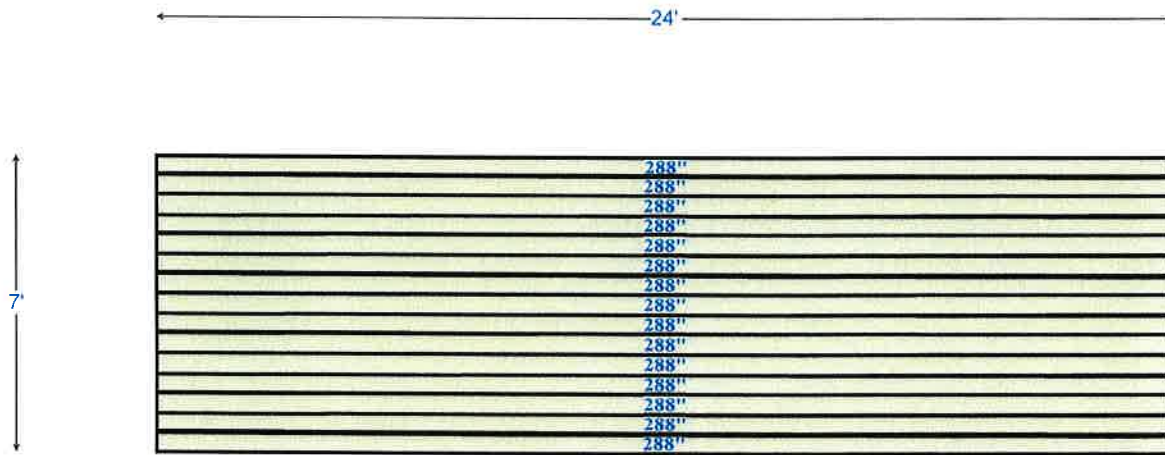
Joist Layout for Level 1



Mark	Length	Description	Usage
A	16' 0"	2-2X8 AC2	Rim Joist
B	8' 0"	2-2X8 AC2	Rim Joist
C	6' 10"	17-2X8 AC2	Internal Joist
D	6' 9"	2-2X8 AC2	Rim Joist

The lengths noted are provided as a layout guide. Field check dimensions prior to cutting.
 Joist to be on 16"
 Joist to be toe-nailed to beams with 3-1/2" fasteners
 Rim Joists to be face-nailed to joist and ledgers with 3-1/2" fasteners
 Y bracing is estimated, but not shown
 Blocking and bridging may be required by your local code
Layout dimension sheets are intended as a construction aid. Not all options selected are shown.

Deck Board Dimension Sheet for Level 1



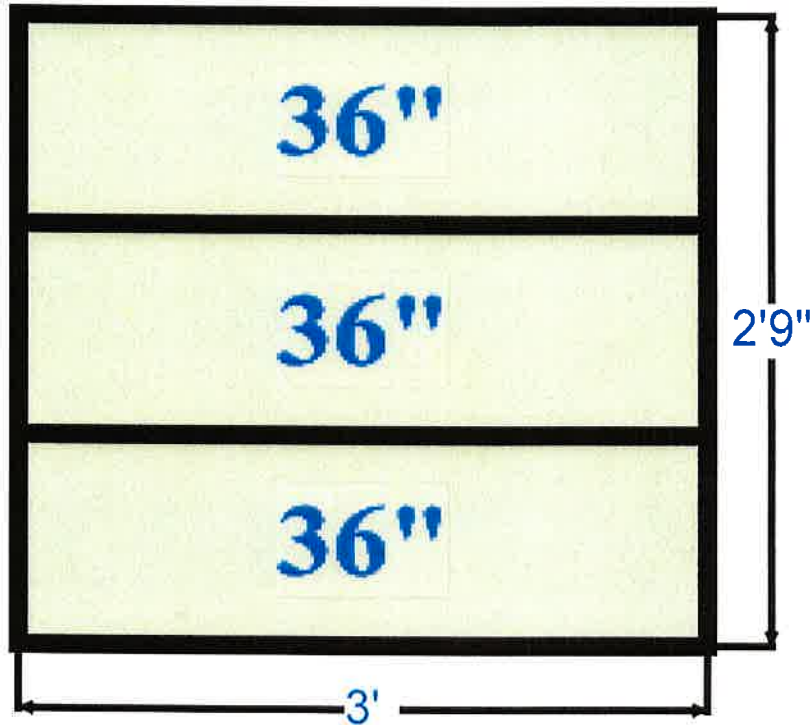
The lengths noted are provided as a layout guide. Field check dimensions prior to cutting.

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Tread Dimension Sheet for Stair 1



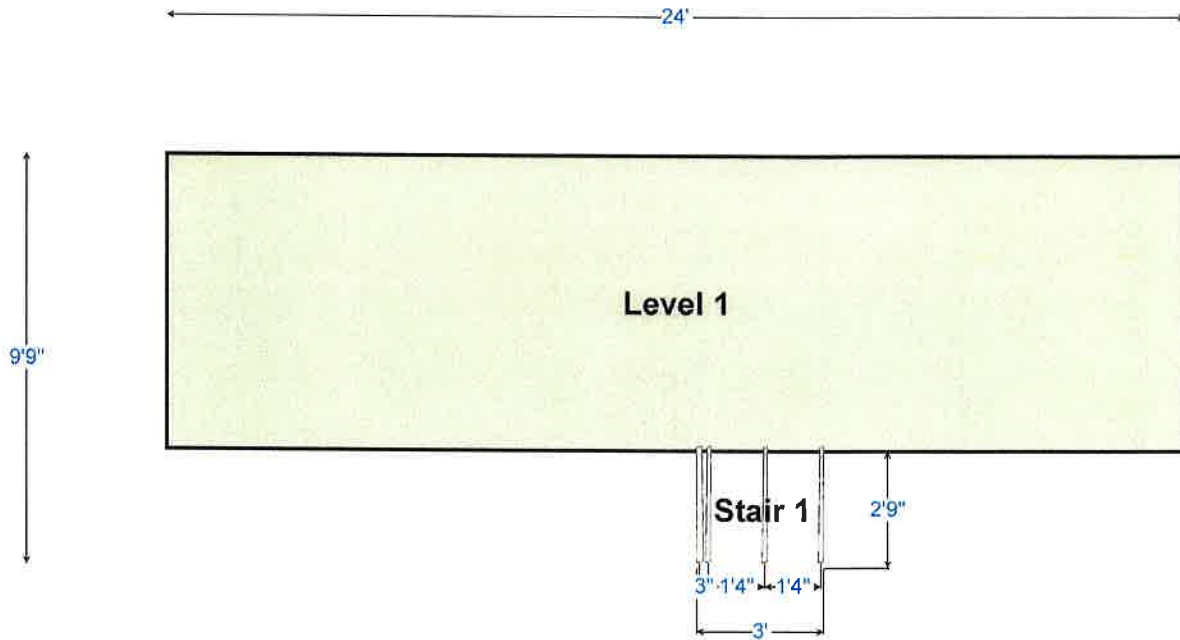
The lengths noted are provided as a layout guide. Field check dimensions prior to cutting.

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Stringer Dimension Sheet for All Types of Stairs on Level 1



The lengths noted are provided as a layout guide. Field check dimensions prior to cutting.

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The Design ID can be used for recalling your design from Menards.com or one of our in-store Design-It kiosks. The Estimate ID can be used to purchase your items from the Menards location above.



Illustration intended to show general deck size and shape. Some options selected may not be shown for picture clarity.

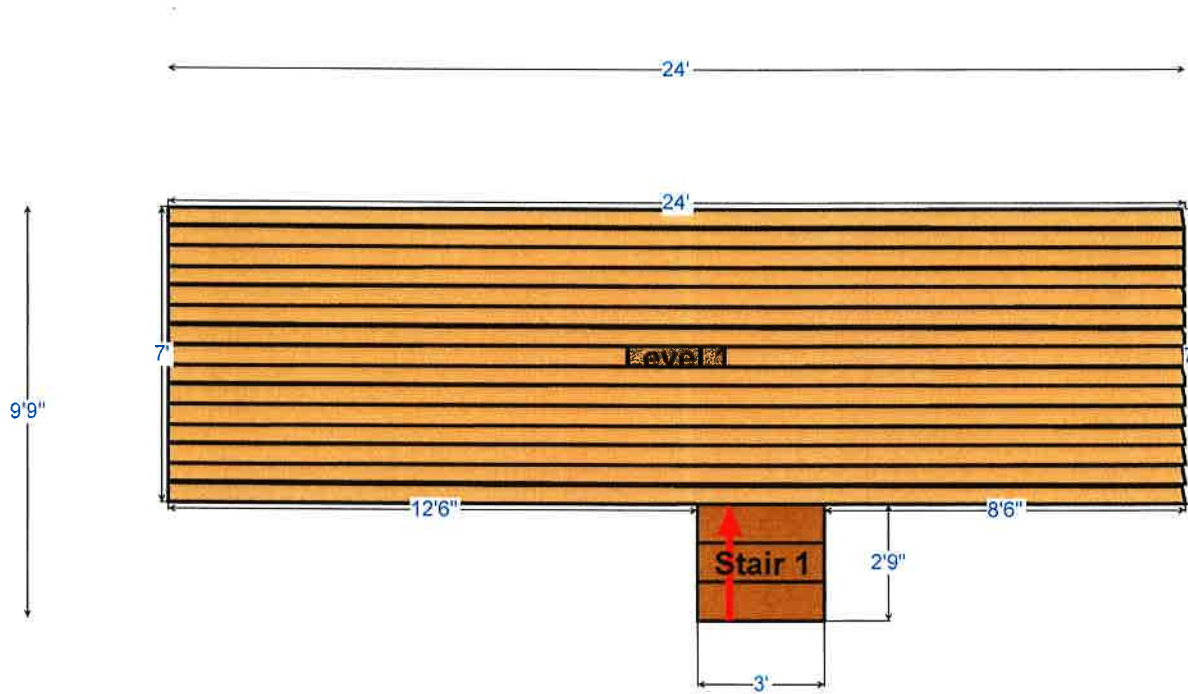
Estimated Price:

\$1,333.03

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met.

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Estimated Price:

\$1,333.03

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Level Information

Level 1 - 24' 0" Length X 7' 0" Width X 2' 0" Height, Standard Deck, 40 PSF Load Rating, Horizontal Decking Direction, 16" Joist Spacing

Framing Information

4X4 AC2 Framing Posts
5000 PSI Concrete Mix with 1' 6" Depth
2X8 AC2 Joists
2X8 AC2 Beams
Solid Placement for Beam Positioning on Framing Posts
Beam and Joist Cantilever - 2 Feet



Deck Board Information

5/4x6 AC2
Square Drive 2 1/2" Stainless Steel Screws

Railing Information

No Railing

Other Material Information

Galvanized Framing Fasteners
Joist / Beam Deck Ties are included for all Joists and Beams



Estimated Price:

\$1,333.03

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