



# 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      **ZONING BOARD APPEALS DATE:** AUGUST 9, 2016

**REGARDING:** 23384 WINNSBOROUGH DRIVE, Parcel # 50-22-27-428-012  
**BY:** Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**  
COY CONSTRUCTION

**Variance Type**  
DIMENSIONAL VARIANCE

**Property Characteristics**  
Zoning District: R-4 (SINGLE FAMILY RESIDENTIAL)  
Location: NORTH OF NINE MILE ROAD AND WEST OF NOVI ROAD  
Parcel #: 50-22-27-428-012

**Request**  
The applicant is requesting a variance from the CITY OF NOVI Code of Ordinance; Section 3.1.2. To reduce the rear yard setback from 35 feet to 29 feet to allow construction of a screened in porch on an existing deck. The property is zoned R-4 (Single Family Residential).

### II. STAFF COMMENTS:

**Proposed Changes**  
The applicant is requesting approval for a 6 foot reduced rear yard setback variance to allow construction of a new screened porch on the existing deck.

### 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. **PZ16-0030**, 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. **PZ16-0030**, 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 \_\_\_\_\_.
- (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



45175 Ten Mile Road  
 Novi, MI 48375  
 (248) 347-0415 Phone  
 (248) 735-5600 Facsimile  
 www.cityofnovi.org

# ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \_\_\_\_\_

Meeting Date: \_\_\_\_\_

ZBA Case #: PZ \_\_\_\_\_

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>			
PROJECT NAME / SUBDIVISION Screened Porch			
ADDRESS 23884 winnsborough		LOT/SIUTE/SPACE #	
SIDWELL # 50-22- _____ - _____ - _____		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY W off Novi rd, N of 9 mile			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input checked="" type="checkbox"/> YES <input 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 MMCCOY@COYCONSTRUCTION.COM	CELL PHONE NO.
NAME MICHAEL MCCOY		TELEPHONE NO. 248-363-1050	
ORGANIZATION/COMPANY COY CONSTRUCTION, INC		FAX NO. 248-363-3944	
ADDRESS 4214 MARTIN RD	CITY NOVI	STATE MI	ZIP CODE 48390
<b>B. PROPERTY OWNER</b> <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. 313-805-6082
NAME FRIDENBERG, ROBERT & CRISTINE		TELEPHONE NO. 248-344-7704	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS 23384 WINNSBOROUGH LN	CITY NOVI	STATE MI	ZIP CODE 48374
<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 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 _____	Variance requested	6' Variance for Screen Porch Setback	
2. Section _____	Variance requested	_____	
3. Section _____	Variance requested	_____	
4. Section _____	Variance requested	_____	
<b>IV. FEES AND DRAWINGS</b>			
<b>A. FEES</b>			
<input checked="" type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600			
<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> <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

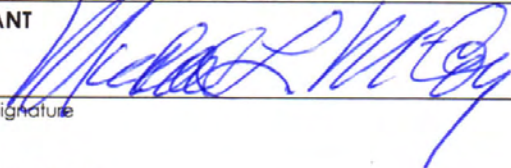
PLEASE TAKE NOTICE:

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 BUILD SCREENED PORCH ON EXISITNG DECK

## VI. APPLICANT & PROPERTY SIGNATURES

### A. APPLICANT

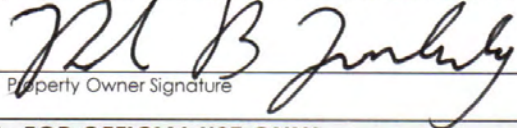
  
Applicant Signature

6/30/16  
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

6/30/16  
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**

45175 Ten Mile Road  
Novi, MI 48375  
(248) 347-0415 Phone  
(248) 735-5600 Facsimile  
[www.cityofnovi.org](http://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:

THE PROPOSED SCREEN PORCH WILL BE 29' FROM THE LOT LINE AND YOU REQUIRES A 35' SET BACK FROM THE "FOREST PARK" AT THE REAR OF THE LOT  
*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).

## 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.

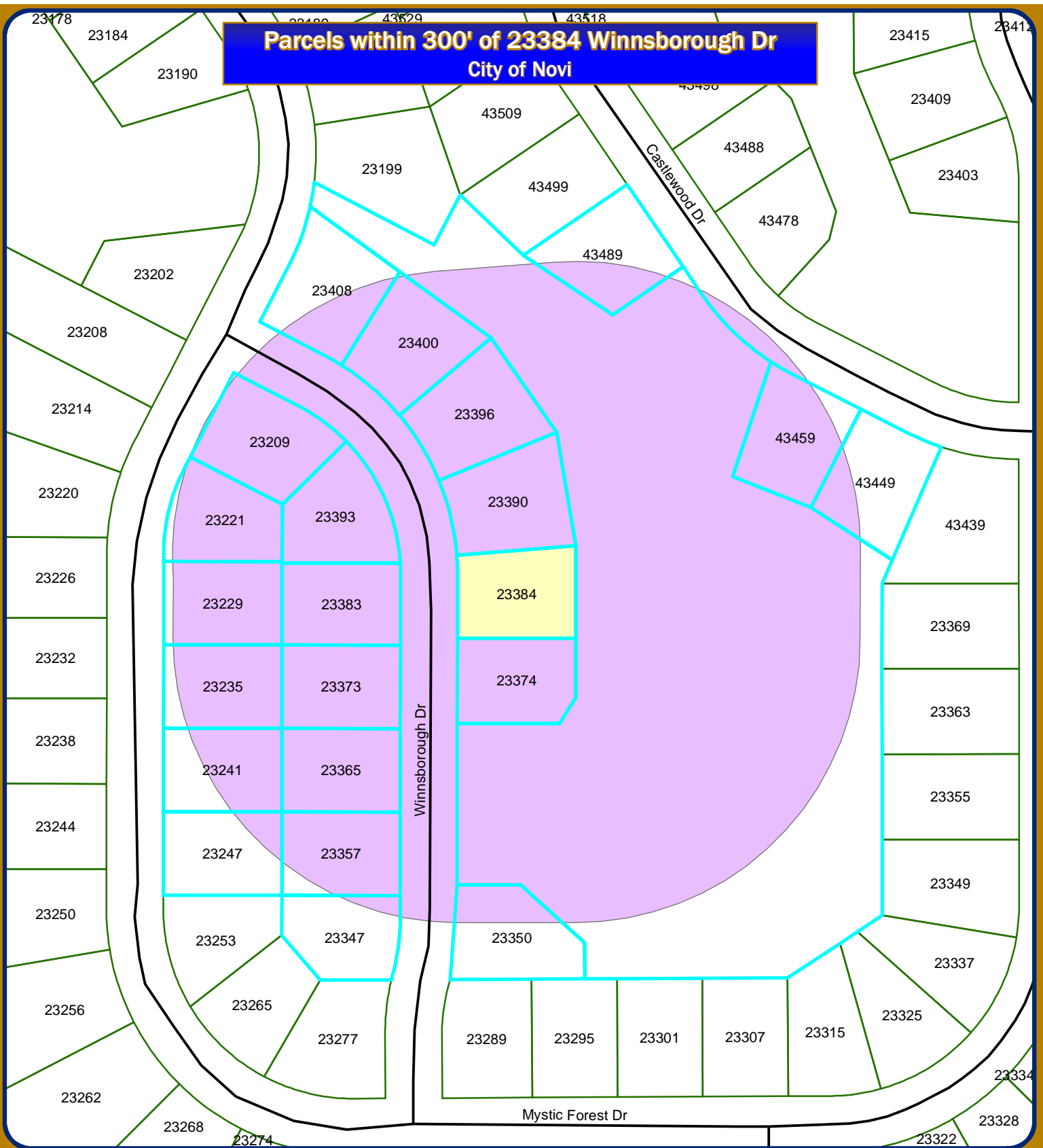
THE EXISTING DECK IS BUILT 13' FROM THE KITCHEN DOORWAY AND IS CONSIDERED TO BE A MINIMUM DEPTH FOR THESE ROOMS. ALSO MAKING THIS ROOM SMALLER WOULD REQUIRE SUBSTANTIAL RECONSTRUCTION TO THIS EXISTING STRUCTURE.

## 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.

THE SCREEN PORCH WILL BE A VERY NICE AND ENJOYABLE FEATURE FOR THIS HOME ... ADDING VALUE TO THE PROPERTY AS WELL AS THOSE ON BOTH SIDES. MANY OF THESE PORCHES HAVE BEEN BUILT IN THIS DEVELOPMENT AND THIS PORCH WILL BE IN KEEPING WITH THE ARCHITECTURAL INTEGRITY OF THIS PROPERTY AND THE OTHER HOMES

**Parcels within 300' of 23384 Winnsborough Dr**  
**City of Novi**



Map Author: Jon Gartha  
 Date: July 13, 2016  
 Address List for 22-27-428-012  
 Version #: 1.0

Amended By:  
 Date:  
 Department:

**MAP INTERPRETATION NOTICE**

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

**Map Legend**

- 300' Buffer
- Subject Property
- Tax Parcel

**Municipality**

- Novi
- Novi Twp.



**City of Novi**

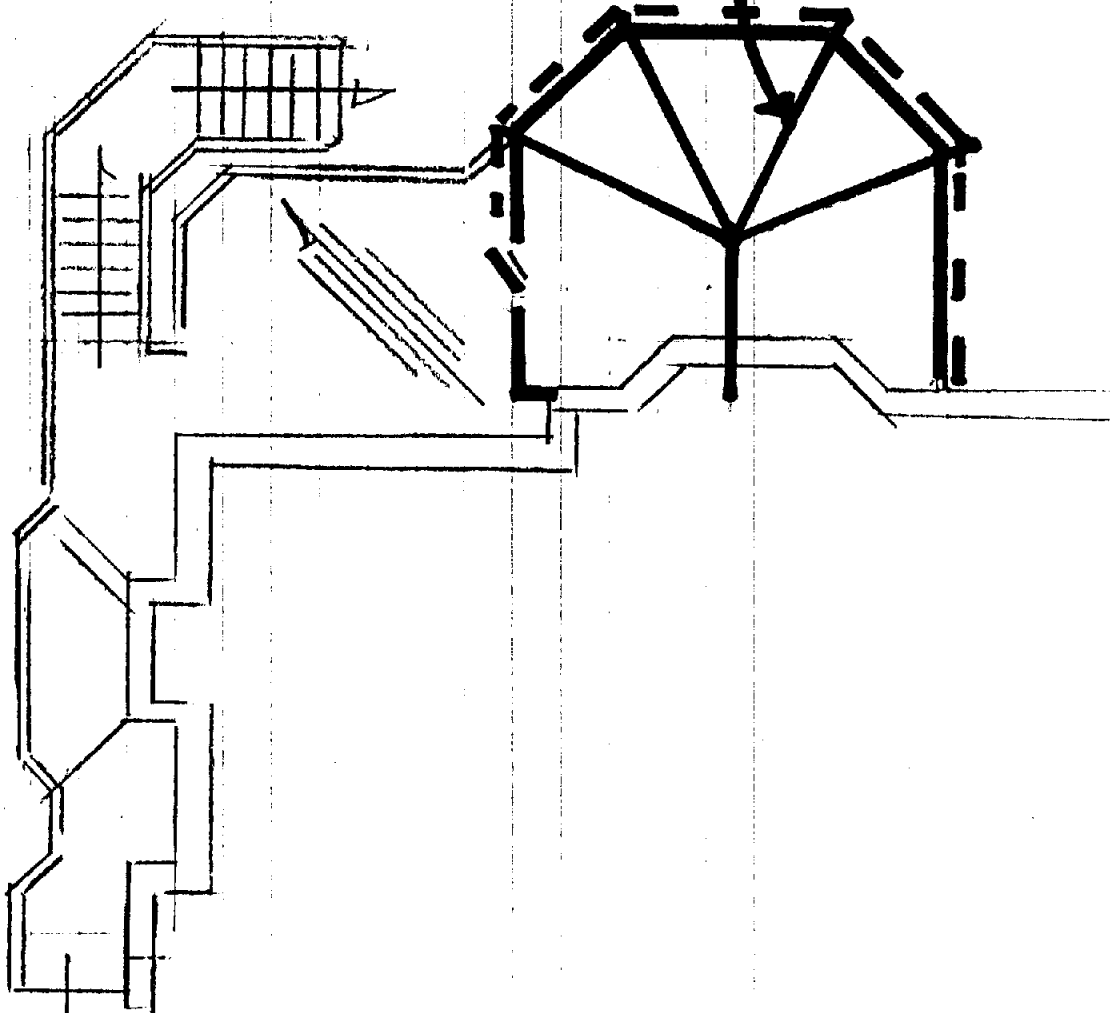
IT Department  
 GIS Division  
 45175 Ten Mile Rd  
 Novi, MI 48375  
 cityofnovi.org



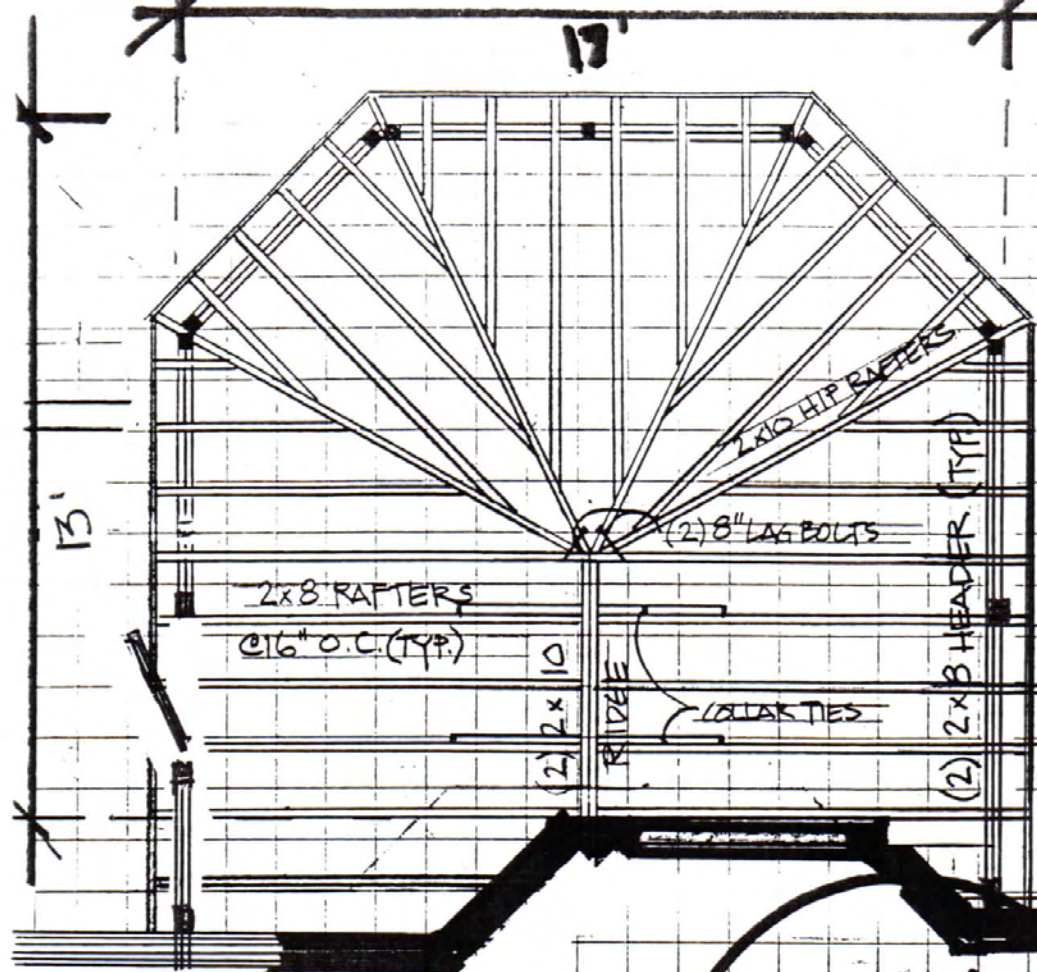
1 inch = 138 feet



SCREEN POOL

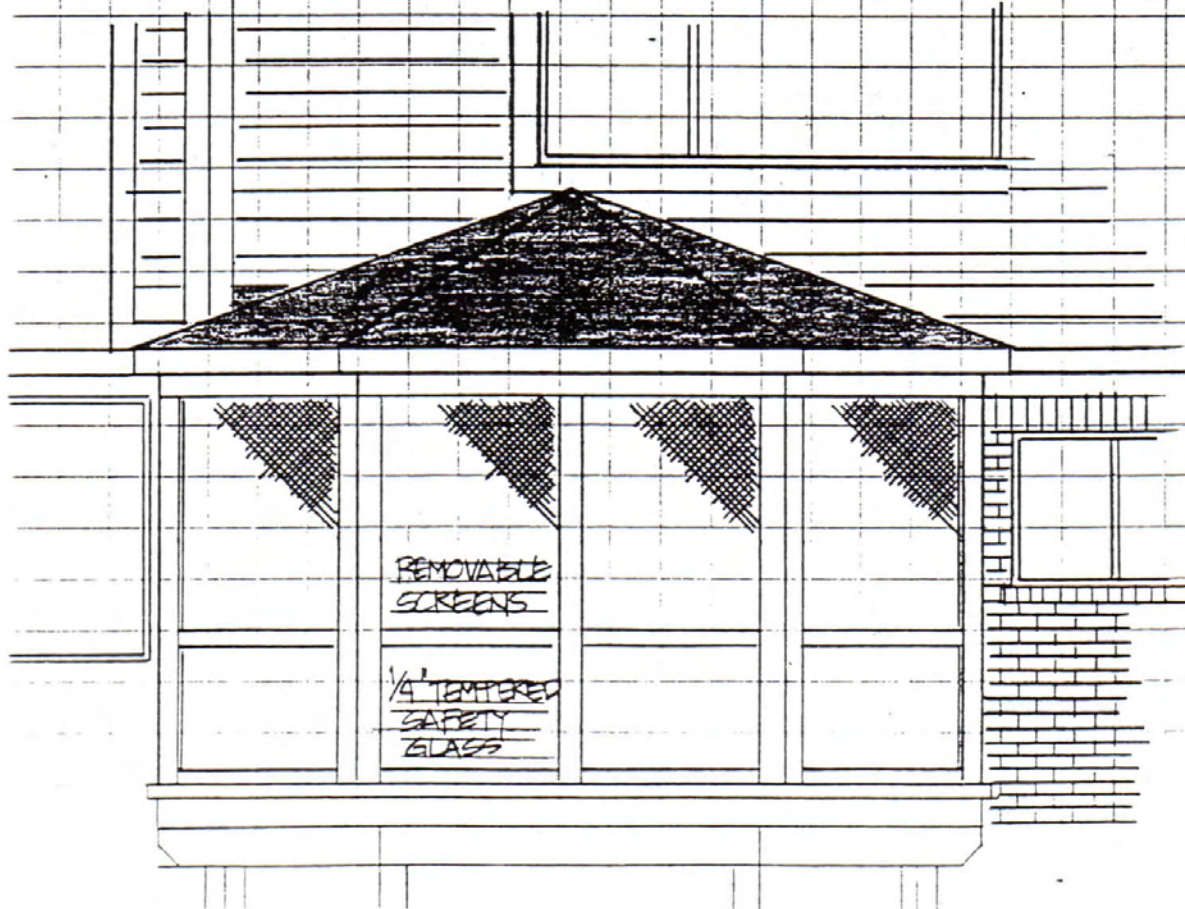






FRAME: 4x4 CEDAR POST WITH (2) 2x10 RIDGE, 2x8 RAFTERS @ 16" O.C. (TYP.) (2) 2x8 HEADER (TYP.) 7/16" O SHEETING, ICE AND WATER SHIELD, 15# FELT PAPER DRIP EDGE AND SHINGLES TO MATCH. CONTINUOUS R VENT AND SOFFIT VENTS FLASHING AS REQ'D. 1xR CEDAR TRIM ON THE OUTS 1x6 T & G CEDAR TRIMM: CEILING INSIDE. (1)" TRA BRAND 3<sup>rd</sup> ALUM. STOR DOOR.

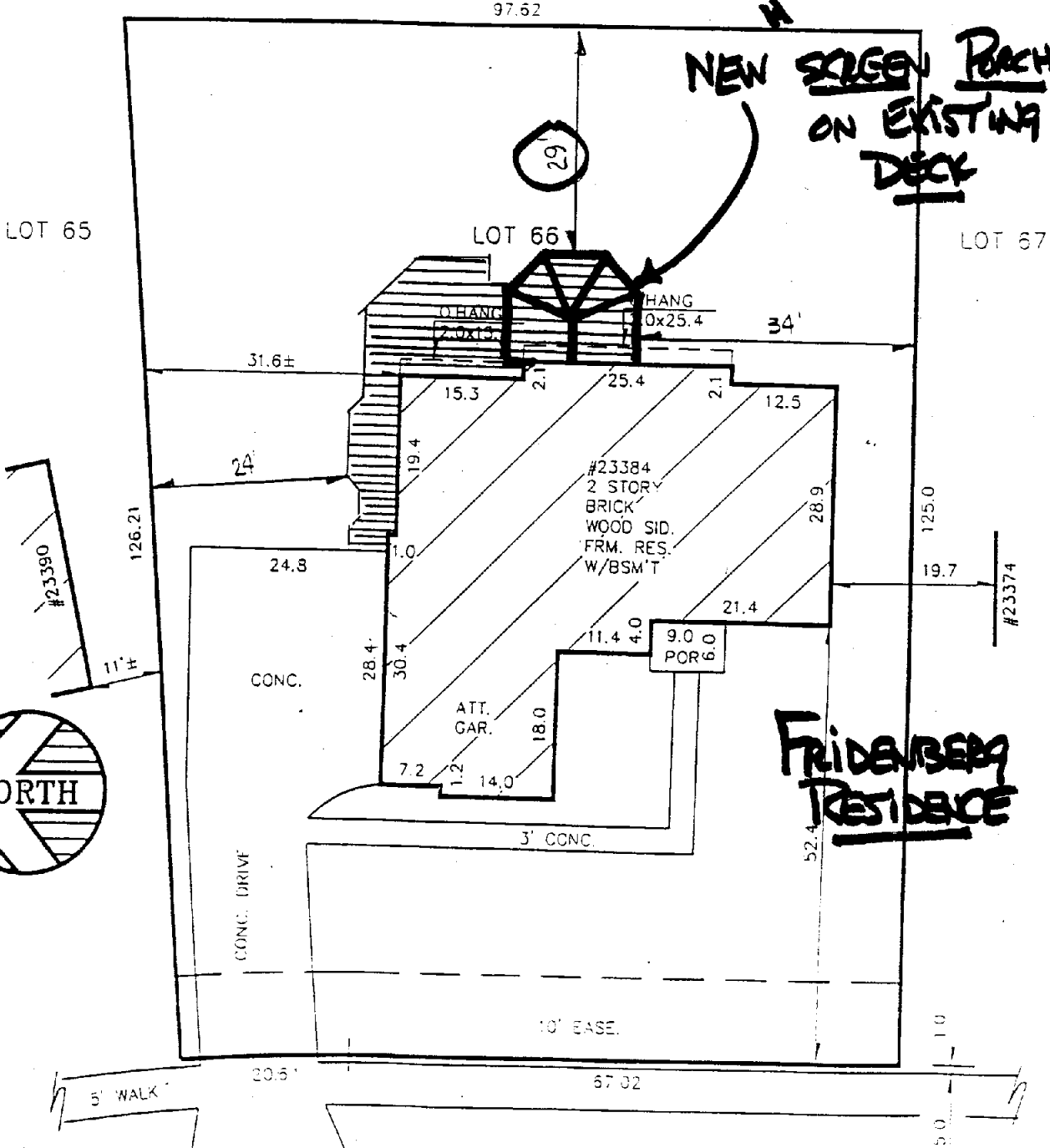
SCALE 1/4" = 1'  
 N



MORTGAGE SUR

LOT 66, WINNSBOROUGH SUBDIVISION, PART OF THE NORTHEAST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 27, T11N, R18E, City of New, Oakland County, Michigan, as recorded in Liber 200 of Plots, Pages 1 through 9, inclusive, of Oakland County Records  
FLOOD PLAIN Comm. No. 260175 Map No. 0009 C Date: 5-3-93  
Flood Zone X. Areas determined to be outside 500-year flood plain.

FOREST PARK (PRIVATE PARK)

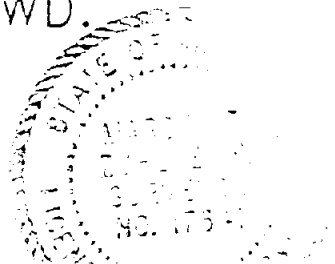


**FRIDENBERG RESIDENCE**

**Mystic Forest Subdivision**

WINNSBOROUGH DR. 60' WD.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines nor for construction purposes, no stakes having been set at any of the boundary corners.







Google earth

