



# 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: June 13, 2017

REGARDING: **116 EUBANK STREET (PZ17-0015)**

BY: Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

#### Applicant

Mark Ashbaugh & Angela Ditri

#### Variance Type

Dimensional Variance

#### Property Characteristics

Zoning District: Single Family Residential  
Location: West of Novi Road, South of South Lake Drive  
Parcel #: 50-22-03-379-013

#### Request

The applicant is requesting a variance from the City of Novi Ordinance Section 3.1.5 for a front yard setback of 2.4 feet 30 feet required and Section 4.19.E5 for an accessory structure larger than ground area of house.

This property is zoned Single Family Residential (R-4).

### II. STAFF COMMENTS:

*Oversize accessory structure is allowed with conditions:  
Accessory Structure is on at least one acre of land.  
Accessory building does not exceed two thousand five hundred square feet of ground floor area for the total aggregate area of all accessory buildings on the lot.  
Complies with applicable set back requirements.*

### 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. **PZ17-0015**, 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. **PZ17-0015**, 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\_\_\_\_\_
- \_\_\_\_\_.



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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: Idiemere
ADDRESS: 116 Eubank St
LOT/SITE/SPACE #: 6
SIDWELL #: 50-22-03-379-013
CROSS ROADS OF PROPERTY: W of Old Novi Rd E of W Lake Dr
REQUEST IS FOR: RESIDENTIAL
II. APPLICANT INFORMATION
A. APPLICANT: Mark Ashbaugh & Angela Ditri
B. PROPERTY OWNER: Same as above
III. ZONING INFORMATION
A. ZONING DISTRICT: R-4
B. VARIANCE REQUESTED: 2.4 Ft Front Yard Setback, ground flr area garage larger than grd flr area of house. Size variance
IV. FEES AND DRAWINGS
A. FEES: Single Family Residential (Existing) \$200
B. DRAWINGS: 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF



# 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 / GARAGE     USE     OTHER \_\_\_\_\_

## VI. APPLICANT & PROPERTY SIGNATURES

### A. APPLICANT

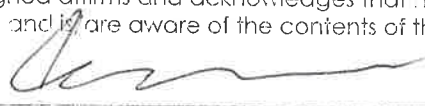
  
Applicant Signature

5-1-17  
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

5/2/17  
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:

*Due to the size & shape of the lot it hinders  
my able to build a garage according to the ordinance  
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).

My need is not self created as I did not create the shape & size of my 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.

Without the variance the adequate size of the structure would not be able to be built.

## **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.

Requesting a minimum variance.

## **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 garage will bring value & appeal to the neighborhood. We don't feel a less than 1 1/2 foot variance will cause adverse impact to any of our neighbors.

May 1, 2017

To Whom It May Concern,

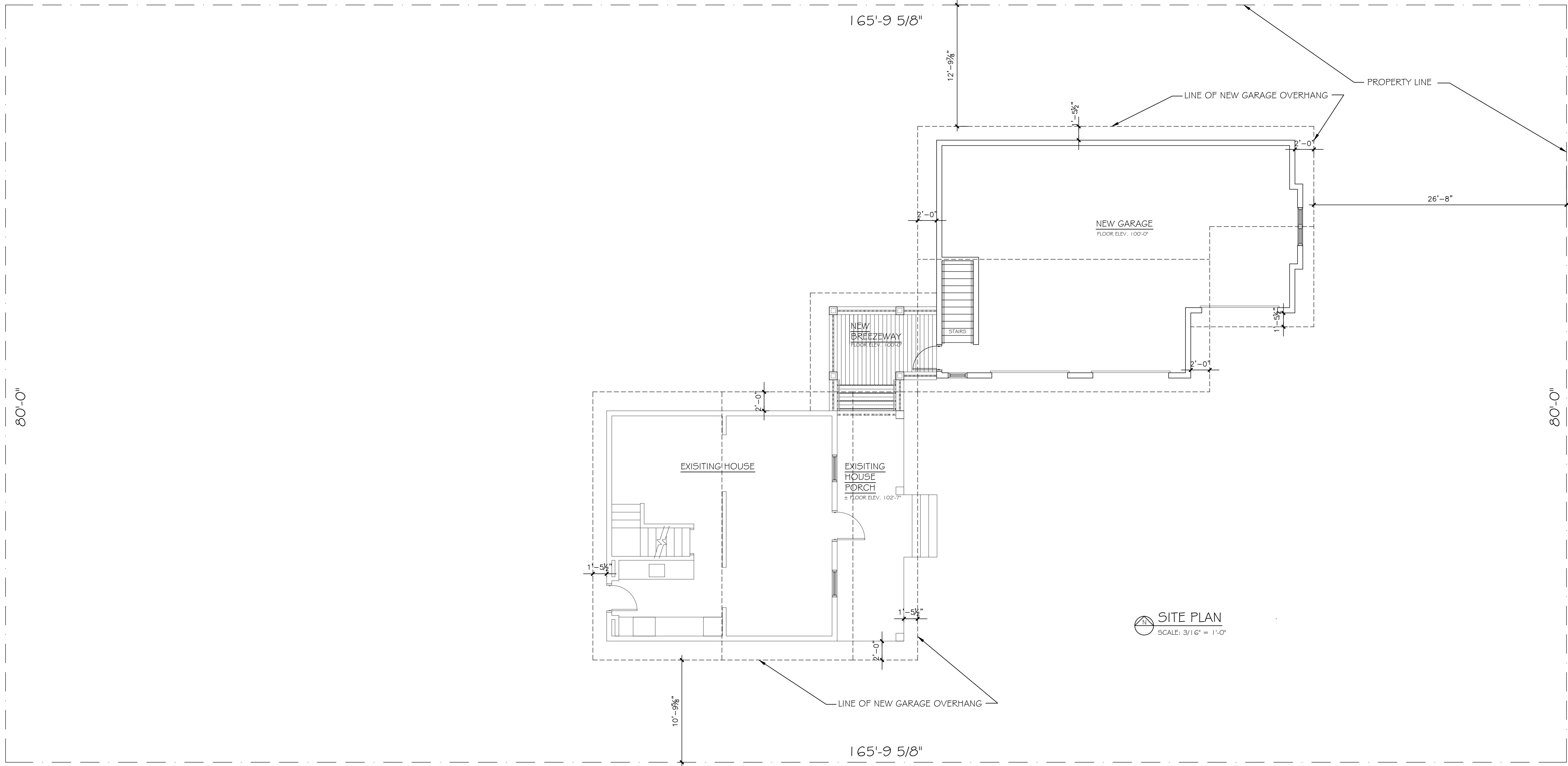
I hereby state that as the owner  
of 116 Eubank St Novi, MI 48377  
we are not part of a Home Owners  
Association.

Respectfully,



Mark Ashbaugh





SITE PLAN  
SCALE: 3/16" = 1'-0"

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GARAGE ADDITION - SITE PLAN

SWANSON DESIGN STUDIOS ARCHITECTURE  
329 EAST GRAND RIVER AVE.  
LANSING, MICHIGAN 48206

DATE  
3/20/2016  
JOB NUM  
2016.1  
SHEET NU  
S-

80'-0"

80'-0"

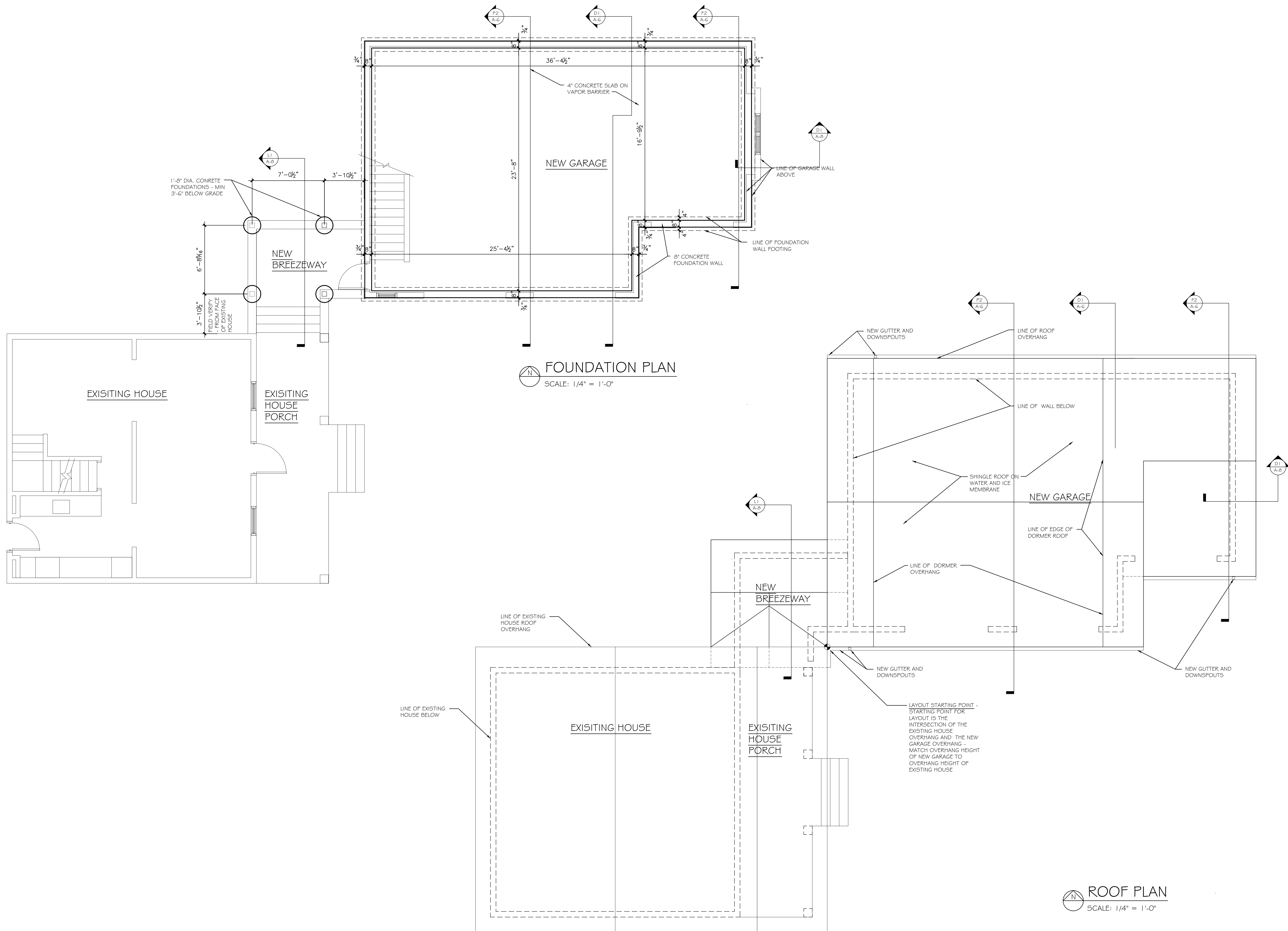
165'-9 5/8"

165'-9 5/8"

R Q P N M L K J H G F E D C B A



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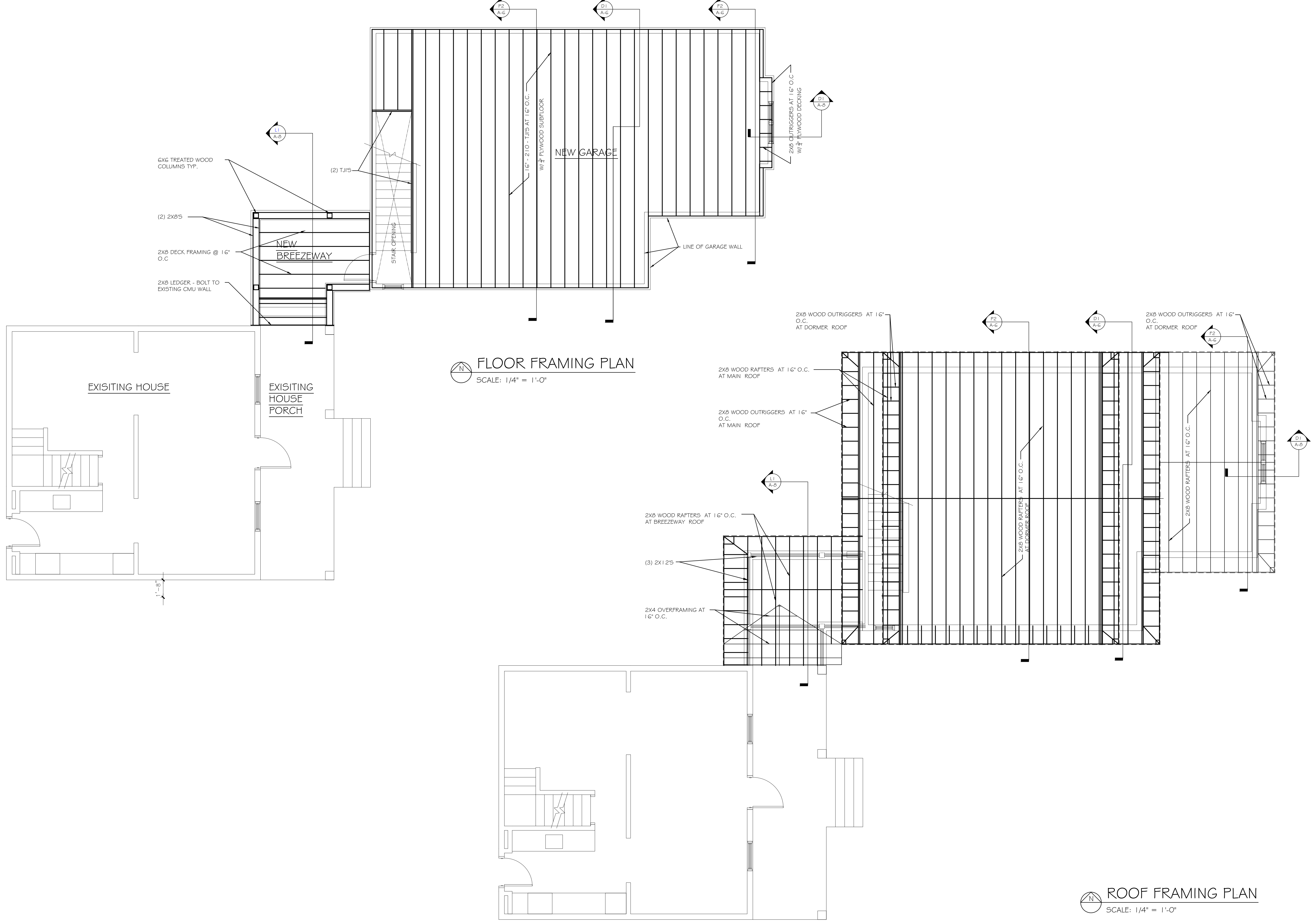
SWANSON DESIGN STUDIOS  
 329 EAST GRAND RIVER AVE  
 LANSING, MICHIGAN 48906  
 WWW.SWANSONDESIGN.COM  
 PH: (517) 482-9039  
 FAX: (517) 482-9290

ARCHITECTURE DESIGN INTERIOR ARCHITECTURE

GARAGE ADDITION - FOUNDATION AND ROOF PLANS  
 116 EUBANK ST., NOVI MI

DATE: 3/20/17  
 JOB NUMBER: 2016.110  
 SHEET NUMBER: A-1





FLOOR FRAMING PLAN  
SCALE: 1/4" = 1'-0"

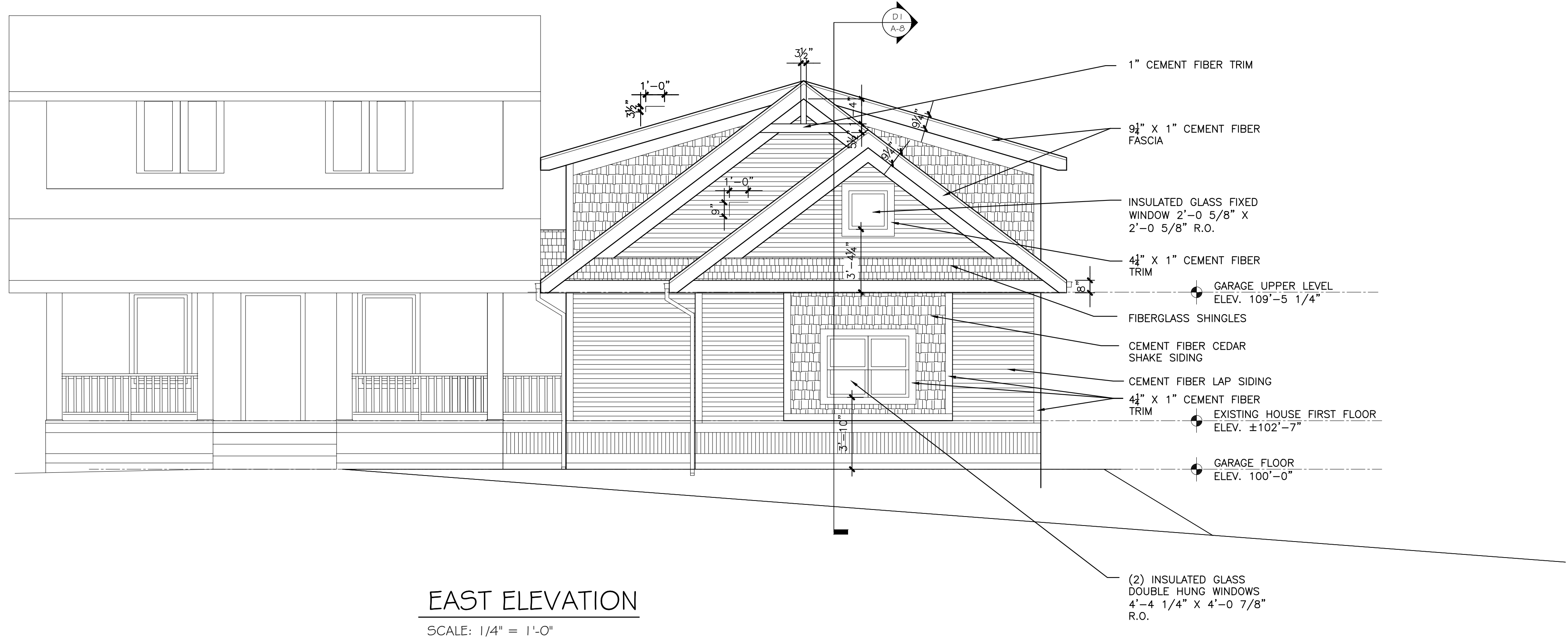
ROOF FRAMING PLAN  
SCALE: 1/4" = 1'-0"

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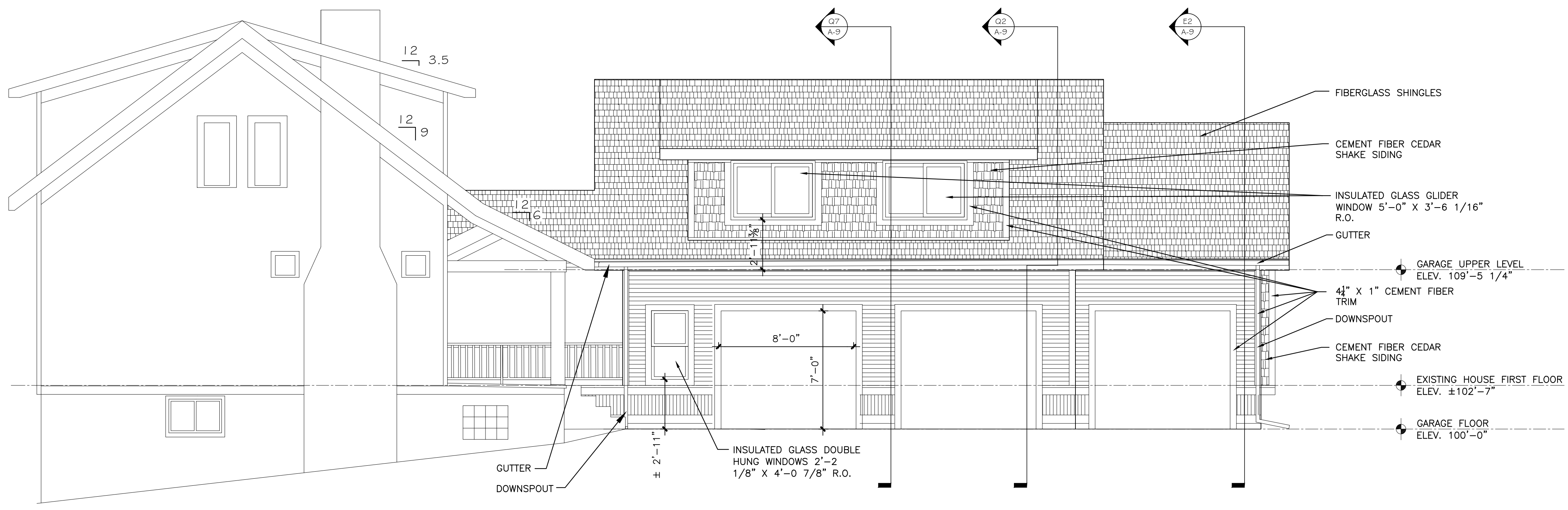
SWANSON DESIGN STUDIOS ARCHITECTURE  
329 EAST GRAND RIVER AVE. LANSING, MICHIGAN 48206  
GARAGE ADDITION - FRAMING PLANS  
116 FIRANK ST NOV1 MI

DATE  
3/20/2016  
JOB NUM  
2016.1  
SHEET NU  
A-1

R Q P N M L K J H G F E D C B A



**EAST ELEVATION**  
SCALE: 1/4" = 1'-0"



**SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"

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LANSING, MICHIGAN 48906  
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ARCHITECTURE DESIGN  
INTERIOR ARCHITECTURE

GARAGE ADDITION - EAST AND SOUTH ELEVATIONS  
116 EUBANK ST., NOVI MI

DATE:  
3/20/17  
JOB NUMBER:  
2016.110  
SHEET NUMBER:  
A-4

R | Q | P | N | M | L | K | J | H | G | F | E | D | C | B | A

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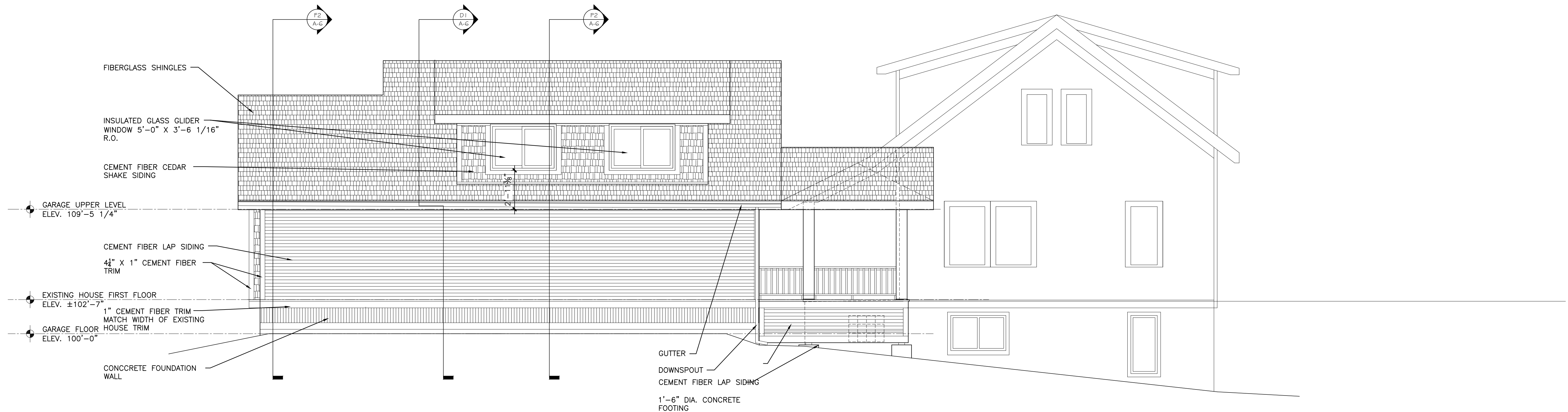
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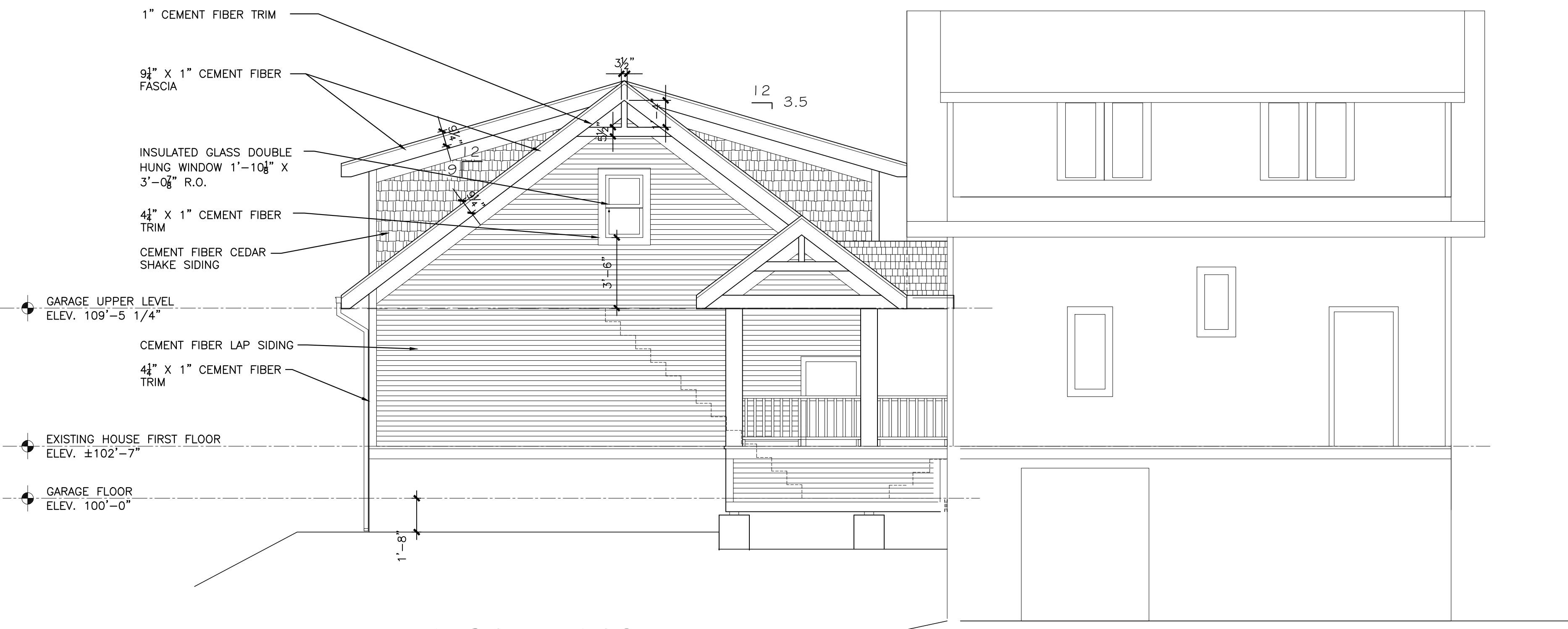
2

1



**NORTH ELEVATION**

SCALE: 1/4" = 1'-0"



**WEST ELEVATION**

SCALE: 1/4" = 1'-0"

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 GARAGE ADDITION – WEST AND NORTH ELEVATIONS  
 116 EUBANK ST., NOVI MI

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 INTERIOR ARCHITECTURE

DATE: 3/20/17  
 JOB NUMBER: 2016.110  
 SHEET NUMBER: A-5

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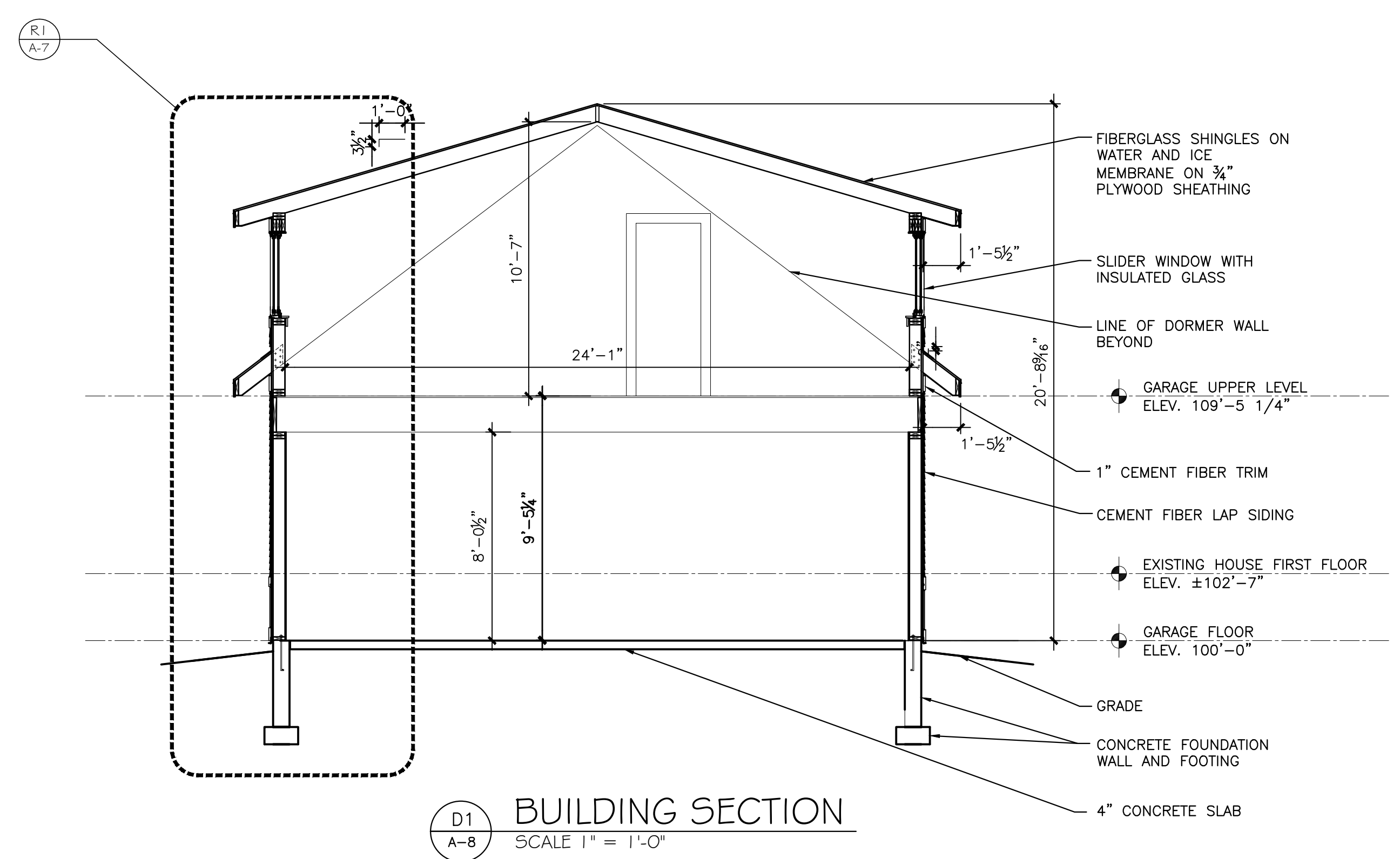
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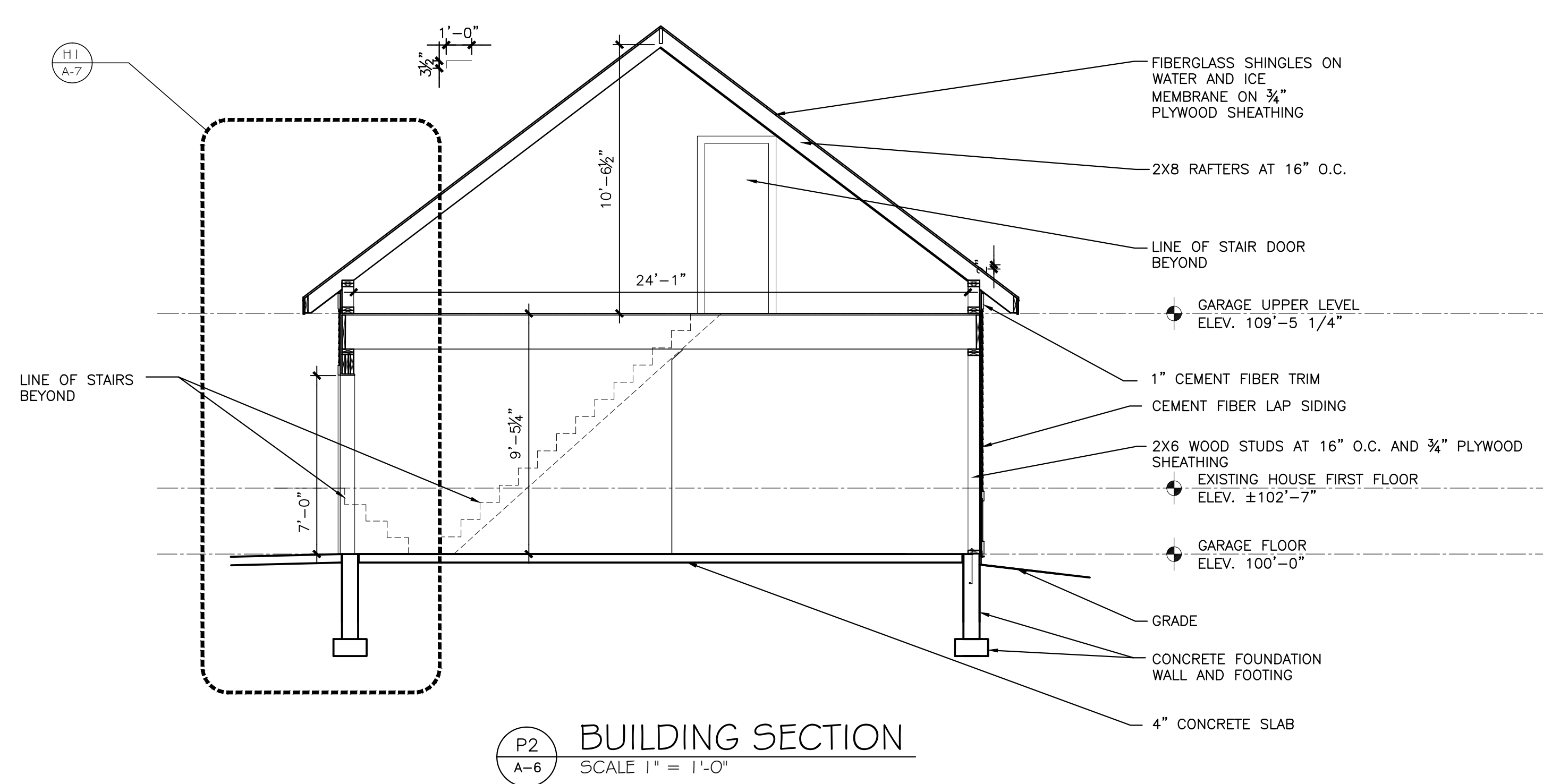
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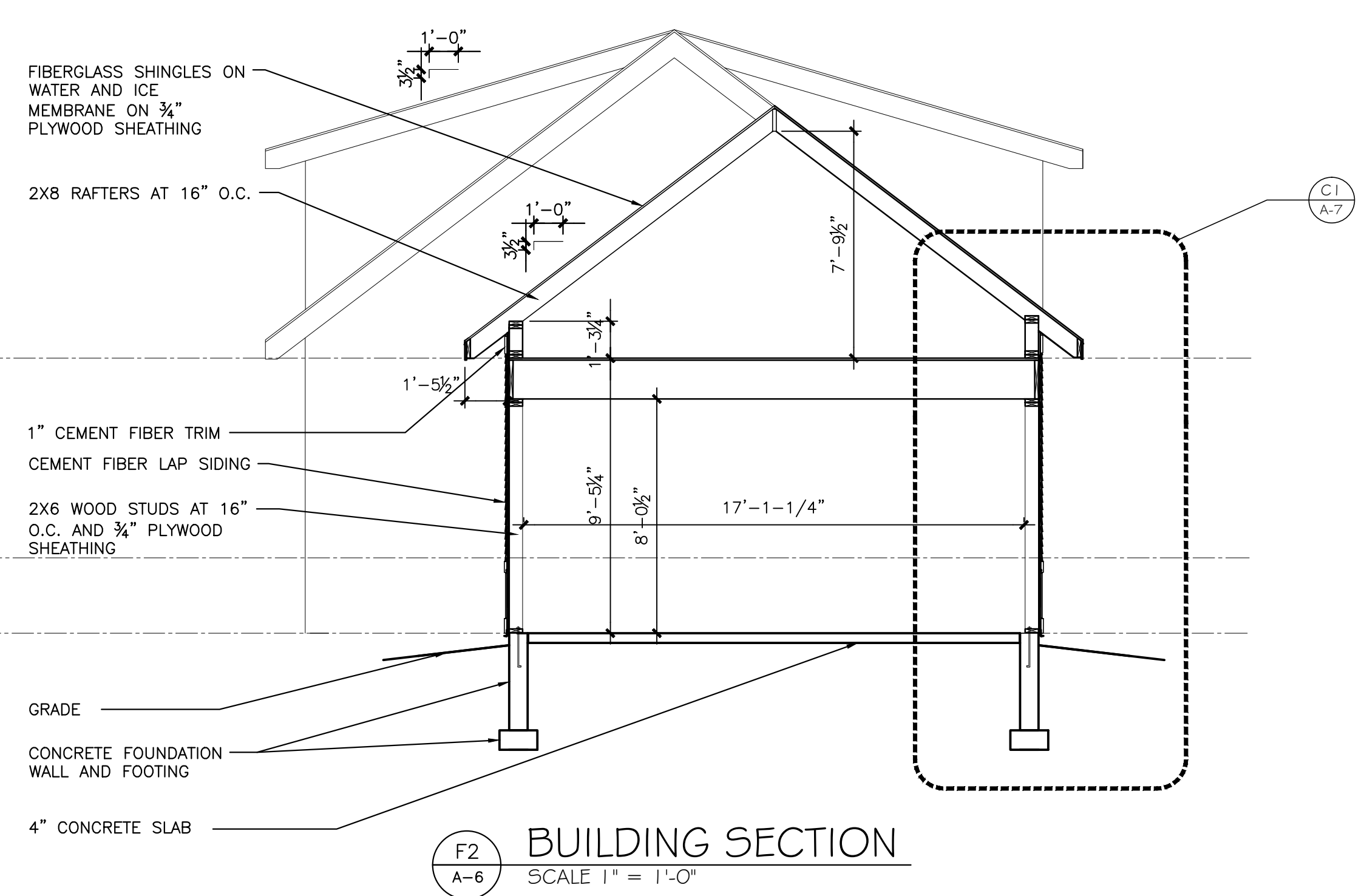
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D1 BUILDING SECTION  
SCALE 1" = 1'-0"



P2 BUILDING SECTION  
SCALE 1" = 1'-0"



F2 BUILDING SECTION  
SCALE 1" = 1'-0"

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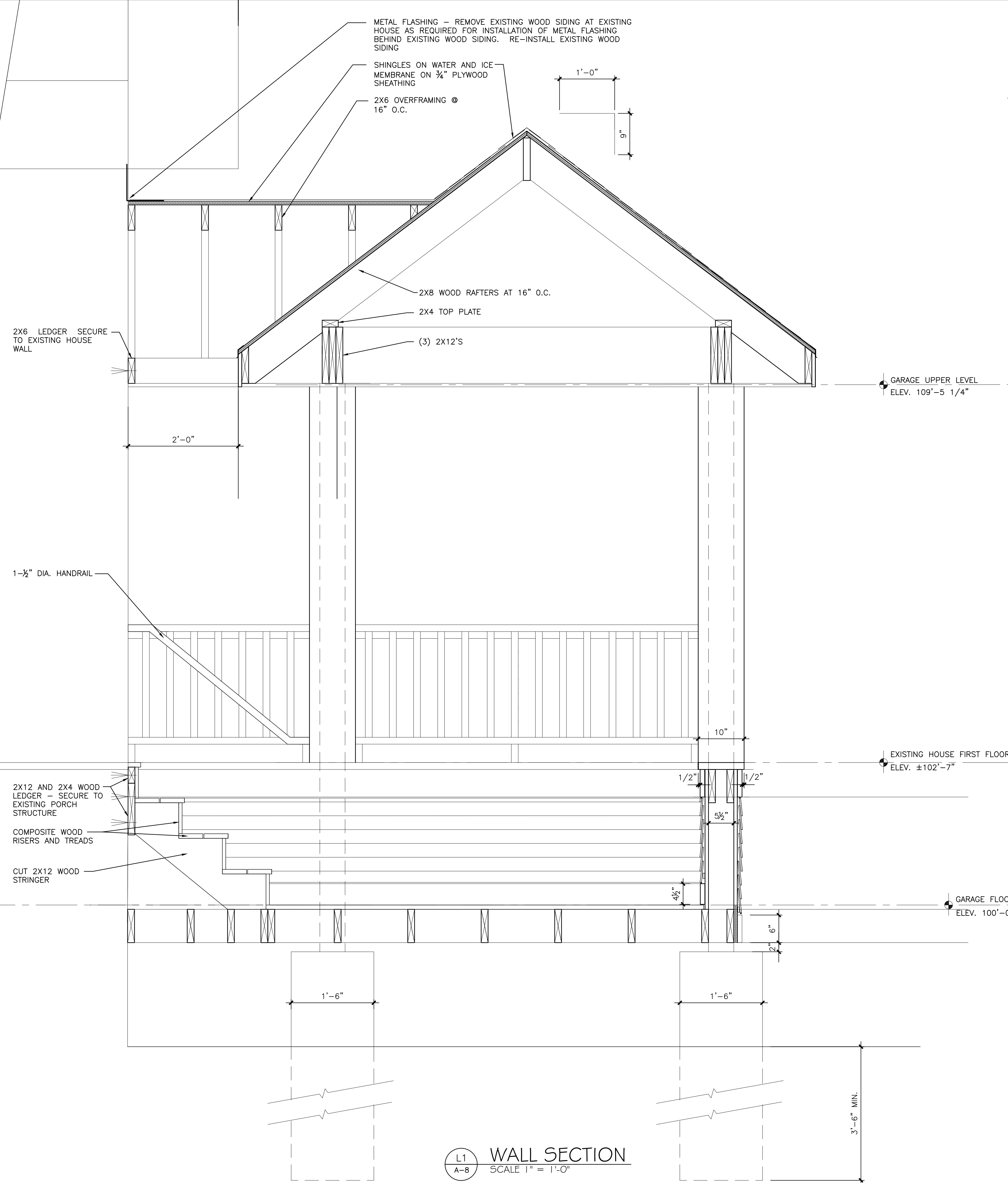
GARAGE ADDITION - BUILDING SECTIONS  
116 EUBANK ST., NOVI MI

DATE:  
3/20/17  
JOB NUMBER:  
2016.110  
SHEET NUMBER:  
A-6

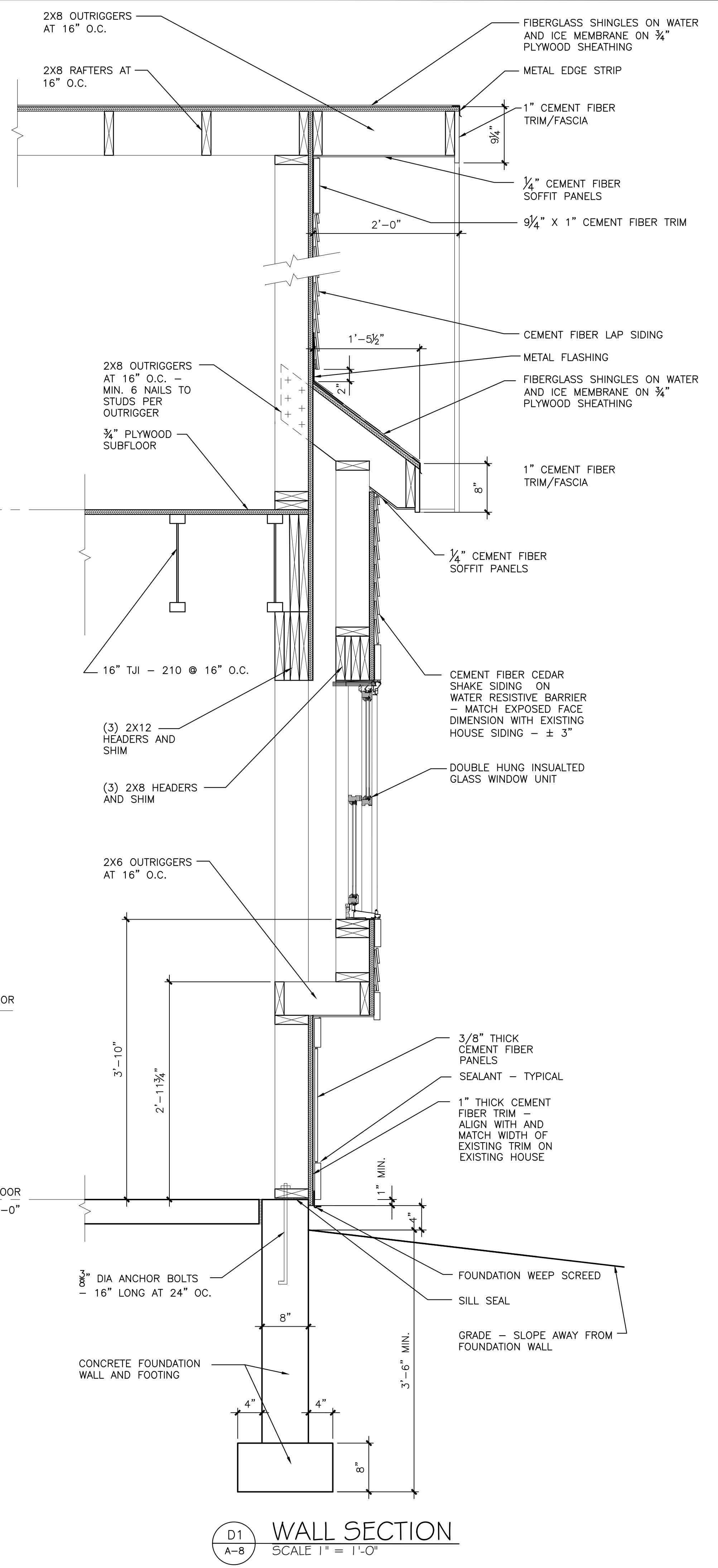








L1 WALL SECTION  
SCALE 1" = 1'-0"



D1 WALL SECTION  
SCALE 1" = 1'-0"

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GARAGE ADDITION - WALL SECTIONS  
116 EUBANK ST., NOVI MI

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DATE:	3/20/17
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SHEET NUMBER:	A-8

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