

ZONING BOARD OF APPEALS
CITY OF NOVI
Community Development Department
(248) 347-0415

Case No. PZ14-0011 1292 East Lake Drive

Location: 1292 East Lake Drive

Zoning District: R-4, One-Family Residential District

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Section 2400 to allow construction of a new single family home with attached wood decks on an existing lakefront lot with a reduced south side yard setback of 5.0 ft, a reduced aggregate side setback of 11.5 ft. and maximum lot coverage of 30%. The property is located east of Novi Road and south of 14 Mile Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires that a structure within an R-4 zoning district have a minimum side setback of 10 ft., a minimum aggregate side setback of 25 ft. and maximum 25% lot coverage.

City of Novi Staff Comments:

This request is similar to a number of past cases to come before the board in that a new home is proposed for an existing narrow lakefront lot. Due to the 45 foot width of the lot and limited area a number of variances are needed to allow a workable envelope for even a modest new home. Staff supports the request provided the requested variance is found to not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district.

Standards for Granting a Dimensional Variance:

A variance may be granted if a practical difficulty exists due to all of the following:

- There are unique circumstances or physical conditions of the property such as narrowness, shallowness, shape, water, topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty.
- The need is not self-created.
- 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.



cityofnovi.org

ZBA Case No.

ZONING BOARD OF APPEALS APPLICATION

CITY OF NOVI

Community Development Department

(248) 347-0415

For Official Use Only

P2140011

ZBA meeting date

May 13

Check# _____ Include payment with cash or check written to "City of Novi"

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

***Please submit one original full set of all documentation relevant to the appeal plus 14 additional complete sets.

Applicant's Name Jerome J Nell Date 3/26/2014

Company (if applicable) _____

Address* 809 East Walled Lake Drive City Walled Lake

State MI Zip code 48390 *Where all case correspondence is to be mailed

Applicant's E-mail address thejoes777@yahoo.com

Phone number 586-907-8015 Fax number 248-689-0661

Request is for:

- Residential, Vacant property, Commercial, Signage

Address of subject ZBA case 1292 East Lake Drive Zip code 48377

Cross roads of property 14 Mile and East Lake

Sidwell number 50-22- 02-151-027 May be obtained from Assessing Department (248) 347-0485

Is the property within a Homeowner's Association jurisdiction? Yes No

Zoning (Please circle one) R-A, R-1, R-2, R-3, R-4, RM-1, RM-2, MH, I-1, I-2, RC, TC, TC-1, Other

Property owner name (if other than applicant) _____

Does your appeal result from a Notice of Violation or Citation issued? Yes No

Indicate Ordinance section(s) and variances requested:

Table with 4 rows detailing ordinance sections and requested variances.

Please submit an accurate, scaled drawing of the property showing:

- a. All property lines and dimensions correlated with the legal description.
b. The location and dimensions of all existing and proposed structures and uses on property.
c. Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
d. Dimensions necessary to show compliance with the regulations of this Ordinance.

State the practical difficulties which prevent conformance with the Zoning Ordinance requirements (attach separate sheet if necessary):

Present R-4 zoning would only allow a 20 foot wide new home which in my opinion is not adequate for such a nice lot. I'm looking to build a 33 foot (approximately) wide home.

Describe any unique circumstances regarding the property (i.e., shape, topography, etc.) which are not common to other properties in the area and which prevent strict compliance with the Zoning Ordinance:

A small area of my neighbors home (to north) comes 2'.33" from my property line.

There is a five (5) day hold period before work/action can be taken on variance approvals.

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 scheduled ZBA meeting, or cancelled. A mock-up sign is **NOT** to be the 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.

City of Novi Ordinance, Section 3107. - Miscellaneous

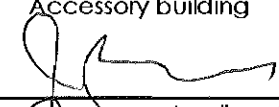
No order of the Board permitting the erection of a building shall be valid for a period longer than one (1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms 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.

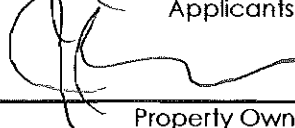
PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

- Construct new home/building
- Accessory building
- Use
- Addition to existing home/building
- Signage
- Other



 Applicants Signature



 Property Owners Signature

3-29-2014

 Date

3-29-2014

 Date

DECISION ON APPEAL

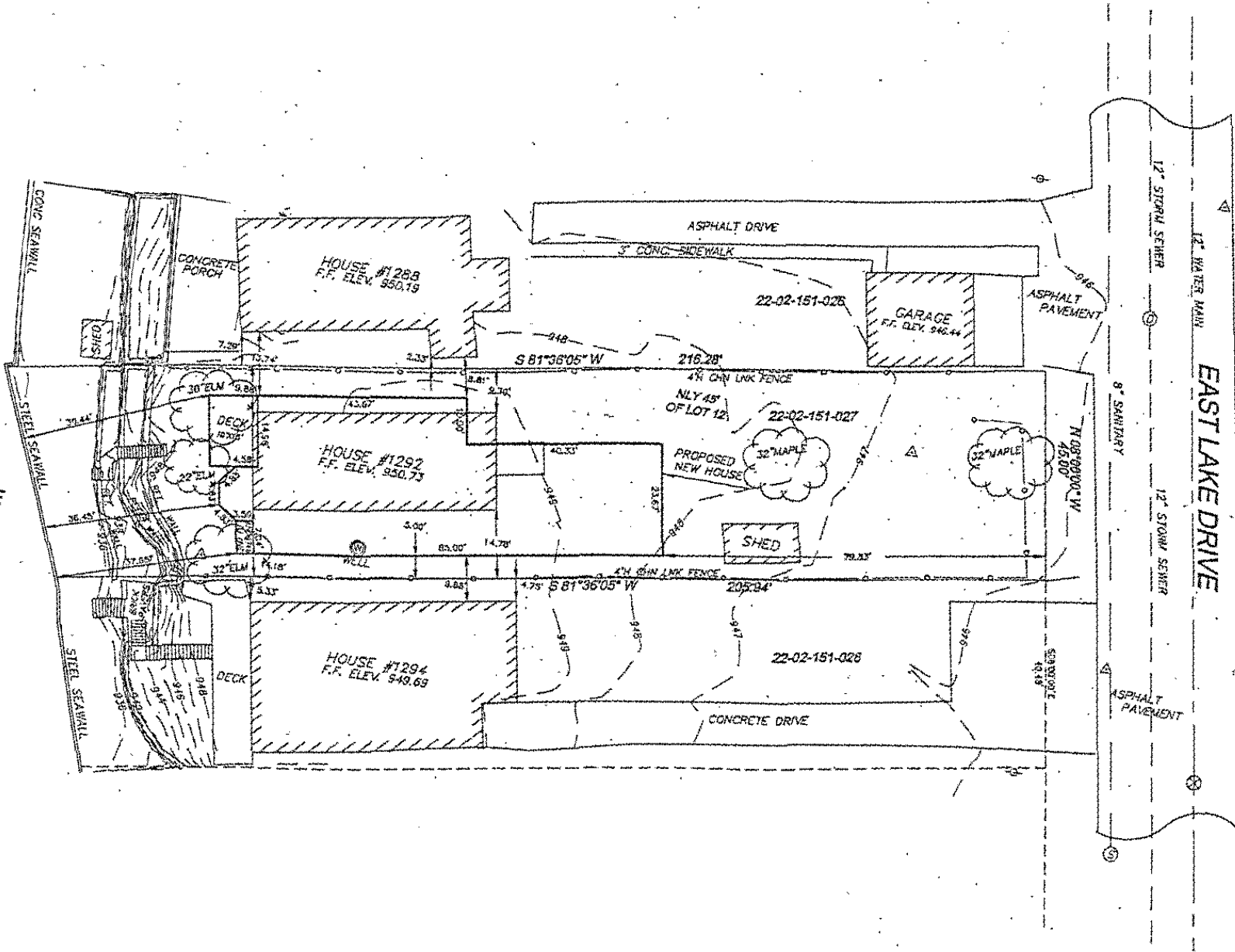
_____ Granted

 _____ Denied

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following items and conditions:

Chairperson, Zoning Board of Appeals

Date



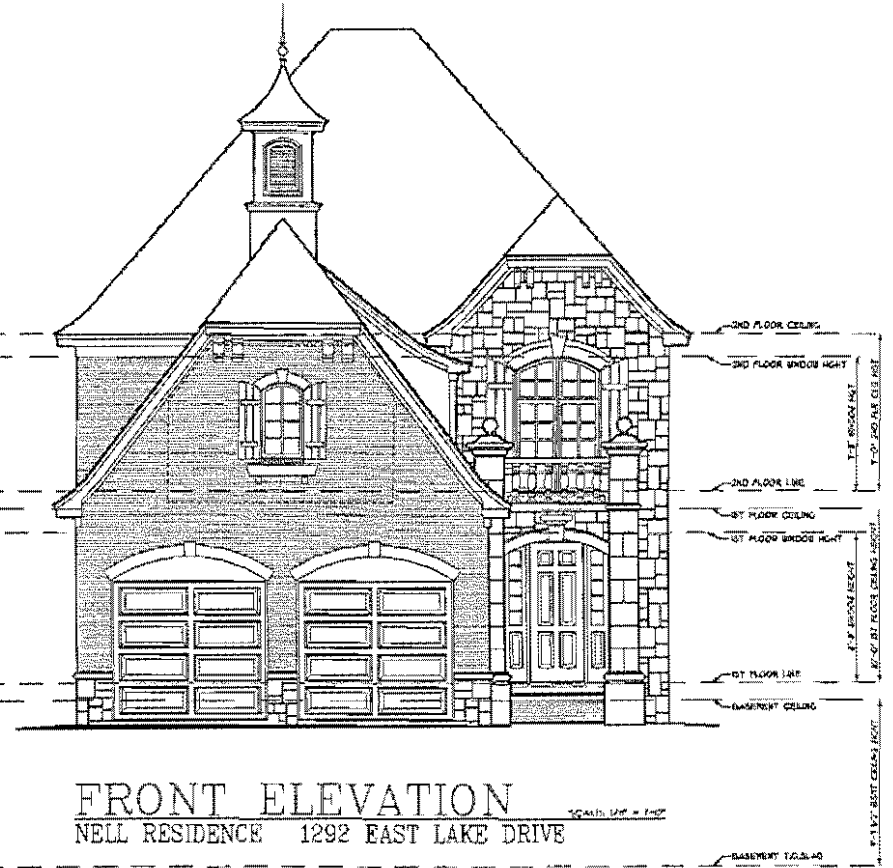
WALLED LAKE

LOCATION
SCALE: 1"=20'

STATE OF M
JOSEPH
KAPFLC

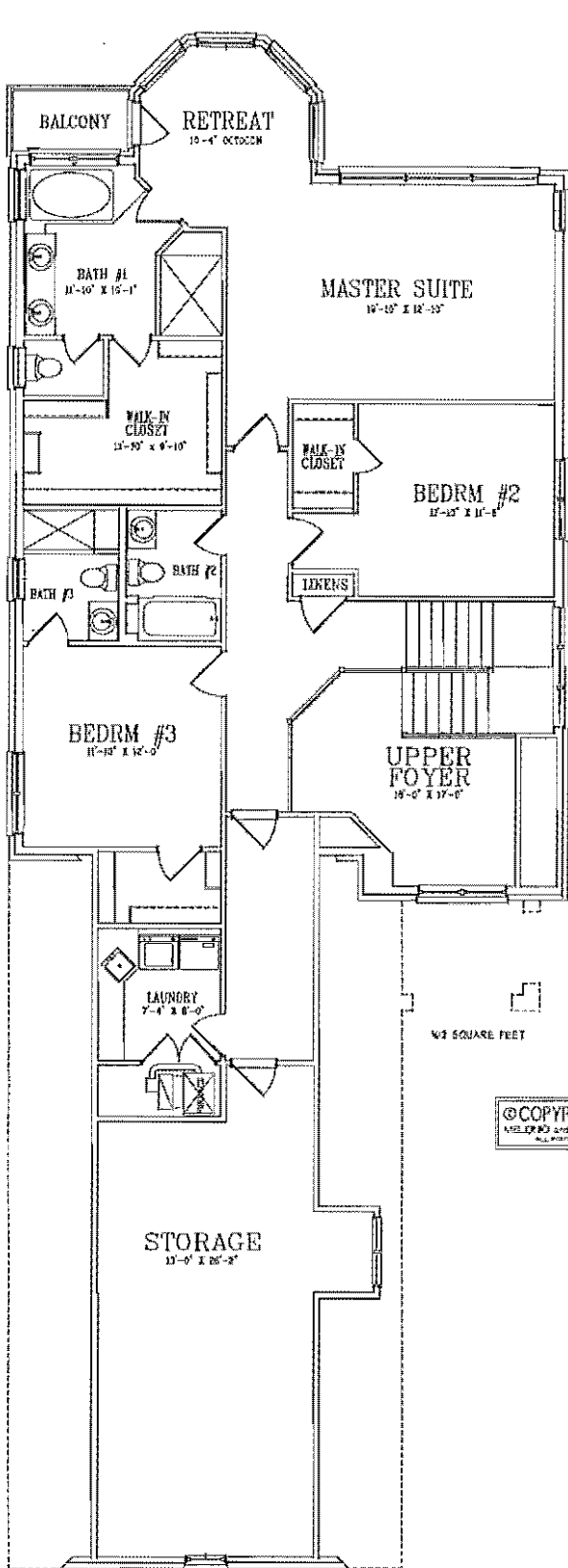


REAR ELEVATION
 NELL RESIDENCE 1292 EAST LAKE DRIVE

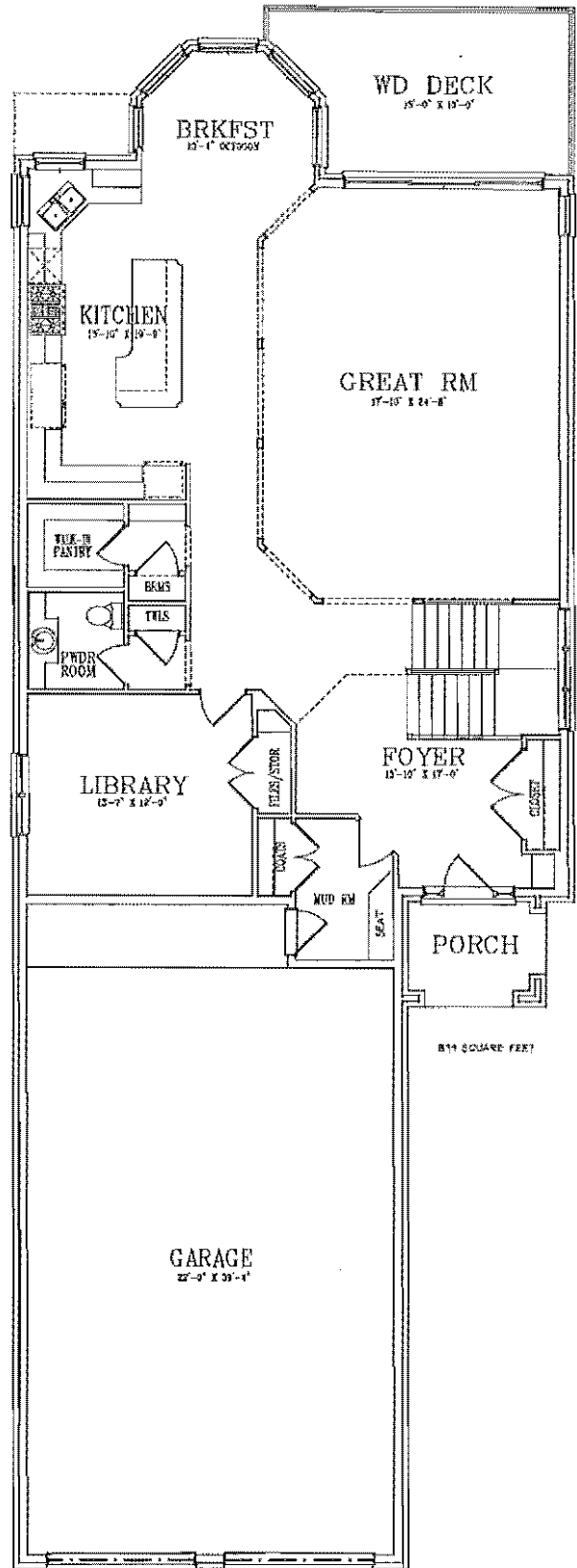


FRONT ELEVATION
 NELL RESIDENCE 1292 EAST LAKE DRIVE

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SECOND FLR PLAN "SCHEME IV"
 NELL RESIDENCE 1292 EAST LAKE DRIVE



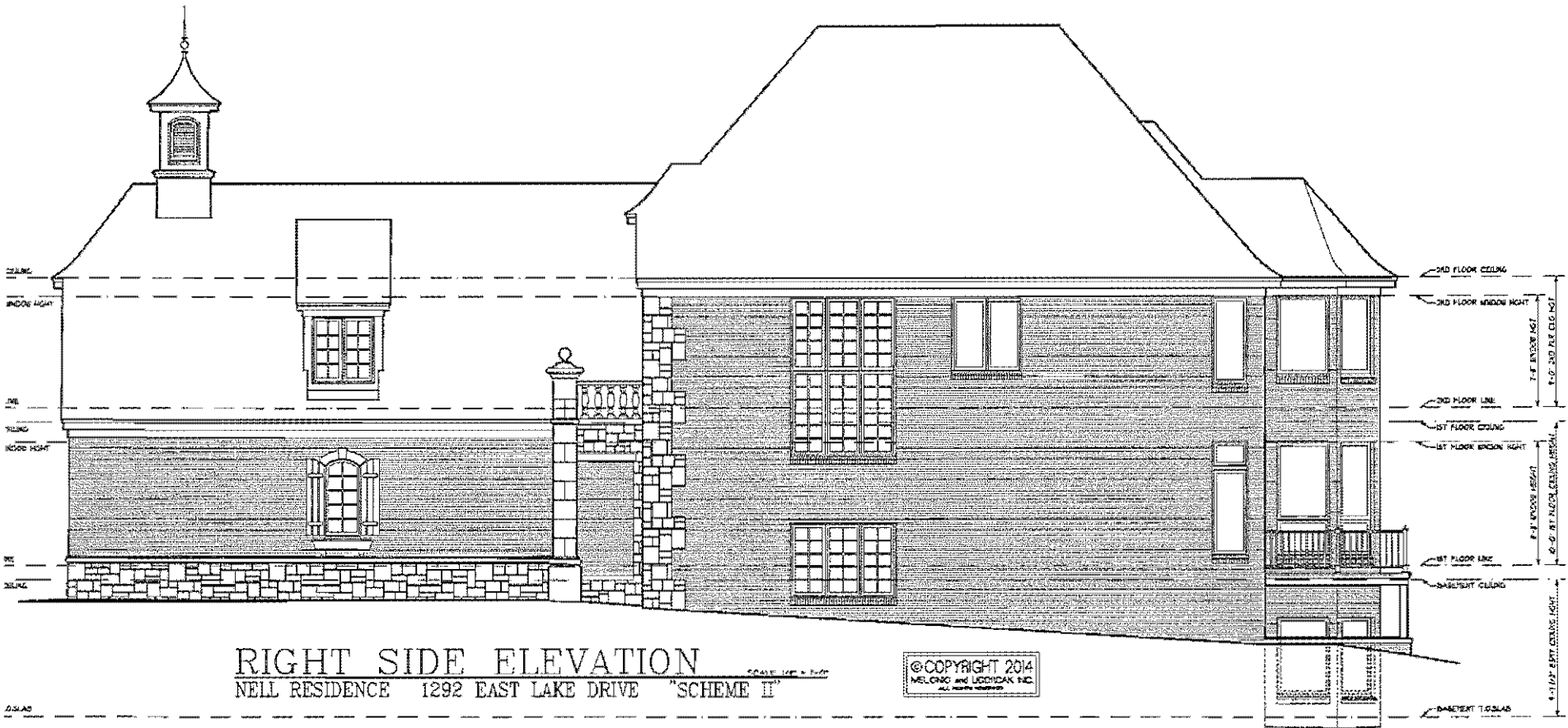
FIRST FLOOR PLAN "SCHEME VI"
 NELL RESIDENCE 1292 EAST LAKE DRIVE

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LEFT SIDE ELEVATION
 NELL RESIDENCE 1292 EAST LAKE DRIVE "SCHEME II" SCALE: 1/8" = 1'-0"

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RIGHT SIDE ELEVATION

NELL RESIDENCE 1292 EAST LAKE DRIVE "SCHEME II"

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