



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: July 14, 2015

REGARDING: ROVIK (CASE NO. PZ15-0017)

BY: Thomas M. Walsh, Building Official

I. GENERAL INFORMATION:

Applicant

Chris and Nancy Rovik

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:

R-1, One Family Residential

Site Location:

21494 Equestrian, west of Beck Road and south of 9 Mile Road

Parcel #:

50-22-32-401-086

Request

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.2(d), a variance of 4.5 feet in the required north side yard setback (15.0 feet required, 10.5 feet proposed, in order to allow construction of new stairwell addition within the existing side yard on an existing parcel.



II. ZONING AND LAND USE:

The table below lists the zoning district, existing land use and future land use for the subject site and surrounding parcels.

Parcel	Zoning District	Existing Land Use	Future Land Use
Subject Property	R-1, One Family Residential	Maybury Park Estates PH #2 Subdivision	Single Residential
North	R-1, One Family Residential	Maybury Park Estates PH #2 Subdivision	Single Residential
South	R-1, One Family Residential	Maybury Park Estates PH #2 Subdivision	Single Residential
East	R-1, One Family Residential	Bellagio Subdivision	Single Residential
West	R-1, One Family Residential	Acreage Parcel	Single Residential

III. STAFF COMMENTS:

Existing Condition

The subject property consists of one- (1) lot located on the east side of Equestrian Trail within Maybury Park Estates PH #2 Subdivision. The parcel has approximately 106.43 feet of frontage on Equestrian Trail and approximately 229.66 feet deep as measured along north side yard lot line. The total lot area of the parcel is approximately 25,926 square feet. The existing residence is located 30.0 feet from the front yard lot line, 15.43 feet from the north side yard lot line, 25.0 feet from the south side yard lot line, and 137.5 feet from the rear yard lot line.

Proposed Changes

The applicant is proposing to construct new stairwell addition on an existing parcel. According to the submitted plans, the overall dimensions measure 4' x 17' for a total area of approximately 68.0 square feet. The addition would result in a setback of 130.0 +/- feet from the rear yard lot line and 10.5 feet from the north side yard lot line. ***This requires a variance of 4.5 feet in the required north side yard setback.***

IV. DEVELOPMENT STANDARDS:

The table below summarizes the zoning district development standards for the subject parcels.

Lot Size		Minimum Setback			
Area	Width	Front	Sides	Aggregate Side	Rear
R-1 21,780 sq. ft.	120 ft.	30 ft.	15 ft. (one side)	40 ft. (total of two side)	35 ft.

V. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. Grant I move that we **grant** the variance(s) in **Case No.PZ15-0017**, sought by _____,for _____ because the Petitioner has established that _____ causes a practical difficulty relating to the property, including some or all of the following criteria:

(a) Petitioner has established that the property is unique because _____, or that the physical condition of the property creates the need for a variance because _____.

And, the condition is not a personal or economic hardship.

(b) The need for the variance is not self-created, **because** _____.

(c) Strict compliance with dimensional regulations of the Zoning Ordinance, including _____, will (either):

- 1. unreasonably prevent Petitioner from using the property for the permitted purpose as a _____, because _____, and/or,
- 2. will make it unnecessarily burdensome to comply with the regulation because _____.

(d) Petitioner has established that variance is the minimum variance necessary because a lesser variance would not _____.

(e) The requested variance will not cause adverse impact on surrounding property, property values, or the enjoyment of property in the neighborhood or zoning district, because _____.

(f) The variance granted is subject to the conditions that:

- 1. _____,
- 2. _____,
- 3. _____,
- 4. _____.

2. Deny I move that we **deny** the variance in **Case No.PZ15-0017**, sought by _____, for _____ because the Petitioner has **not** established a practical difficulty because:

(a) Petitioner has shown no unique circumstance or physical condition of the property because petitioner can reasonably comply with the ordinance by_____.

(b) The difficulty described by the Petitioner is a personal or economic difficulty only in that Petitioner stated _____.

(c) The need for the variance is self-created because Petitioner _____.

(d) Conforming to the ordinance would not (either):

1. be unnecessarily burdensome because _____, or,

2. unreasonably prevent petitioner from using the property for _____, because_____.

(e) A lesser variance consisting of _____would do substantial justice to Petitioner and surrounding property owner's because_____.

(f) The proposed variance would have adverse impact on surrounding property because_____.

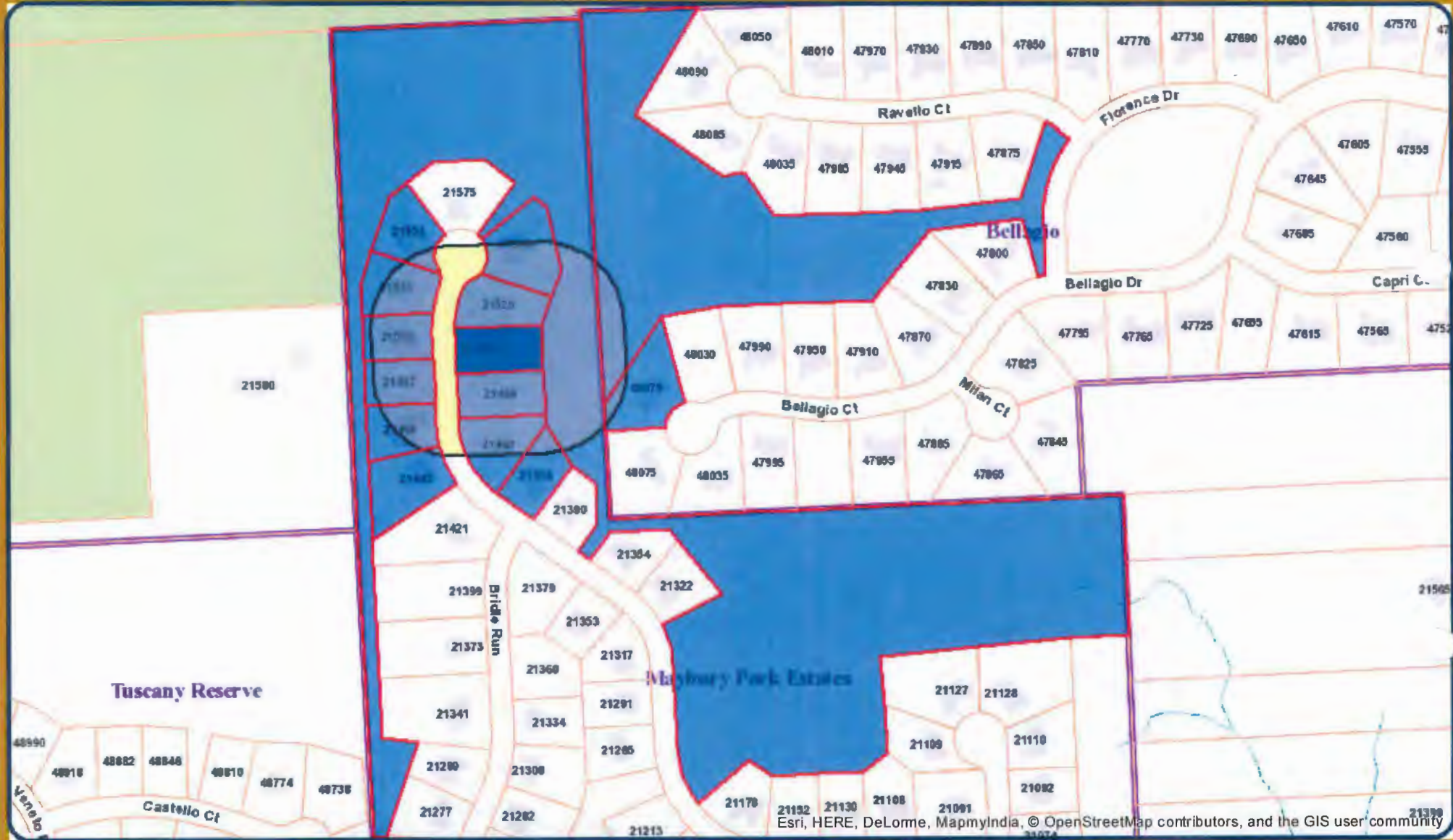
Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417



Thomas M. Walsh
Building Official
City of Novi

21494 Equestrian Trail

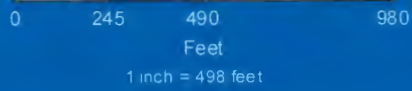
PZ15-0017



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Map Produced Using the
City of Novi, Michigan
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Author:
Date: 6/19/2015



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 Novi, MI 48375
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ZONING BOARD OF APPEALS APPLICATION

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JUN 02 2015

CITY OF NOVI
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)

PROJECT NAME / SUBDIVISION <u>Mayberry Park Estates</u>	
ADDRESS <u>21494 Equestrian trail</u>	LOT/SIUTE/SPACE # <u>78</u>
SIDWELL # <u>50-22-32-401-086</u>	May be obtain from Assessing Department (248) 347-0485
CROSS ROADS OF PROPERTY	

Application Fee: \$200-
 Meeting Date: 7-14-15
 ZBA Case #: PZ 15-0017

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 <u>nancyrouik@hotmail.com</u>	CELL PHONE NO. <u>248 342 8647</u>
NAME <u>Nancy & Chris Rouik</u>		TELEPHONE NO. <u>248 719 7025</u>	FAX NO.
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>21494 Equestrian trail</u>	CITY <u>Northville</u>	STATE <u>MI</u>	ZIP CODE <u>48167</u>

B. PROPERTY OWNER CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER

Identify the person or organization that owns the subject property:

NAME	EMAIL ADDRESS	CELL PHONE NO.	
NAME	EMAIL ADDRESS	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 3.1.2 Variance requested 5.0' SIDE YARD NORTH

2. Section _____ Variance requested _____

3. Section _____ Variance requested _____

4. Section _____ Variance requested _____

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
- 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



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ZONING BOARD OF APPEALS APPLICATION

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CITY OF NOVI

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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

6-1-15 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

6-1-15 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

PHOTOCOPIES NOT VALID

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CITY OF NOVI
COMMUNITY DEVELOPMENT

4572286



REEL

EXPIRES

02

21

17

MONTH

DAY

YEAR

MICHIGAN SECRETARY OF STATE
MV-8 REMOVE BEFORE DRIVING

NOTE: SILT FENCE TO BE MAINTAINED THROUGHOUT CONSTRUCTION

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File JUN 2 2015

CITY OF NOVI COMMUNITY DEVELOPMENT

CITY OF NOVI

EX. DETENTION AREA

RECOMMENDED Date 6/40

RECOMMENDED Date 6/40

RECOMMENDED Date 5/20/11

RECOMMENDED Date 5/20/11

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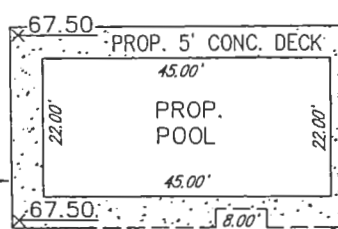
RECOMMENDED Date 5/20/11

RECEIVED MAY 3 2011 CITY OF NOVI COMMUNITY DEVELOPMENT

VACANT VACANT

VACANT VACANT

WANCY 78 248-342-8647



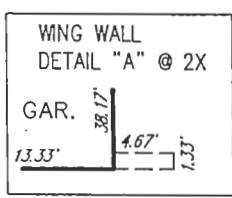
PROP. HOUSE KALLEN RESIDENCE BASEMENT

EXC. GAR.

EXC. POR.

STONY CREEK DRIVE

EQUESTRIAN TRAIL 60' WIDE (PROP. DEDICATION)



- MAIN B/L - 68.00
- 1st FLR. - 69.84
- BASM'T. FLR - 59.13
- TOP/BASM'T. FTG. - 58.84
- GAR. FTG. - 68.00
- TOP OF POURED WALL - 68.67
- BASM'T. WALL HT. - 9.83'

SAN. LEAD 65"~6" 2+34 INV. 955.67

LEGEND

- +0.0 EXIST. ELEV.
- 0.0 PROP. ELEV.
- T/C TOP OF CURB
- B/L BRICK LEDGE
- F.M. FIELD MEASURED



21494 EQUESTRIAN TRAIL
 PLOT PLAN -- UNIT 78
 MAYBURY PARK ESTATES, REPLAT NO.1, OAKLAND COUNTY CONDOMINIUM
 SUBDIVISION PLAN NO.1609, SECTION 32, T.1N., R.8E., CITY OF NOVI,
 OAKLAND COUNTY, MICHIGAN, AS RECORDED IN L. 36631, P. 127-170,
 OAKLAND COUNTY RECORDS.

SCALE: 1" = 30'

DATE: APRIL 21, 2011
 REV. WING WALL 5/5/11
 REV. PER ARCH. 5/9/11

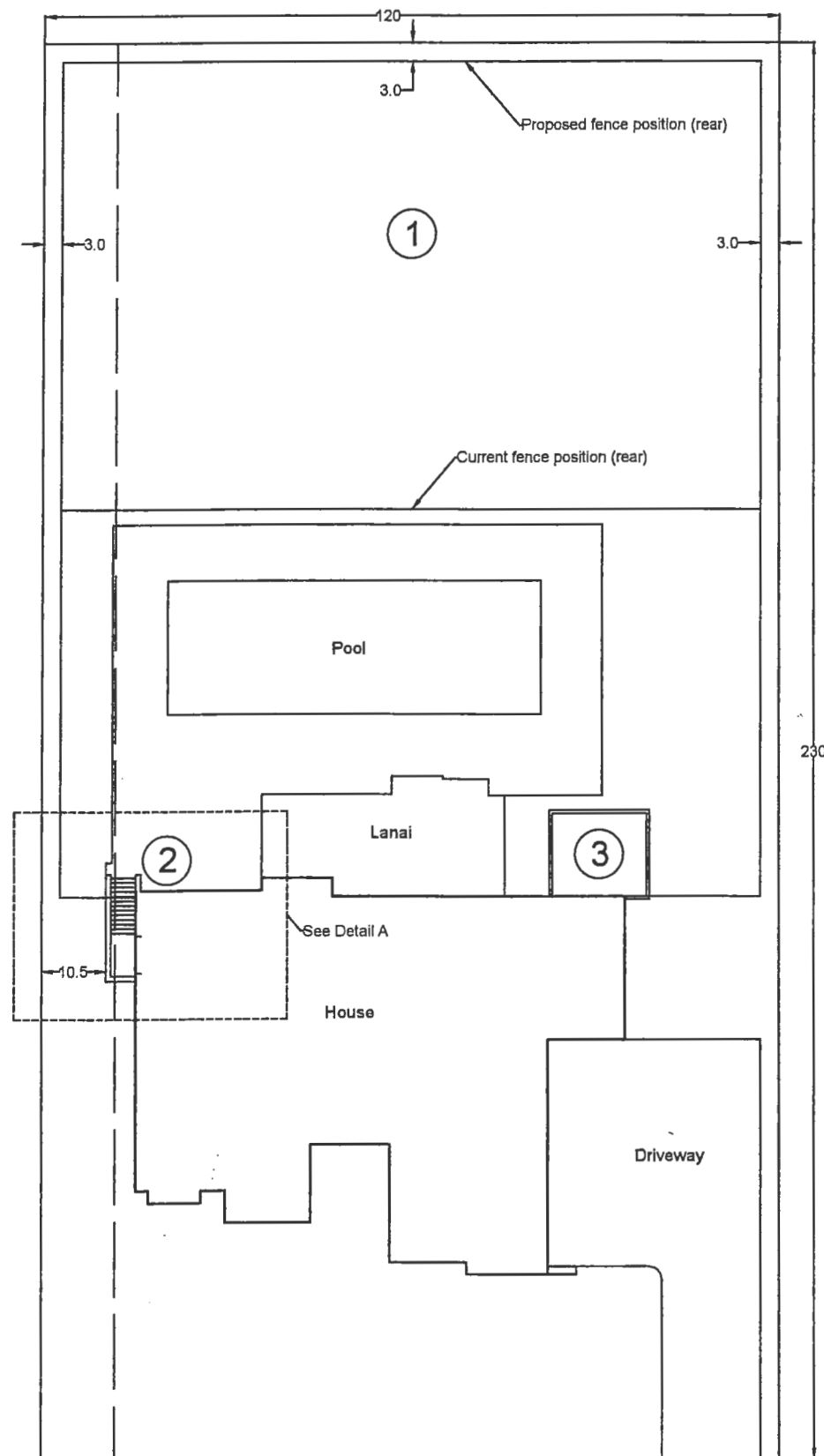
FOR: BROOKLYNN CUSTOM HOMES, LLC
 40400 GRAND RIVER AVENUE, SUITE 1
 NOVI, MI 48375
 (248) 412-3768

JOB # 20110201

WARNER, CANTRELL & PADMOS, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 27300 HAGGERTY ROAD, SUITE F2
 FARMINGTON HILLS, MI 48331
 (248) 848-1666



21494 Equestrian Trail - Building/Land Improvement Detail

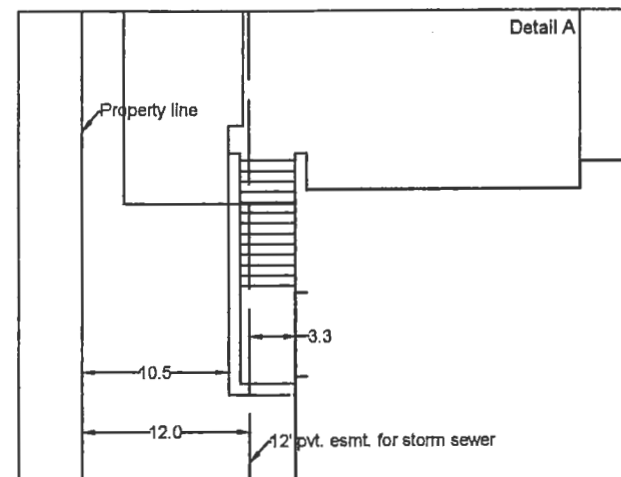


① Fence modification

- Extend the currently installed fence towards the rear property line (East)
- Maintain a 3' clearance to property line on North, East, and South
- Fence style to be the same as current (black aluminum)

② Egress improvement (walk-up)

- Location is the NE corner of the house
- Replace the currently-installed egress window with a 6' wide french door wall
- Install foundation with underpinning and 4' x 6' landing pad
- Install retaining wall on West and North side of the landing pad / stairs
- Installation includes 13 steps to the rear (East) of the home
- Clearance to the North property line is 10.5'



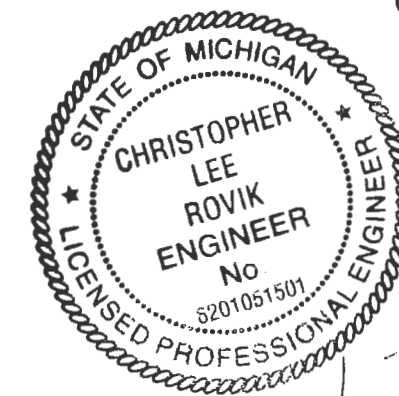
③ Wall addition around mechanical equipment

- Location is the SE corner of the house
- Add brick-faced wall around mechanical equipment (pool, AC, generator)
- Brick is to match existing house brick, and the wall will have a height of 4'

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COMMUNITY DEVELOPMENT



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