Case No. PZ14-0005 1171 East Lake Dr

Location: 1171 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 one-story addition and a second floor addition over existing footprint on an existing nonconforming lot with a reduced side setback of 3 ft, a reduced aggregate side setback of 8 ft. The property is located west 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., and a minimum aggregate side setback of 25 ft.

City of Novi Staff Comments:
The applicant is proposing construction of an addition to the front and rear of the home and second floor addition over existing footprint to an existing single family residence located on a narrow nonconforming lot. The additions would match the existing side setback on the north (3 ft.) and south (5 ft.) side of the property. Staff supports the consideration of the variances provided substantial justice can be served for adjacent property owners.

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.
- The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.
- The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district.
ZONING BOARD OF APPEALS APPLICATION
CITY OF NOVI
Community Development Department
(248) 347-0415

For Official Use Only

ZBA Case No. 0214-0005 ZBA meeting date April 8th

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 Anemarie + Christopher McDonald Date 2/14/14

Company (If applicable)

Address 1171 E. Lake Dr. City Novi

State MI Zip code 48377 "Where all case correspondence is to be mailed

Applicant's Email address tmcadonald@comcast.net

Phone number (248) 842-3159 Fax number (248) 859-4546

Request is for:

☑ Residential ☐ Vacant property ☐ Commercial ☐ Signage

Address of subject ZBA case 1171 E. Lake Dr.

Cross roads of property 14 Mile Rd + E. Lake Dr.

Well number 50-22-02-127-001 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 L-1 L-2 RC TC TC-1 ☑ Other

Property owner name (If other than applicant)

Is your appeal result from a Notice of Violation or Citation issued?

☐ Yes ☑ No

Specify Ordinance section(s) and variances requested:

Section 2400 Variance requested Set back Variance

Section Variance requested

Section Variance requested

Section Variance requested

Submit an accurate, scaled drawing of the property showing:

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

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

Existing house does not meet setback requirements by the zoning ordinance.
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:

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 ☑ Addition to existing home/building
☐ Accessory building ☑ Use ☐ Signage ☐ Other

Applicants Signature: ____________________________ Date: 2/14/14

Property Owners Signature: ____________________________ Date: 2/14/14

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: ____________________________
FRONT ELEVATION

SCALE: \( \frac{1}{4} \)" = 1'-0"
LEGAL DESCRIPTION

LOTS 69 AND 70 OF SHORE ACRES SUBDIVISION, PART OF THE NORTHWEST 1/4 OF 6B, SECTION 2, T11N, R8E, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

SITE PLAN

SCALE: 1" = 40' 0"

EAST LAKE DRIVE 50 FT
MORTGAGE REPORT

certified to: Community National Bank

Lots 69 and 82 of "Shore Acres Sub-Division", part of the Northwest 1/4 of Section 2, T1N, R2E, City of Novi, Oakland County, Michigan, as recorded in Liber 20 of plats, page 2, Oakland County Records.

Notes:
Utility lines along rear.
House is 1-story frame with wood shingle siding and composition shingle roof.

NABER & HEIL, INC.
Registered Land Surveyors
959 Manitou Lane

Leon F. Naber, Darrell H. Heil