

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

Case No. 11- 042 200 New Ct.

Location: North of Thirteen Mile Road and east of East Lake Drive

Zoning: R-4 One-Family Residential District

The petitioner is requesting a variance from the minimum side yard setback requirements of Section 2400 of the Novi Zoning Ordinance to construct an attached 2 car garage in front of and an addition to the side of an existing residence located at 200 New Ct. Property is zoned R-4 and is located north of Thirteen Mile Rd and east of East Lake Dr.

REQUIRED MINIMUM SIDE YARD SETBACK	10 FEET
PROPOSED MINIMUM SIDE YARD SETBACK	5.2 FEET
VARIANCE REQUESTED	4.8 FEET

Ordinance Section:
CITY OF NOVI, CODE OF ORDINANCE, Section 2400

City of Novi Staff Comments:

The petitioner is proposing to construct an attached 2 car garage in front of an existing residence and an addition to the side of the home behind the garage. The proposed garage and living space addition would extend into the required minimum side setback 4.8'. The portion of the garage and home within 5' of the property line would be subject to applicable Building Code fire rating and opening protection standards. The petitioner requested and received approval for nearly the same variance (ZBA10-018) in June 2010 for the garage addition only. The current request is required as the previous approval became void when the project was not commenced within the 12 month period following approval of the previous variance as specified in the Ordinance and due to the expanded scope..

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.



cityofnovi.org

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For Official Use Only

ZBA Case No: 11-042 ZBA Date: 12/16/11 Payment Received: \$ 200 (Cash)
 Check # 244 Include payment with cash or check written to "City of Novi."

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

Please submit one original signed application and 13 copies of all supporting documentation relevant to the appeal,

Applicant's Name ERONIM PATRIK HAINBUCHNER Date 11-08-2011

Company (if applicable) _____

Address* 200 NEW COURT City NOVI ST _____ ZIP 48377
*Where all case correspondence is to be mailed.

Applicant's E-mail Address: patrikero@yahoo.com

Phone Number (248) 790 3461 FAX Number (248) 363-0404

Request is for:

Residential Construction (New/ Existing) _____ Vacant Property _____ Commercial _____ Signage

1. Address of subject ZBA case: 200 NEW COURT ZIP 48377

2. Sidwell Number: 5022 - 02 - 177 - 025 may be obtained from Assessing Department (248) 347-0485

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

4. Zoning: RA R-1 R-2 R-3 R-4 RT RM-1 RM-2 MH OS-1 OS-2 OSC OST _____ OTHER

5. Property Owner Name (if other than applicant) _____

6. Does your appeal result from a Notice of Violation or Citation Issued? Yes _____ No

7. Indicate ordinance section(s) and variances requested:

1. Section _____ Variance requested WEST SIDE YARD 4'10"
2. Section _____ Variance requested _____
3. Section _____ Variance requested _____
4. Section _____ Variance requested _____

8. 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.

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

Because the existing driveway and the location of the garage

10. 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:

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.

Variance approval is void if permit not obtained within one hundred eighty (180) days of date of decision.

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

All property owners' within 300 feet of ZBA property address will be notified of the ZBA case and variance requests.

PLEASE TAKE NOTICE:

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

Construct New Home/Building Addition to Existing Home/Building Accessory Building

Use Signage Other

E. J. H. H. H.
Applicants Signature

11-08-2011
Date

E. J. H. H. H.
Property Owners Signature

11-08-2011
Date

DECISION ON APPEAL

Granted Denied Postponed by Request of Applicant Board

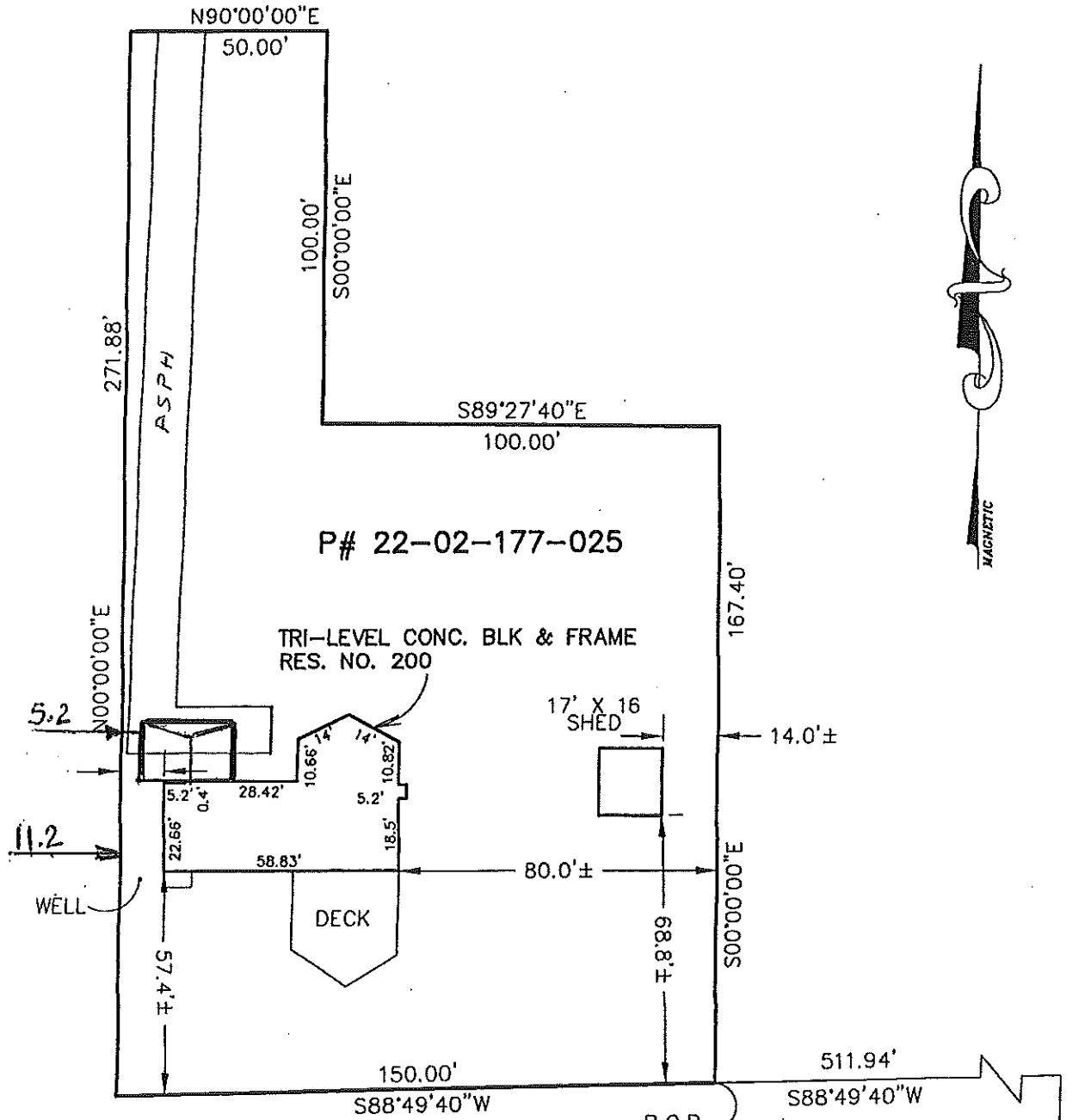
The Building Inspector is hereby directed to issue a permit to the Applicant upon the following items and conditions:

Chairperson, Zoning Board of Appeals

Date

MORTGAGE REPORT

NEW COURT (PVT) 39' WIDE



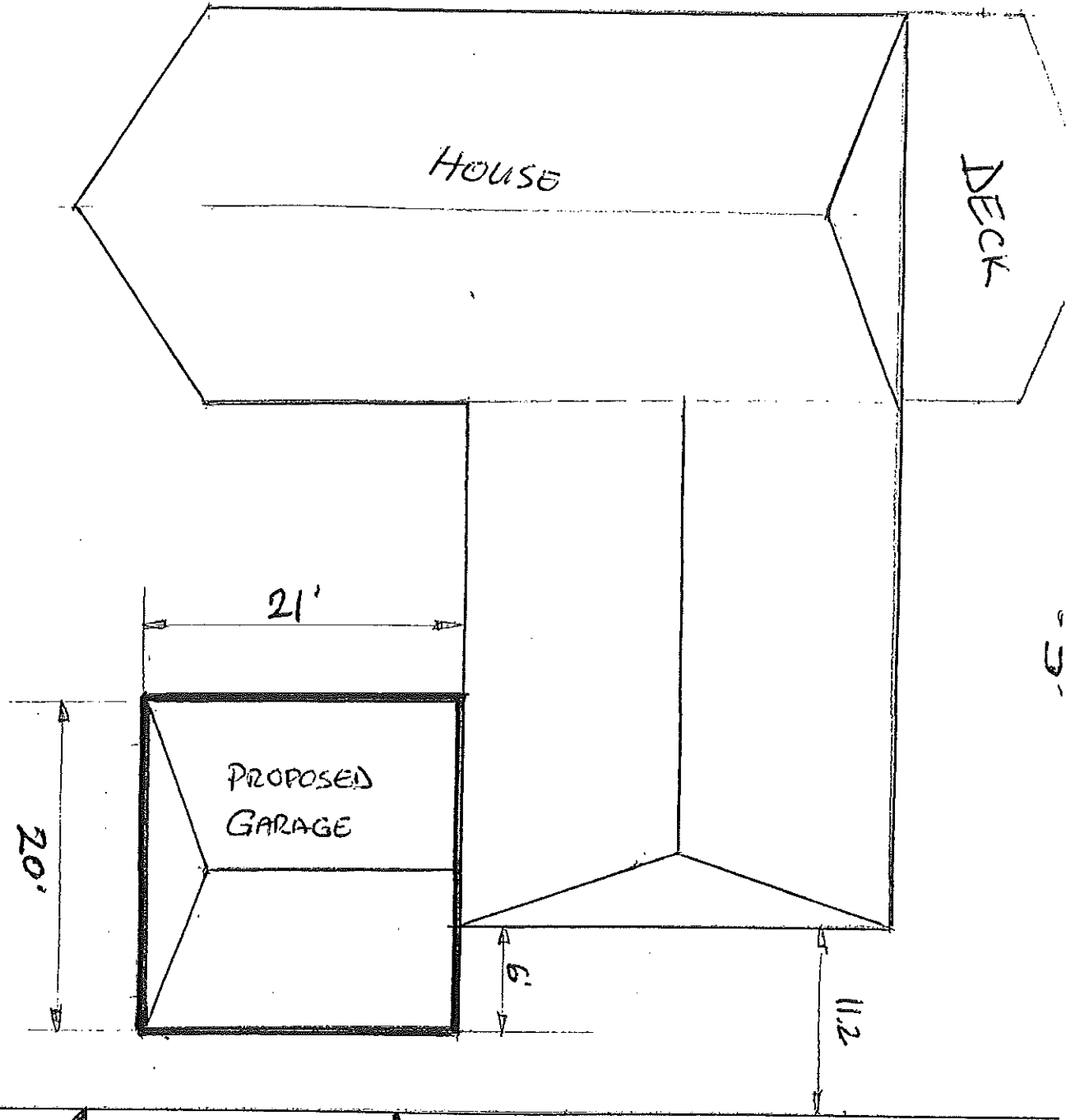
PROPERTY DESCRIPTION

PART OF THE NW 1/4 OF SECTION 2, T.1 N., R.8 E., CITY OF NOVI, OAKLAND COUNTY MICHIGAN BEIGINNING AT A POINT DISTANT N00°02'00"E, 431.40' FEET AND S88°49'40"W, 511.90' FEET FROM THE CENTER OF SAID SECTION 2; AND RUNNING THENCE S88°49'40"W, 150.00' FEET; THENCE N00°00'00"E, 271.88' FEET; THENCE N90°00'00"E, 50' FEET; THENCE S00°00'00"E, 100.00' FEET; THENCES89°27'40"E, 100.00' FEET; THENCE S00°00'00"E, 167.40' FEET TO THE POINT OF BEGINNING

CENTER SEC. 2

N00°02'00"E
431.40'

N



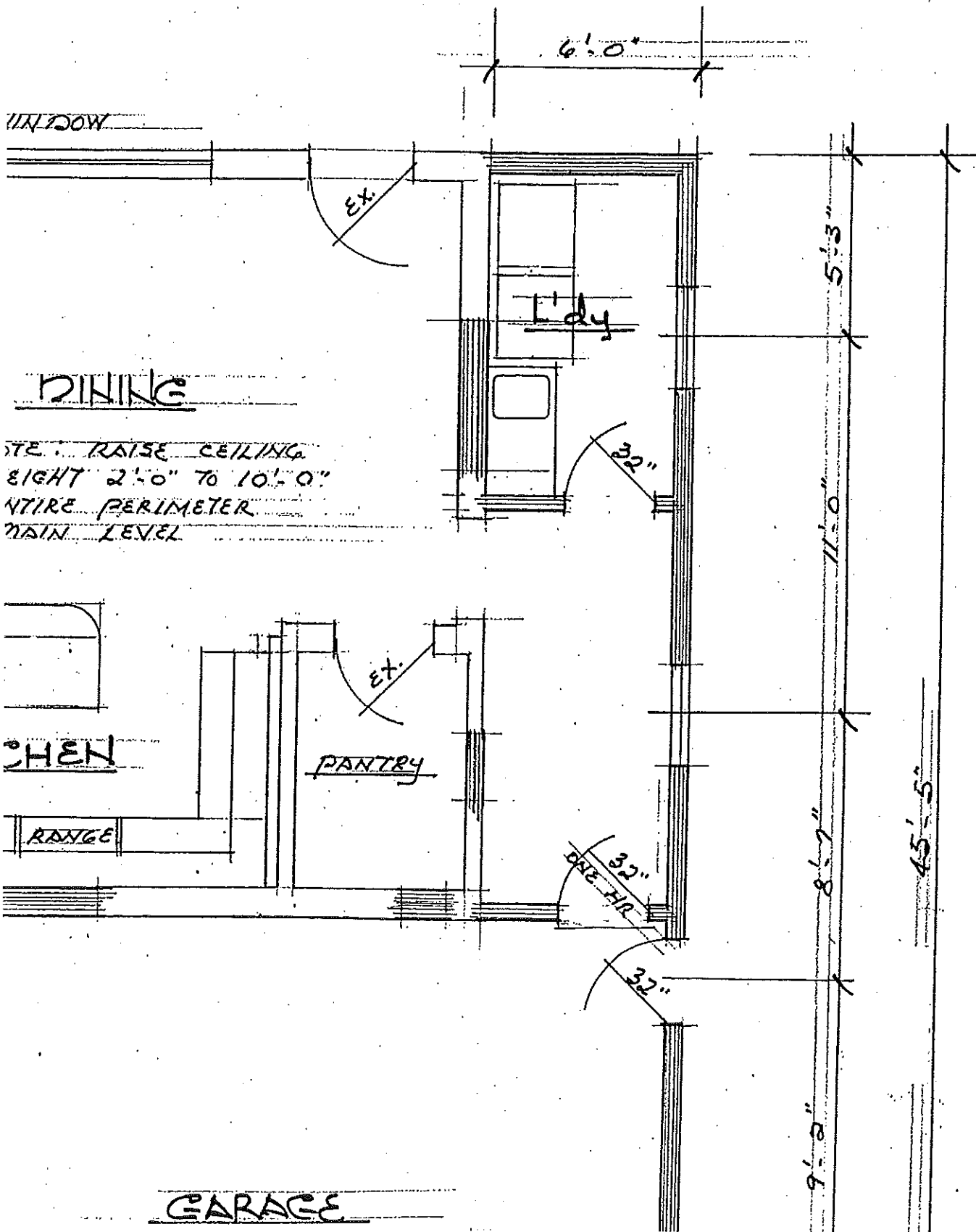
S

NEIGHBOR PROPERTY LINE

5.2'

EMPTY NEIGHBORS BACKYARD

W



W.C.

6'0"

Ex.

L'dy

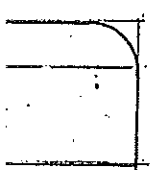
5'3"

DINING

NOTE: RAISE CEILING
EIGHT 2'0" TO 10'0"
ENTIRE PERIMETER
MAIN LEVEL

32"

11'0"



Ex.

KITCHEN

PANTRY

RANGE

32"
BASE CAB

8'7"

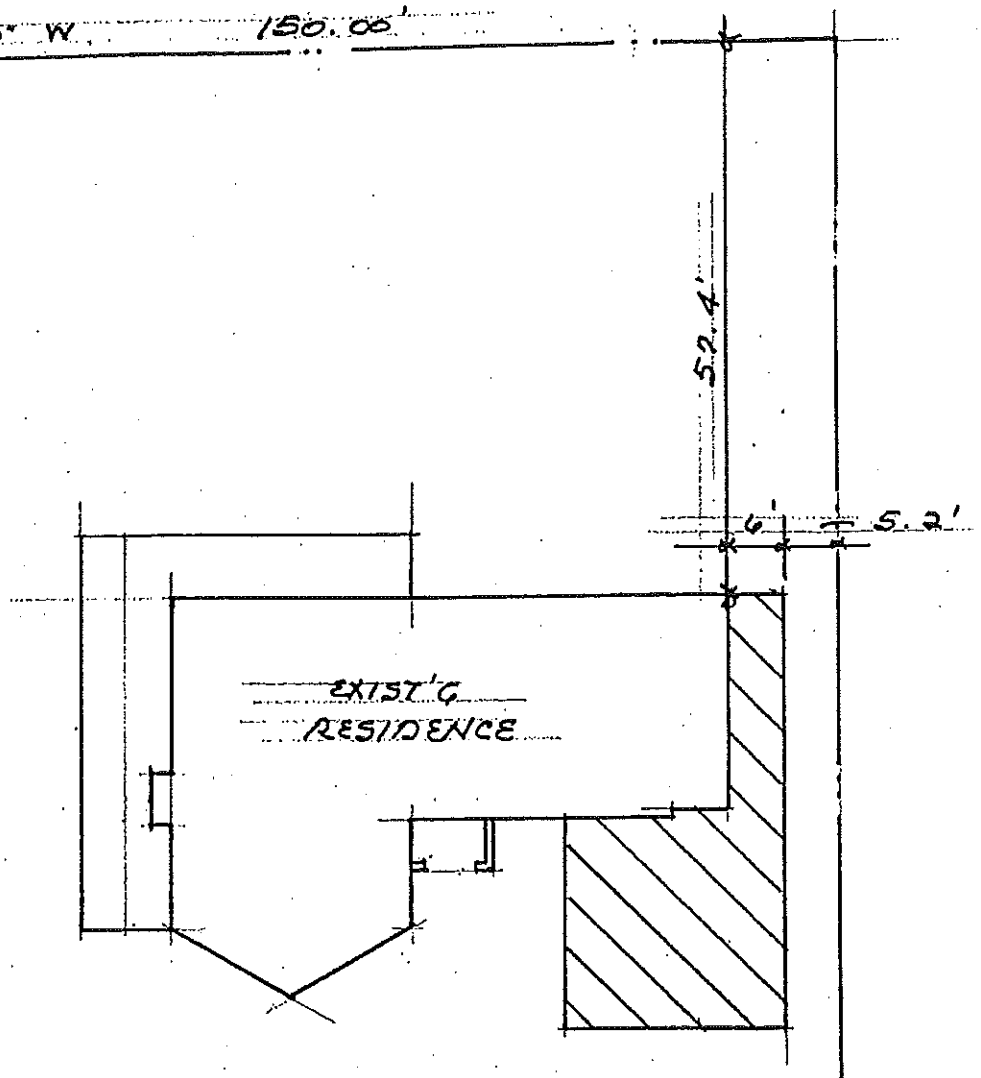
45'5"

32"

9'2"

GARAGE

$38^{\circ} 49' 40''$ W 150.00'

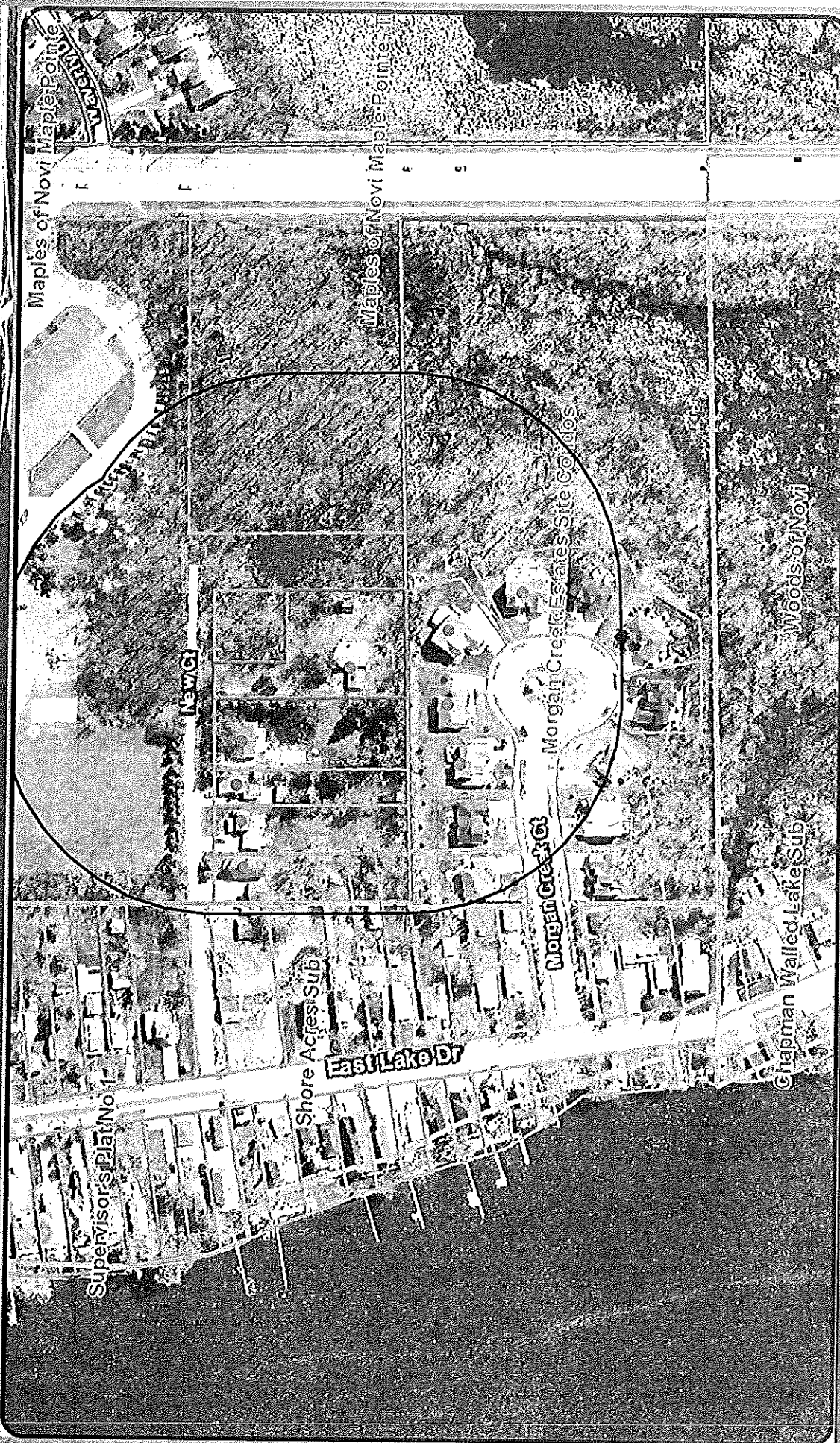


No. 22-02-177-025

38 11 E 271.88'

E 100.00'

City of Novi
200 New Ct



Map Produced Using the
City of Novi, Michigan
Internet Mapping Portal



Date: 11/18/2011



1 inch = 191 feet

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. This map was produced under the terms of the City's Internet Site Use Policy available at <http://cityofnovi.org/Resources/SLiteUsePolicy.asp>