

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: September 10, 2019

REGARDING: 41932 Cherryhill Road, Parcel # 50-22-23-409-017 (PZ19-0031)

BY: Larry Butler, Deputy Director Community Development

2... Lang Satist, Sopaty Shooter Community Soverephilent

I. GENERAL INFORMATION:

Applicant

Donald Smolarek

Variance Type

Dimensional

Property Characteristics

Zoning District: Single Family Residential

Location: East of Meadowbrook Road and South of Grand River Avenue

Parcel #: 50-22-23-409-017

Request

The applicant is requesting variances from the City of Novi Zoning Section 4.19.i.J for a variance to build a proposed second accessory structure, one 850 square foot accessory structure is allowed by code. This property is zoned Single Family Residential (R-4).

II. STAFF COMMENTS:

Lot unique dimensions limits structure size

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.	PZ19-0031,	soug	ght by for
	dif	ficulty re	equiring	l							ner has sh	own p	
							ner will be ur e		9	•	nted or limite 	ed with	respect
		(b) The	e prope	erty is u	ınique b	ecaus	se				·		
		(c) Pe	titioner	did nc	ot create	e the c	condition be	caus	se		·		

		(d)			_	nted wi								ent or —	surroui	nding
		(e)	The	reliet		consiste			•				the o	rdinan	ce bed	cause
		(f)	The	variar	nce gi	ranted is	s subjec	t to:					·			
2.	I	mo									Case	No.	PZ19-0	0031,	sought	by
						uiring				!				has	not s	hown
	pre		The inclu	uding_	circu	ımstanc	es	and		feat	ures	0	f	the ique b	pro pecause	—· perty they
		(b)				ces and				•	-	_			e reques	st are
		(c)				grant reli r finaı							or inabi oners		attain h ments	nigher that
		(d)				ould res				vith th	ie adja	icent	and sur	roundi	ng prop	erties
		(e)		_		ariance						•	nd inte	nt of tl	he ordin	ance

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

Larry Butler Deputy Director Community Development City of Novi



45175 Ten Mile Road Novi, MI 48375 (248) 347-0415 Phone (248) 735-5600 Facsimile www.cityofnovi.org

ZONING BOARD OF APPEALS APPLICATION

RECEIVED

AUG 0 7 2019

CITY OF NOVI COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)	Application Fee:	_
PROJECT NAME / SUBDIVISION / MEATON BROOK CHENS	Meeting Date: Sep. 10 2	Zevi
ADDRESS LOT/SIUTE/SPACE # 330	modning Build.	
SIDWELL# 23 1109 017 May be obtain from Assessing	ZBA Case #: PZ 19 - 003	31
50-22- Department (248) 347-0485 CROSS ROADS OF PROPERTY		
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? REQUEST IS FOR:	N	
1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	COMMERCIAL 🗆 VACANT PROPERTY 🗆 SIG	NAGE
	☐ YES 💆NO	
II. APPLICANT INFORMATION		
A. APPLICANT EMAIL ADDRESS DONSMO3 DE YAHOO. CO	M (248) 252-2700	
NAME NAME OF THE PROPERTY OF T	TELEPHONE NO.	
ORGANIZATION/COMPANY	FAX NO.	
H1932 CHERRYHILL ROAD CITY NOVI	STATEMI ZIP CODE 3	75
B. PROPERTY OWNER CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER		
Identify the person or organization that	CELL PHONE NO.	
NAME	TELEPHONE NO.	
ORGANIZATION/COMPANY	FAX NO,	
ONGANIZATION/COMPANT	PAX NO.	
ADDRESS CITY	STATE ZIP CODE	
III. ZONING INFORMATION		
A. ZONING DISTRICT		
\square R-A \square R-1 \square R-2 \square R-3 \square R-4 \square RM-1 \square RM-2	LI MH	
☐ I-1 ☐ I-2 ☐ RC ☐ TC ☐ TC-1 ☐ OTHER B. VARIANCE REQUESTED		
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:		
1. Section 4, 19(1) Variance requested 2 ACCESO	BY STRUCTURE	
SectionVariance requested		
3. SectionVariance requested		
		1
IV. FEES AND DRAWNINGS A. FEES		
\checkmark Single Family Residential (Existing) \$200 \square (With Violation) \$250 \square Single	Family Residential (New) \$250	
☐ Multiple/Commercial/Industrial \$300 ☐ (With Violation) \$400 ☐ Signs 5		
☐ House Moves \$300 ☐ Special Meetings (At discretion	of Board) \$600	
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF		
	osed distance to adjacent property line sting & proposed signs, if applicable	es
Existing or proposed buildings or addition on the property Floor plans & e	levations	
Number & location of all on-site parking, if applicable Any other infor	mation relevant to the Variance applic	ation



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 meeting. Failure to install a mock-up sign may result in your case not being heard by the Bo schedule ZBA meeting, or cancelled. A mock-up sign is NOT to be actual sign. Upon approve removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the	ard, postponed to the next val, the mock-up sign must be ble for all costs involved in the
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 building permit for such erection or alteration is obtained within such period and such erect 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 to eighty-(180) days unless such use is establish within such a period; provided, however, where dependent upon the erection or alteration or a building such order shall continue in force of for such erection or alteration is obtained within one-(1) year and such erection or alteration completion in accordance with the terms of such permit.	e such use permitted is and effect if a building permit
D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL	
PLEASE TAKE NOTICE:	
The undersigned hereby appeals the determination of the Building Official / Inspector or Or CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGN	
ACCESSORY BUILDING USE OTHER	
VI. APPLICANT & PROPERTY SIGNATURES	
A. APPLICANT Applicant Signature	08/07/7019
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 pro application, and is large of the contents of this application and related enclosures.	perty described in this
I may frotted	08/07/2014
	Date 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	na and conditions:
The state of the s	
Chairperson, Zoning Board of Appeals	Date

cityofnovi.org

Variance.)

Community Development Department

45175 Ten Mile Road Novi, MI 48375 (248) 347-0415 Phone (248) 735-5600 Facsimile www.cityofnovi.org

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

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
and/or
 b. Environmental Conditions. Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. ☐ Not Applicable
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).

QUE HOME WAS BUILT IN 1978. THE CHAPAGE IS TOO SMALL TO KEEP YARD EQUIPMENT AND OTHER HINSEHULD ITEMS ORGANIZED WITHOUT TRIPPING CNER THIRDS.

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.

WITH THE SMALL GARAGE (18.5' XPI) IT WOULD BE A HARDSHIP TO STORE HOUSEHOLD TOOLS SIXH AS

LAWNMONER, SNOWBLOWER, WEED TRIMMER, LEAF BLOWER, SHOVELS, RAKES, BIKES, SPORTING EQUIPMENT IN A GARAGE HUS IT IS SAFER TO FAIR MY WIFE'S CAR IN THE GARAGE IN THE WINTER-THAT WOULD BE IMPOSSIBLE.

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.

I HAVE EXPLAINED MY PLAWS TO BOTH ADJACENT NEIGHBORS AND ALSO TO THE HOME OWNERS ASSOCIATION.

ALL ARE FINE WITH MY PLANS AND EXCITED TO SEE
THE FINAL PROTECT.

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.

I HAVE ATTATIOHED PICTURES OF THE KIT THAT I AM PLANNING ON USING. IT IS HIGH QUALITY AND WILL APPROVE LOOK GREAT AS WELL AS HELP KEEP MY GARRAGE UNCLUTTERED AND ORGANIZED AS YOU CAN SEE IT PROM THE STREET.

	OLD-	MAY 1998
	D'EDSE	CASENENT
331 AS	DECK PARCE P	CONC ENCROACHMENT CONC. IN EXISE 31± #41938 2570004 EX. O CONTO REC. BS 11-7- 329
CHE	SWINK 26.14 J	Cappae a
purpose or a mongage loan to be m	e-described property in accordance wit nade byDONALD_J. SMOLARI	ith the description furnished by you for the EK & SHERYL A. ROUSSELO
	alaining araberty nor do the buildings.	on the adjoining property encroach upon the used for the purpose of establishing property the boundary corners.

	, LL	22
	A" 12'x12' PATIO SHADE AC	CUESORY
, (x	"B" PROPOSED ID'XIZ' STO	
X	The state of the s	River was a sum on the control of th
/00	70.83	
, /	WEDSE N	
	/w.L.E	* Kolosolia
150	3/2	CONCRETE PAD 15
24	2 - 2	- EASEMENT
, a a	711	CAICDOACHAICAIT
Si .	D PATE COM	2
NSIDE DM. Att. G	IAR / / 199 / 50	CONC. IN
18.5' ×19' K	k / / k	31± #41932
.61	160 240 / 160	BEK-UNYK
16.1 PES	199 8 Anach Res	BSNIT
331	01 3 830	329
A	5.9	9
, - '(32' SWAK 26.14	
(c.)	EASE CORB	Ja / GEORGE G. NA
n = = = = = = = = = = = = = = = = = = =	CHERRY HILL RO.	JEROME IN LAND
	Cao WO.	SURVEYOR TAY NO. 19837
	8 = = = = = = = = = = = = = = = = = = =	OLINO STATE
that we have surv	We hereby certify to SUBURBAN MORTGAGE CORPORAT veyed the above-described property in accordance with the described property in accordance with the described property.	description furnished by you for the
purpose or a mong	gage loan to be made by DUNALD J. SMOLAREK &	SHERYL A. ROUSSELO
	mortgancroach on the adjoining property, nor do the buildings on the are described, except as shown. This survey is not to be used for struction purposes, no stakes have been set at any of the boundary.	
SCALE: /=30'	GEORGE JEROME & CO	
DR. BY 72 REV. BY	Verye Jume	107609
	GEGISTERED LIND SURVEYOR	JOB NO.

Donald & Sheryl Smolarek 41932 Cherryhill Rd Novi, MI 48375

August 6,2019

City of Novi Community Development Department 45175 Ten Mile Rd Novi, MI 48375

Dear Zoning Board Members,

We are seeking a variance to replace a 10' x 12' storage shed in the backyard of 41932 Cherryhill Rd. The previous shed was beginning to show signs of decay so it was taken down for our own safety concerns.

The purpose of the storage shed is to store household and yard maintenance items such as lawn mower, weed trimmer, leaf blower, fertilizer spreader, sprinklers, rakes, shovels, snow blower, snow shovels, etc. Our attached garage measures 18.5' x 19' and with these items as well as sports equipment, bikes, tools, shop vac all being stored in the garage would cause quite a hardship keeping everything organized and impossible to park a vehicle in the garage during the winter or inclement weather. Not to mention the cluttered look that our neighbors would see.

The shed itself is a well-built kit that will look great and not be an eyesore to our neighborhood. We have explained our plans to our immediate neighbors and they have approved our plans as has the Meadowbrook Glens Homeowner's Association. They are all excited for us and can't wait to see the finished product.

Thank you for your consideration,

dendand elvel

Don & Sheryl Smolarek

MGHOA. APPROVAL

STORAGE SHED ON CEMENT SLAB IN BACKYARD AT 4193Z CHERRYHILL ROAD. NOVI, MI 48375.

10×12' "CRAFTSMAN" DESIGN FROM WEAVER BARNS.

NEIGHBOR APPROVALS

41920 CHERRYHILL

X Roger CherryHILL

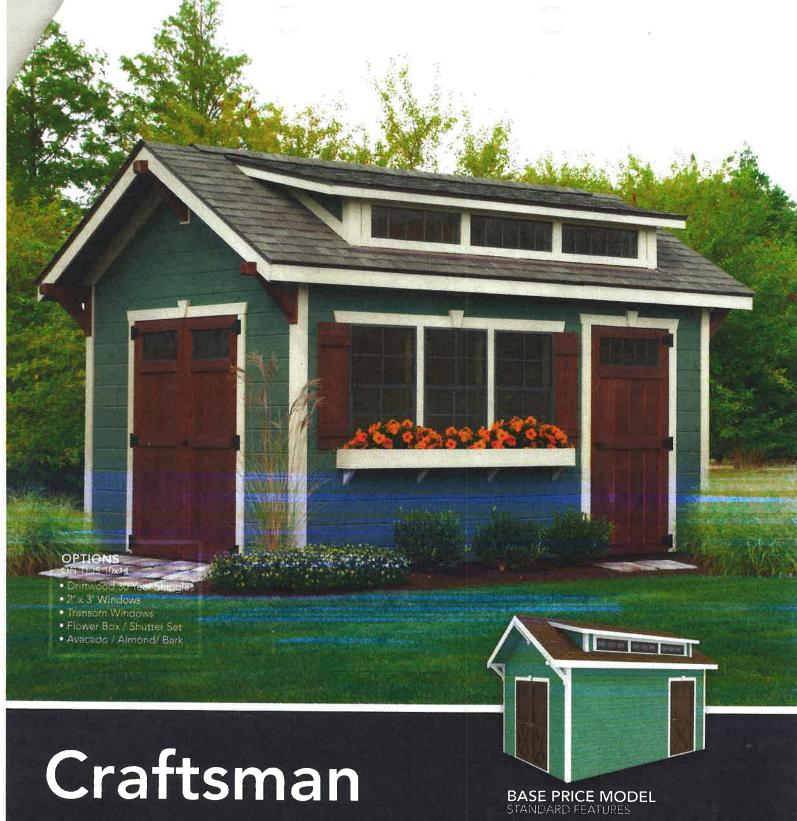
x 7-17-19

Yvonne MARKS

X 7-18-19.

HOMEBOURE: Down & SMOUTHERE 41932 CHERRY HIL C NOVI, MI 48375

1 mall yn Jad 1/11/2001



Workshop • Potting Shed • Pool house

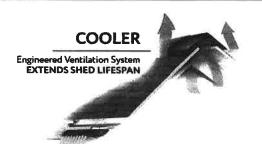
Offering lots of storage room and natural light, the CRAFTSMAN makes a great workshop or gardener's haven. The higher roof pitch and craftsman style brackets add elegance; the additional single door provides convenience. But it's the craftsman style dormer with transom that really raises this model above the ordinary.

Triple Layer Double Doors
Includes Cane Boile - Door With Logic And Roy

Triple Layer 36" Single Door

7/12 Roof Pitch, Dormer with Transoms w/ Frieze Board and Brackets, 16" O.C. Rafters, 25 Year Shingles and Alumnum Drup Edge

7' Side Walls



STRONGER ROOF

superior plywood strength ROOF SHEATING 10% STIFFER THAN OSB



WEATHER PROTECTED

ROT RESISTANT TRIM PROTECTS FROM MOISTURE DAMAGE

SUPERIOR FRAMING

BETTER LUMBER Premium Grade

SUPERIOR' WE'RE BETTER BY DESIGN



STRONG DOOR FRAMES 2X6 Double Door Headers 2X4 Double Stud Door Frames

STRONGER STUDS & RAFTERS 16 Inches On Center

TOUGHER FLOOR

HEAVIEST FLOOR in the industry rated 1,000 lb. per sq. ft PRESSURE TREATED



MORE STORAGE



STURDY DOORS

TRIPLE LAYER DOOR With Drop Rods



MAKE IT YOURS

add options & accessories Pg 60

PRICE GUIDE

eco@pro

"our budget friendly choice" 4 SUPERIOR FEATURES



- · SMARTSIDE Siding
- Treated Runners
- · 2x8 Pine Flooring
- · OSB Roofing
- Protective Trim

DURATEMP SIDING



- Natural wood grain texture
- 50 Year limited warranty

SOLID PINE SIDING



apply beyond 30

- · 1 x 8 T&G siding
- · Solid Wood





- · Maintenance free
- · 044 Thickness
- CDX Subsiding

ţ.

PREBUILT & DELIVERED

	8x8	8x10	8x12	10x10	10x12	10x14	10x16	10x18	10×20
ecopro	4,727	5,020	5,247	5,361	5,657	6,027	6,399	7,070	7,455
Duratemp	5,195	5,536	5,807	5,955	6,289	6,714	7,139	7,881	8,321
Solid Pine	5,595	5,958	6,279	6,552	6,959	7,338	7,734	8,616	9,076
Vlayi	6,991	7,368	7,631	7,764	8,164	8,731	9,217	9,919	10,485
6100		0.40	0.40	10.10	40.40	1000	7. 11.	40.00	40.00

INFORMATION

*free delivery for **BUILDING HEIGHTS** 30 miles, delivery charges may

8' Wide = 10'11"High

12' Wide = 11' 8" High 14' Wide = 12' 3" High 10' Wide = 11' 1" High 16' Wide = 12' 10" High

	0,010	0,	0,2.7	0,002	0,,,,,	7,000	7,7.07	0,0.0	.,0.0												
Vloyi	6,991	7,368	7,631	7,764	8,164	8,731	9,217	9,919	10,485		D	ELIVI	ERED	8 ВI	UILT ,	AT Y	OUR S	SITE			
Sile	8x8	8×10	8x12	10×10	10x12	10x14	10x16	10x18	10x20	12.12	12x14	12x16	12x18	12x20	12×24	14×20	14×24	16x20	16×24	16x30	16x32
ecopro	4,887	5,188	5,423	5,545	5,849	6,251	6,655	7,358	7,775	6,424	6,895	7,321	8,115	8,623	10,219	10,904	12,119	11,605	13,480	15,831	16,492
Duratemp	5,365	5,715	5,994	6,151	6,493	6,952	7,411	8,187	8,661	7,145	7,677	8,162	9,035	9,606	11,353	11,763	13,108	12,548	14,571	17,098	17,815
Solid Pine	5,765	6,136	6,466	6,748	7,163	7,576	8,006	8,922	9,416	7,762	8,314	8,881	9,743	10,374	12,175	12,421	13,925	13,444	15,584	18,103	18,812
Viny!	7,161	7,546	7,818	7,960	8,368	8,969	9,489	10,225	10,825	9,169	9,853	10,455	11,271	11,970	13,790	14,678	16,311	15,666	18,031	20,563	21,298
			0 :		I	1	1					1	ł	1	1	1	1 3	8	- 13	III 3	

visit us online at www.weaverbarns.com

MGHOA APPROVAL

BRICK PAVER PATIO ON REAR OF HOUSE AND ACCESORY PAVILLOND FOR GITTINGS AREA. AT 41932 CHERRYHILL RD. NOVI, MI 48375 12' XIZ' "TIMBER RIDGE" STYLE PAVILLOND KIT,

NEHAHBOR APPROVAL

41920 CHERRYHILL

X Foger Amelina

X 7-17-19 TATE

41944 CHERRYHILL

Tronne MARKS

X 7-18-19

DATE

HOMEOWNER: I GROAD SMOLARER

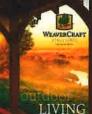
H193Z CHERRYHILL

January 111/2019

Pavilions

BACKYARD LIVING

Ask for our backyard living broaturs for the full details about our pevillens





Timber Ridge

INFORMATION

*free delivery for 30 miles, delivery charges may apply beyond 30

**BUILDING HEIGHTS

10' Wide = 12' 9" High

12' Wide = 13' 8" High

14' Wide = 14' 6" High 16' Wide = 15' 4" High 20' Wide = 16' 2" High

DELIVERED & BUILT AT YOUR SITE

10x10 10x12 10x16 12x12 12x16 12x20 12x24 14x16 14x20 14x24 14x28 14x32 16x16 16x20 16x24 16x28 16x32 20x20 20x24 20x28 5,212 17,120 8,130 9,142 9,206 10,195 11,741 13,203 8,985 10,579 12,227 14,161 16,092 13,822 14,988 7,175 7,819 9,808 10,773 12,195 13,713 15,292 17,611 19,805 13,478 15,869 18,340 21,241 24,138 20,733 8,751 11,931 13,609 22,482

40017

121 x 12

7019

Don Smolarek

From:

DONALD SMOLAREK < donsmo30@yahoo.com>

Sent:

Saturday, July 27, 2019 2:44 PM

To:

Don Smolarek

Subject:

Fwd: MGHA approval for permit on backyard update

Thanks, Don Smolarek

Begin forwarded message:

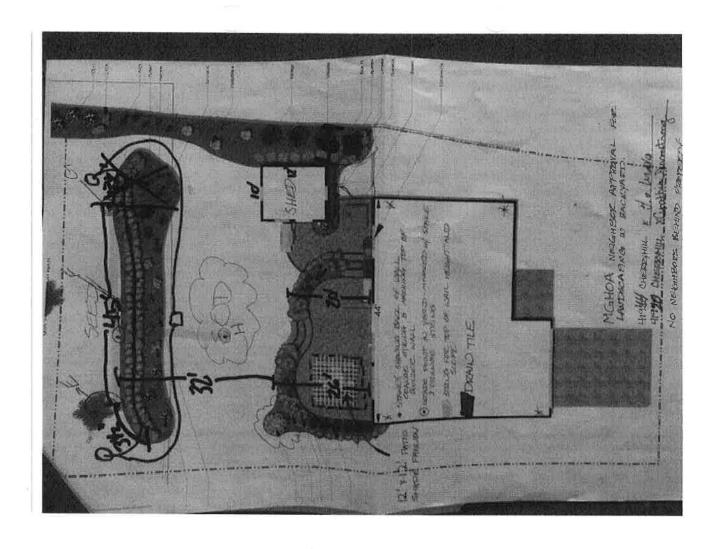
From: Meadowbrook Glens Homeowners Association <mgha.org@gmail.com>

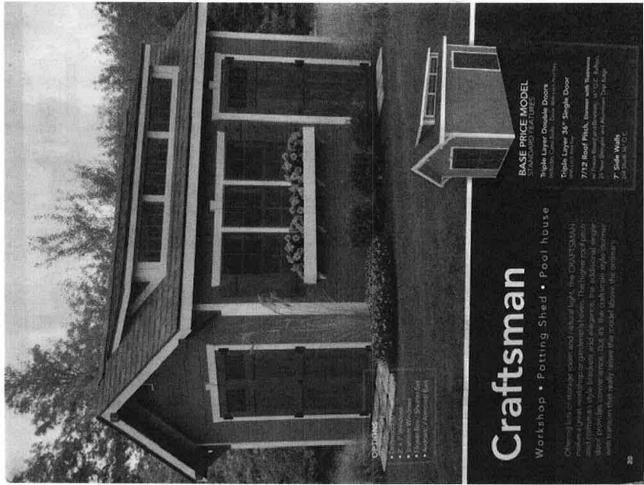
Date: July 27, 2019 at 11:29:46 AM EDT

To: Chris Jackett < chrisjackett@gmail.com>, DONALD SMOLAREK < donsmo30@yahoo.com>, Jamrog Diane < DECJam@mi.rr.com> Subject: Re: MGHA approval for permit on backyard update

Don, this is approved by the board. Looks nice, have fun!

On Sat, Jul 27, 2019 at 10:03 AM DONALD SMOLAREK < donsmo30@yahoo.com > wrote:





Mark

Thanks for the quick response. Here is an overview of our landscaping plans and the storage shed kit that we'd like to install. Plus, with the slope of our backyard we are looking to level and get a little more usable space.

If you have any questions or would like to take a look it would really take 5-10 minutes and it would be a lot more clear.

Thanks, Don Smolarek

On Jul 27, 2019, at 9:29 AM, Meadowbrook Glens Homeowners Association <mgha.org@gmail.com> wrote:

Hi Don, yes the city would have eventually asked you to get approval from the board. If you could share the plans we'll take a look and send you what you'll need.

Mark

On Sat, Jul 27, 2019 at 9:26 AM DONALD SMOLAREK donsmo30@yahoo.com> wrote:

Good morning,

We are in the process of a renovation in our backyard and have applied for a minor land improvement permit. We have discussed with our neighbors and they have approved everything that we have planned. For extra backup, if needed for the city, I'd like to get the homeowner association approval as well and need approval from one of the association officers. If any of you have time we'd love to share our plans with you.

Please feel free to contact me if you have a few minutes.

Thank you very much, Don & Sheryl Smolarek 41932 Cherryhill Novi, MI 48375

Don (248)252-2700 Sheryl (248)921-1533