



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: August 9, 2022

REGARDING: 44719 11 Mile Road, Parcel # 50-22-22-100-008 (PZ22-0036)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Frank Accardo

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: This property is zoned One-Family Residential (R-4)

Location: 11 Mile Road East of Taft Road

Parcel #: 50-22-22-100-008

Request

The applicant is requesting a variance from the City of Novi Zoning Ordinance from Section 3.1.5 for a reduced side yard setback of 4.72 feet on the west side of the proposed property (10 feet required, variance of 5.28 feet). The variance requested will accommodate building a 2-car garage. This property is zoned One-Family Residential (R-4)

II. STAFF COMMENTS:

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. **PZ22-0036**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.

- (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____.

(b) The property is unique because_____.

(c) Petitioner did not create the condition because_____.

(d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because_____.

(e) The relief if consistent with the spirit and intent of the ordinance because_____.

(f) The variance granted is subject to:

1._____.

2._____.

3._____.

4._____.

2. I move that we **deny** the variance in Case No. **PZ22-0036**, sought by _____, for_____ because Petitioner has not shown practical difficulty requiring_____.

(a) The circumstances and features of the property including_____ are not unique because they exist generally throughout the City.

(b) The circumstances and features of the property relating to the variance request are self-created because_____.

(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that_____.

(d) The variance would result in interference with the adjacent and surrounding properties by_____.

(e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to_____.

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



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ZONING BOARD OF APPEALS APPLICATION

RECEIVED

JUN 30 2022

CITY OF NOVI
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>200-</u>
PROJECT NAME / SUBDIVISION <u>ACCARDO F</u>		ADDRESS <u>44719 west 11 mile road NOVI MI 48375</u>		Meeting Date: <u>8/9/22</u>
SIDWELL # <u>50-22-22-100-008</u>		LOT/SUITE/SPACE # <u>25</u>		ZBA Case #: <u>PZ 22-0036</u>
CROSS ROADS OF PROPERTY <u>EAST OF TART south of 11 mile</u>		May be obtain from Assessing Department (248) 347-0485		
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		REQUEST IS FOR: <input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE		
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
II. APPLICANT INFORMATION				
A. APPLICANT		EMAIL ADDRESS <u>bacarella@hotmail.com</u>	CELL PHONE NO. <u>734-558-4105</u>	
NAME <u>FRANK ACCARDO</u>		TELEPHONE NO.		
ORGANIZATION/COMPANY		FAX NO.		
ADDRESS <u>37584 N. Dianne Lane</u>		CITY <u>New Boston</u>	STATE <u>MI</u>	ZIP CODE <u>48164</u>
B. PROPERTY OWNER <input checked="" type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER				
Identify the person or organization that owns the subject property:		EMAIL ADDRESS	CELL PHONE NO.	
NAME		TELEPHONE NO.		
ORGANIZATION/COMPANY		FAX NO.		
ADDRESS		CITY	STATE	ZIP CODE
III. ZONING INFORMATION				
A. ZONING DISTRICT				
<input type="checkbox"/> R-A <input checked="" type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____				
B. VARIANCE REQUESTED				
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:				
1. Section	<u>3-1.5</u>	Variance requested	<u>change side Rearm 10A to 5.28</u>	
2. Section	_____	Variance requested	_____	
3. Section	_____	Variance requested	_____	
4. Section	_____	Variance requested	_____	
IV. FEES AND DRAWINGS				
A. FEES				
<input checked="" type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600				
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF				
<ul style="list-style-type: none"> 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 				



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) 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 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.

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

Date

6-29-22

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

Date

6-29-22

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



Community Development Department

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
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**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 Variance.)

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 Applicable If applicable, describe below:

Existing house was adding a garage to the front of the house in line with the house attached garage and/or

- b. Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.
 Not Applicable Applicable If applicable, describe below:

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).

House is on property in the existing location
we purchased the house were remodeling and adding a
two car garage. &

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.

there is no other place for addition. were trying
to keep in line with existing house.

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.

we are not asking for any extension of unit
other than what is already there.

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.

the house is already there. The garage will be
placed and attached to the existing house.
There will be no adverse impact in the neighbors
way or surrounding properties

RECEIVED

JUL 26 2022

CITY OF NOVI
COMMUNITY DEVELOPMENT

TO: CITY OF NOVI
ZONING BOARD OF APPEALS
45175 TEN MILE ROAD
NOVI, MI 48375

Please note my comments to:

44719 11 Mile Road, Parcel # 50-22-22-100-008 (PZ22-0036)

Please note my: (Approval) (Objection) to the requested variance.

Comments:

THIS PROPERTY ADJUTS OUR PROPERTY. NO OBJECTION
WHATSOEVER

(PLEASE PRINT CLEARLY)

Name: DANIEL DOSS

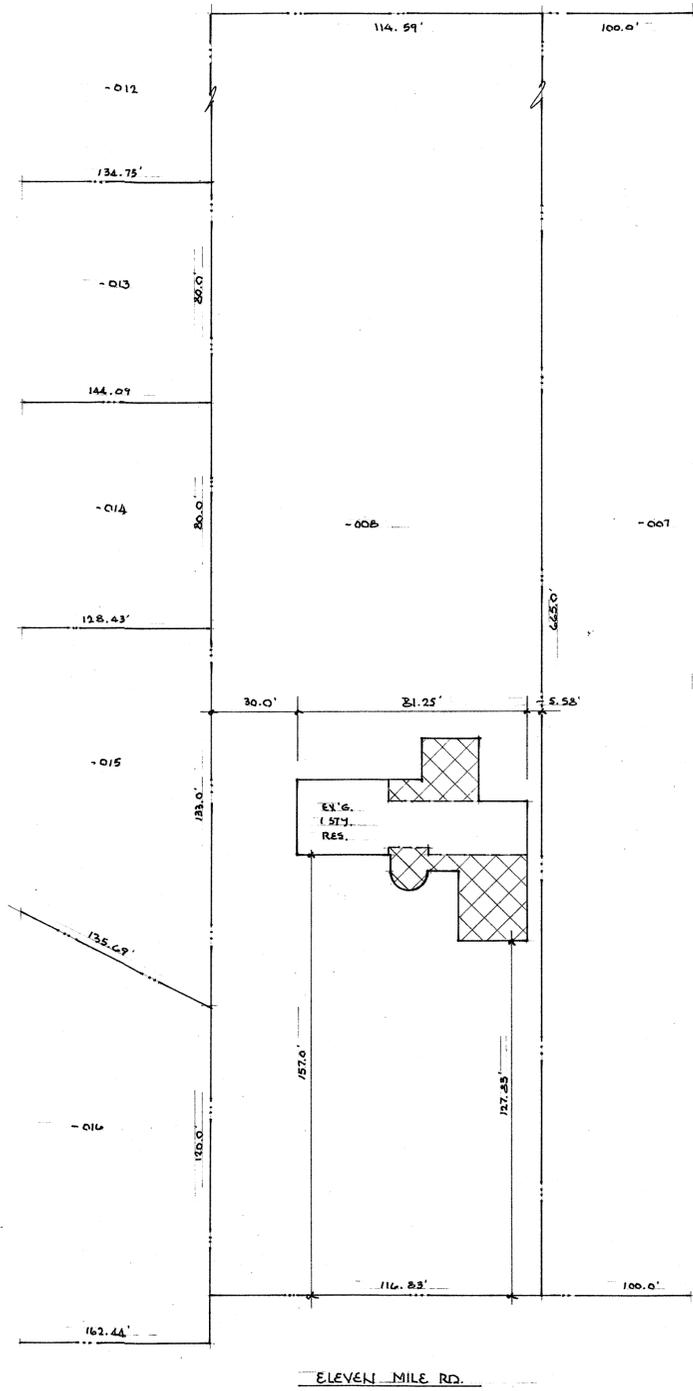
Address: 25819 SULLIVAN LN

Date: 7/26/22

Unsigned or anonymous comments will not be considered.

Daniel Doss

Zoning Board of Appeals meetings are broadcast live on Spectrum channel 13-1 and AT&T U-verse channel 99. They are also streamed live on the City's website at cityofnovi.org.



SITE PLAN 1" = 30.0'

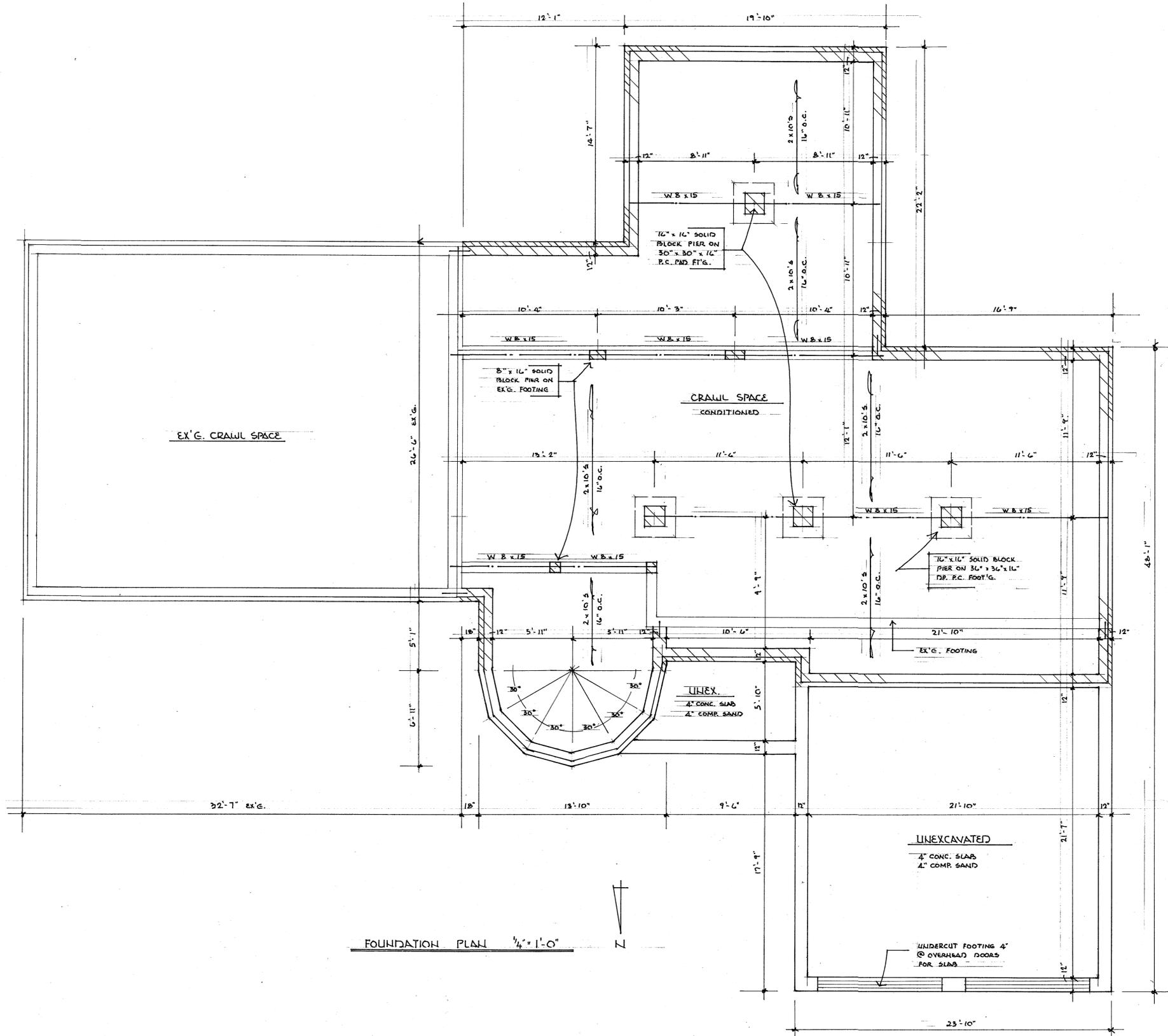
date 06.17.22
 rev. _____
 rev. _____
 rev. _____

ARCHITECTURALLY SPEAKING ...
 32401 w. eight mile rd.
 livonia, michigan 48152
 (248) 219-9386

120 antrim street
 charlevoix, michigan 49720
 (616) 547-4040

project: RENOVATION & ADDITION to:
 44719 ELEVEN MILE RD.
 HOVI, MICH.

job no. 2022-03
 sheet no. 5.1



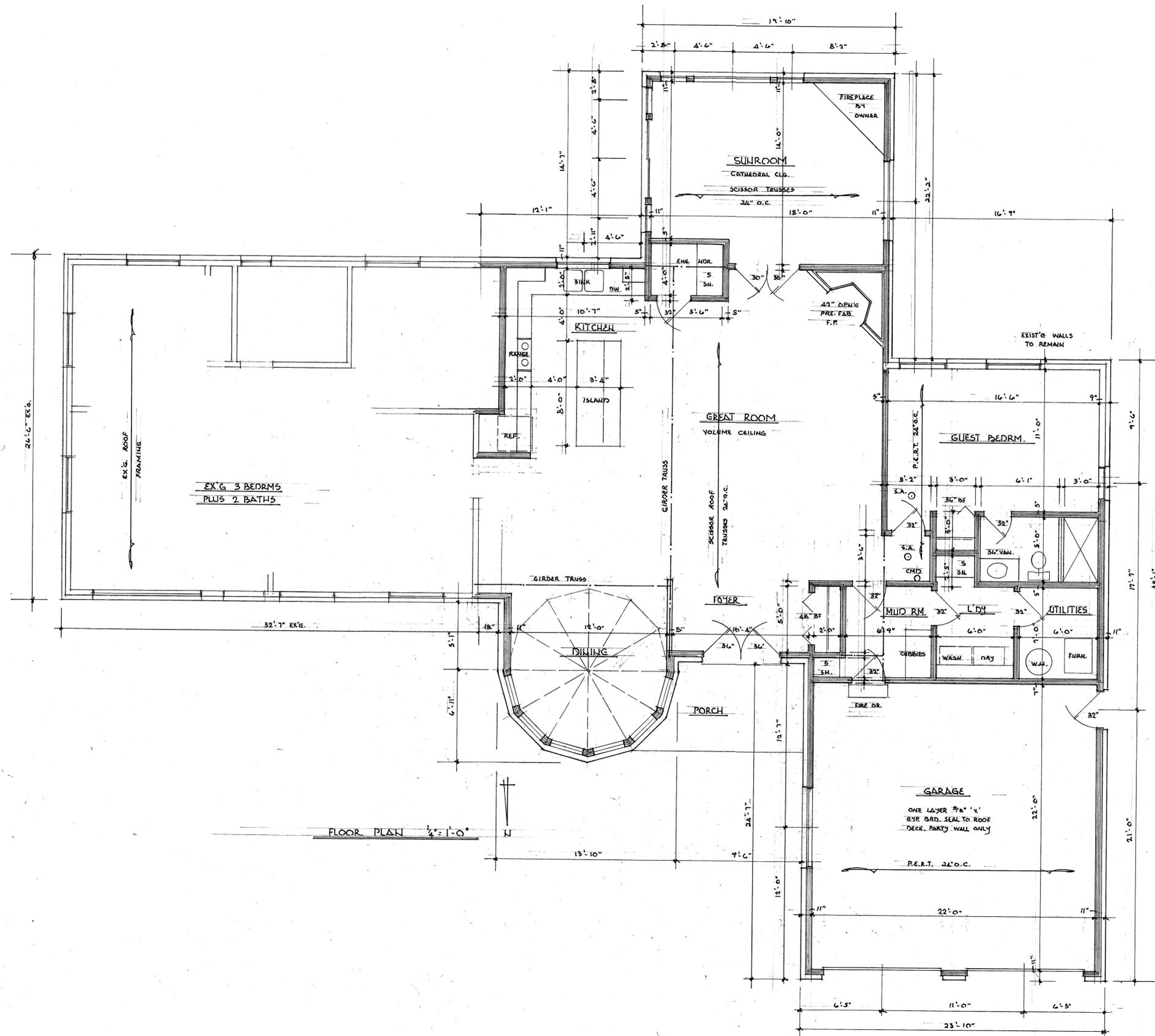
FOUNDATION PLAN 1/4" = 1'-0"

date DA-15-22
 rev. _____
 rev. _____
 rev. _____

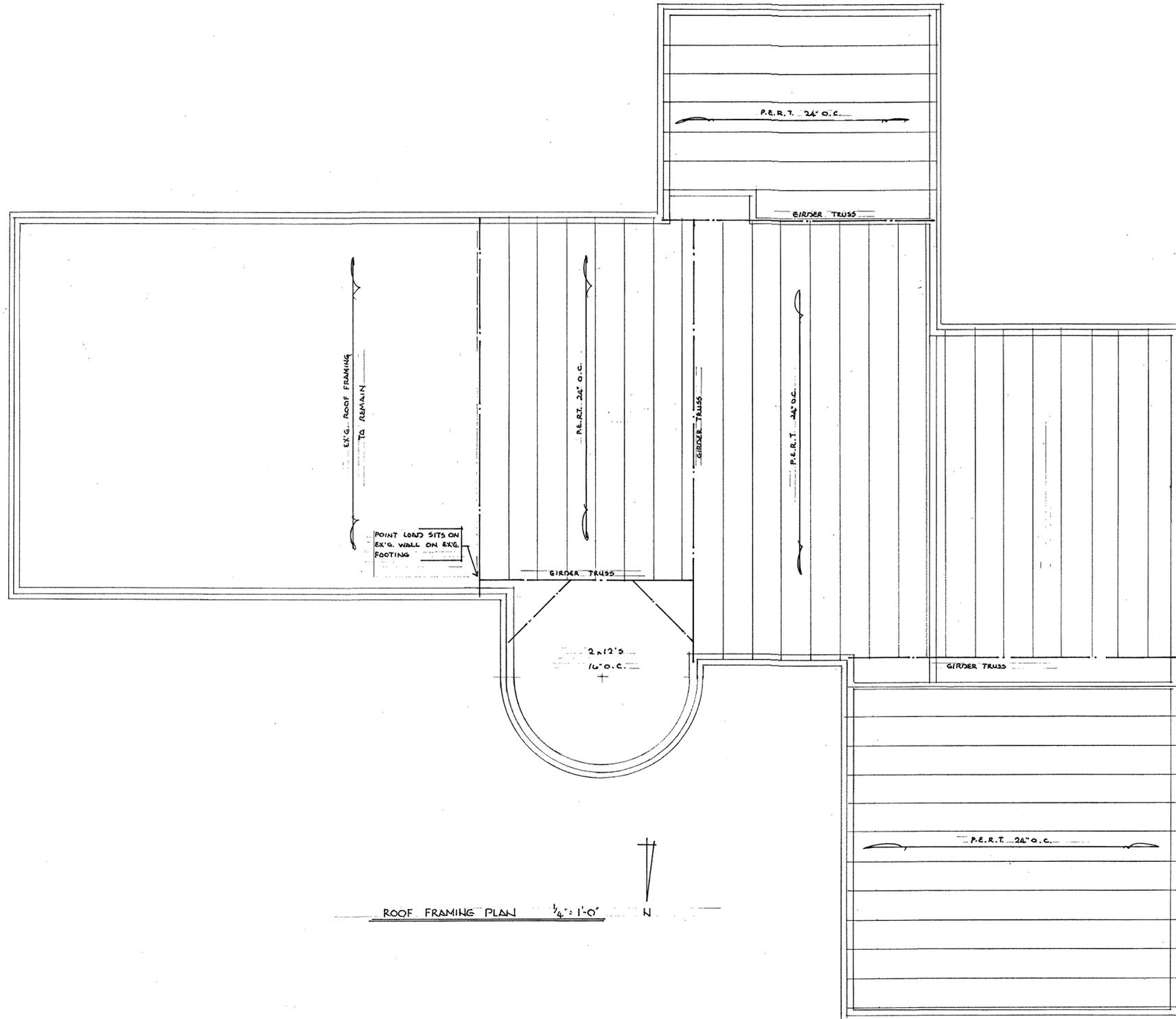
ARCHITECTURALLY SPEAKING
 120 antrim street
 charlevoix, michigan 49720
 (616) 547-4040

project: RENOVATION & ADDITION to:
 44719 ELEVEN MILE RD.
 NOVI, MICH.

job no. 2022-03
 sheet no. A-1



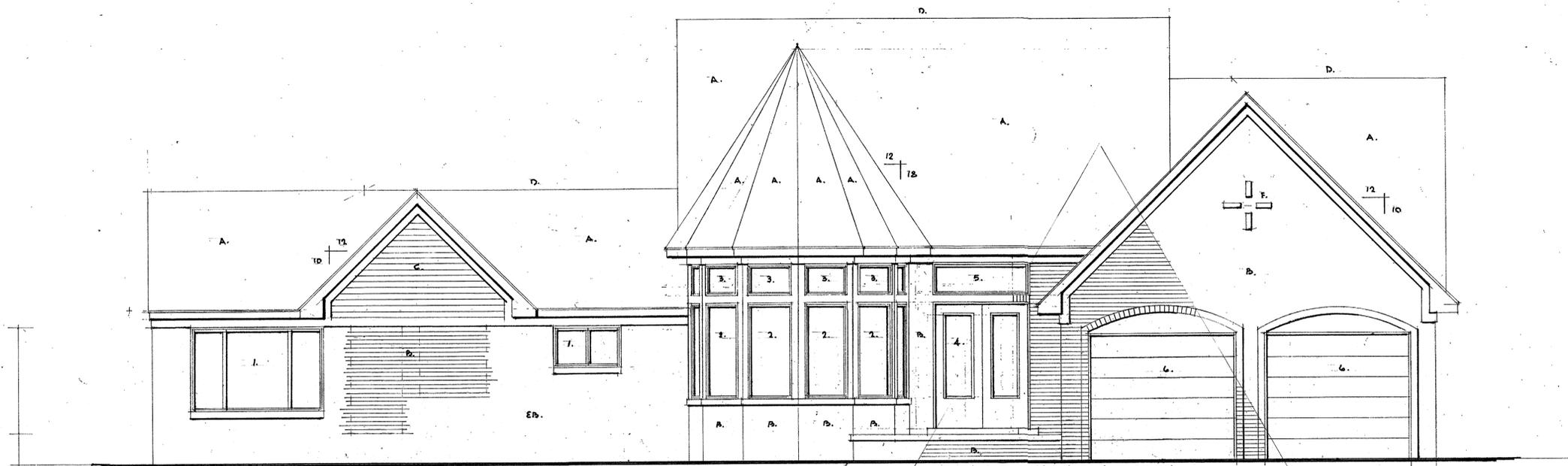
FLOOR PLAN 1/4" = 1'-0"



ROOF FRAMING PLAN 1/4" = 1'-0" N



REAR ELEVATION $\frac{1}{4}'' = 1'-0''$



FRONT ELEVATION $\frac{1}{4}'' = 1'-0''$

Materials

- A. Asphalt shingles.
- B. Brick.
- C. Hardy plank siding.
- D. Ridge vent.
- E. Existing brick.
- F. Limestone accents.

Windows and Doors

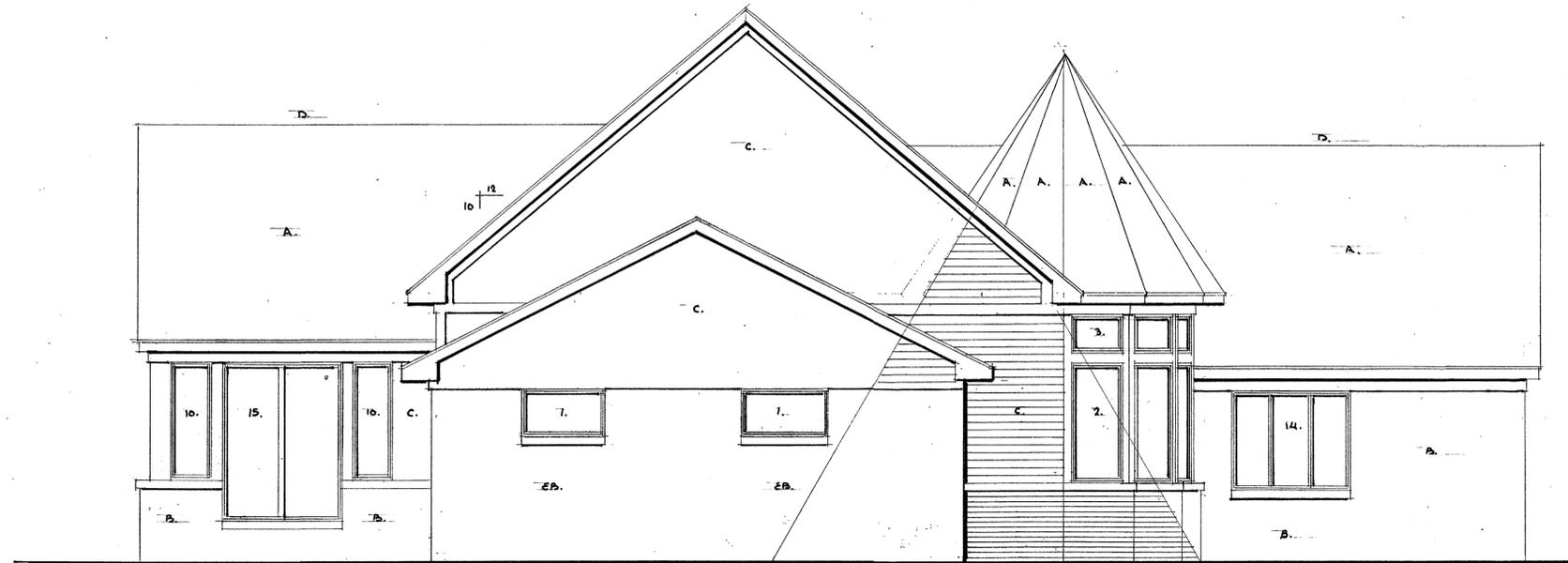
- 1. Existing.
- 2. 30" x 72" casement
- 3. 30" x 24" fixed
- 4. Pair 36" x 96" entry doors
- 5. 72" x 24" fixed
- 6. 9'-0" x 8'-0" garage door
- 7. Pair 24" x 56" casements
- 8. Pair 24" x 24" fixed
- 9. Triple 24" x 72" casements
- 10. 24" x 72" csmt
- 11. Custom fixed window
- 12. 30" x 60" csmt egress
- 13. 32" x 80" S.C. service door
- 14. Triple 24" x 60" fixed csmt
- 15. 6'-0" x 8'-0" doorwall

Job No.

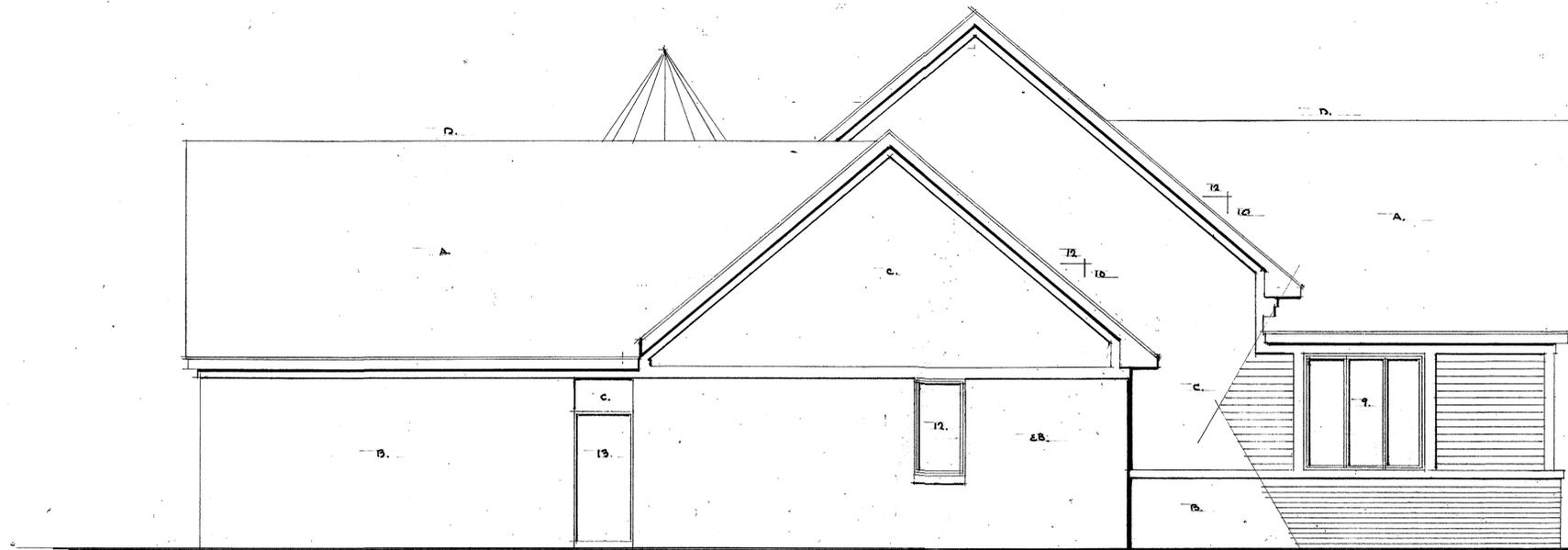
2022-03

SHEET No.

A-3



EAST SIDE VIEW 1/4" = 1'-0"



WEST SIDE VIEW 1/4" = 1'-0"

Materials

- A. Asphalt shingles.
- B. Brick.
- C. Hardy plank siding.
- D. Ridge vent.
- E. Existing brick.
- F. Limestone accents.

Windows and Doors

- 1. Existing.
- 2. 30" x 72" casement
- 3. 30" x 24" fixed
- 4. Pair 36" x 96" entry doors
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