

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: February 12, 2019

REGARDING: 25900 Beck Rd, Parcel # 50-22-21-101-002 (PZ18-0065)

BY: Larry Butler, Deputy Director Community Development

GENERAL INFORMATION:

Applicant

David Batu

Variance Type

Dimensional

Property Characteristics

Zoning District: Single Family Residential

Location: East of Beck Road and South of Eleven Mile Road

Parcel #: 50-22-21-101-002

Request

The applicant is requesting variances from the Novi Zoning Ordinance Section 3.1.5 for a 10 foot rear yard variance for a proposed 40 foot setback, 50 feet minimum required; a 5 foot variance for a proposed 40 foot front yard setback, 45 feet minimum required; a 5 foot variance for a proposed 15 foot side yard setback, 20 feet total allowed; and a 14 foot variance for a proposed 36 for side yard aggregate, 50 feet required. This property is zoned Residential Acreage (R-A).

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.	PZ18-006	5, so	ught	by for
		ficultyre						_ b	ecause	Petitio	ner has	shown	prac	
	all	ficulty re	, ,								·			
		. ,					ner will be ur e		,	•		ited wit	th resp	sect
		(b) The	e prope	erty is u	ınique b	ecaus	se				·	_		

	(0	Petitioner did not create the condition because								
	(0	d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because								
	(6	e) The relief if consistent with the spirit and intent of the ordinance because								
	(1									
		1								
		2 3								
		4								
2.	l m	nove that we <u>deny</u> the variance in Case No. PZ18-0065 , sought by								
		because Petitioner has not shown								
	ргас	tical difficulty requiring								
	(;	a) The circumstances and features of the property including are not unique because they								
		exist generally throughout the City.								
	(1	o) The circumstances and features of the property relating to the variance request are self-created because								
	(0	c) The failure to grant relief will result in mere inconvenience or inability to attain highe economic or financial return based on Petitioners statements tha								
	(0	d) The variance would result in interference with the adjacent and surrounding propertie by								
	(6	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

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject)	ase)	Application Fee: $$250.00$				
PROJECT NAME / SUBDIVISION PICHEEV MELLDOWS SUBDIVISION		Meeting Date: Feb 12, 2019				
ADDRESS 25900 BECK Rd, NOVI, MI 45	7374	LOT/SIUTE/SPACE #		,		
SIDWELL # Ma 50-22 De	otain from Assessing ent (248) 347-0485	ZBA Case #: PZ 18 - 0065				
CROSS ROADS OF PROPERTY BUCK Rd / SIEVER	CROSS ROADS OF PROPERTY					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDIC	SNOIL	REQUEST IS FOR:				
YES NO			MERCIAL VACANT PR	OPERTY LI SIGNAGE		
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATIO II. APPLICANT INFORMATION	N OR C	CITATION ISSUED? YE	ES NO			
A APPLICANT EMAIL ADDRESS			CELL PHONE NO.	2011		
NAME (Iba+	U13:	37@gmail.com	248-818- TELEPHONE NO.	9996		
Daud Batu			TELEF HONE NO.			
ORGANIZATION/COMPANY			FAX NO.			
ADDRESS 850 S. BIV O		CITY Rochester Hills	STATE /Y]	ZIP CODE 48307		
B. PROPERTY OWNER CHECK HERE IF APPLICANT I	IS ALSO	THE PROPERTY OWNER	· ·			
Identify the person or organization that SMAIL ADDRESS owns the subject property:			CELL PHONE NO.			
owns the subject property: NAME			TELEPHONE NO.			
ORGANIZATION/COMPANY			FAX NO.			
			PAX NO.			
ADDRESS		CITY	STATE	ZIP CODE		
III. ZONING INFORMATION	S ^E ACR					
A. ZONING DISTRICT □ R-A □ R-1 □ R-2 □ R-3 □	D 4					
		☐ RM-1 ☐ RM-2 ☐ OTHER	☐ MH			
B. VARIANCE REQUESTED	TC-1	LI OTHER	-			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQU	ESTED:	side ward	15++ (20++ rea	.)		
1. Section 3.1.5 Variance reque	sted	side yard	ice			
2. Section 3.1,5 Variance reque		rear yard 41	Off (SOft veo			
3. Section 3.1.5 Variance reque	sted ,	front yard	10 ft (45ft v	(a)		
4. Section 3.1.5 Variance reque	sted :			SO real)		
IV. FEES AND DRAWNINGS	ALC: N			MEAN HEVIE LOD		
A. FEES		_/				
Single Family Residential (Existing) \$200 (With Violation) \$250 Single Family Residential (New) \$250						
J 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 Existing & proposed distance to adjacent property lines						
Site/Plot Plan Fxisting or proposed buildings or addition on the land.	nrono:	 Location of existing 	g & proposed signs, if c			
 Existing or proposed buildings or addition on the property Number & location of all on-site parking, 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						
☐ 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 (2-28/18						
David Batu Allia Batu 12-28/18	12-28-18					
Applicant Signature						
	Date					
	Date					
B. PROPERTY OWNER	Date					
If the applicant is not the owner, the property owner must read and sign below:						
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 owner must read and sign below:						
If the applicant is not the owner, the property owner must read and sign below:						
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 papplication, and is/are aware of the contents of this application and related enclosures.	property described in this					
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 papplication, and is/are aware of the contents of this application and related enclosures. Property Owner Signature						
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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:
b.	ether side and 45 and 45 from the front and back. The issue is with the 45 th set back on front and back. We are and/or seeking variance allowance to decrease the 45/45 ft set backs for front and back. Environmental Conditions. Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. Not Applicable Applicable If applicable, describe below:
c.	and/or 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

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).

The set backs ordained previously cannot fit a home within them.

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.

Compliance to these set back would make a house 20xx cellp, something completely burdensome.

Standard #4. Minimum Variance Necessary.

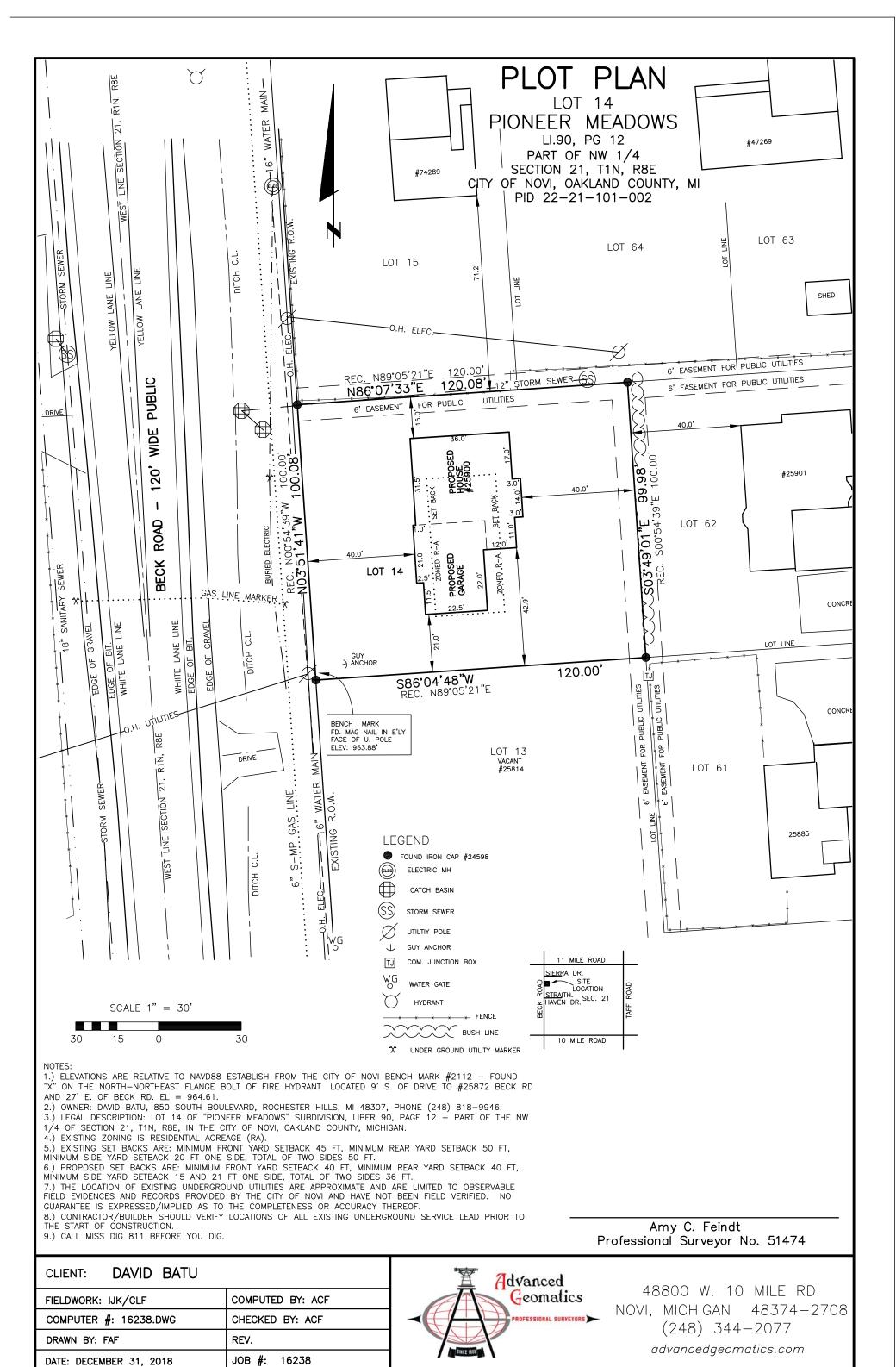
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district. and 13ft We are secret in front/bacic.

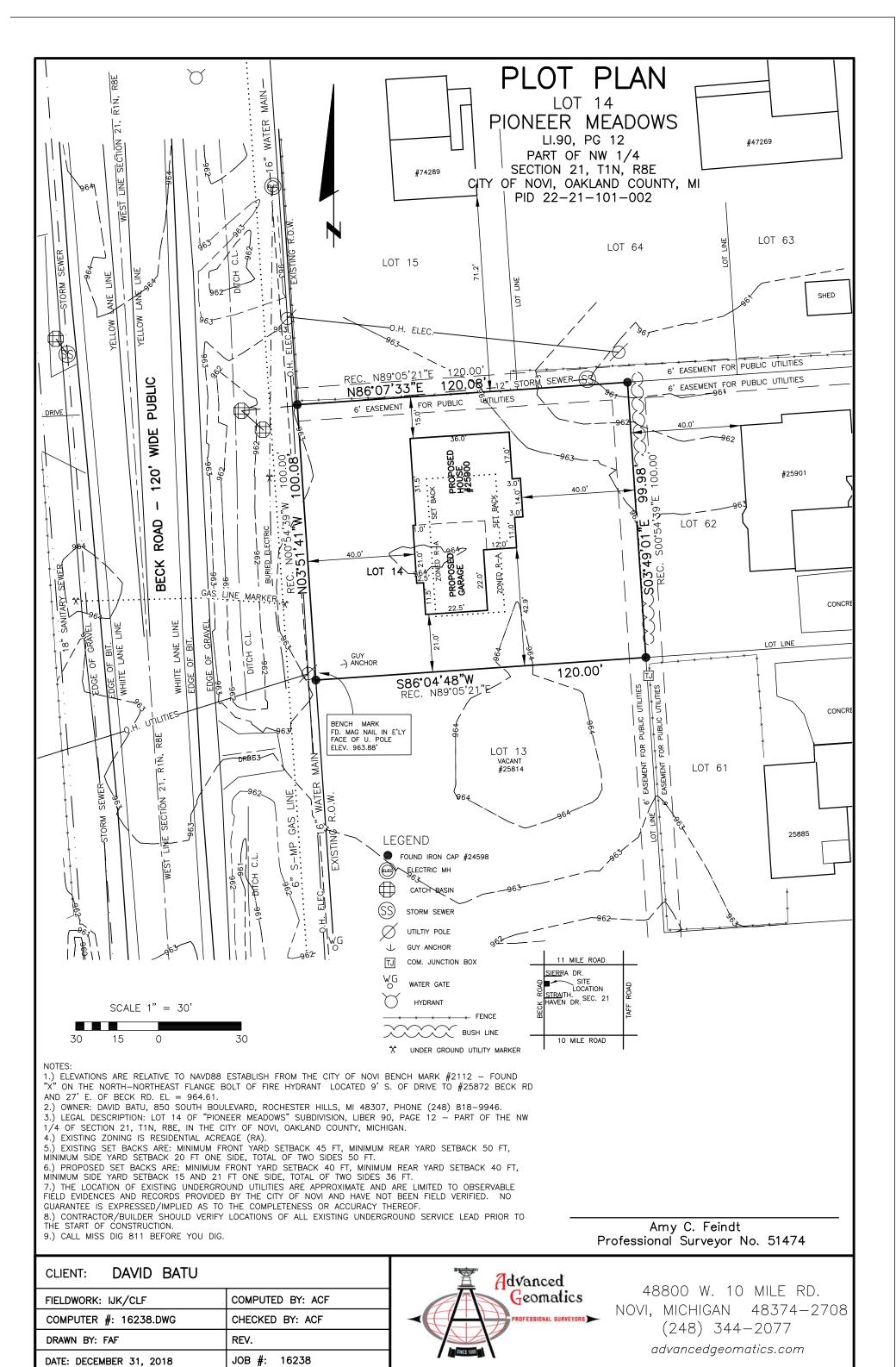
This is the minimum necessary. - Do build a home

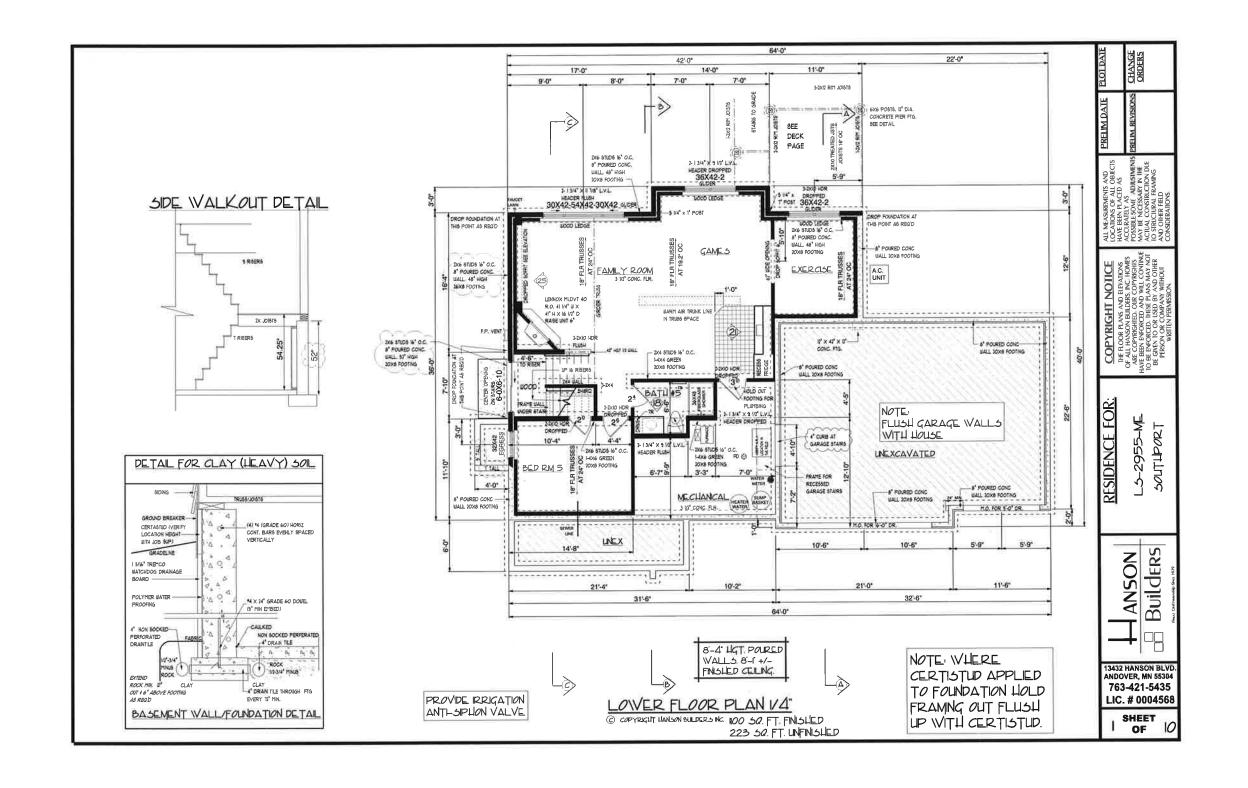
Standard #5. Adverse Impact on Surrounding Area.

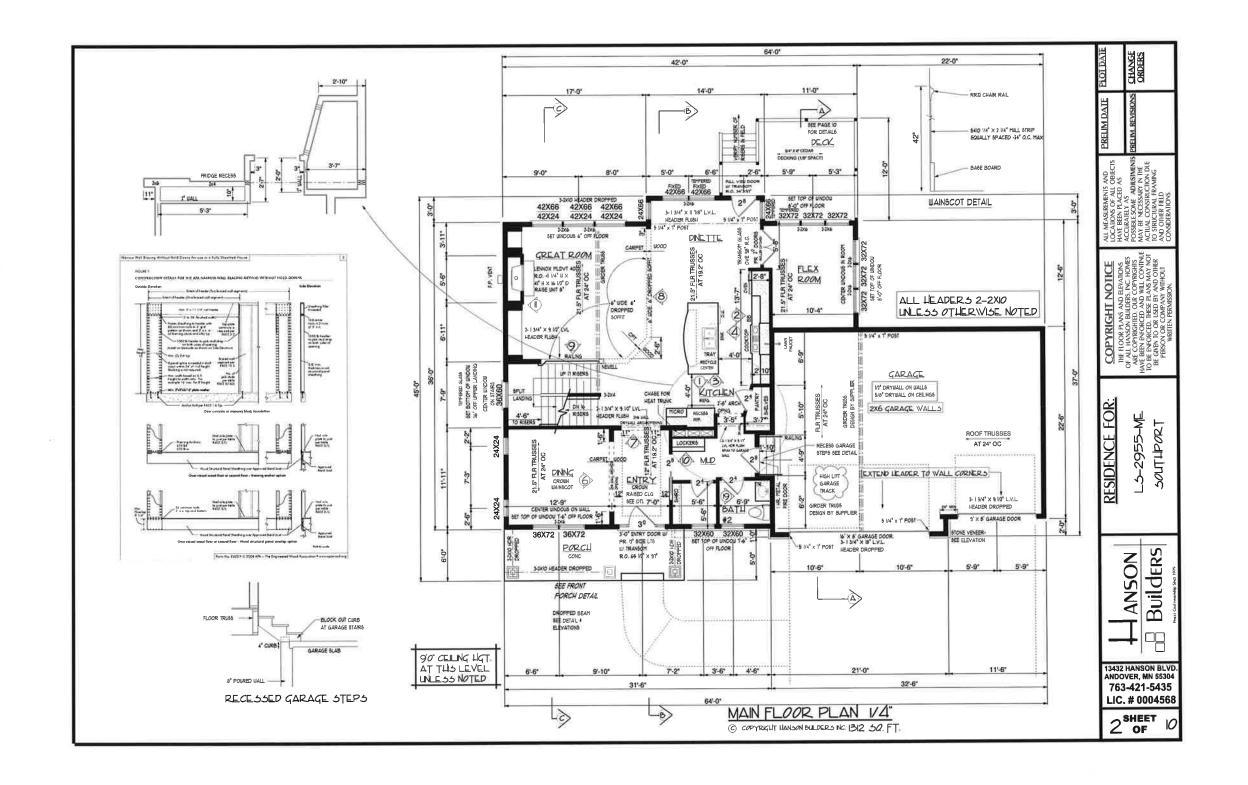
Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

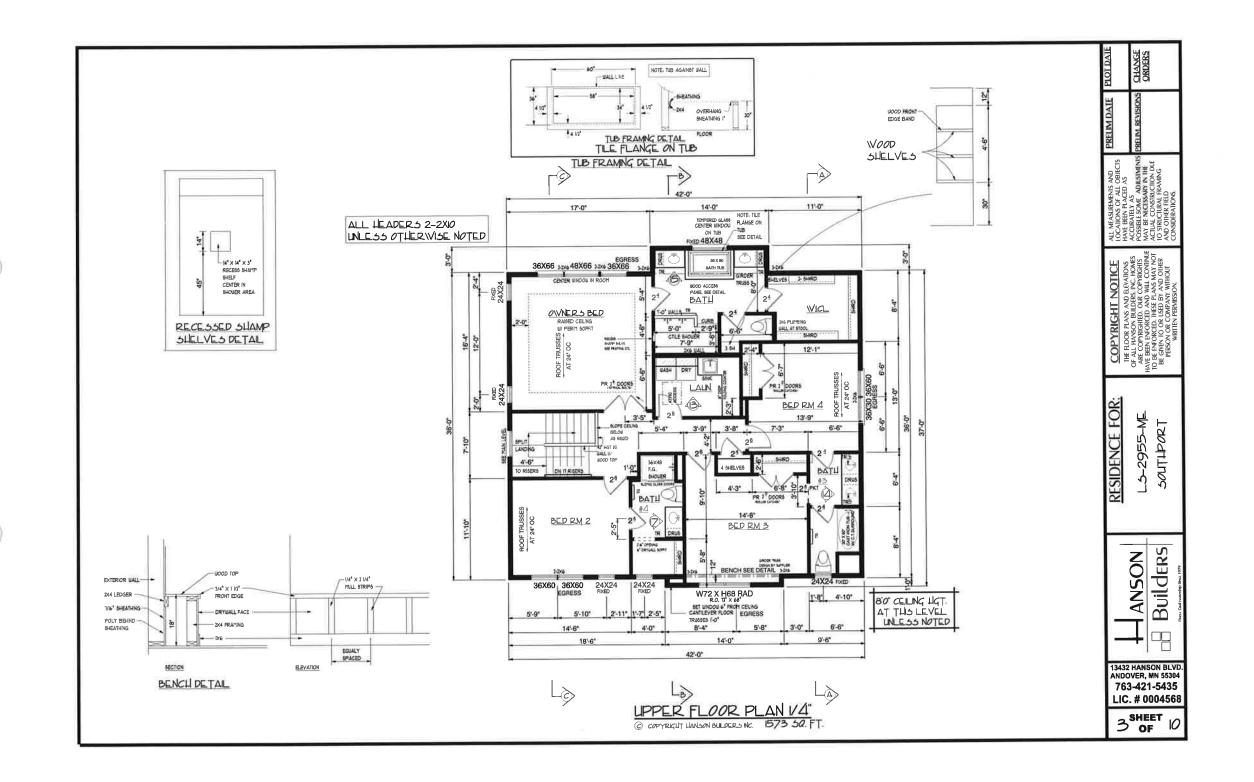
Adding the Ft cf variance would not adversly empact the surrounding neighborhood. Just a slightly smaller front/back yourd.

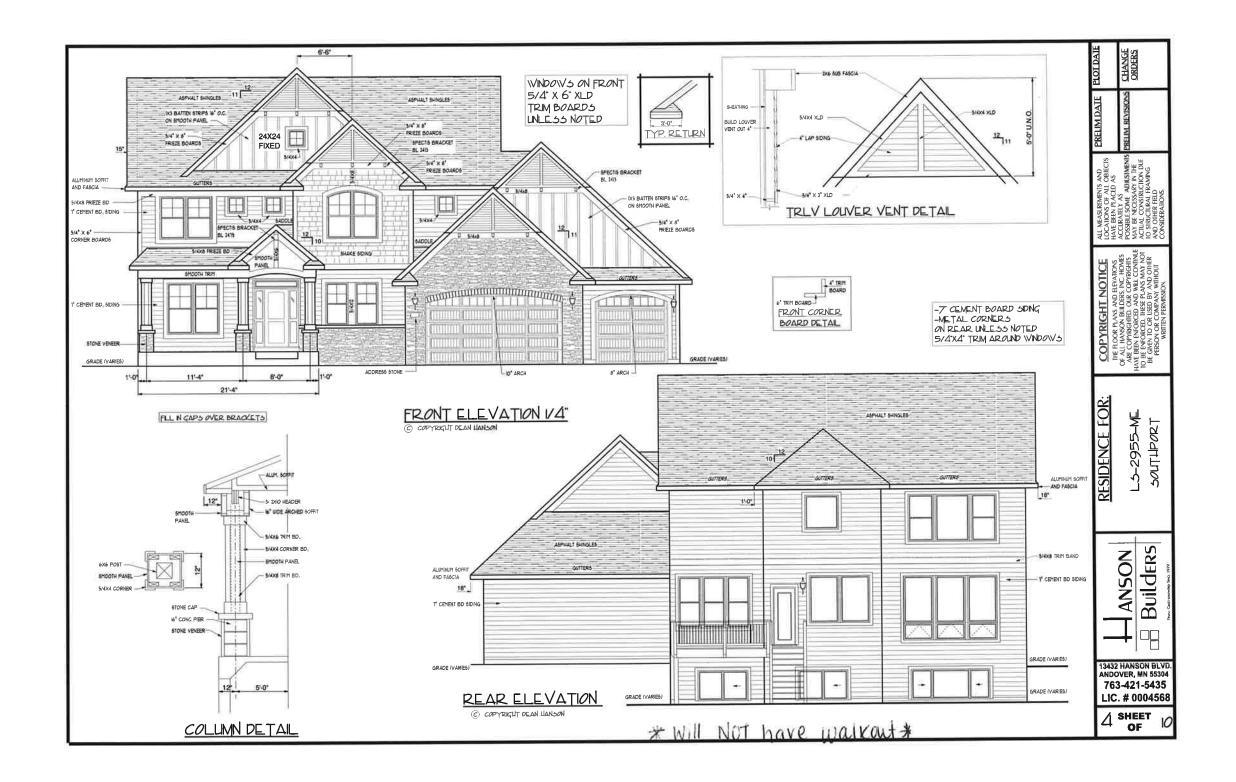


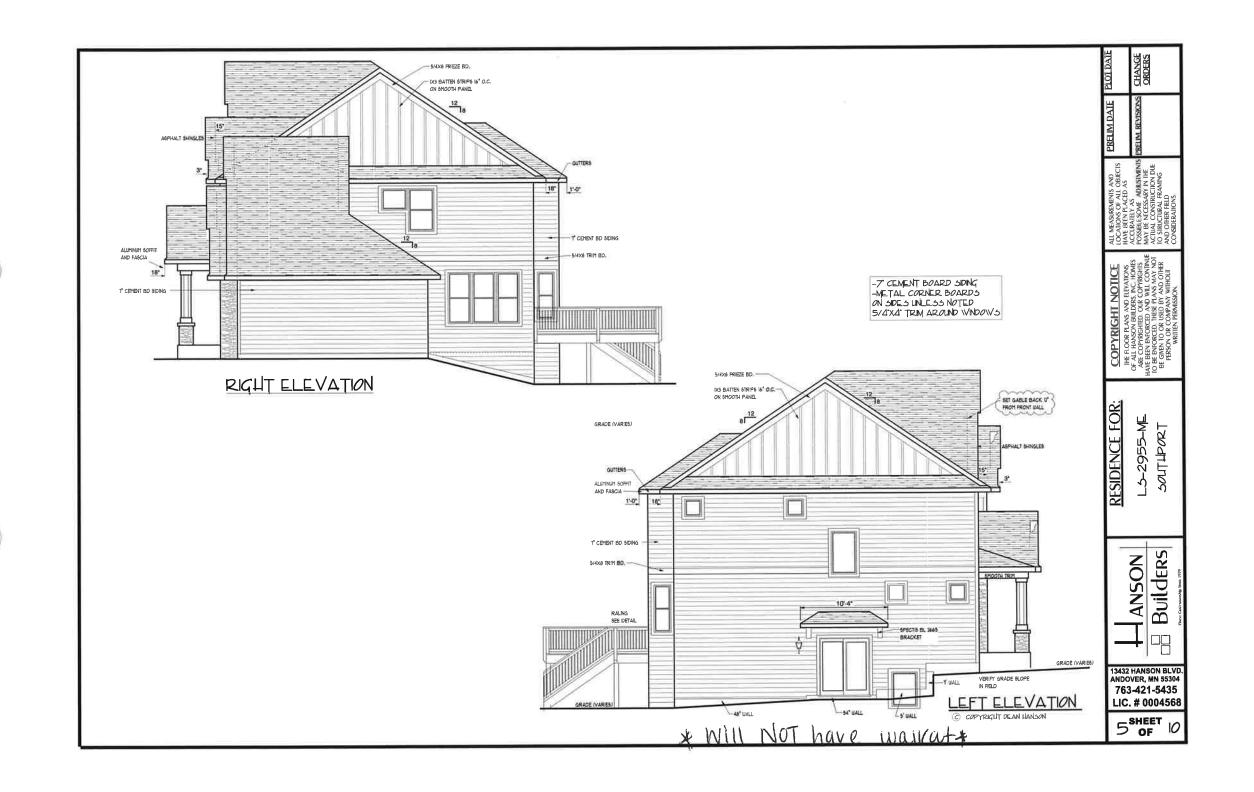


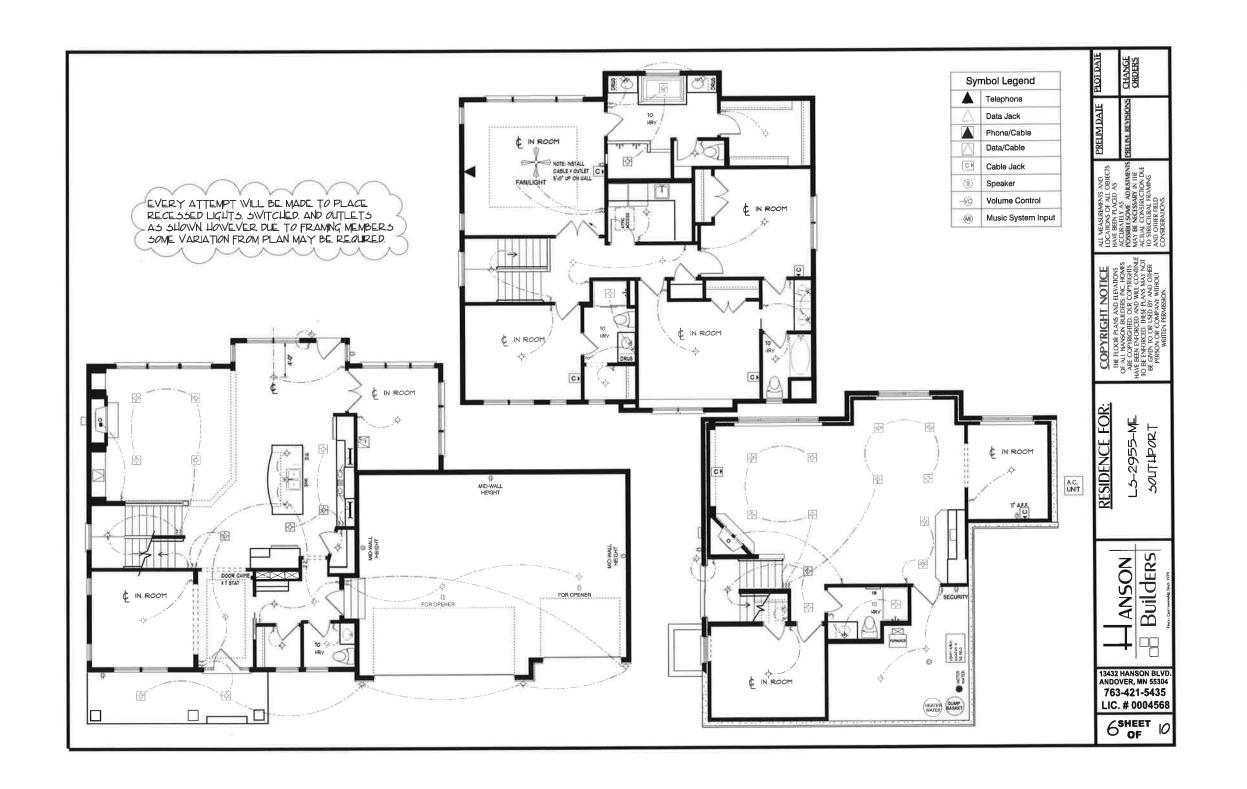


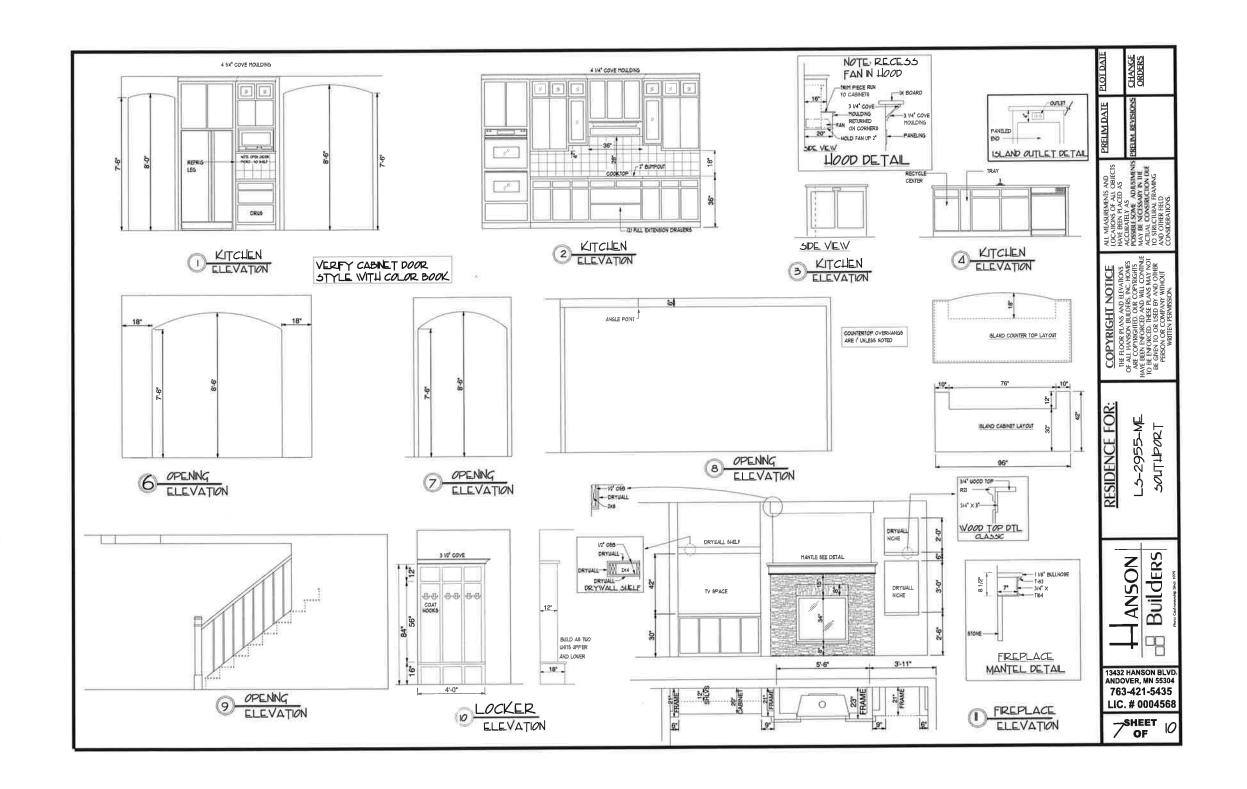


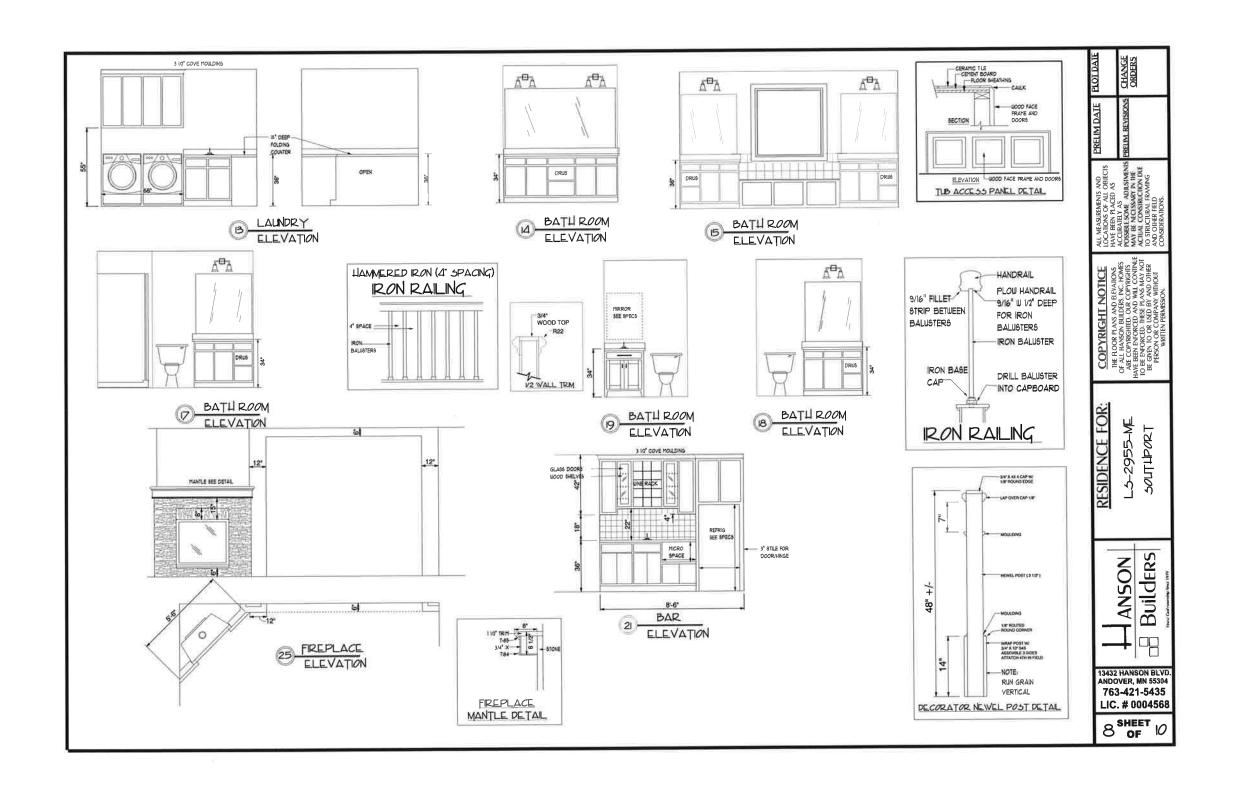


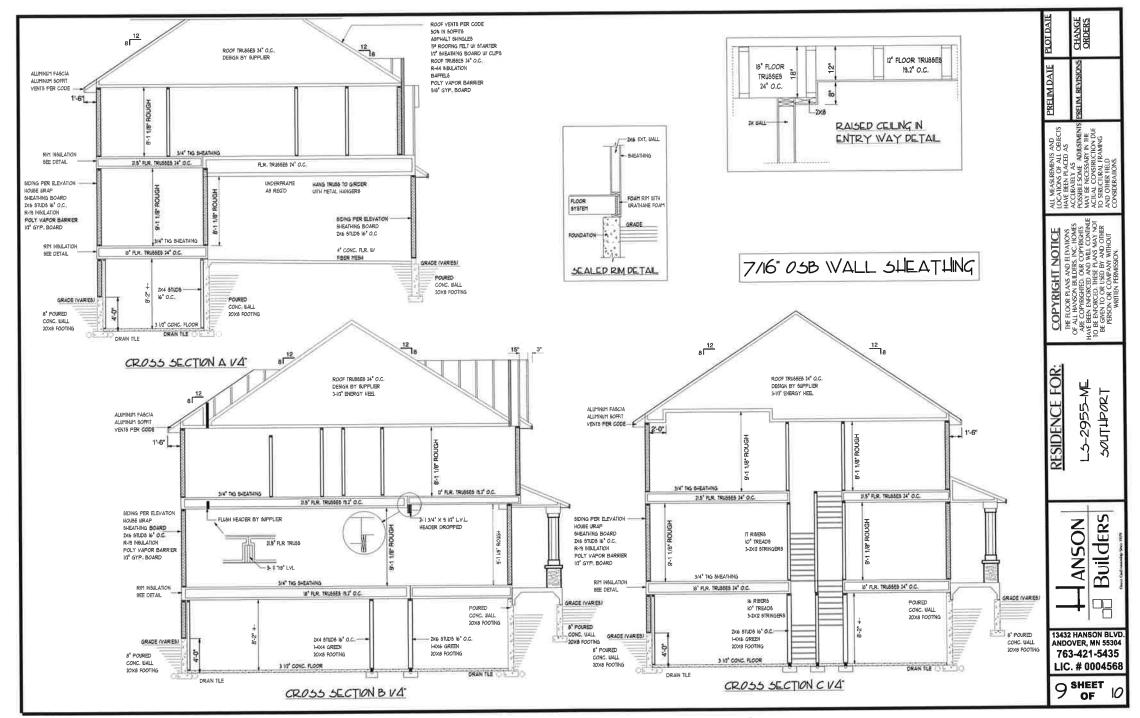












Will Not howe woukout

