

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

Case No. PZ13-0037 226 Henning

Location: 226 Henning

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 new detached garage with and exterior side setback of 22 feet (30 feet required) on an existing single family parcel. The property is located south of South Lake Drive and west of Old Novi Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section requires front and exterior side yard setbacks of 30 feet minimum in the R-4 Zoning District.

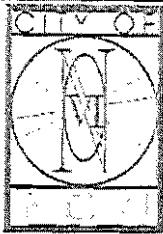
City of Novi Staff Comments:

The petitioner is proposing to construct a new detached garage on an existing single family corner parcel. The exterior side yard (2nd front yard) required on the corner lot would limit the depth and usefulness of a garage without a variance. The proposed garage would intrude 8 feet into the required 30 foot setback requiring a variance of 8 feet. Staff supports consideration of the request provided that substantial justice can be provided to the other property owners in the district.

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
because_____.
- The need is not self-created
because_____.
- 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
because_____.
- 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
because_____.
- 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
because_____.



cityofnovi.org

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

For Official Use Only

ZBA Case No: 22130037 ZBA Date: 8/13/13 Payment Received: \$ _____ (Cash)

Check # _____ 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 Ann Stringer Smith Date July 2, 2013

Company (if applicable) _____

Address* 10132 Tecumseh City Redford ST MI ZIP 48239-2288

*Where all case correspondence is to be mailed.

Applicant's E-mail Address: _____

Phone Number (313) 817-0221 FAX Number () _____

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 226 Henning Street Novi ZIP 48377

2. Sidwell Number: 5022-03-376-004 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 JSC OST _____ OTHER

5. Property Owner Name (if other than applicant) Michael Link + Leanne Link

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 _____

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):

Hardship exists because of two fronts to property. Setback from property line (south side Pembine Side) to new construction (garage) will be ≈ 22 feet. Asking for ≈ 8 foot variance.

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:

Two Road fronts.

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 22' x 20' garage

Ann Stringer Smith
Applicants Signature

June 30 2013
Date

[Signature]
Property Owners Signature

June 30, 2013
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

210 Bernstadt St.
Novi, Mi 48377

City of Novi
Zoning Board of Appeals
10 Mile Rd.
Novi, MI 48375

Re: Request for garage set back variance for the property known as 226 Henning

Dear Novi Zoning Board of Appeals,

We as the owners of the above listed property are in favor of the variance for a new garage on this property. Our plans are to sell Ann Stringer Smith this property after by the end of August 2013.

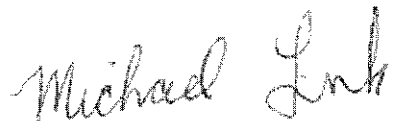
A garage nicely situated on this property would be a great benefit for the new home owner.

If you have any questions regarding our stance of this variance please contact us at #248-231-0169.

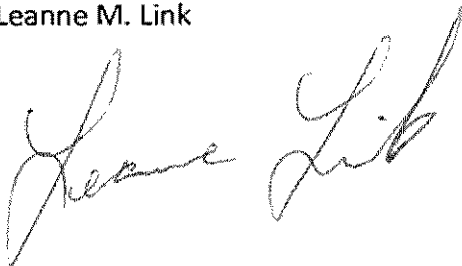
Thank you for your time in this matter.

Sincerely,

Michael J. Link

A handwritten signature in cursive script that reads "Michael Link".

Leanne M. Link

A handwritten signature in cursive script that reads "Leanne Link".

June 2013

135 BUFFINGTON

Novi, Mi 48377

Zoning Board of Appeals
City of Novi
10 mile Road
Novi, Mi 48375

Re: Variance request for new garage construction at the address known as 226 Henning St.

Dear Zoning Board of Appeals members.

I, CALVIN HASHISAKA am not opposed to the 8 foot variance requested by Ann Stringer Smith of 10132 Tecumsh Redford, MI 48239, impending owner of owner of 226 Henning Street, otherwise known as Lot 17 of Lakewoods subdivision, according to the plat therefore in Liber 49 of plats, page 20 of Oakland County Records.

I am fully aware that Ms. Ann Stringer Smith intends to build a 20' wide x 22" deep garage to lay the required 10 foot from the back of the house that presently sits at 226 Henning Street. I am aware this garage will maintain the proper 6 foot required distance from the north property line and at least 11 foot distance from the back property line.

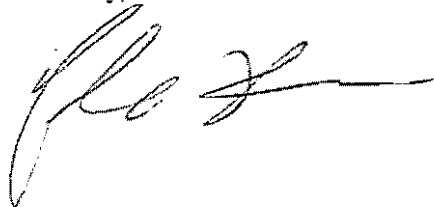
I also know the two buildings together will be under the 25% maximum building to lot requirement with the lot being approximately 5,618.75 square feet and the house and impending garage being 1,404 square feet together and that the existing shed will be removed before construction of new garage.

I understand that a 30 foot setback from property line (Pembine Street side) to the south of this property is required to build this garage and only 22 feet exists for the requested setback.

The variance of 8 feet needed for the set back from the property line to the south side of the impending garage is acceptable to me as a direct resident and neighbor of this property.

Thank you for your time in this matter. If you have any further questions regarding my stance on the requested variance please call # (248) 629 - 8926.

Sincerely,



June 2013

207 Henning
Novi, Mi 48377

Zoning Board of Appeals
City of Novi
10 mile Road
Novi, Mi 48375

Re: Variance request for new garage construction at the address known as 226 Henning St.

Dear Zoning Board of Appeals members,

I, TED DOTA am not opposed to the 8 foot variance requested by Ann Stringer Smith of 10132 Tecumsh Redford, MI 48239, impending owner of owner of 226 Henning Street, otherwise known as Lot 17 of Lakewoods subdivision, according to the plat therefore in Liber 49 of plats, page 20 of Oakland County Records.

I am fully aware that Ms. Ann Stringer Smith intends to build a 20' wide x 22" deep garage to lay the required 10 foot from the back of the house that presently sits at 226 Henning Street. I am aware this garage will maintain the proper 6 foot required distance from the north property line and at least 11 foot distance from the back property line.

I also know the two buildings together will be under the 25% maximum building to lot requirement with the lot being approximately 5,618.75 square feet and the house and impending garage being 1,404 square feet together and that the existing shed will be removed before construction of new garage.

I understand that a 30 foot setback from property line (Pembine Street side) to the south of this property is required to build this garage and only 22 feet exists for the requested setback.

The variance of 8 feet needed for the set back from the property line to the south side of the impending garage is acceptable to me as a direct resident and neighbor of this property.

Thank you for your time in this matter. If you have any further questions regarding my stance on the requested variance please call # () _____.

Sincerely,

Ted Doty June 30 2013

June 2013

155 BUFFINGTON ST
Novi, Mi 48377

Zoning Board of Appeals
City of Novi
10 mile Road
Novi, Mi 48375

Re: Variance request for new garage construction at the address known as 226 Henning St.

Dear Zoning Board of Appeals members,

I, Teep Cooper am not opposed to the 8 foot variance requested by Ann Stringer Smith of 10132 Tecumsh Redford, MI 48239, impending owner of owner of 226 Henning Street, otherwise known as Lot 17 of Lakewoods subdivision, according to the plat therefore in Liber 49 of plats, page 20 of Oakland County Records.

I am fully aware that Ms. Ann Stringer Smith intends to build a 20' wide x 22" deep garage to lay the required 10 foot from the back of the house that presently sits at 226 Henning Street. I am aware this garage will maintain the proper 6 foot required distance from the north property line and at least 11 foot distance from the back property line.

I also know the two buildings together will be under the 25% maximum building to lot requirement with the lot being approximately 5,618.75 square feet and the house and impending garage being 1,404 square feet together and that the existing shed will be removed before construction of new garage.

I understand that a 30 foot setback from property line (Pembine Street side) to the south of this property is required to build this garage and only 22 feet exists for the requested setback.

The variance of 8 feet needed for the set back from the property line to the south side of the impending garage is acceptable to me as a direct resident and neighbor of this property.

Thank you for your time in this matter. If you have any further questions regarding my stance on the requested variance please call # () 313-550-9900.

Sincerely,

Teep Cooper
313-550-9900
6/30/13

MORTGAGE CERTIFICATE

ISSUED TO ALL TITLE COMPANIES AND TO ALLIED MORTGAGE CAPITAL

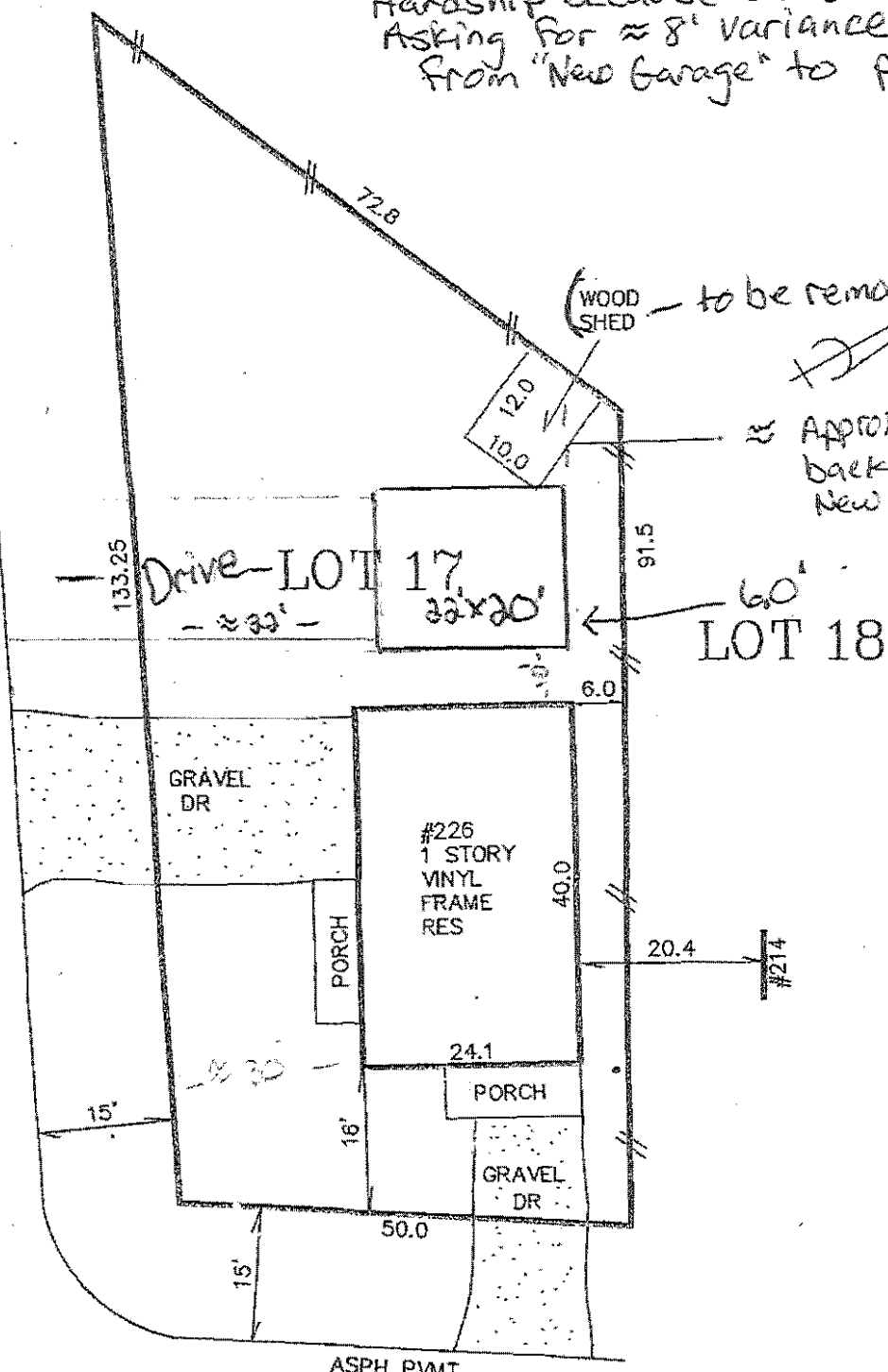
Mortgagee: MICHAEL AND LEANNE LINK

Property Description:

LOT 17 of LAKEWOODS, City of Novi, Oakland County, Michigan, as recorded in Liber 49 of Plats, P of Oakland County Records.

*Handship because of 2 fronts.
Asking for ≈ 8' variance (setback)
from "New Garage" to property line,
(Bembine Side)*

HERBERT - AKA - PEMBINE ST.
ASPH PVMT
PER PLAT



ASPH PVMT
HENNING 50' WD.

We hereby certify that this mortgage inspection shows the improvement(s) as located on the premises described. That the improvement(s) are entirely within lot lines and that there are no encroachments upon the premises described by the improvement(s) of any adjoining premises except as indicated. We further certify that this mortgage certificate is prepared for identification purposes only for the mortgagee in connection with a new mortgage within 120 days of date shown, and is not to be used to establish property lines, easement lines, public right-of-ways, building lines, conformity or non-conformity to state, county, or local ordinances and/or codes, etc. Easements as shown are per recorded plat unless otherwise noted. Fences and driveway locations shown are approximate. To accurately locate fences, driveways and property corners, a certified Land Survey (State Survey) is recommended.



LEGAL DESCRIPTION PROVIDED BY OTHERS:
JOB NO. 02-59035 SCALE 1" = 20'
DATE 10-16-02 DR. BY Rmo

MICHAEL J.

Sidwell
#50-22-03-376-004

(9) 244-0956
10 Oliver