

cityofnovi.org

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

Case No. PZ14-0022

Location: 1367 East Lake Drive

Zoning District: R-4, One Family Residential District

The applicant is requesting an exception from Section 2910 of the Novi Zoning Ordinance to allow an accessory structure of 180 square feet in area and a maximum height of 12 feet on a lot having water frontage. The property is located west of Novi Road and south of 14 Mile Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2910 requires that property on the water side of a public thoroughfare maintain the yard as an open unobscured yard, except that the following may be permitted: a boat well or a single storage shed that is no larger than 10 feet by 10 feet in area and no taller than eight (8) feet in height, and the winter storage of boats and docks.

City of Novi Staff Comments:

The applicant requesting to construct an open pavilion structure measuring 12'x15' and 12 feet in height for a total of 180 square feet on the water side of East Lake Drive that requires a variance for an accessory structure for lots having water frontage. Section 2910 does not permit open pavilion structure as part of the ordinance exceptions for allowable structures on lots having water frontage, however the open pavilion structure could be viewed as similar in nature to a storage shed that would be permitted on the lot up to 100 square feet in area and no taller than 8 feet. Staff supports the request as the open pavilion structure create less of a barrier to the view of the lake than a 10'x10' shed would, which is permitted by the ordinance.

Standards for Granting a Non-Use or 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 applicants personal or economic difficulty because_____.
- The need is not self-created 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_____.



ZONING BOARD OF APPEALS APPLICATION

CITY OF NOVI

Community Development Department

(248) 347-0415

For Official Use Only

cityofnovi.org

ZBA Case No.

P214-0022

ZBA meeting date

July

Check# _____ Include payment with cash or check written to "City of Novi"

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

***Please submit one original full set of all documentation relevant to the appeal plus 14 additional complete sets.

Applicant's Name CARMEN MATTHEWS Date 05/21/14

Company (if applicable)

Address* 1367 E. Lake Dr. City NOVI

State MI Zip code 48377 *Where all case correspondence is to be mailed

Applicant's E-mail address carmatt11@yahoo.com

Phone number 248-390-3303 Fax number

Request is for:

- Residential [checked] Vacant property [] Commercial [] Signage []

Address of subject ZBA case 1367 E. Lake Dr. NOVI Zip code 48377

Cross roads of property No. 13 Mile Rd / W of Novi Rd.

Sidwell number 50-22-02-326-006 & 007 May be obtained from Assessing Department (248) 347-0485

Is the property within a Homeowner's Association jurisdiction? [] Yes [] No

Zoning (Please circle one) MH R-A R-1 R-2 R-3 R-4 RM-1 RM-2 I-1 I-2 RC TC TC-1 Other

Property owner name (if other than applicant)

Does your appeal result from a Notice of Violation or Citation issued? [] Yes [] No

Indicate Ordinance section(s) and variances requested:

- 1. Section _____ Variance requested 5 feet length
2. Section _____ Variance requested 2 feet width
3. Section _____ Variance requested 2 feet height
4. Section _____ Variance requested

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.

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

WE NEED A COVER TO PROTECT US FROM HEAT AND SUN, VERY OPEN AREA & VERY WINDY AND NEEDS A STRONG CONSTRUCTION. LARGE FAMILY WILL NOT FIT UNDER A 10ft.x10ft. COVER. LARGE LOT IS SUITABLE FOR A LARGER CONSTRUCTION. SEE ATTACHED SHEET.

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:

THE LARGE PROPERTY ON THE LAKE SIDE HAS 3 LOTS OF 30ft. each.
A TOTAL OF 90 FT WATERFRONT. THIS WILL FIT A 12x15 PAVILION
AND HAVE 30 ft and 45 FT CLEARANCE TO THE NEIGHBORS NORTH
AND SOUTH AND APPROX. 45 FT. TO THE ROAD AS SHOWN ON MAP AND

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

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.

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 established 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.

PLEASE TAKE NOTICE:

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

- Construct new home/building
- Accessory building
- Addition to existing home/building
- Use
- Signage
- Other

Ormen Matthews

Applicants Signature

05/22/2014

Date

Ormen Matthews

Property Owners Signature

05/22/2014

Date

DECISION ON APPEAL

_____ Granted

_____ Denied

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

PAVILION

1367 East Lake Dr. Novi, mi 48377

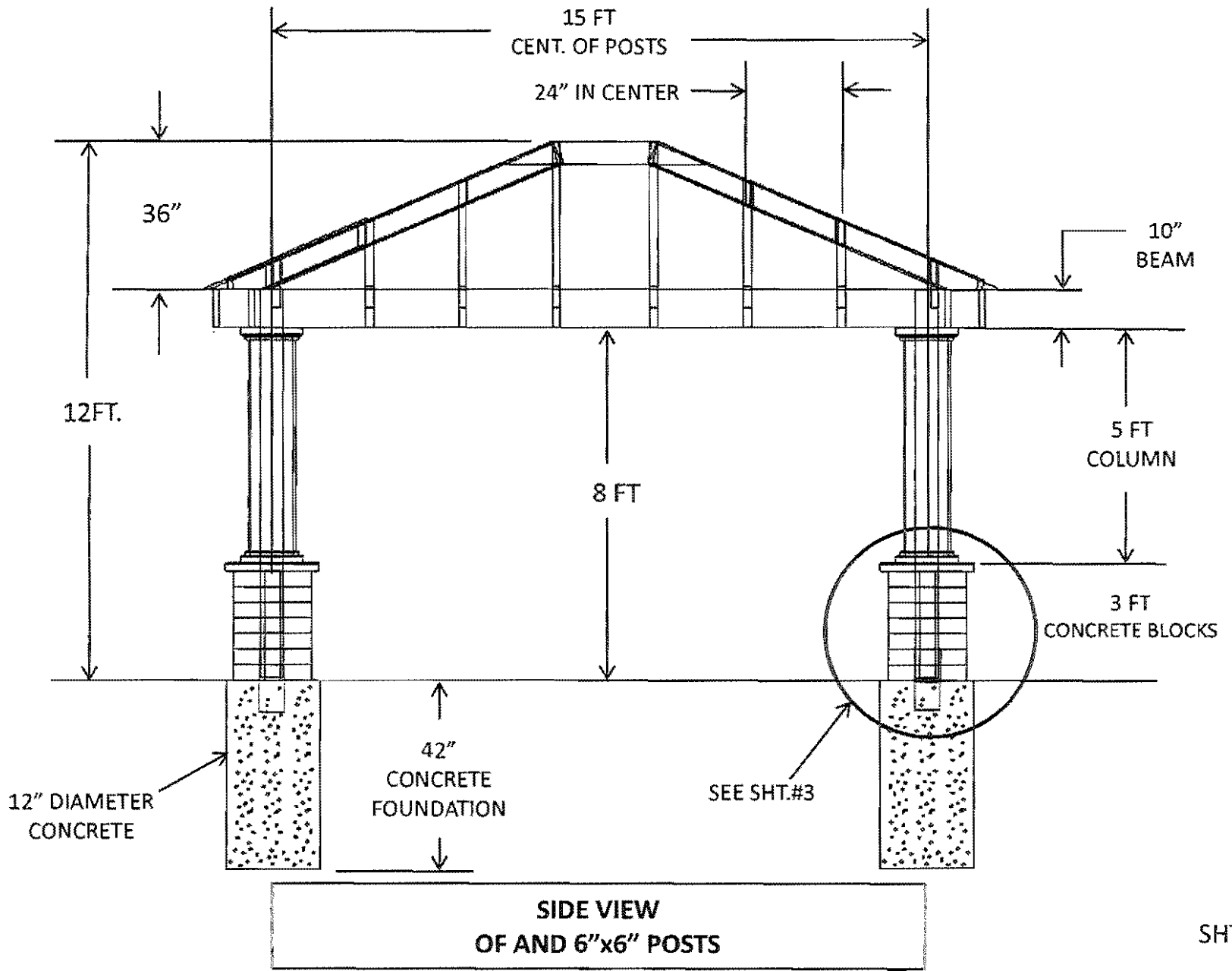
PAVILION

PROJECT LOCATION:
1367 EAST LAKE DR., NOVI, MI 48377

OWNERS: **CARMEN & ROBERT MATTHEWS**

PAVILION

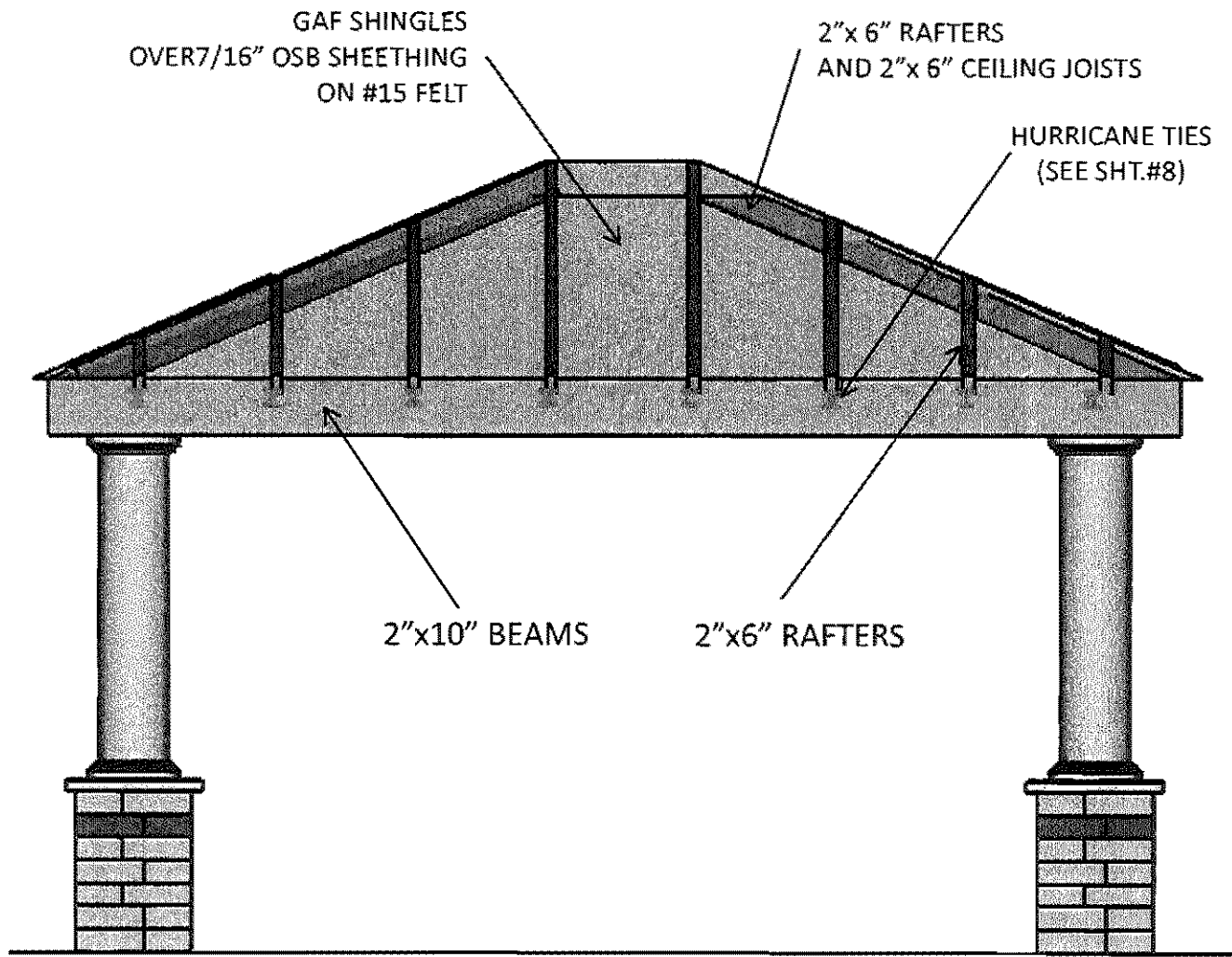
1367 East Lake Dr. Novi, mi 48377



SHT. # 2

PAVILION

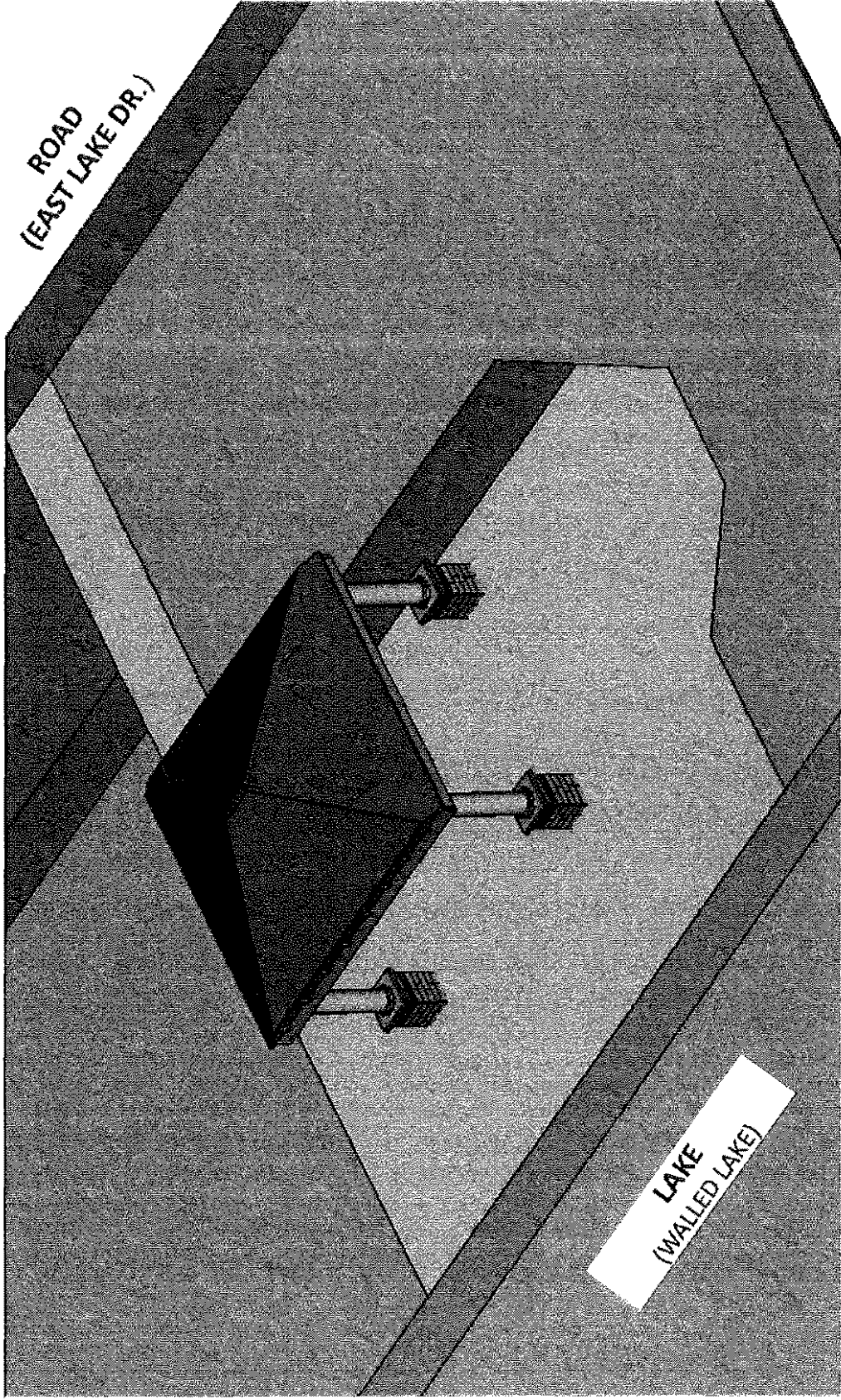
1367 East Lake Dr. Novi, mi 48377



**SIDE VIEW
OF FINAL ASSEMBLY**

SHT. # 7

PAVILION
1367 East Lake Dr. Novi, mi 48377

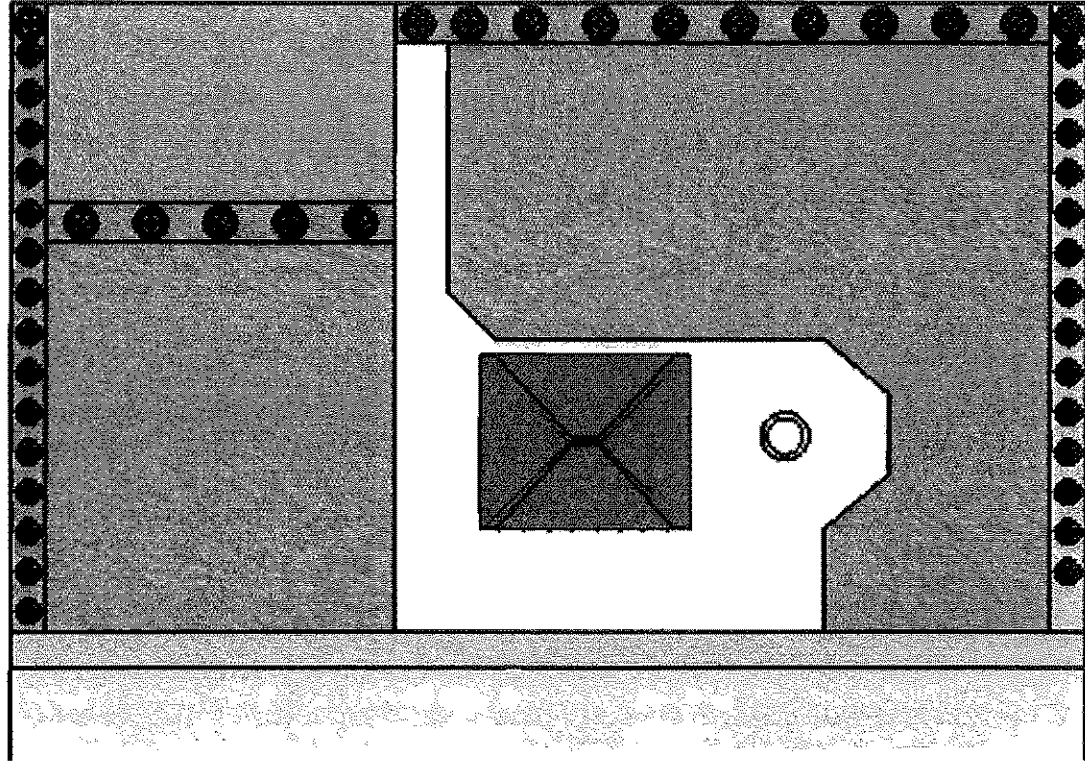


VIEW OF FINALIZED PROJECT

SHT. # 9

PAVILION
1367 East Lake Dr. Novi, mi 48377

1367 East Lake Dr.

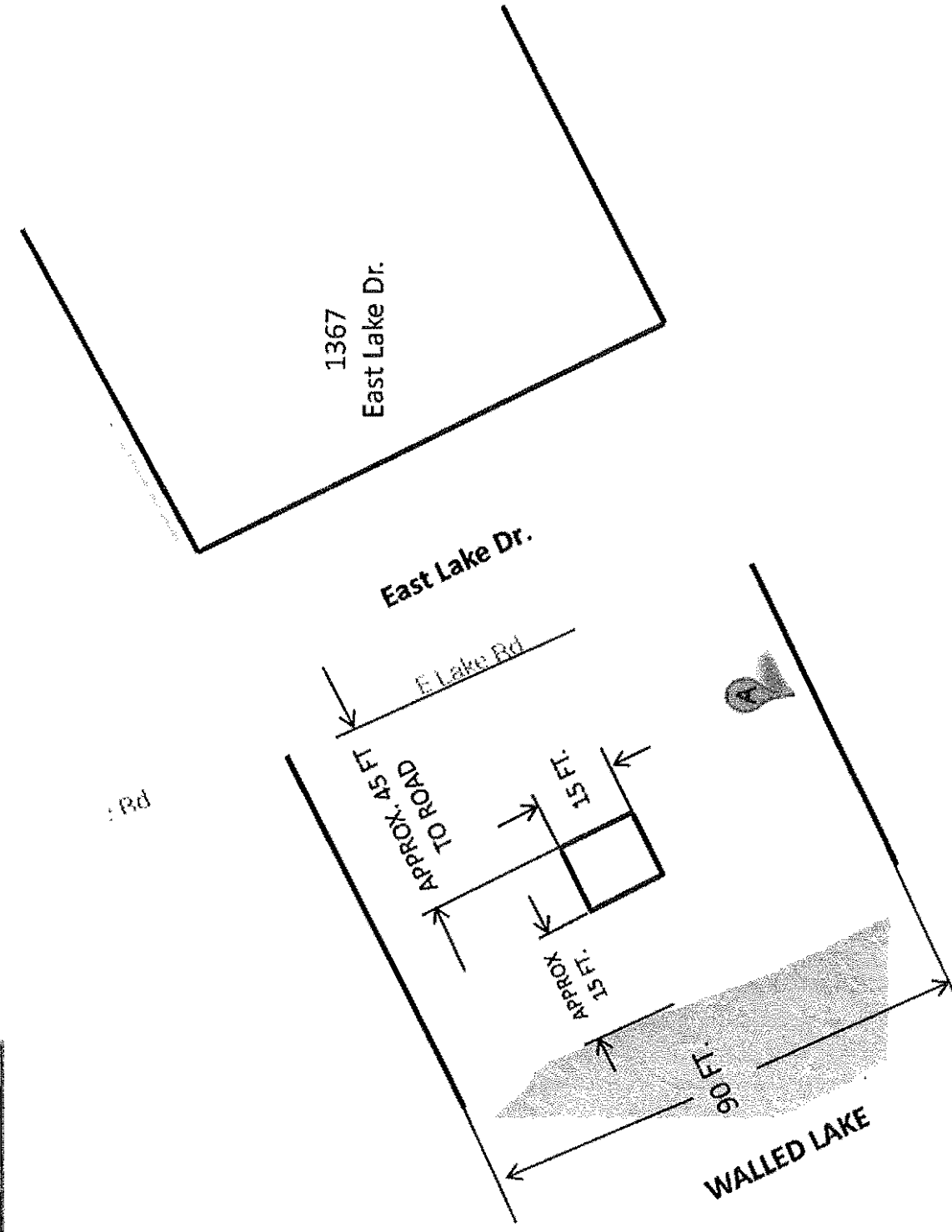


WALLED LAKE

PLAN VIEW
OF PROJECT SITE

SHT. # 10

PAVILION
1367 East Lake Dr. Novi, mi 48377



PLAN VIEW
OF PROJECT SITE

SHT. # 11

1

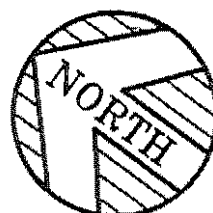
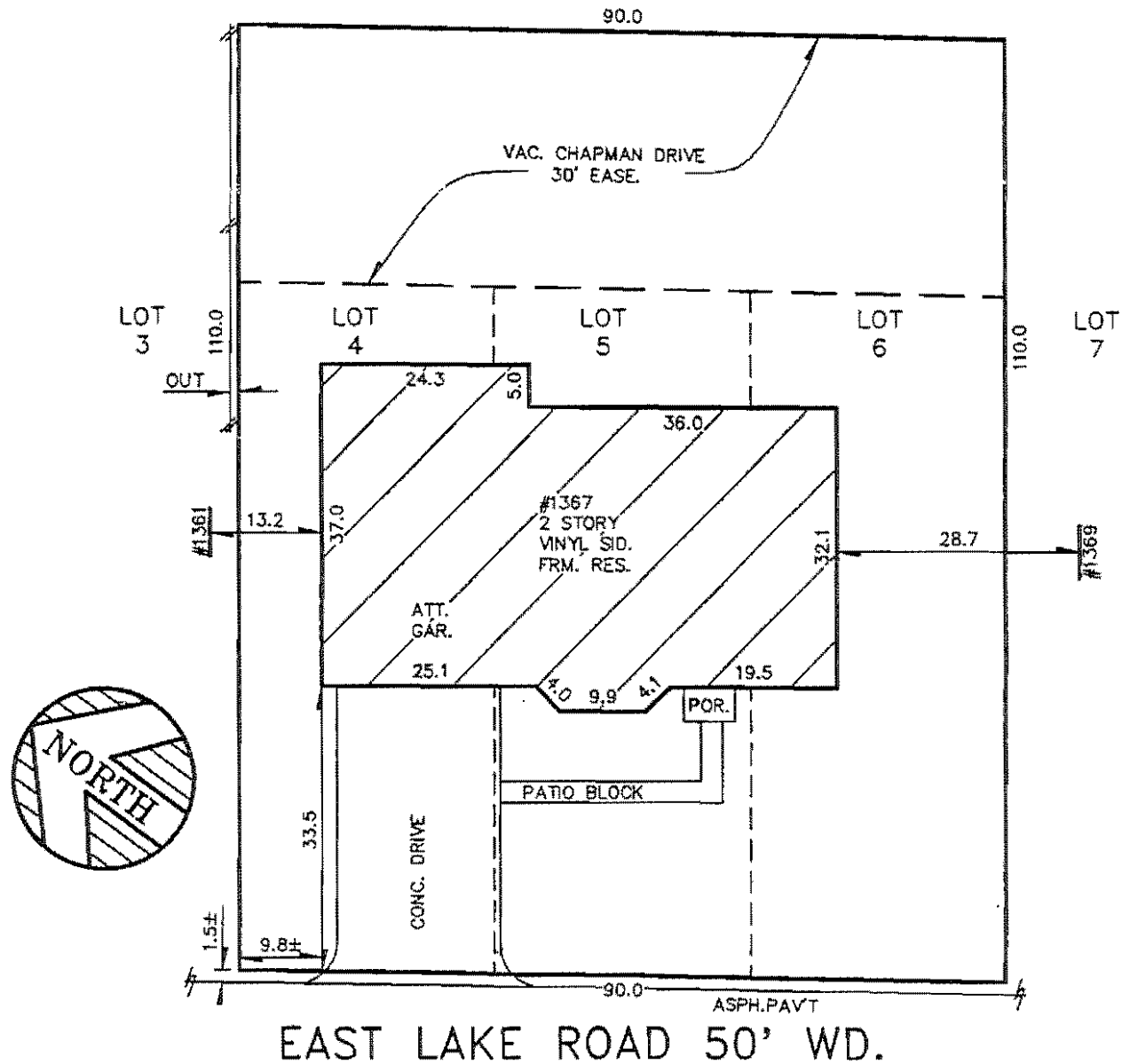
Certified to:

GMAC Mortgage

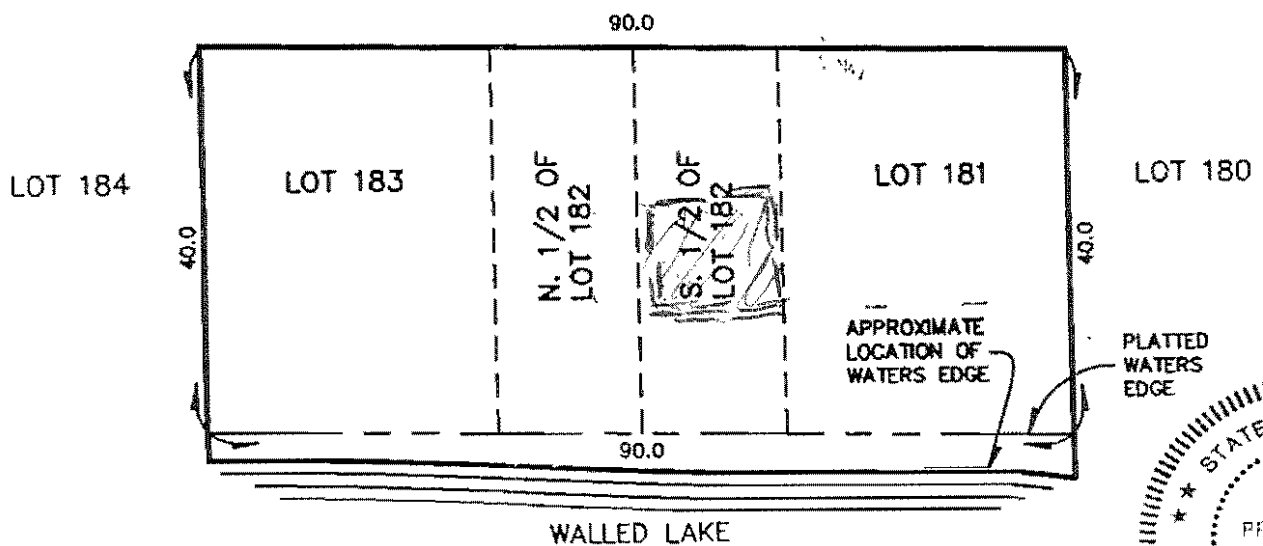
Applicant: ROBERT MATTHEWS AND CARMEN TOMA

Property Description:

Lots 4, 5 and 6 including all of vacated Chapman Drive adjacent thereto; CHAPMAN WALLED LAKE SUBDIVISION, of part of the Southwest Fractional 1/4 of Sec. 2, T.1 N., R.8 E., Township of Novi (now City of Novi), Oakland County, Michigan, as recorded in Liber 9 of Plats, Page 13 of Oakland County Records.



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CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

