



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: November 10, 2020

REGARDING: 1585 Paramount Street, Parcel # 50-22-02-379-015 (PZ20-0048)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Yen Cheng & Yang Wang

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Single Family Residential
Location:	East of East Lake Drive and North of Thirteen Mile Road
Parcel #:	50-22-02-379-015

Request

The applicant is requesting variance from the Novi Zoning Ordinance Section 3.6.C for a proposed 11-foot exterior side yard setback (30 feet required, variance of 19 feet). This variance would accommodate the building of a new residential home. This property is zoned Single 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. **PZ20-0048**, 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. **PZ20-0048**, 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

SEP 29 2020

CITY OF NOVI
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$250.00
 Meeting Date: Nov 10, 2020
 ZBA Case #: PZ 20-0048

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION New house			
ADDRESS 1585 Paramount St. Novi 48377		LOT/SIUTE/SPACE #	
SIDWELL # 50-22-02 -379 -015		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY None			
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? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS	CELL PHONE NO.
NAME Yen Cheng / Yang Wang		yen9591@gmail.com	734-377-6540
ORGANIZATION/COMPANY Individual		TELEPHONE NO.	
ADDRESS 306 Pinehurst Dr.		CITY Canton	STATE MI
			ZIP CODE 48188
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 Yen Cheng / Yang Wang		yen9591@gmail.com	734-377-6540
ORGANIZATION/COMPANY Individual		TELEPHONE NO.	
ADDRESS 306 Pinehurst Dr.		CITY Canton	STATE MI
			ZIP CODE 48188
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input checked="" 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>3.6.C</u> Variance requested <u>Exterior Side yard setbacks</u>			
2. Section _____ Variance requested <u>30ft required, 11ft proposed, variance of 19 ft</u>			
3. Section _____ Variance requested _____			
4. Section _____ Variance requested _____			
IV. FEES AND DRAWINGS			
A. FEES			
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input checked="" 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 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

Applicant Signature

Date

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.

Ysa. Long
Property Owner Signature

9/30/2020
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 and conditions:

Chairperson, Zoning Board of Appeals

Date



Community Development Department

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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:

Our property's width is narrow, only 97 feet wide, our house's width is 58 feet, plus 25 feet driveway, the total is 83 feet wide. If it shifts 19 feet to southeast, there is no room to fit the house.

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:

The Topographic survey report shows our property borderline is on or near by the public woodland area (owned by the city), not on the Lashbrook St. We want to keep/save those trees in the woodland area for having better environmental condition.

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).

The Lashbrook St. is ended at the cross of Paramount St. The rest of Lashbrook St. is in the woodland area, never developed as a street. Our property is treated as ordinary residential property.

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.

We have to redesign the house structure with very narrow front elevation, which destroy the styling of the house and unfavorable layout for living.

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.

All other properties are far away from my property, our current house plan does not impact those properties.

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.

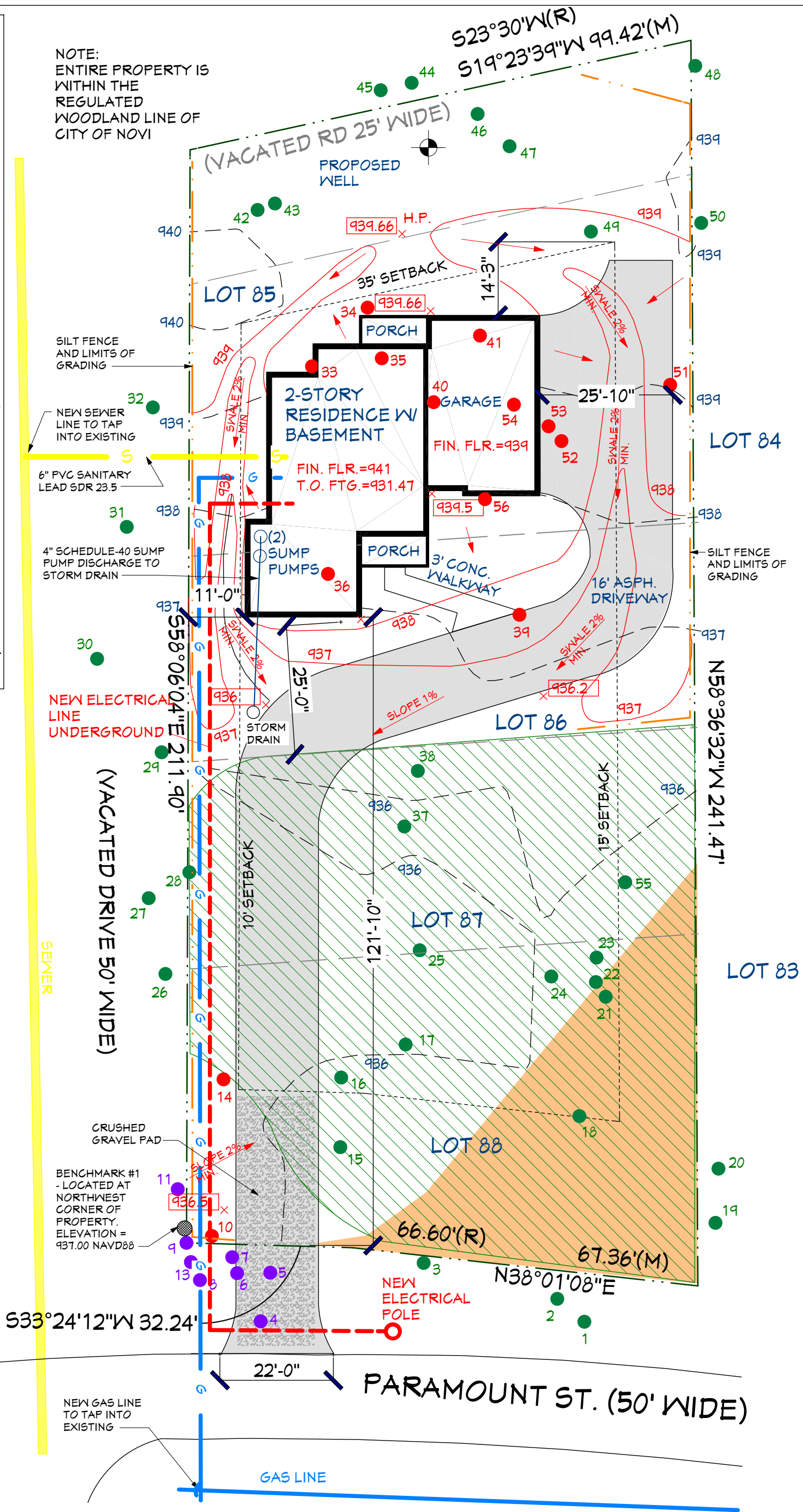
Our property and neighbors have already had an access to the main street, no need for this woodland area to be developed as a street or path.

UN-necessary new street will waste the tax-payer's money and cause negative environmental condition.

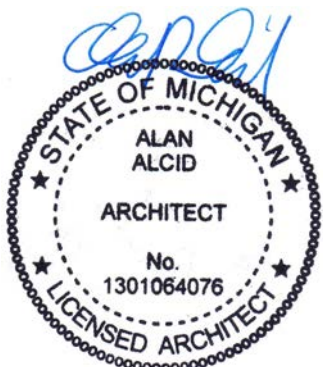
LEGEND

- PROPERTY LINE
- - - EXISTING CONTOUR & ELEV.
- PROPOSED CONTOUR & ELEV.
- DRAIN SLOPE ARROW
- 000.00 x PROPOSED SPOT ELEV.
- ON/OFF-SITE TREE SAVED
- ON-SITE TREE REMOVED
- OFF-SITE TREE REMOVED
- SEWER
- GAS LINE
- POWER LINE
- EXISTING WETLAND AREA (NCRS WSS)
- EXISTING WETLAND SOIL (EGLE, NOVI)

NOTE:
ENTIRE PROPERTY IS
WITHIN THE
REGULATED
WOODLAND LINE OF
CITY OF NOVI



NOTE: DIMENSIONS ARE FOR SCALE PURPOSES ONLY. REFER TO LAND SURVEYOR DOCUMENTS FOR EXACT MEASUREMENTS AND BUILDING PLACEMENT



ARCHITECT:
ALCID HOME DESIGN LLC
1725 Lyric Ct.
Rochester Hills, MI 48307
(248) 602-1387

SHEET:
PLOT PLAN

CLIENT:
WANG / CHENG RESIDENCE
1585 PARAMOUNT ST. NOVI, MI 48377
PARCEL NO. 22-02-379-015

DATE: 10/21/2020
SCALE: 1"=20'-0"
SHEET: **1**

City of Novi



MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.



1 inch = 94 feet



Map Print Date:
9/30/2020



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