

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: March 15, 2016

REGARDING: Rudy (PZ16-0002) 21660 Phillip Drive

BY: Charles Boulard, Building Official

. GENERAL INFORMATION:

Applicant

Blaine Rudy

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: R-3, One Family Residential District

Parcel #: 50-22-36-152-021

Request

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 4.19.1G to allow placement of an accessory structure adjacent to a home (10 foot separation required, 0 feet proposed). The property is located east of Meadowbrook Road and south of Nine Mile Road.

II. STAFF COMMENTS:

Proposed Changes

The applicant is requesting approval to install a detached accessory building (8x10 shed) in the rear yard of the home. The Zoning Ordinance requires a minimum of 10 foot separation between detached structures. There does not appear to be an issue with available space on the parcel for installation of the shed in a complaint location.

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1.	I	move	that	we	<u>grant</u>	the	variance	in	Case	No.	PZ16-0002,	sought	by for
	 dif	ficulty re	equiring					_ b	ecause	Petitic	oner has sho	own prac	tical
		. ,					er will be ur e		,	•	nted or limited	d with resp	pect

Zoning Board Rudy	Of Appea	als				March 15, 2016 Page 2 of 2						
Case # PZ16-0	0002								ragez	. 01 2		
		perty is u	uniaue b	ecaus	se							
(
(C) Petitione	Petitioner did not create the condition because										
									·			
(d	properti	es beca	ause		unreasona						urroundin	ıÇ
(e) The rel	ef if (consister	nt wit	h the spir	it ar	nd inte	nt of	the ord	linance	becaus	SE
(f)	The vari				ct to:				·			
	1									·		
	2											
	3									·		
	4									·		
2. I mo			_		variance			No.	PZ16-00	02 , sc	ought b	Ŋ
for								ıse P	etitioner	[,] has n	ot show	/r
		ılty requ										-
(a	includin	g			and City.					ne ue bec		_
(b	(b) The circumstances and features of the property relating to the varian self-created because									ance re	equest ar	€
(c) The failu econom				result in me return b	ere in ased				y to att stateme	0	
(d	The vari	ance w	ould res	ult in ir	 nterference	with	the adj	acent	and surro	unding	propertie	Э:

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0423.

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

Charles Boulard **Building Official** City of Novi



45175 Ten Mile Road Novi, MI 48375 (248) 347-0415 Phone (248) 735-5600 Facsimile www.cityofnovi.org

ZONING BOARD OF APPEALS APPLICATION

KEGENVED

FEB 0 22016

CITY OF NOVI COMMUNITY DEVELOPMENT

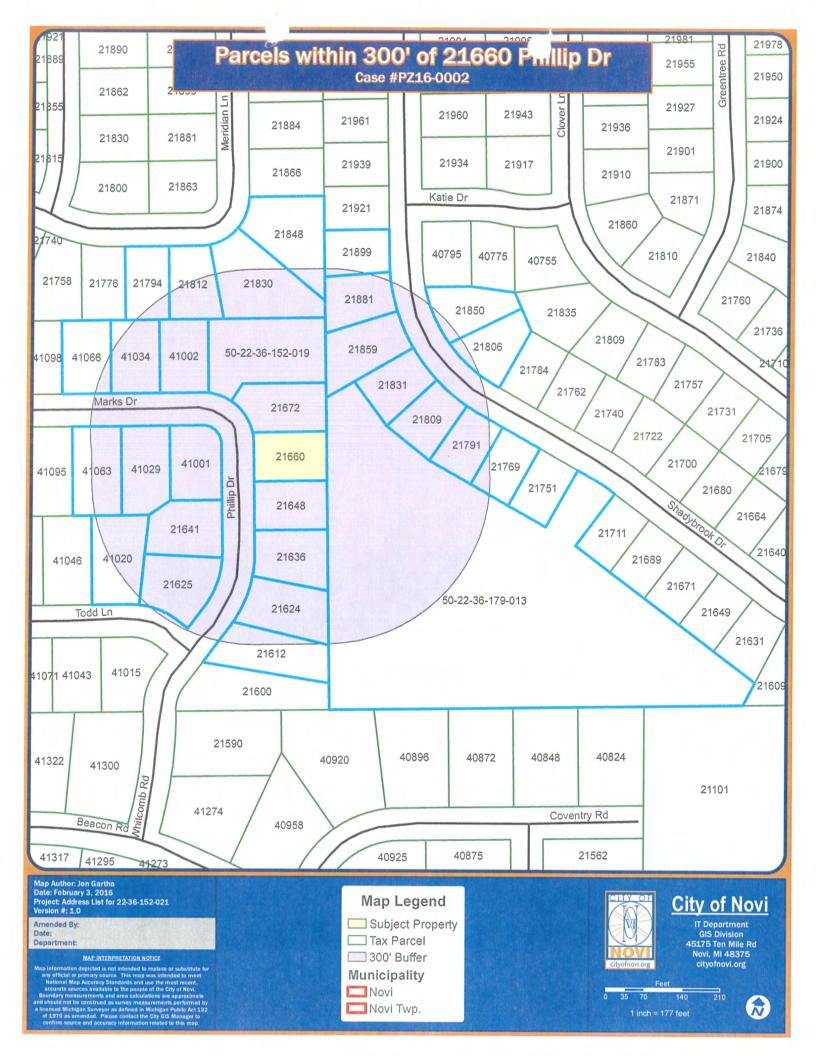
APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Add	Application Fee: \$\frac{1}{200}\text{\text{\$\exititt{\$\tex{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$							
PROJECT NAME / SUBDIVISION Charrington Green Subdivision	- 100	1-151/6						
ADDRESS		LOT/SIUTE/SPACE #	Meeting Date:					
21660 Phillip Drive	Mayba	#13	ZBA Case #: PZ 10-000Z					
50-22- <u>36</u> <u>- 152</u> <u>- 921</u>		optain from Assessing nent (248) 347-0485	Didli Itoti Assessing —————					
CROSS ROADS OF PROPERTY Marks Drive and Phillip Drive								
IS THE PROPERTY WITHIN A HOMEOWNER'S AS.	SOCIATION JURISDICTION?	1		_				
✓ YES □ NO		☐ RESIDENTIAL ☐ COM		POPERTY SIGNAGE				
DOES YOUR APPEAL RESULT FROM A NO	TICE OF VIOLATION OR	CITATION ISSUED? Y	es 🗹 no					
II. APPLICANT INFORMATION	T EMAIL ADDRESS		CELL BUONE NO					
A. APPLICANT	rudyb@umich.edu		CELL PHONE NO. 734-718-1331					
NAME Blaine P. Rudy			TELEPHONE NO. 734-718-1331					
ORGANIZATION/COMPANY			FAX NO.					
			N/A					
ADDRESS 21660 Phillip Drive		CITY Novi	STATE MI	ZIP CODE 48375				
B. PROPERTY OWNER CHECK H	ERE IF APPLICANT IS ALS	O THE PROPERTY OWNER		:				
Identify the person or organization that	EMAIL ADDRESS	Control of the Contro	CELL PHONE NO.					
owns the subject property: NAME			TELEPHONE NO.					
ORGANIZATION/COMPANY			FAX NO.					
ADDRESS		CITY	STATE	ZIP CODE				
III. ZONING INFORMATION								
A. ZONING DISTRICT								
\square R-A \square R-1 \square R-2	☑ R-3 □ R-4	\square RM-1 \square RM-2	☐ WH					
□ I-1 □ I-2 □ RC	☐ TC ☐ TC-1	OTHER	_					
B. VARIANCE REQUESTED								
INDICATE ORDINANCE SECTION (S) AND								
1. Section 4.19.1 G	Variance requested	allow accessory building	ig closer than 10 feet	t to house				
2. Section	·							
3. Section	Variance requested							
4. Section	Variance requested							
IV. FEES AND DRAWNINGS								
A. FEES								
Single Family Residential (Existing	g) \$200 🗌 (With Viole	ation) \$250 🗌 Single Fam	ily Residential (New) \$3	250				
\square Multiple/Commercial/Industrial	☐ Multiple/Commercial/Industrial \$300 ☐ (With Violation) \$400 ☐ Signs \$300 ☐ (With Violation) \$400							
☐ House Moves \$300 ☐ Special Meetings (At discretion of Board) \$600								
	TAL COPY SUBMITTED							
 Dimensioned Drawings and Plans Site/Plot Plan Existing & proposed distance to adjacent property lines Location of existing & proposed signs, if applicable 								
Site/Plot PlanExisting or proposed buildings or c	addition on the prope			ipplicable				
Number & location of all on-site parking, if applicable • 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 appro	ovals.
B. SIGN CASES (ONLY) Your signature on this application indicates that you agree to install a Mock-Up Sig meeting. Failure to install a mock-up sign may result in your case not being heard to schedule ZBA meeting, or cancelled. A mock-up sign is NOT to be actual sign. Upo removed within five-(5) days of the meeting. If the case is denied, the applicant is removal of the mock-up or actual sign (if erected under violation) within five-(5) days	by the Board, postponed to the next in approval, the mock-up sign must be responsible for all costs involved in the
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 building permit for such erection or alteration is obtained within such period and supproceeds to completion in accordance with the terms of such permit.	uch erection or alteration is started and
No order of the Board permitting a use of a building or premises shall be valid for a eighty-(180) days unless such use is establish within such a period; provided, howev dependent upon the erection or alteration or a building such order shall continue if for such erection or alteration is obtained within one-(1) year and such erection or completion in accordance with the terms of such permit.	rer, where such use permitted is n force and effect if a building permit
D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL	
PLEASE TAKE NOTICE:	
The undersigned hereby appeals the determination of the Building Official / Inspec \square CONSTRUCT NEW HOME/BUILDING \square ADDITION TO EXISTING HOME/BUILDING	
✓ ACCESSORY BUILDING ☐ USE ☐ OTHER	
W 45500	
VI. APPLICANT & PROPERTY SIGNATURES	
A. APPLICANT	
Blair Pay	9 70702
Applicant Signature	Date
B. PROPERTY OWNER If the applicant is not the owner, the property owner must read and sign be The undersigned affirms and acknowledges that he, she or they are the owner(s) of	low:
application, and is/are aware of the contents of this application and related enclo	sures.
application, and is/are aware of the contents of this application and related enclo	sures.
application, and is/are aware of the contents of this application and related enclo	sures.
application, and is/are aware of the contents of this application and related enclo Property Owner Signature	sures. Date
application, and is/are aware of the contents of this application and related enclo Property Owner Signature VII. FOR OFFICIAL USE ONLY	sures.
application, and is/are aware of the contents of this application and related enclo Property Owner Signature VII. FOR OFFICIAL USE ONLY DECISION ON APPEAL:	sures.
application, and is/are aware of the contents of this application and related enclo Property Owner Signature VII. FOR OFFICIAL USE ONLY DECISION ON APPEAL: GRANTED DENIED	Date
application, and is/are aware of the contents of this application and related enclo Property Owner Signature VII. FOR OFFICIAL USE ONLY DECISION ON APPEAL:	Date
application, and is/are aware of the contents of this application and related enclo Property Owner Signature VII. FOR OFFICIAL USE ONLY DECISION ON APPEAL: GRANTED DENIED	Date
application, and is/are aware of the contents of this application and related enclo Property Owner Signature VII. FOR OFFICIAL USE ONLY DECISION ON APPEAL: GRANTED DENIED	Date
application, and is/are aware of the contents of this application and related enclo Property Owner Signature VII. FOR OFFICIAL USE ONLY DECISION ON APPEAL: GRANTED DENIED	Date



January 27, 2016



City of Novi Office of Community Development 45175 Ten Mile Road Novi, MI 48375

Re:

Location:

21660 Phillip Drive

Request for Variance: Shed

To Whom It May Concern:

We are current neighbors of the property owners at the subject location. We live adjacent to them to the north (21672 Phillip Drive). The purpose of this letter is to advise you that we have no concerns regarding the existing shed at the subject location. We encourage you to grant the variance requested.

If additional confirmation of our opinion is required, please call us at: 248.449.9354.

Thank you.

Sincerely,

C. Mary Carlisle John R. Ca

John R. Carlisle

January 24, 2016



To whom it may concern City of Novi, Michigan Re: shed at 21660 Phillip Drive, Novi, Michigan 48375

This letter is to inform you we are very satisfied regarding the shed location at 21660 Phillip Drive, Novi MI 38375.

I reside at 21648 Phillip Drive, Novi, MI 38375, which is the closest neighbor to the shed location. I would not want it anywhere else.

No other neighbor can see the shed unless they are in the Rudy's backyard or mine. I am strongly in favor of the variance.

Thank you,

Catherine and Dana Tuttle

248.596-9722

Meeting Minutes

CHARRINGTON GREEN HOMEOWNERS' ASSOCIATION December 3, 2015

Location: Faith Community Presbyterian Church

44400 W. Ten Mile Road, Novi

FEB 0 2 2016

CITY OF MOVE

RECEIVED

BOARD MEMBERS:

Hank Herbst, President Ken Kalousek, Vice President Mary Beth Ceresko, Treasurer Denise Smith, Secretary Rosemary Blaskiewiz, Director John Carlisle, Director Ed Kim, Director

Called to order at 7:07 PM

- In attendance: Mary Beth Ceresko, Linda Shoener, Ken Kalousek, Hank Herbst, Rosemary & Ray Blaskiewicz, Al LaCentra, Rich & Susan Graeber, Cathy Tuttle, Blaine Rudy, John & Mary Carlisle
- The following handouts were given to attendees:
 - Meeting Minutes (August 26, 2015)
 - Treasurer's Report (May 2, 2015 November 30, 2015)
 - Agenda (December 3, 2015)
- Meeting Minutes for August 26, 2015: approved
- Treasurer's report for May 2, 2015, through November 30, 2015: approved
 - All dues are up to date
 - Majority of the money is for landscaping
 - o Treasurer will follow up on having the front portion of the park entrance treated for weeds

OLD BUSINESS

- Trash Removal
 - Hank attended the City of Novi open meeting pertaining to the Request for Proposal (RFP) regarding a city-wide trash removal contract
 - 50% of attendees complained about the city "railroading" the ordinance through without a vote
 - It is believed that Charrington Green will benefit from what is proposed (lower fees)
 - See the attachments to Hank's email of November 29, 2015, to view the "Request for Proposals"
 - current Novi News presented a relatively accurate article on the subject
 - RFP to be sent out in December 2015
 - Bids to be returned by January or February 2016
 - Successful bidder to be determined in April
 - Successful bidder to start operation sometime in the summer

Entrance Grant Monies – Plans

- City of Novi is offering five \$5,000.00 matching grants for subdivision entrance signs and landscaping each year for the next four years (you must spend \$10,000.00 to get \$5,000.00, \$8,000.00 to get \$4,000.00...)
 - We are competing with other subdivisions for one of the grants

Meeting Minutes (12/3/2015)

- We have a committee in the process of obtaining estimates for replacement of our current sign/lighting
 - Estimates will also be obtained for landscaping improvements
 - Committee to meet with the City of Novi in early January for initial application review
 - Completed application to be submitted no later than February 5, 2016
 - Grant winners to be announced in April or early May
 - Project to be completed by November 15, 2016
- Considering the current requirements for replacement <u>signs</u>, the cost is expected to be approximately \$10,000.00
 - \$3,500.00 in current budget
 - proposed one-time special assessment of \$135.00 per household--due in May 2016
 - If we cannot afford to have the sign and landscaping done during 2016, we can apply for a second matching grant of up to \$5,000.00 in 2018.
 - There will be a <u>special Charrington Green Homeowners Association Meeting</u> to vote on the proposed <u>one-time special assessment of \$135.00</u> per household
 - Wednesday, January 20, 2016 7:00 PM
 - voting may be done by proxy
 - two/thirds of votes received required for passage
- o THANK YOU to Mary Beth for all that she has done to move this project forward!!!
- Sheds
 - There was a complaint regarding a shed that did not have approval (21660 Phillip Dr.)
 - within 90 days, owner to apply to the City of Novi for a permit and variance (if required)
 - upon approval by the city, the subdivision will approve
- Annual Meeting Date
 - o Tuesday, March 22, 2016, 7:00 PM
- NEW BOARD MEMBERS NEEDED FOR 2016
- Other New Business
 - o None

Meeting adjourned at 8:24 PM

Respectively submitted,

Mary Carlisle



Community Development Department

45175 Ten Mile Road Novi, MI 48375 (248) 347-0415 Phone (248) 735-5600 Facsimile www.cityofnovi.org

REVIEW STANDARDS USE VARIANCE

cityofnovi.org

For Use Variances: A use variance may be granted by the Zoning Board of Appeals only in cases where the applicant demonstrates in the official record of the public hearing that undue hardship exists by showing all of the following:

In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards.

Standard #1. Cannot Be Reasonably Used.

Explain how the land, building or structure cannot be reasonably used for any of the uses permitted by right or by special land use permit in the zoning district in which it is located.

In accordance with our Homeowner's Association Covenant and Deeds, the shed must be placed 35 feet from the rear property line. However, that will place the shed in the middle of our backyard which would render a portion of our backyard unusable. Neighbors as well as property owners will view the shed from every window of their homes.

Standard #2. Circumstances or Physical Conditions.

Explain how the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, topography, or similar physical conditions and is not due to the applicant's personal or economic hardship.

The Homeowner's Association Covenant and Deeds states that any structure must be at least 35 feet from the rear property line. The shed would also need electrical, and by placing it directly behind the garage, we are able to use existing electrical connections, . The shape of the house allows a large indented area to be used for shed or storage purposes, which is out of view from property owner and other property owners, without disrupting the natural treeline/forestry view.

Standard #3. Character of the Neighborhood.

Explain how the proposed use will not alter the essential character of the neighborhood.

Placing the shed against the back of the garage will keep it out of view from road and will keep the beautiful view of the forest line intact. Neighbors cannot see shed from their homes/yards and can still view treeline with no blockage. The colors of the shed are almost an exact match of the siding/roof of the house.

Standard #4. Not Self-Created.

Explain how 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).

According to our Homeowner's Association Covenant and Deeds, the shed must be at least 35 feet from the rear property line, which places the shed in the middle of our yard, obstructing view of treeline, as well as the flow of our property as well as our neighbors. Placing the shed in any location, other than the proposed, would make it viewable by neighbors and neighborhood. Other sheds in our neighborhood were "grandfathered" in, and sheds in other neighborhoods nearby (within a 1 mile radius) are located directly against homes. (See attached picture)



BMS8100

574 CU FT TREMONT® 8 X 10 STORAGE SHED



Products are subject to change without notice and dimensions given may vary from the actual product. Colors may not be accurate on your screen

SPECIFICATIONS

COLORS

- Constructed of steel reinforced durable double-wall resin
- Includes two corner shelves with 8 optional locations
- Includes six skylights
- Metal reinforced shingle style roof panels
- Pad-lockable metal handles (lock not included)
- Reinforced floor for tractor support
- Additional shelving, loft kit, and hook and basket accessories available (not included, BMSA1S, BMSA2L, BMSA3B)



Vanilla

Doors



Stoney

Roof



Slate

Most popular Suncast colors

Smart. Inside & Out®

BMS 8100 FRONT VIEW

TOTAL VOLUME (cu ft)

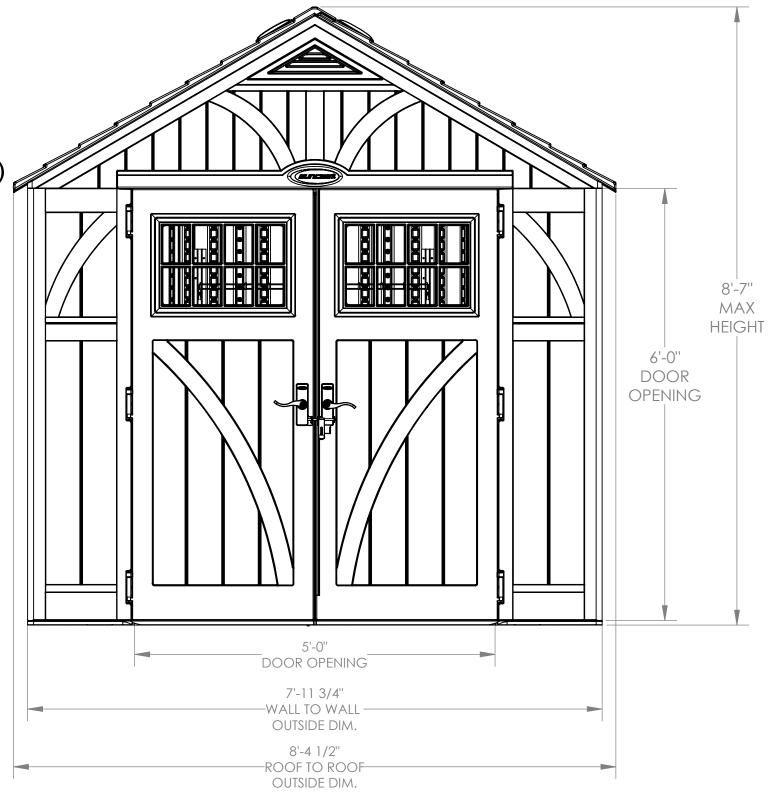
Interior: 546.5 cu ft.

Exterior: 598.5 cu ft.

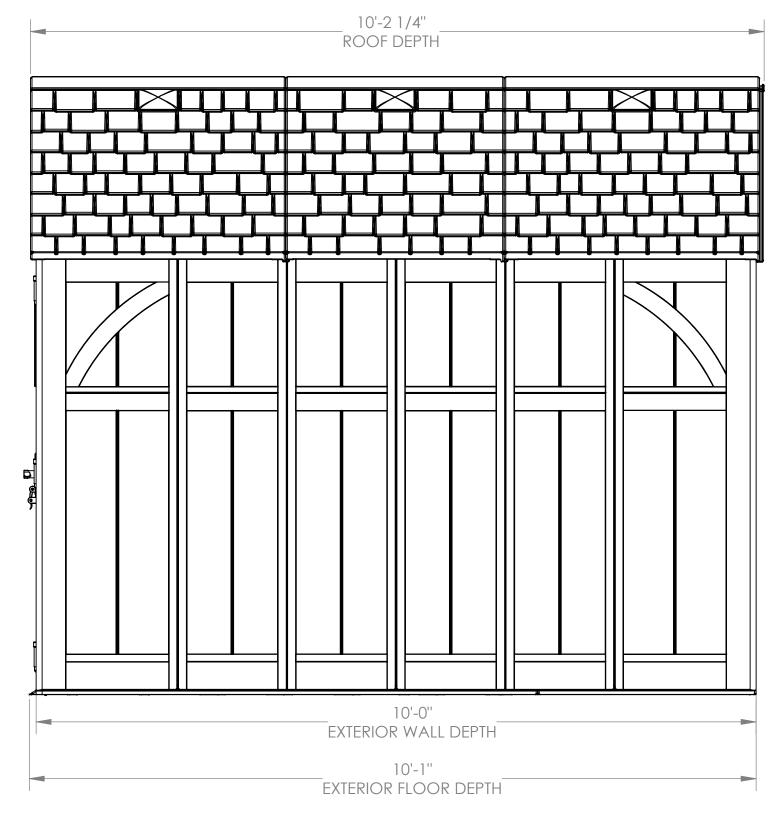
SQUARE FOOTAGE

Interior: 75.5 sq ft.

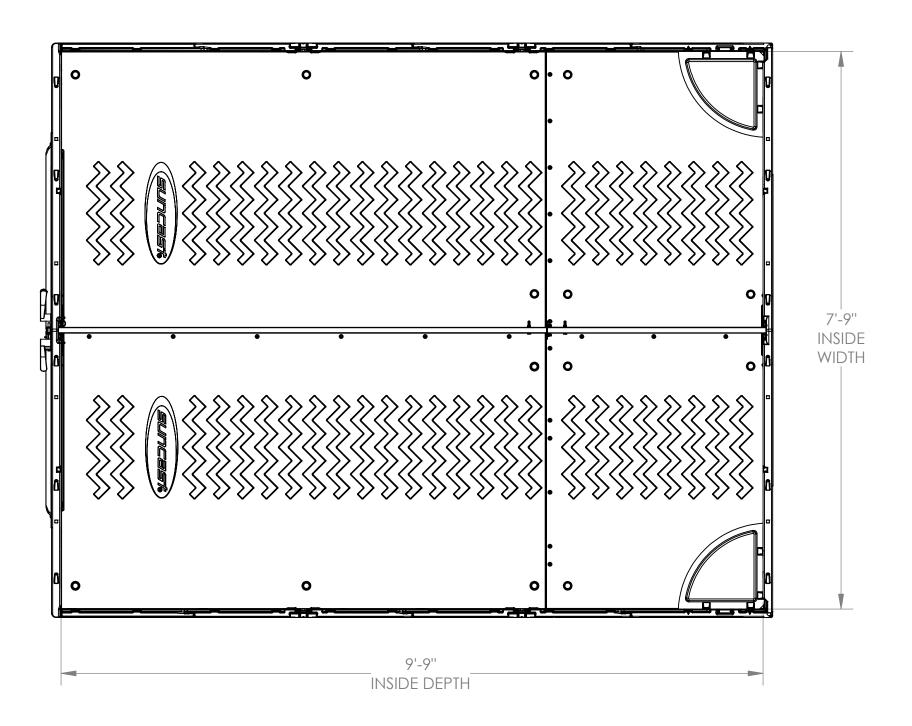
Exterior: 79.75 sq ft.



BMS 8100 SIDE VIEW



BMS 8100 TOP VIEW



BMS 8100 SECTION VIEW

