



cityofnovi.org

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

Case No. PZ13-0013 21373 Bridle Run

Location: 21373 Bridle Run

Zoning District: RA, Residential Acreage District

The applicant is requesting a variance from the CITY OF NOVI, CODE OF ORDINANCES, and Section 2400 to allow construction of a new single family home with a reduced front setback of 30ft. (45 ft. required). The property is located west of Beck Road and north of 8 Mile Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 and the Maybury Park Estates RUD (Residential Unit Development) approval requires that structures designated as part of the R-A zoning district have a minimum front yard setback of 45 ft.

City of Novi Staff Comments:

The petitioner is proposing to construct a new single family detached home on an existing lot with a R-A zoning designation within the Maybury Park Residential Unit Development. The rear portion of the lot is occupied by a Conservation Easement with a depth of approximately 156 feet recorded as part of the original development for preservation of natural features. While there is space on the lot for the proposed structure, the owner(s) would like to be able to install a pool, patio and other amenities behind rather than beside the home. The lot is somewhat unique but is not the only lot in the development with a significant portion covered by the conservation Easement.

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 _____.



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For Official Use Only

ZBA Case No: P213-0013 ZBA Date: 3/12/13 Payment Received: \$ 250 (Cash)

Check # 1014 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 James Janisse Date 1/30/2013

Company (if applicable) _____

Address* 3939 Woodward Ste. 232 city Detroit ST Mi ZIP 48201
*Where all case correspondence is to be mailed.

Applicant's E-mail Address: _____

Phone Number (519) 735-3520 FAX Number () _____

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 21373 Bridle Run ZIP 48167

2. Sidwell Number: 5022-32-401-098 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 OSC OST _____ OTHER _____

5. Property Owner Name (if other than applicant) _____

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 2400 Variance requested Reduction of Frontyard
- 2. Section _____ Variance requested Setback to 30 feet
- 3. Section _____ Variance requested _____
- 4. Section _____ Variance requested _____

RECEIVED

FEB 1 2013

CITY OF NOVI
COMMUNITY DEVELOPMENT

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):

See attached sheet

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:

See attached sheet

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

James Janis
Applicants Signature

1/30/2013
Date

James Janis
Property Owners Signature

1/30/2013
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

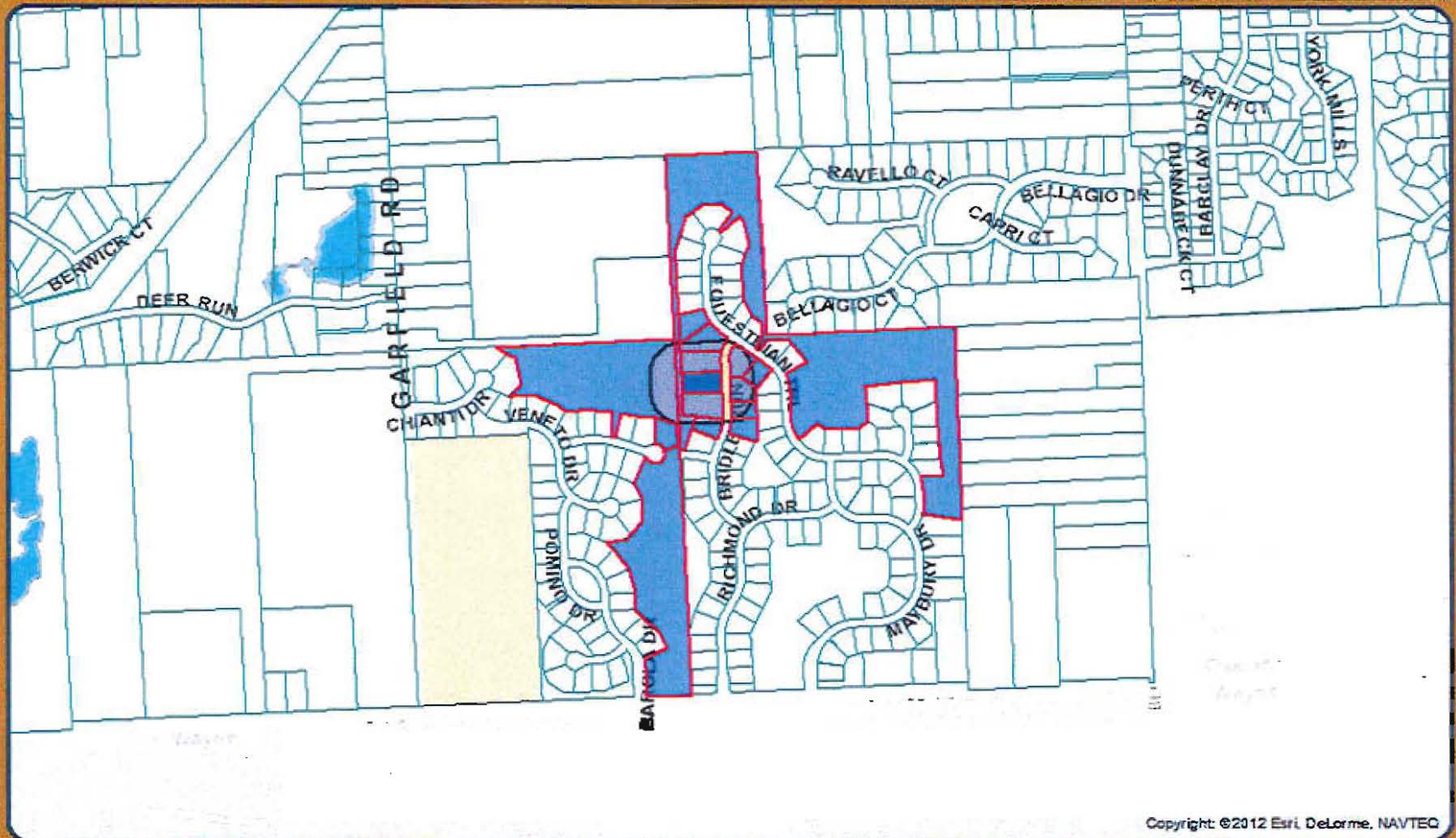
9. State the practical difficulties which prevent conformance with the Zoning Ordinance requirements:

The property we own, 21373 Bridle Run (Lot 90) poses significant practical difficulties as we move forward with our building plans. We are a family with two young boys (4 and 8 years of age) and we would like to build a house and have a property that we will be able to enjoy year round. For a family with children, part of that enjoyment includes having a backyard with room to have a deck/patio and pool. The current ordinance requirements for lot 90 do not leave adequate space for these things in the backyard. There is currently a 45 foot setback required on the property and a large conservation easement in the backyard. Because of these two things, we do not have enough room behind the house to have a patio and pool. We do not want to place the pool in our side yard because this may interfere with our neighbors and the expected aesthetics of the neighborhood. We have put a great deal of effort into designing the home in a way that would reduce its depth in order to add to the available space in the backyard. However, that alone is not sufficient. Therefore, we are asking for a reduction of the front yard setback from 45 feet to 30 feet so that we will have some room to build a patio and pool.

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:

The primary thing that is unique about our property is that it includes a very large conservation easement, which cannot be utilized in any way. The property is 291 feet deep; however the back 156 feet are restricted conservation easement. This leaves a 135 foot depth for building. After the 45 foot setback, the building envelope is only 90 feet. As previously stated, although we've worked hard to minimize the depth of the house, we are still only left with approximately 28-38 feet of backyard space. This distance will not be enough to fit both a pool and patio/deck behind the house. Moving the house forward 15 feet will allow for approximately 43-53 feet behind the house, which will allow for a modest size patio and pool. The request for a 30 foot setback, instead of the 45 foot setback, will not adversely impact the surrounding neighborhood. The majority of homes in the neighborhood currently have a 30 foot setback. Therefore, our home's placement will fit in with the surroundings.

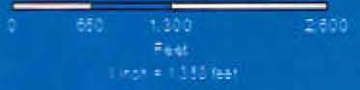
21373 Bridle Run



Copyright: ©2012 Esri, DeLorme, NAVTEC



Map Produced Using the
 City of Novi, Michigan
 Internet Mapping Portal



Author:
 Date: 2/21/2013

MAP INTERPRETATION NOTICE

Map information provided is not intended to replace or substitute for any official or domain. While 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 1979 as amended. Please contact the City GIS Manager to confirm accuracy and accuracy information related to this map. This map was produced under the terms of the City's Internal Policy on Public Information Access and Release.



• CRAFTSMANSHIP • DESIGN • EXPERIENCE •

February 21, 2013

Dean Williams
Kramer-Triad Management Group
1100 Victors Way STE 50
Ann Arbor, MI 48108

Re: Maybury Park Estates Lot 90 / James and Heather Janisse

Dean,

We have reviewed the modification request and the developer supports changing the setback on lot 90 in Maybury Park Estates from 45' to 30'.

Sincerely,

A handwritten signature in black ink, appearing to read "Sebastian Lombardo", is written over a light blue horizontal line.

Sebastian Lombardo
President
Cranbrook Custom Homes


February 16, 2013

Zoning Board of Appeals
City of Novi
Community Development Department
45175 W 10 Mile Rd
Novi MI 48375

To Whom It May Concern:

I am writing this letter in support of James and Heather Janisse's application for building variance to the City of Novi. I understand that they have requested to reduce their front yard setback from 45 to 30 feet. I live at 21341 Bridle Run (lot 91) which is right next to the lot James and Heather will be building on. I have met the Janisse's a couple of times and we have discussed their building plans. I believe their request is reasonable and I have no objection to the requested placement of their house on lot 90. I believe their building plans are well suited to the community.

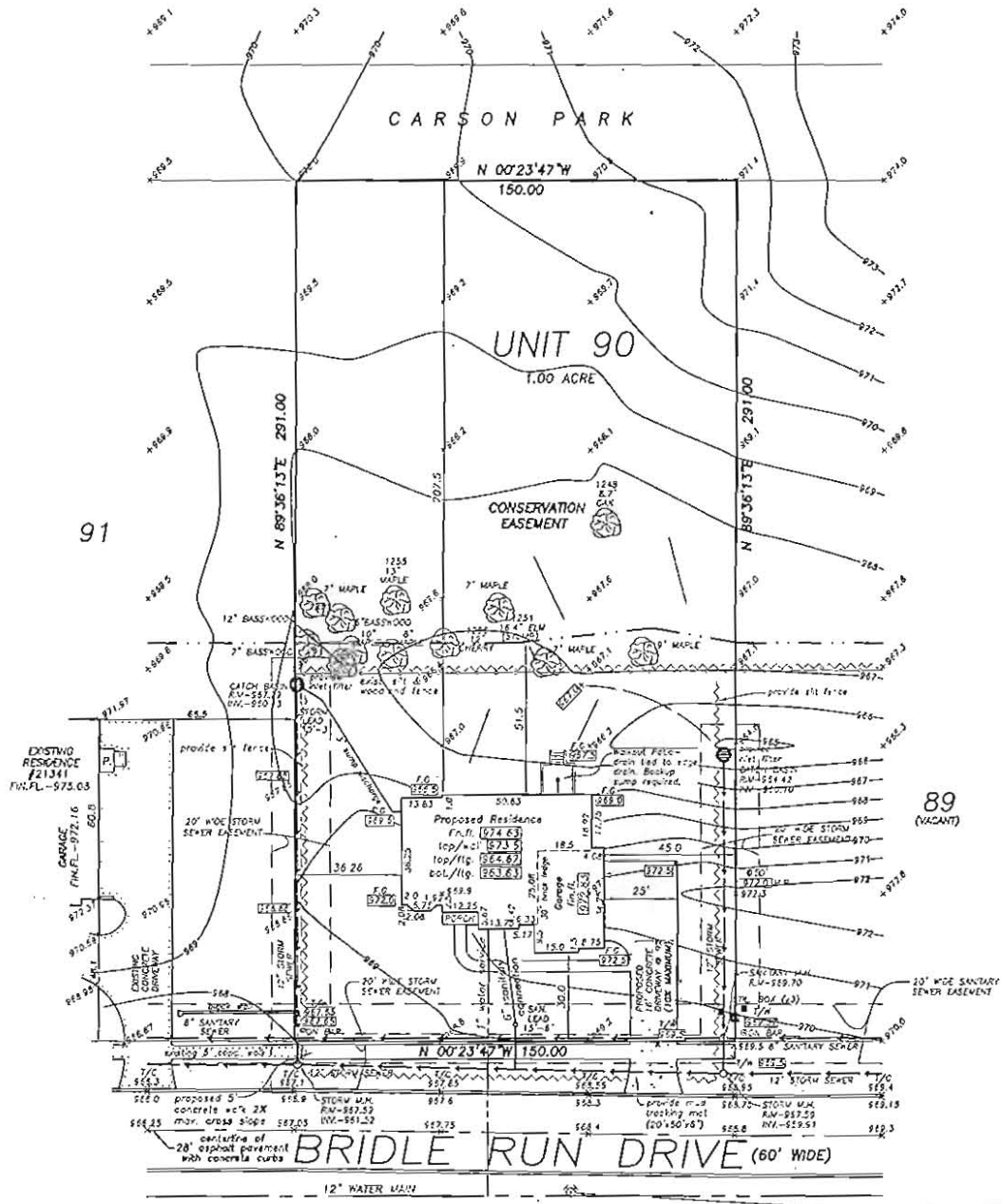
Sincerely,

A handwritten signature in black ink, appearing to read "H. Gorges". The signature is fluid and cursive, written in a dark ink on a white background.

Hazim Gorges
21341 Bridle Run
Novi MI 48167

LEGAL DESCRIPTION

UNIT 90 OF REPLAT No. 1 OAKLAND COUNTY CONDOMINIUM SUBDIVISION PLAN No. 1609 EXHIBIT B TO THE MASTER DEED OF "MAYBURY PARK ESTATES", PART OF THE SOUTHEAST ¼ AND SOUTHWEST ¼ OF SECTION 32, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOV, OAKLAND COUNTY, MICHIGAN.



NOTE:
ALL PROPOSED GRADES SHALL MEET AND MATCH GRADE AT TREE PROTECTION FENCE LINE.

NOTE:
FENCE ALONG SIDE & REAR LOT LINES AS NECESSARY TO PROTECT EXISTING LAWN & LANDSCAPING ON ADJACENT PROPERTY.

- - - - - = SILT FENCE
- - - - - F.G. = BRICK LEDGE
- - - - - = EXISTING CONTOUR
- - - - - = SNOW FENCE
- - - - - = CONSERVATION ESMT.

3 WORKING DAYS BEFORE YOU DIG
CALL MISS DIG
1-800-482-7171
(TOLL FREE)

000.00 = EXISTING ELEV.
[] 000.00 = PROPOSED ELEV.
- - - - - = DRAINAGE COURSE
Revised Garage - 28 Feb. 13



GRADING PLAN

Prepared For: CERVI CONSTRUCTION CO.
P.O. Box 700142
PLYMOUTH, MI 48170
(248) 305-8256

JEKABSON & ASSOCIATES, P.C.
Professional Land Surveyors
1320 Goldsmith, Plymouth, MI 48170
(734) 773-7285 (734) 414-7272 fax
by *[Signature]*



BENCH MARK
ARROW ON HYDRANT
ELEVATION = 970.97

| | |
|---------|-----------|
| PLAN | Custom |
| DATE | 19 DEC 12 |
| JOB NO. | 06-01-005 |
| SCALE | 1" = 40' |
| DRAWN | JRN |
| CHECKED | JGE |
| SHEET | 1 OF 1 |