

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: February 11, 2020

REGARDING: 1529 W Lake Drive, Parcel # 50-22-03-131-004 (PZ20-0003)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Joann and Ned Aloe

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: Single Family Residential

Location: East of West Park Drive and South of W Pontiac Trail

Parcel #: 50-22-03-131-004

Request

The applicant is requesting variance from the City of Novi Zoning Code Section 4.19(1)b to allow the proposed building of an accessory structure in the front yard, by code Accessory buildings shall not be erected in the front yard or in any required exterior side yard. 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.	PZ19-0003,	sought	by for
								_ b	ecause	Petitic	oner has sho	own prac	
	dit	difficulty requiring											
							ner will be ui e			•	nted or limited	d with resp	pect
	(b) The property is unique because										·		
		(c) Pe	titioner	did nc	ot create	the c	condition be	caus	se			_	

(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)	(f) The variance granted is subject to:									
	1									
	2									
	3									
	4									
	ve that we <u>deny</u> the variance in Case No. PZ20-0003 , sought by									
for because Petitioner has not she practical difficulty requiring										
	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									
ĺ	(e) (f) I mo for practic (a) (b) (c) (d)									

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

APPLICATION MUST BE FILLED OUT COMPLETELY

ADDRESS SDIVEL IF SOURCE O 3 31 6 U	I. PROPERTY INFORMATION (Address of subject ZBA Case) PROJECT NAME / SUBDIVISION	Application Fee: \$200.00						
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED VES NO	Alve - Detached Garage	Meeting Date: Feb 1						
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 Number & location of all on-site parking, if applicable Any other information relevant to the Variance application 								



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE	the news
A. VARIANCE (S) REQUESTED	Section B
■ DIMENSIONAL USE SIGN	\$40 K 200 Str. 1
There is a five-(5) hold period before work/action can be taken on variance approva	ls.
B. SIGN CASES (ONLY) Your signature on this application indicates that you agree to install a Mock-Up Sign to meeting. Failure to install a mock-up sign may result in your case not being heard by the schedule ZBA meeting, or cancelled. A mock-up sign is NOT to be actual sign. Upon a removed within five-(5) days of the meeting. If the case is denied, the applicant is respressional of the mock-up or actual sign (if erected under violation) within five-(5) days	the Board, postponed to the next approval, the mock-up sign must be
C. ORDINANCE	or mo greening.
City of Novi Ordinance, Section 3107 – Miscellaneous	*** A Marie Conference of the
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 such proceeds to completion in accordance with the terms of such permit.	n erection or alteration is started and
No order of the Board permitting a use of a building or premises shall be valid for a period eighty-(180) days unless such use is establish within such a period; provided, however, dependent upon the erection or alteration or a building such order shall continue in for such erection or alteration is obtained within one-(1) year and such erection or alteration in accordance with the terms of such permit.	where such use permitted is
D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL	THE AND RELEASED TO
PLEASE TAKE NOTICE:	180
The undersigned hereby appeals the determination of the Building Official / Inspector CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING	or Ordinance made
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VI. APPLICANT & PROPERTY SIGNATURES	
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VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT Applicant signature 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 application, and is/are aware of the contents of this application and related enclosur Property Owner signature VII. FOR OFFICIAL USE ONLY DECISION ON APPEAL:	ne property described in this res. 12/9/20/9 Date Date Dillowing and conditions:



Community Development Department

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

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:

 Shape of Lot. Exceptional narrowness, shallowness of in existence on the effective date of the Zoning Ord Not Applicable Applicable 	shape of a specific property inance or amendment. oplicable, describe below:
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The garage cannot be erected in we the back yard since the back yard since the back y This is what all other neighbors have	rstructure. oplicable, describe below: that is Technically and is Walled Lake e done (built garage front" yand)
to the subject property would prohibit the literal enfo of the Zoning Ordinance or would involve significant	orcement of the requirements

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).

Many lakefront lots in this area are narrow and short (not deep), which necessitates some flexibility in setbacks.

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.

A two-phase remodel is planned. Phase one will be the construction of a 1/2 car garage. Every foot on a narrow lot is of value, so a reduced sideyard setback is requested. A side setback of 4' is requested instead of 6'. Note that I' of that is allowed for overhang so the actual Wall of the garage would be 5' from side lot. 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.

In order to build 10' from the existing home, the proposed garage can then only be 22.6' from the road instead of the 30' setback required, due to the depth of the 10t and the location of the home on the lot.

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.

The reduced side yard setback is adjacent to a neighbor's driveway.

The reduced setback to the street will still allow for a vehicle to be fully out of the genage and yet not "hang over" into the road.

