



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: September 10, 2019

REGARDING: 1310 E Lake Drive, Parcel # 50-22-02-151-033 (PZ19-0029)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Michael Thompson Design Group

Variance Type

Dimensional

Property Characteristics

Zoning District: Single Family Residential
Location: West of Novi Road and North of Thirteen Mile Road
Parcel #: 50-22-02-151-033

Request

The applicant is requesting variances from the City of Novi Zoning Ordinance Sections 4.19 (E)i, for a 173 square foot variance for a proposed 1,023 square foot garage, 850 square feet allowed by code. Section 3.1.5 for a 25 foot total combined side yard aggregates. 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. **PZ19-0029**, 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. **PZ19-0029**, 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

APPLICATION MUST BE FILLED OUT COMPLETELY

| | | | | | |
|---|--|--|--|--|--|
| I. PROPERTY INFORMATION (Address of subject ZBA Case) | | | | Application Fee: <u>\$ 200.00</u> | |
| PROJECT NAME / SUBDIVISION PROPOSED GARAGE RENOVATION & MUD ROOM ADDITION | | | | Meeting Date: SEPT. 10, 2019 | |
| ADDRESS 1310 EAST LAKE DRIVE | | LOT/SIUTE/SPACE # | | ZBA Case #: PZ | |
| SIDWELL # (PID) 22-02-151-032 | | 50-22- 22-02-151-032 | | May be obtain from Assessing Department (248) 347-0485 | |
| CROSS ROADS OF PROPERTY EAST LAKE DRIVE & JUST SOUTHWEST OF NEW COURT | | | | | |
| 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? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | | | |
| II. APPLICANT INFORMATION | | | | | |
| A. APPLICANT | | EMAIL ADDRESS michaelthompsonarchitect@gmail.com | | CELL PHONE NO. (248) 933-5093 | |
| NAME MICHAEL THOMPSON AIA | | | | TELEPHONE NO. | |
| ORGANIZATION/COMPANY THOMPSON DESIGN GROUP | | | | FAX NO. | |
| ADDRESS 1210 IRVING AVE. | | CITY ROYAL OAK | | STATE MI. | |
| | | | | ZIP CODE 48067 | |
| B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER | | | | | |
| Identify the person or organization that owns the subject property: | | EMAIL ADDRESS thevartos@gmail.com | | CELL PHONE NO. (734) 837-0732 | |
| NAME ROBERT VARTO | | | | TELEPHONE NO. | |
| ORGANIZATION/COMPANY HOMEOWNER | | | | FAX NO. | |
| ADDRESS 1310 EAST LAKE DRIVE | | CITY NOVI | | STATE MI. | |
| | | | | ZIP CODE 48377 | |
| 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 4.19(E)-i | | Variance requested | | EXCEED MAX. ALLOWABLE SQ. FT. OF GARAGE | |
| 2. Section _____ | | Variance requested | | PROPOSED SIZE IS 1,023 SQ. FT. | |
| 3. Section _____ | | Variance requested | | (173 OVER 850 SQ. FT. LIMIT) | |
| 2. Section 3.1.5 | | Variance requested | | SIDEYARD SETBACKS ON EACH SIDE FOR | |
| | | | | HOUSE W/ ATTACHED GARAGE (25' AGGREGATE | |
| | | | | 10' MIN. ONE SIDE REQ'D.) | |
| IV. FEES AND DRAWINGS | | | | | |
| A. FEES | | | | | |
| <input checked="" type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input 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 | | | | | |
| • Dimensioned Drawings and Plans | | • Existing & proposed distance to adjacent property lines | | | |
| • Site/Plot Plan | | • Location of existing & proposed signs, if applicable | | | |
| • Existing or proposed buildings or addition on the property | | • Floor plans & elevations | | | |
| • 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 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

07/24/19
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.

Property Owner Signature

07/24/19
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

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:

- 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:

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 EXISTING HOUSE & DETACHED GARAGE FOOTPRINTS WERE
ORIGINALLY CONSTRUCTED CLOSER TO THE SIDFYARD LOT LINES
THAN THE CURRENT ZONING ORDINANCE ALLOWS.
THIS PROPOSED NEW WORK DOES NOT ENCROACH INTO THE
EXISTING SIDE-YARDS. 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. ^{PLEASE} (SEE COVER LETTER)

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 HOUSE & GARAGE HAVE FUNCTIONAL DEFECTS THAT LIMIT THE USE OF THE PROPERTY. THIS PROPOSED PROJECTS CORRECTS THE FOLLOWING:

- 1.) PROVIDE NEEDED STORAGE AREA.
- 2.) ATTACHES GARAGE
- 3.) PROVIDE IMPROVED ENTRY (MUD ROOM)

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.

- LIMITING THE GARAGE TO 850 SQ. FT. WOULD NOT ALLOW THE PROPOSED CONSTRUCTION OF A MUCH NEEDED LOFT STORAGE SPACE OF 445.5 SQ. FT. ABOVE THE GARAGE & WITHIN THE NEW STEEPER ROOF CAVITY.
- ENFORCING THE SIDERYARD SETBACKS DOES NOT APPLY BECAUSE THERE IS NO PROPOSED CHANGE TO THE SIDE YARDS & FOOTPRINTS OF HOUSE & GARAGE ABUTTING SIDE-YARD

Standard #4. Minimum Variance Necessary. & GARAGE ABUTTING SIDE-YARD

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.

THIS PROJECT IS TO RECONSTRUCT THE EXISTING GARAGE ROOF & ADD A STORAGE LOFT SPACE ABOVE. THE NEW ROOF DESIGNED HAS BEEN CAREFULLY DIMENSIONED & SLOPED SO THAT IS DOES NOT EXCEED 14'-0" IN HEIGHT WHICH IS THE MAX. HT. FOR A DETACHED GARAGE. ATTACHED GARAGES CAN BE 35'-0" HIGH PER

Standard #5. Adverse Impact on Surrounding Area. (W/ REQ'D. SETBACKS ORDINANCE)

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.

THIS PROJECT HAS BEEN CAREFULLY DESIGNED TO BLEND WITH THE MODERN STYLE HOUSE & THE SCALE & DETAIL OF THE NEW GARAGE ROOF HAS BEEN KEPT LOW WITH ADDED DETAIL TO ENHANCE THE LOOK.

THE MUD ROOM INFILL BETWEEN THE EXISTING HOUSE & DETACHED GARAGE IS LOW IN HEIGHT WITH MINIMAL AFFECT ON THE PROPERTY'S APPEARANCE.

July 24, 2019

City of Novi
Community Development Department
Building Division
4575 Ten Mile Road
Novi, Michigan 48375

Re: City review for a proposed garage roof re-build, added storage loft, & mud room addition to 1310 East Lake Drive, Novi,

Attachments:

- One full sized set of drawings of the proposed new work
- Completed Zoning Board of Appeals application & \$200 check
- One digital copy of all submission documents

Dear City of Novi:

The following is a description of the property at 1310 East Lake Drive, the proposed new work, and the unique conditions that we are seeking City of Novi zoning review prior to presenting our proposed project to the Zoning Board of Appeals.

- **Description of the existing conditions:**
This property is 60' wide parcel located on the east bank of Walled Lake. It includes a recently renovated/upgraded three story house, detached two car garage, and wood decks facing the lake. This parcel is zoned "R-4" Residential with single family houses on both sides. The existing two-car garage is detached and is constructed with concrete block walls that act as retaining walls as the garage is partially dug into a rise on the property. The structures along the lake are all very different and unique and many include a number of existing non-conforming conditions due to many of them being constructed prior to the modern Zoning Ordinance.
- **Description of the proposed project:** This project's scope includes the following:
 - **Correcting the current functional defects of the house/garage:** The Varto family expressed the shortcomings of the existing house & garage. This is a description of the these along with the proposed solutions as follows:

- **Slab-on-grade house:** The current three-story house is narrow at 20' wide (outside dimensions) with no basement. The main floor is living space (with a mechanical room) and the two upper levels are bedrooms. This results in a lack of the required typical storage space in a one-family house. It also has resulted in the detached garage being over-packed and is not able to be used. Storage space for family items is much needed and storage area within the house is not an option.
Therefore, we are proposing to add a storage loft space over the existing garage by re-constructing the roof structure (currently a 5:12 roof pitch) with a 12:12 roof pitch with side dormers. The upper loft storage will include shelving to store household items.
- **Detached garage:** The current detached garage is not easily accessible from the house with the man door is on the far north side. Plus, the garage floor line is 30" above the house entry elevation.
Therefore, we are proposing to connect the detached garage to the house will provide for a securer and conditioned entry and exit connection. Also, the added storage capacity above the garage will have improved accessibility by connecting a passageway between the house and garage.
- **Main house entrance:** The current front door facing East Lake Drive is the main family entrance and opens directly into the dining room. The house lacks a proper front foyer/hallway/mudroom.
Therefore, we are proposing to construct a mudroom in the existing gap between the house and garage that would be accessible from the new house/garage connector. This would allow the family a proper transition room for daily activities especially useful in in-climate weather. The current stair landing in the house is almost the same elevation as the garage floor and this improves the flow of the proposed new connection.
- **Upgrade the aesthetic appearance of the property:** The current house has recently been upgraded to a fresh and modern design with steep roof, distinctive overhangs, and accentuated metal awnings. The detached garage remains mostly original with a 5:12 lower slope roof and front elevation that is not consistent with the upgraded house look. This new garage project prosed design includes rebuilding the roof to a 12:12 pitch to match the main house with matching overhangs, windows, and dormers. This will result in both the house and garage appearing with modern and consistent look and style.
- **Work with the neighboring homeowners:** Bob Varto and his family have discussed their proposed new plans with the surrounding property owners. The Vartos have elected not to expand the footprint of their garage into their current back yard and work with the City in requesting to add a new structure above the garage instead. The new roof structure has been carefully designed to blend with the house, be in keeping the scale of the neighborhood, features proposed side dormers are pushed back by 6' from the garage front to reduce the scale from the roadway. The overhead height in the garage would be minimized to 7'- 7" which would keep the roof height below 14'-0" from the lower grades in the front and north side.

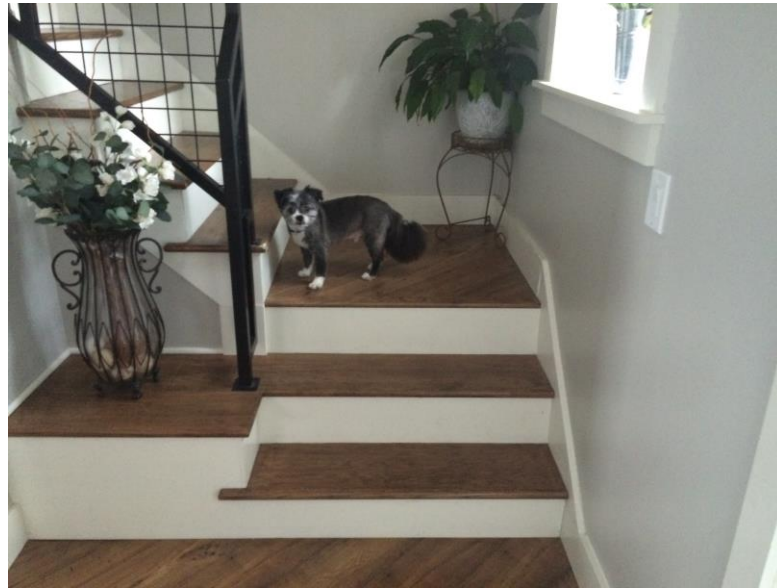
- **Existing condition photographs:**
Included are photographs of existing property as follows:



VIEW LOOKING FROM THE NEIGHBOR'S UPPER DECK FROM ACROSS THE STREET



POOR ACCESSIBILITY OF HOUSE CONNECTION TO THE DETACHED GARAGE
The garage floor is 30" above the house floor line with man door on opposite side of the garage.



PROPOSED INTERNAL HOUSE CONNECTION FROM EXISTING LANDING.

The wall behind the dog would feature a new 36" wide archway to the new mud room and garage.



GARAGE SET INTO GRADE & ACROSS FROM CITY PARCEL.

The garage exposed elevation is lower at the side and back as it is built into a slope. This view shows a vacant City corner parcel directly across from the garage.

Zoning Data:

Lot Coverage:

- **Lot size:** 7,080 square feet
- **Max. 25% allowable lot coverage:** 1,770 square feet
- **Current lot coverage:** 1,526.5 square feet
- **Added coverage:** 80 sq. ft (mud room)
- **Proposed new lot coverage:** 1,606.5 square feet (conforms)

Setbacks:

- **Front & Rear:** The front and rear setbacks conform to the 30' front and 35' rear yard minimal requirements
- **Sideways:** The existing side-yard setbacks are dimensioned on the submitted site survey.

Garage height:

- **Existing garage height:** 10'-6"
- **Max. height allowed for detached garage:** 14'-0"
- **Max. height for attached garage:** 35'-0"
- **Proposed garage height:** 14'-0" Note that the detached garage height of 14'-0" was followed as the new garage height for the following reasons:
 - Minimizes the new roof structure size for the neighboring lot to the north.
 - The new garage height is in best keeping with the spirit of the Zoning Ordinance. Even though the existing detached garage will now be attached, we elected to not exceed the lower required maximum height for a detached garage.

Variations required: (to be verified with the City)

- **Garage size:** Ordinance Section 4.19 (E) - i
 - **Max. allowable size:** 850 square feet
 - **Current size:** 577.5 square feet
 - **Proposed added space:** 445.5 square feet (Loft storage space)
 - **Proposed new size:** 1,023 square feet (would exceed max. allowable size by 173 square feet)
 - **Additional description:**
 - No change to current garage footprint.
 - Expansion is limited to a proposed loft storage space above accessible by ladder. The 445.5 sq. ft. size is based on the loft floor area that has a 5'-6" min. head room. (area of dormers).
- **Side-yard Setbacks:** Ordinance Section 3.1.5
 - **Current:** The existing side-yard setbacks are dimensioned on the submitted site survey.
 - **No change in building footprints:** The existing setbacks remain the same after this proposed new work because the existing building footprints abutting the side-yards are unchanged.
 - **Garage becomes attached:** Since the current detached garage is proposed to be attached (due to mud room addition), the required setbacks are changed. The side-yard

THOMPSON DESIGN GROUP LLC, 1210 IRVING, ROYAL OAK, MICHIGAN (248)933-5093

setbacks required per the Ordinance for a house with an attached garage of 25' aggregate and 10" min. one side cannot be met and require a variance.

We look forward to the City of Novi's review of this proposed new scope of work at 1310 East Lake Drive.

Please let us know if you have any questions or comments or require any additional information.

We look forward to presenting this proposed project at an upcoming Zoning Board of Appeals meeting on September 10th.

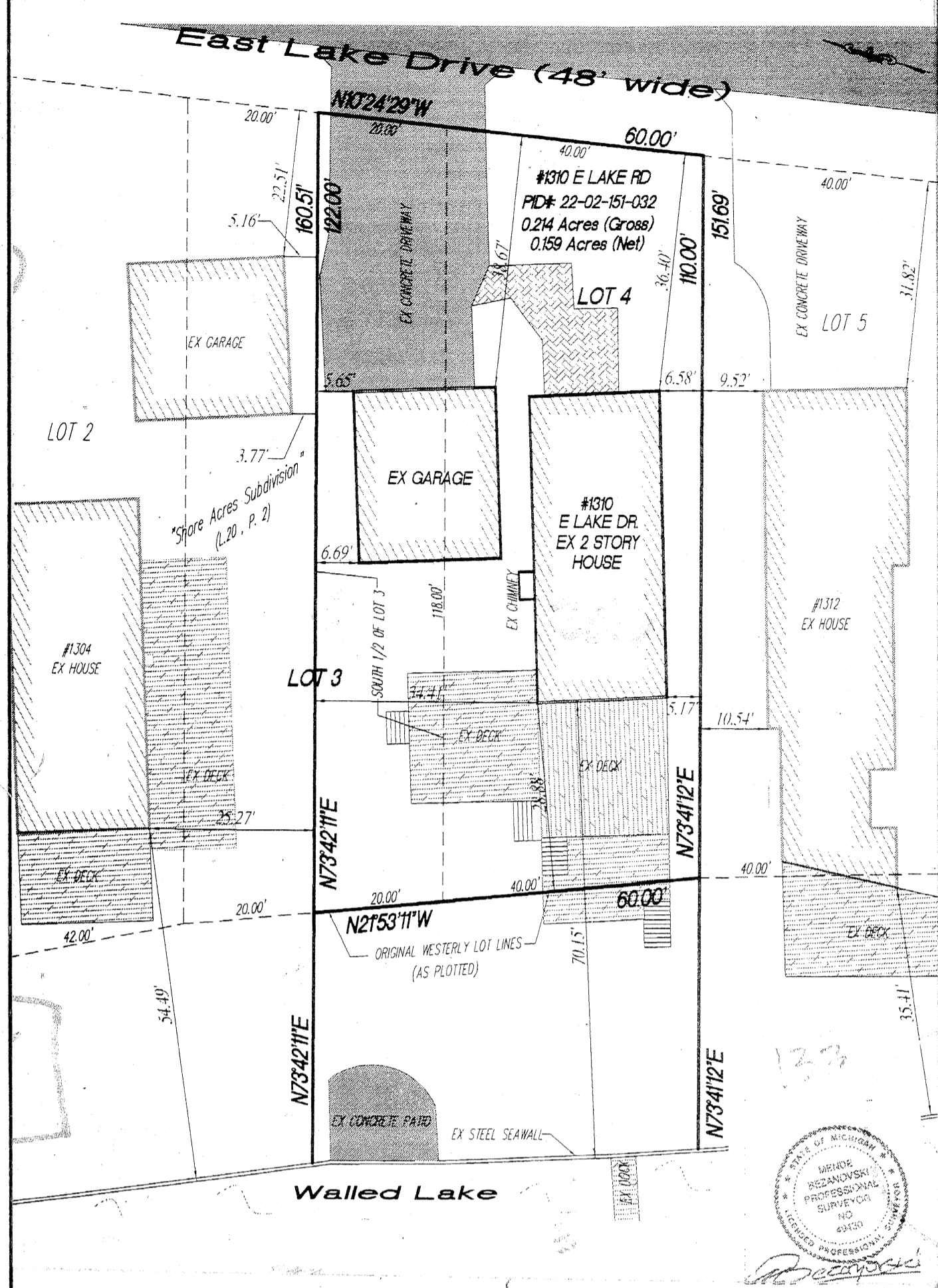
Respectfully submitted,

A handwritten signature in black ink that reads "Mike Thompson". The signature is written in a cursive, slightly slanted style.

Michael Thompson AIA

Copy: Robert Varto, Homeowner (734) 837-0732

ARCHITECTURAL SURVEY

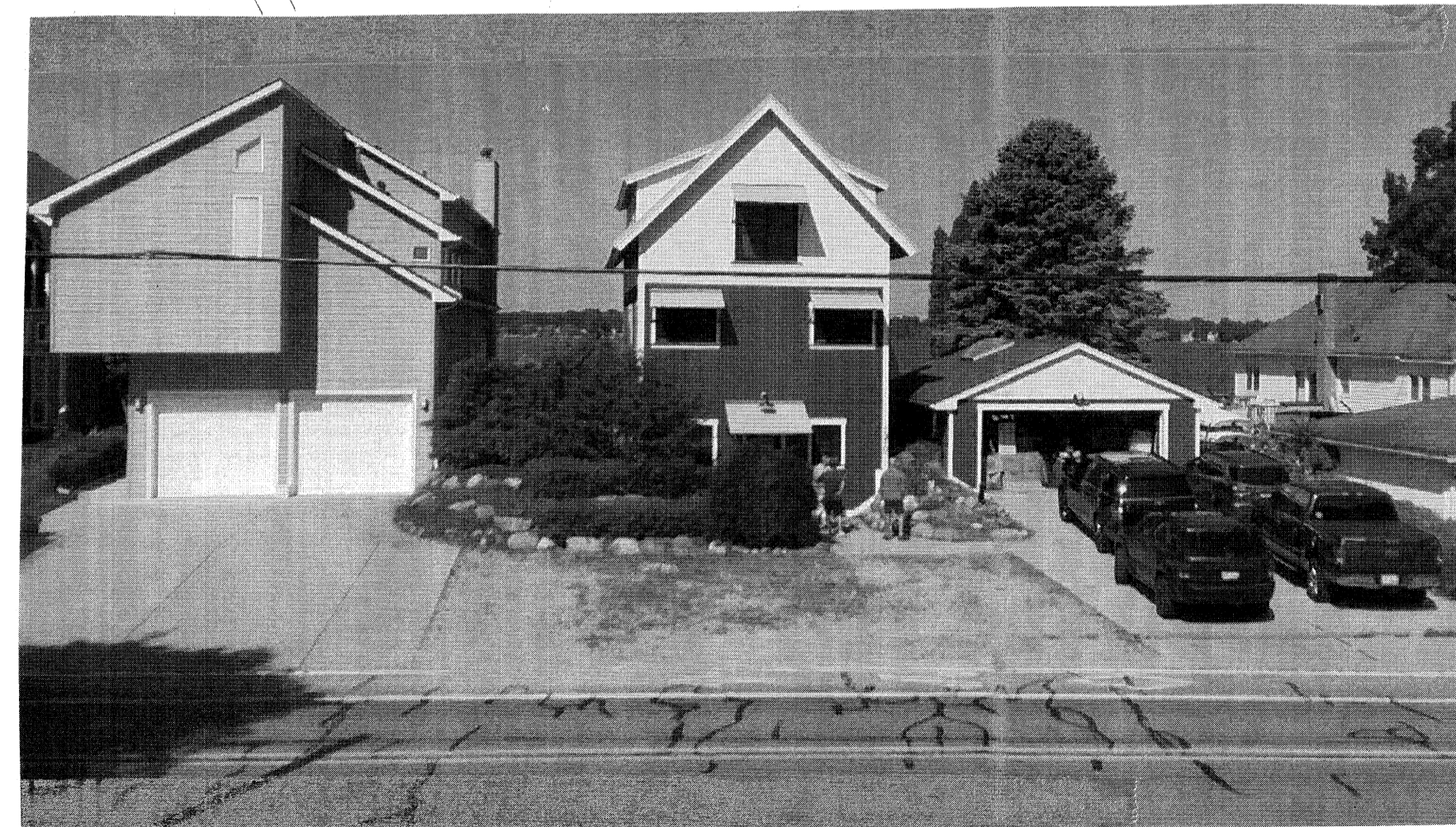


Note: Please see page 2 for a property legal description. All bearings as shown herein are in relation to: "TRUE NORTH"

| | |
|-------------------------------|------------------|
| SCALE: 1" = 20' | PAGE: 1 OF 2 |
| JOB NUMBER: 2015-08-06-184-MJ | DRAWN: MB |
| FIELD: MB | CHECKED: MB |
| REVISIONS: | DATE: 08-31-2015 |
| CLIENT: Mr. & Mrs. Szostek | |
| ADDRESS: 1310 East Lake Drive | TEL: |
| Novi, MI 48377 | FAX: |

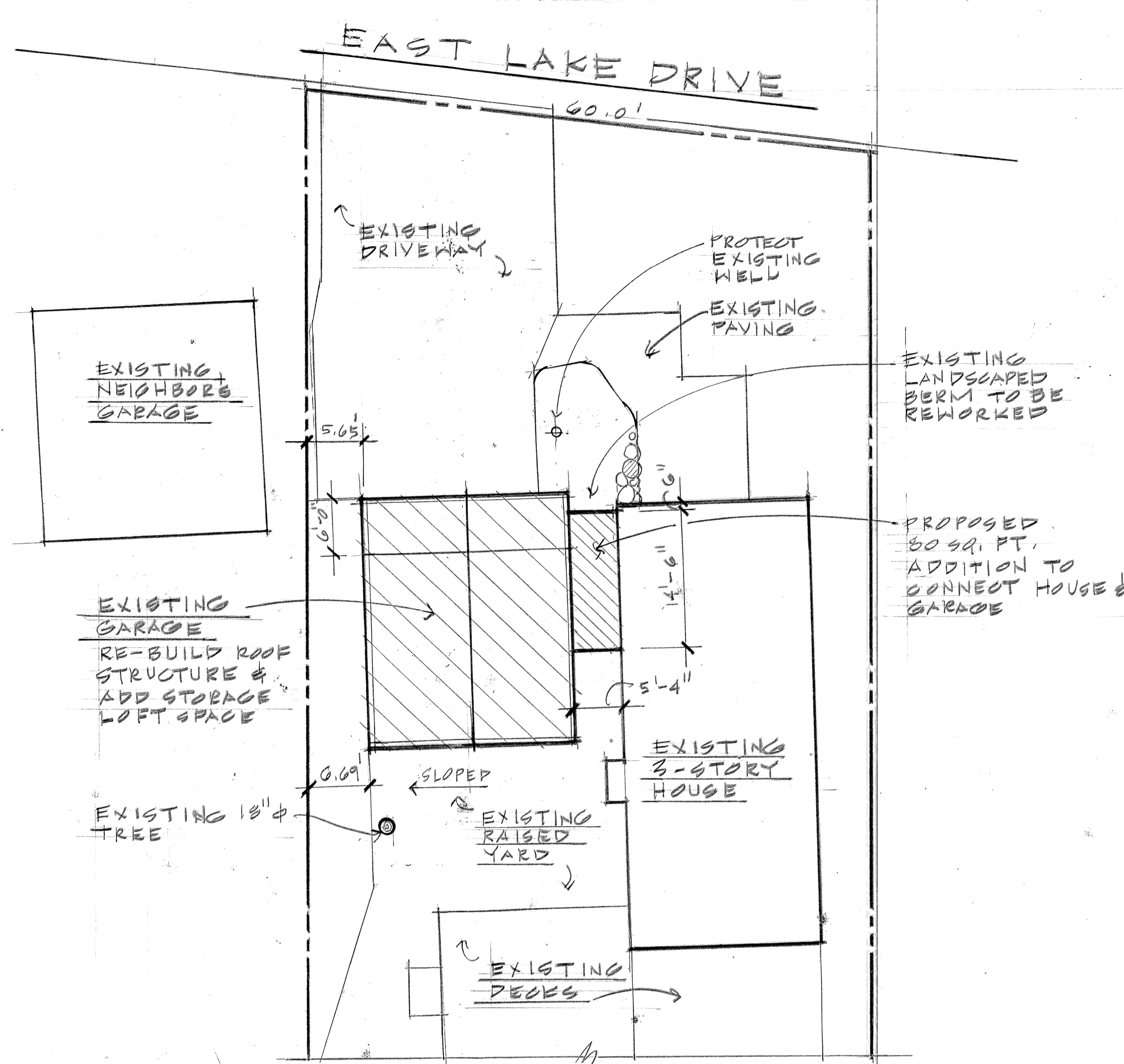
SITE SURVEY

SCALE: 1" = 20'-0"



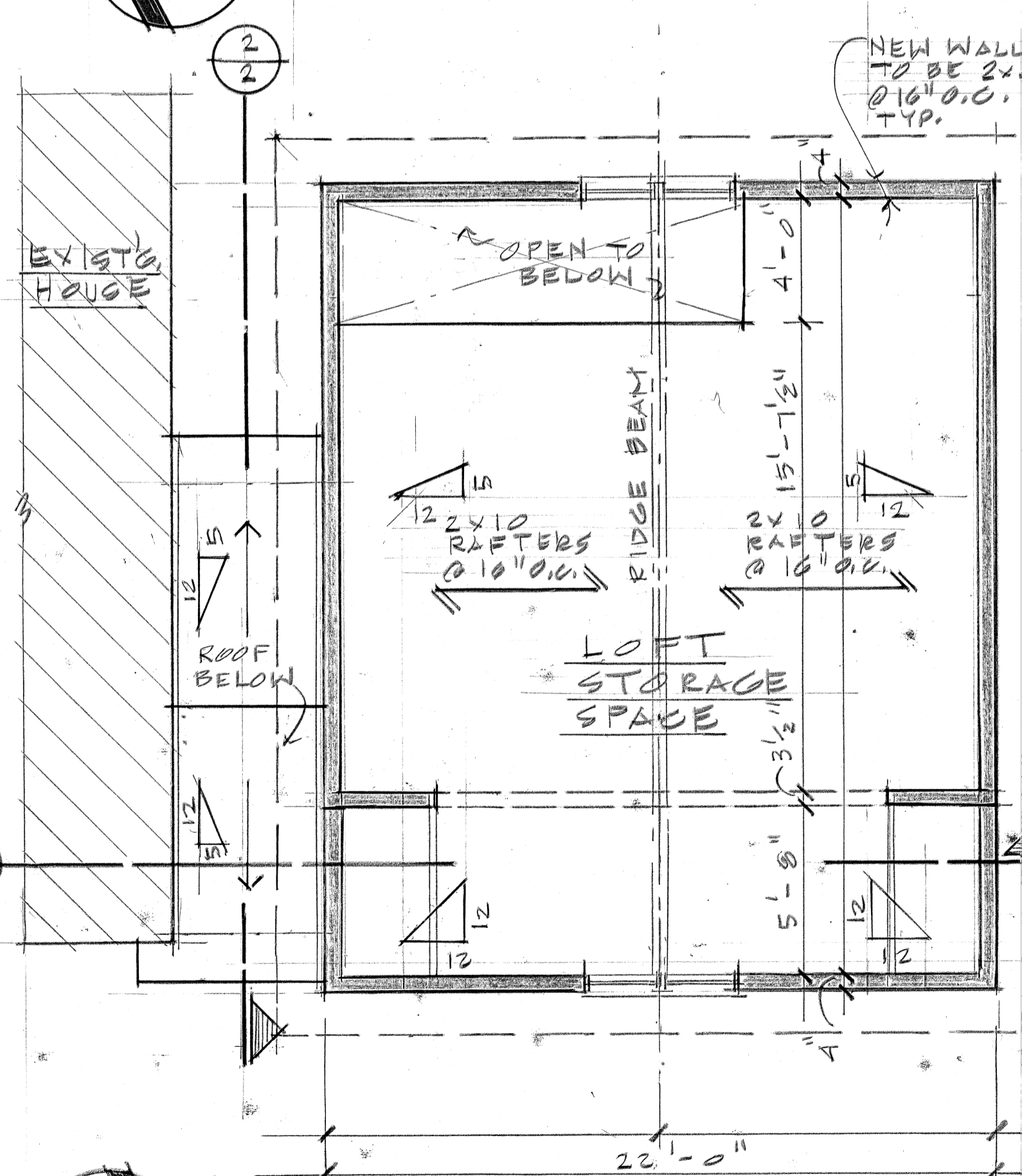
Project Description:

- Reconstruct the existing garage roof structure.
- Construct a loft storage space within the new steeper roof structure cavity space.
- Construct an 80 sq. ft. mud room on the first floor that would connect the existing house and detached garage. This changes the garage into an attached garage which changes the required side-yard setbacks.



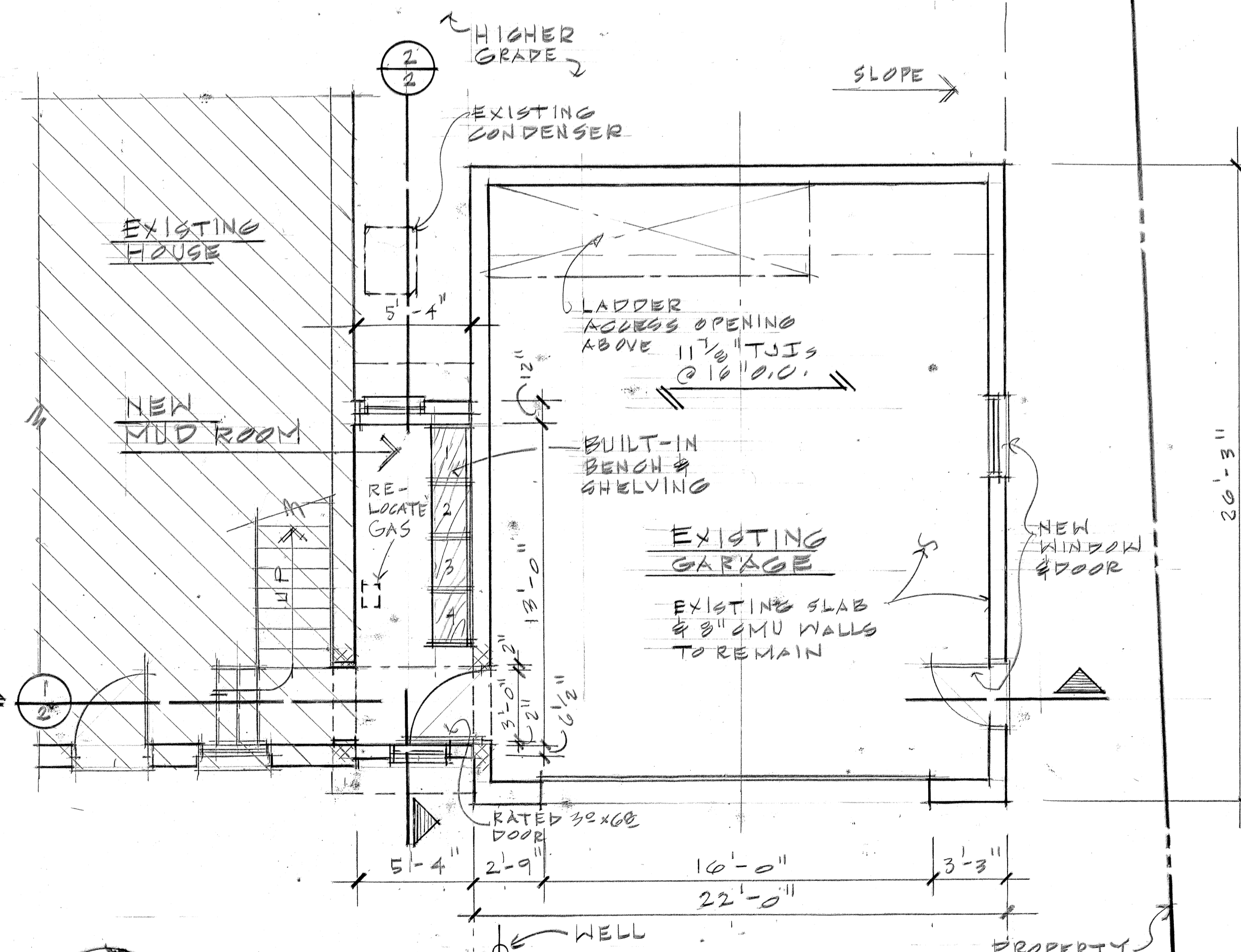
SITE PLAN

SCALE: 1" = 10'-0"



STORAGE LOFT PLAN

SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

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THOMPSON
DESIGN
GROUP LLC

1210 Irving Avenue
Royal Oak, Michigan
248 933 5093

1310 East
Lake Drive
Novi, Michigan
Proposed
Garage
Renovation

ISSUED FOR
CITY OF NOVI
ZBA SUBMISSION
07/24/19

Plans,
Details,
&
Notes

ISSUED FOR:
○ BIDS
○ PERMITS
○ CONSTRUCTION

1

