



MEMORANDUM

TO: MEMBERS OF THE PLANNING COMMISSION
FROM: BARBARA MCBETH, AICP, CITY PLANNER
SUBJECT: ASBURY PARK, LOT 31 WOODLAND PERMIT
DATE: APRIL 28, 2020

The applicant and homeowner, Maen Jabboori, seeks approval of a Woodland Use Permit, PWD19-0023, to remove seven regulated woodland trees ranging in size from 8 to 16 inches DBH, as well as woodland understory, from the lot located at 26181 Mandalay Circle, also known as Lot 31, Asbury Park Subdivision. The subdivision is located north of Eleven Mile Road and east of Beck Road in Section 16 of the City and the lot in question is his current residence. The applicant is requesting the removal of all of the remaining woodland trees on that area of the lot in order to provide additional space for the future construction of additional garage space.

The City's Environmental Consultant reviewed the request and prepared a review letter dated March 18, 2020. An inspection of the residential lot was conducted to compare the information prepared by the applicant's environmental consultant with the field conditions. Existing woodland remains on the north side of the home, per the original subdivision plan. The home was constructed in 2006. The Planning Commission reviewed the plans for Asbury Park subdivision and granted a Woodland Use Permit, which included the preservation of large portions of existing woodlands in the open space, and in some instances, on the individual lots in that subdivision. The applicant further requested permission to remove vegetation from the wetland buffer, which was granted by the Zoning Board of Appeals at their meeting on April 14, 2020.

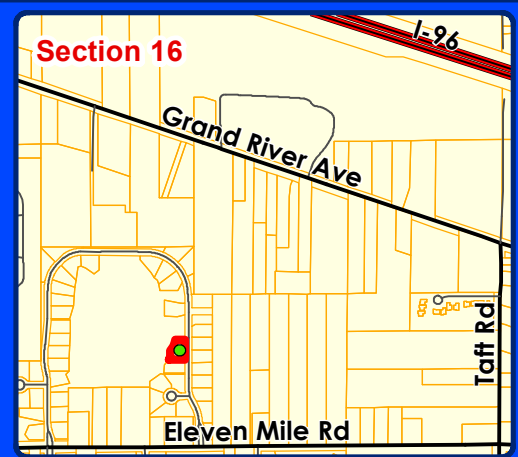
The consultant's review letter states that the request is to clear a section of City Regulated Woodland that remains on the north section of the Lot (north of the existing driveway). Based on the site inspection, the property contains trees that are considered regulated by the City of Novi as they are greater or equal to 8-inches diameter-at-breast-height (DBH) and located within an area mapped as Regulated Woodland. The property also contains sapling-sized trees within the understory but also contains species of invasive vegetation (such as common buckthorn). The applicant has indicated the locations of the existing regulated trees (8-inches and greater diameter) on the Plan. The Plan indicates a total of seven regulated trees are proposed for removal. A total of nine woodland replacement credits would be required for the removal.

In discussion with the applicant, woodland replacements would not be proposed on the lot, as the space is intended to be used for the future construction of a garage. If the woodland permit is approved, the applicant would be required to pay into the tree fund for such removals. **Per the City of Novi's Woodland Ordinance, where a proposed activity (i.e., home construction) does not otherwise require site plan or plat approval, the granting or denying of the (woodland) use permit shall be the responsibility of the Planning Commission. The applicant shall obtain approval of the Plan from Planning Commission prior to issuance of any permits.**

The Planning Commission is asked to hold the public hearing and either approve or deny the requested woodland removal permit. If the Planning Commission decides to grant approval of the permit, it shall be subject to payment for the required tree credits to be placed into the City's Tree Fund, and other conditions and items noted in the consultant's review letter.

PWD19-0023 ASBURY PARK, LOT 31 WOODLAND PERMIT

LOCATION



LEGEND

 Subject Property



City of Novi

Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Lindsay Bell
Date: 4/30/2020
Project: ASBURY PARK LOT 31
Version #: 1



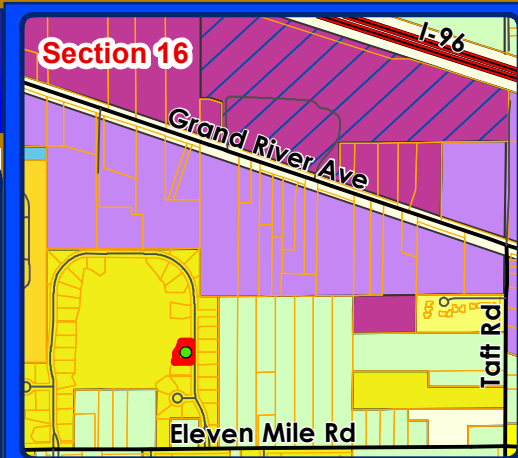
1 inch = 250 feet



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.

PWD19-0023 ASBURY PARK, LOT 31 WOODLAND PERMIT ZONING



LEGEND

	R-A: Residential Acreage
	R-1: One-Family Residential District
	R-2: One-Family Residential
	R-4: One-Family Residential District
	RM-1: Low-Density Multiple Family
	EXO: OST District with EXO Overlay
	I-1: Light Industrial District
	OS-1: Office Service District
	OST: Office Service Technology
	Subject Property

CITY OF NOVI
 Dept. of Community Development
 City Hall / Civic Center
 45175 W Ten Mile Rd
 Novi, MI 48375
cityofnovi.org

Map Author: Lindsay Bell
 Date: 4/30/2020
 Project: ASBURY PARK LOT 31
 Version #: 1

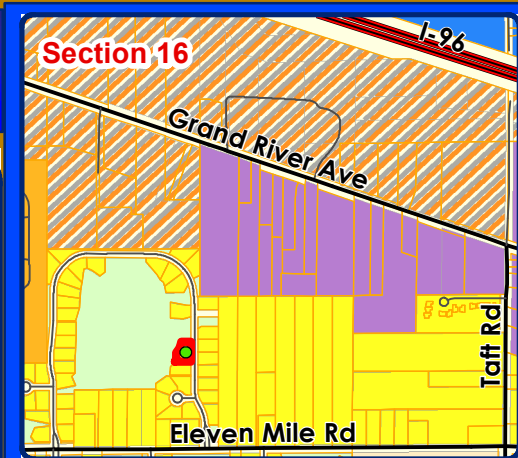
0 25 50 100 150 Feet
 1 inch = 125 feet

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.

PWD19-0023 ASBURY PARK, LOT 31 WOODLAND PERMIT

FUTURE LAND USE



LEGEND

- Single Family
- Multiple Family
- Office Research Development Technology
- Industrial Research Development Technology
- City West
- Educational Facility
- Private Park
- Subject Property

CITY OF NOVI
City of Novi
Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Lindsay Bell
Date: 4/30/2020
Project: ASBURY PARK LOT 31
Version #: 1

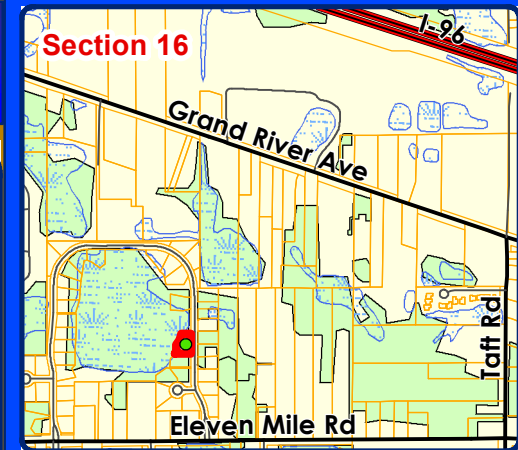
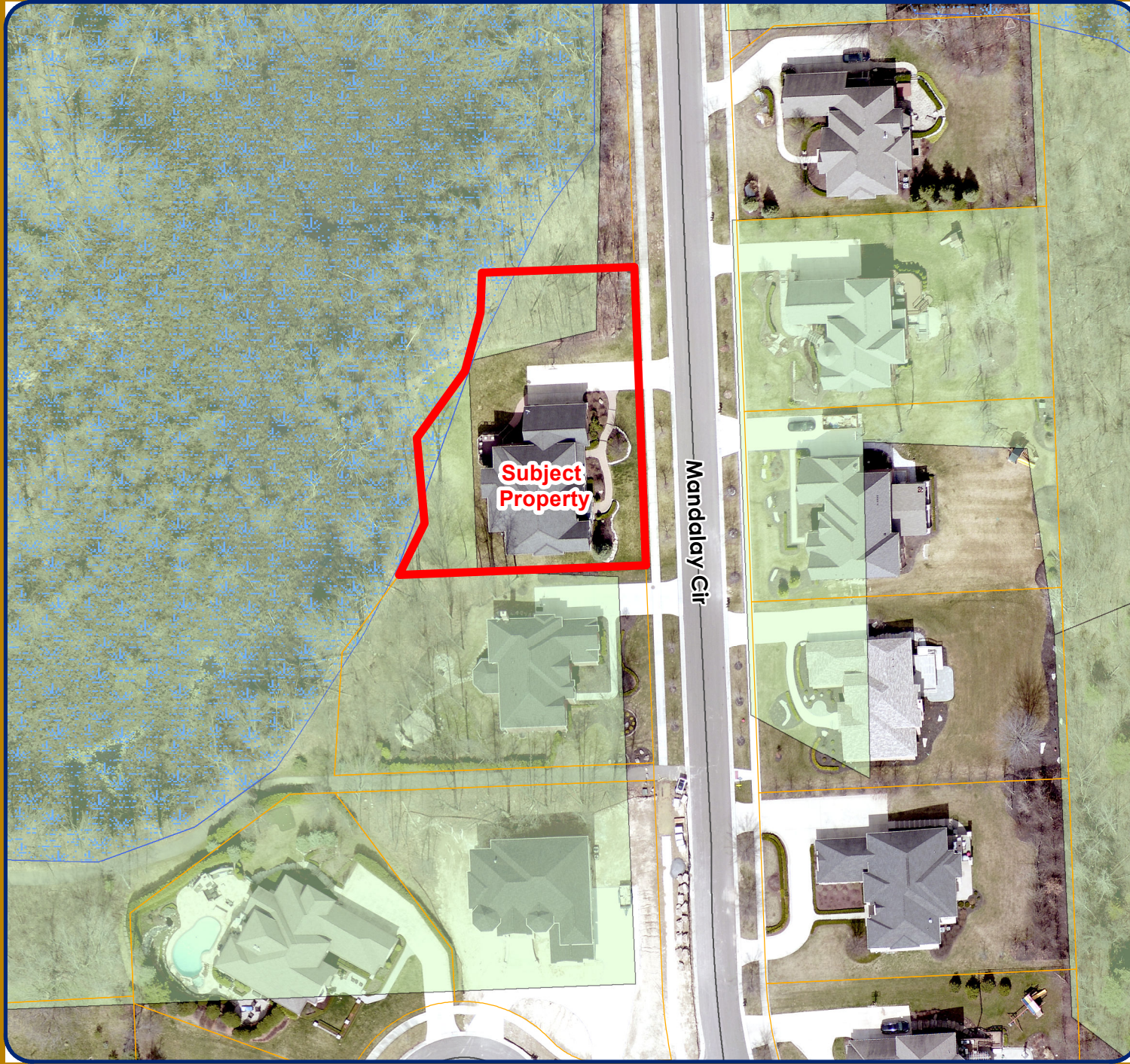
0 25 50 100 150 Feet
1 inch = 125 feet

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.


PWD19-0023 ASBURY PARK, LOT 31 WOODLAND PERMIT

NATURAL FEATURES



LEGEND

- WETLANDS
- WOODLANDS
- Subject Property



City of Novi
Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Lindsay Bell
Date: 4/30/2020
Project: ASBURY PARK LOT 31
Version #: 1

0 15 30 60 90 Feet
1 inch = 83 feet



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.

memo



TO: Patricia Deering, City of Novi Account Clerk
Katherine Oppermann, City of Novi Account Clerk

FROM: Pete Hill, P.E., P.H.

DATE: March 18, 2020

RE: Woodland Review
PWT19-0021
Lot 31 Asbury Park (26181 Mandalay Circle)
Plan Date: January 2, 2020

Environmental Consulting & Technology, Inc. (ECT) has reviewed the plan prepared by CJP Engineering & Design, L.L.C. dated January 2, 2020 (Plan) for the above-referenced lot for conformance with the requirements of the City's Woodland Ordinance Chapter 37. The current Plan is only an existing conditions plan for an existing residence and includes proposed tree removals. The plan does not include a proposed grading plan. It is our understanding that the homeowner intends to clear a portion of the remaining woodland portion of the lot (north of the existing garage) to construct additional garage space.

This Plan is currently ***Approved as Noted*** for Woodlands. ECT recommends that the applicant address the items noted in the *Woodland Comments* section of this letter prior to the issuance of building permits for construction on this lot.

Woodland Evaluation

ECT has completed a Woodland Evaluation for the above referenced parcel on November 20, 2019. The subject parcel is located within the Asbury Park development, north of W. Eleven Mile Road and east of Beck Road. Lot 31 is on the west side of Mandalay Circle and north of Sunbury Court. ECT has reviewed the submitted information, aerial photos, Novi GIS, the City of Novi Official Regulated Woodlands Map (see Figure 1) as well as the Plan indicated above (see Figure 2). The north and west portions of this lot contain areas mapped as City of Novi Regulated Woodlands.

The general request is to clear a section of City Regulated Woodland that remains on the north section of the Lot (north of the existing driveway). The applicant has indicated the locations of the existing regulated trees (8-inches and greater diameter) on the Plan. The Plan indicates a total of seven (7) regulated trees located within this area that are proposed for removal.

Woodlands Evaluation

As noted above, the site does contain City of Novi Regulated Woodlands. Based on the Plan the following seven (7) regulated trees are proposed for removal:

Tree #	DBH	Type	Replacements Required
1	11	Deciduous	1
2	11	Deciduous	1
3	16	Deciduous	2
4	9	Deciduous	1
5	8	Deciduous	1
6	8	Deciduous	1
7	12	Deciduous	2
Total	--	--	9

Based on our site inspection, the property contains trees that are considered regulated by the City of Novi as they are greater or equal to 8-inches diameter-at-breast-height (DBH) and located within an area mapped as Regulated Woodland. The property also contains a relatively large number of sapling-sized trees within the understory but also contains species of invasive vegetation (such as common buckthorn). ECT agrees with the locations and sizes of the trees indicated on the Plan.

Woodland Comments

Please consider the following comments when preparing subsequent site plan submittals:

1. **Per the City of Novi’s Woodland Ordinance, it should be noted that where a proposed activity (i.e., home construction) does not otherwise require site plan or plat approval, the granting or denying of the (woodland) use permit shall be the responsibility of the Planning Commission.**

The applicant shall obtain approval of the Plan from Planning Commission prior to issuance of Building Permits.

2. ECT encourages the Applicant to minimize impacts to on-site woodlands to the greatest extent practicable and attempt to incorporate natural features into the site plan.
3. ECT encourages the applicant to revise the limits of clearing for the proposed project area to exclude the area of existing 25-foot wetland setback as indicated on the Plan.
4. The City of Novi regulates all trees 8-inches diameter-at-breast-height (DBH) and greater that are located within the areas delineated as regulated woodlands on the City-Regulated Woodlands Map. The City also regulates any individual tree greater than or equal to 36-inches DBH, irrespective of whether such tree is within a regulated woodland. Proposed woodland impacts will require a Woodland Permit and the regulated trees shall be relocated or replaced by the permit grantee.
5. As the removal of existing regulated trees is proposed, either on-site replacement trees or a payment of a fee to the City Tree Fund would be required prior to receiving building plan approval. This payment would amount to the number of Woodland Replacement Credits required x \$400/Credit. The City of Novi Woodland Ordinance requires tree replacement quantities according to the following table:

Replacement Tree Requirements

Removed Tree DBH (In Inches)	Ratio Replacement/Removed Tree
≥ 8 ≤ 11	1
>11 ≤ 20	2
> 20 ≤ 29	3
≥ 30	4

6. Currently, the proposed removal of seven (7) existing Regulated Woodland trees requires a total of nine (9) Woodland Replacement Credits.
7. Woodland Replacement Credits can be provided on-site or paid into the City of Novi Tree Fund at \$400/Woodland Replacement Credit. The Applicant shall be required to provide a financial guarantee for any required on-site Woodland Replacement tree credits. The Woodland Performance Financial Guarantee required for all ***on-site*** tree replacements shall be **\$3,600 (9 Woodland Replacements Required x \$400/Credit)**. This Woodland Performance Financial Guarantee shall be paid by the Applicant prior to issuance of Building Permits.

Upon successful inspection of installed replacement trees, the Woodland Performance Financial Guarantee shall be returned to the Applicant. At that time, a Woodland Maintenance Guarantee in the amount of 25% of the value of the original Woodland Replacement material will be kept for a period of 2-years after the successful inspection of the tree replacement installation. It should be noted that the minimum Woodland Maintenance Guarantee is **\$1,000** based on the City’s Woodland Ordinance.

8. On-site Woodland Replacement Trees shall be 2.5” caliper diameter if deciduous trees are selected and be 6-feet height (minimum) if coniferous trees are selected. The deciduous replacement trees count at a 1-to-1 replacement ratio and the coniferous trees (i.e. evergreen trees) count at a 1.5-to-1 replacement ratio (i.e., each evergreen tree is 0.67-credit). All Woodland Replacement trees shall be tree species native to Michigan and included as acceptable for Woodland Replacements on the *Woodland Tree Replacement Chart* (attached).
9. Any proposed on-site Woodland Replacement tree locations ***shall be shown on the Plan*** and replacement planting spacing shall be consistent with the City of Novi *Landscape Design Manual*. It should be noted that the replacement trees for existing deciduous canopy trees shall be spaced 22’ (minimum distance) from one another, as noted in the *Landscape Design Manual*.
10. Tree protection fencing should be provided in order to protect existing on-site trees to remain. The Applicant must have Tree Protection Fence installed (in good condition) and installed in a manner that protects all trees that are to remain on site. It is the Applicant’s responsibility to ensure that the fence remains in good condition. The location of Tree Protection Fence shall be shown on the Plan.
11. The Applicant shall pay a ***\$750 (\$500 x 1.5) Woodland Protection Fence Maintenance Guarantee*** prior to receiving building plan approval.

PWT19-0021
Lot 31 Asbury Park
Woodland Review
March 18, 2020
Page 4 of 7

Please revise and resubmit the Plan to the City of Novi after addressing these, and any other applicable comments. Please contact our office if you have any further questions regarding woodland-related issues.

Sincerely,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.

cc: Heather Gendron, Spalding DeDecker Associates, Inc. (HGendron@sda-eng.com)
Maen Jabboori (mjabboori@yahoo.com)
Barb McBeth, City Planner (bmcbeth@cityofnovi.org)
Rick Meader, City of Novi Landscape Architect (rmeader@cityofnovi.org)
Tom Schultz, RSJA Law (tschultz@rsjalaw.com)
Angela Sosnowski, City of Novi Community Development Bond Coordinator
asosnowski@cityofnovi.org

Attachments: Figure 1. City of Novi Regulated Woodland & Wetland Map
Figure 2. Plan dated January 2, 2020 prepared by CJP Engineering & Design, L.L.C.
Woodland Tree Replacement Chart

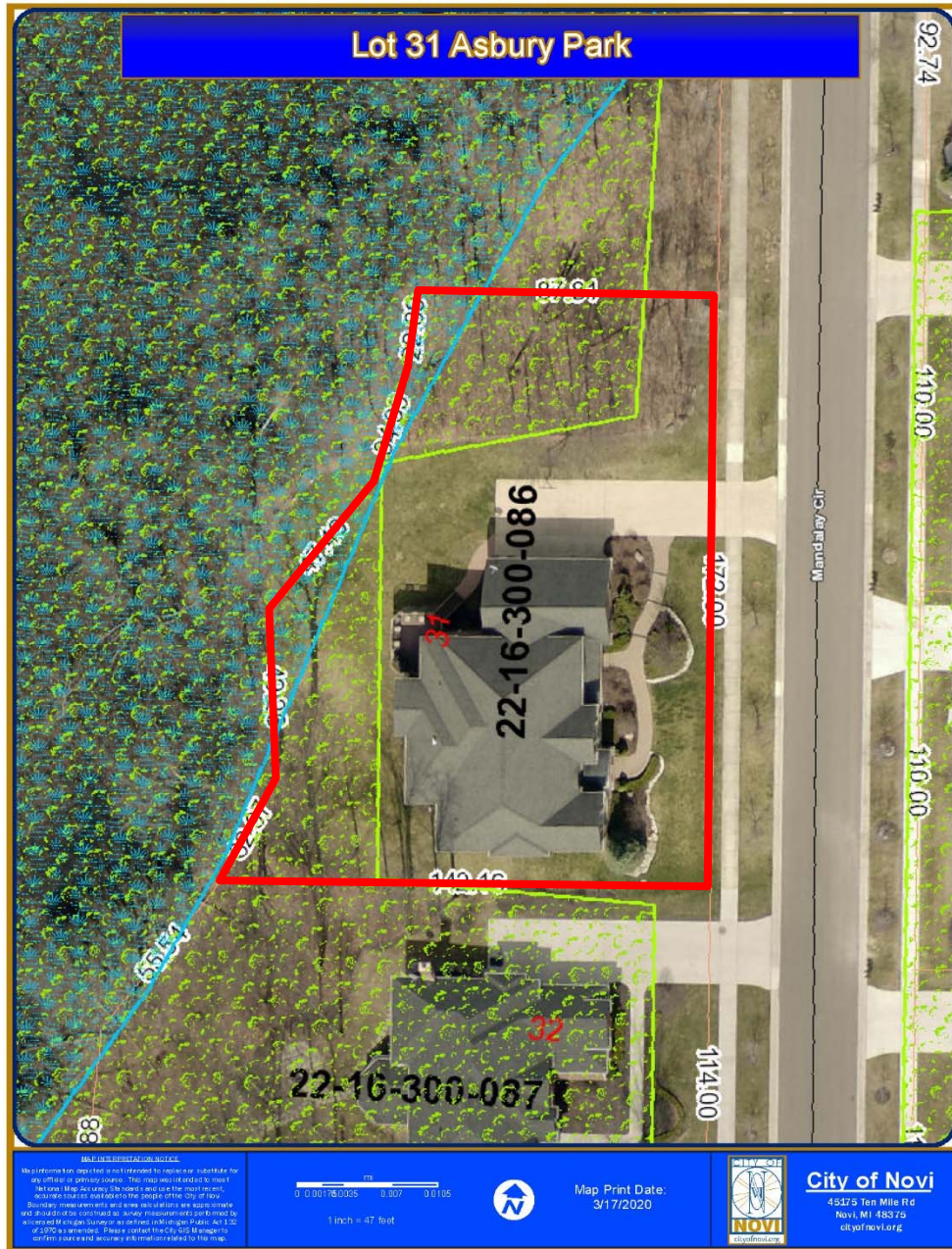


Figure 1. City of Novi Regulated Woodland & Wetland Map. Regulated Woodlands are indicated in green and Regulated Wetlands are indicated in blue. The approximate property boundary is indicated in red.

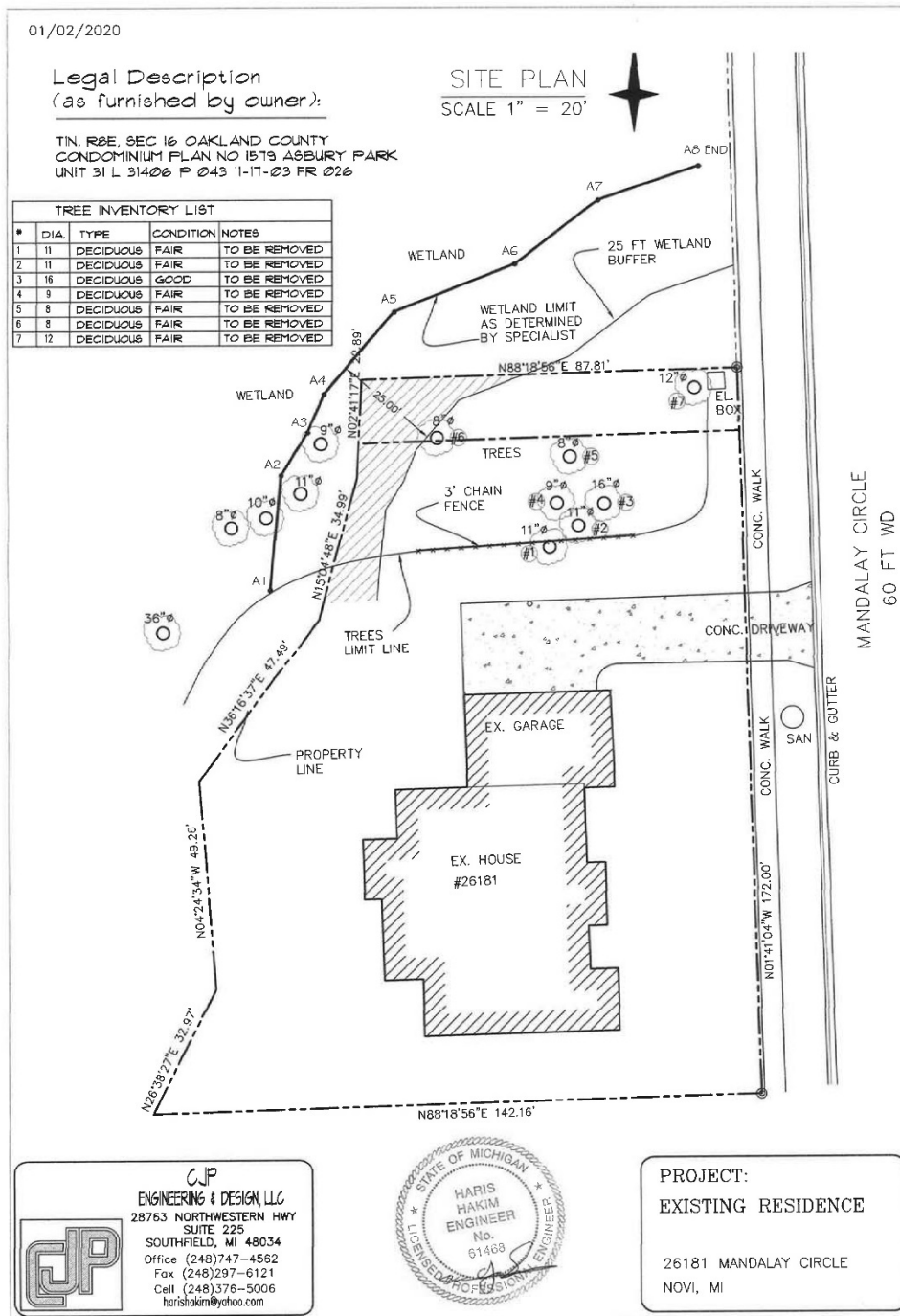


Figure 2. Plan dated January 2, 2020 prepared by CJP Engineering & Design, L.L.C.

Woodland Tree Replacement Chart

(from Chapter 37 Woodlands Protection) - Revised 5/7/2018
 (All canopy trees to be 2.5" cal or larger, evergreens as listed)

Common Name	Botanical Name
Black Maple	Acer nigrum
Striped Maple	Acer pennsylvanicum
Red Maple	Acer rubrum
Sugar Maple	Acer saccharum
Mountain Maple	Acer spicatum
Ohio Buckeye	Aesculus glabra
Downy Serviceberry	Amelanchier arborea
Smooth Shadbush	Amelanchier laevis
Yellow Birch	Betula alleghaniensis
Paper Birch	Betula papyrifera
American Hornbeam	Carpinus caroliniana
Bitternut Hickory	Carya cordiformis
Pignut Hickory	Carya glabra
Shagbark Hickory	Carya ovata
Northern Hackberry	Celtis occidentalis
Eastern Redbud	Cercis canadensis
Pagoda Dogwood	Cornus alternifolia
Flowering Dogwood	Cornus florida
American Beech	Fagus grandifolia
Thornless Honeylocust	Gleditsia triacanthos inermis
Kentucky Coffeetree	Gymnocladus dioica
Walnut	Juglans nigra or Juglans cinerea
Eastern Larch	Larix laricina
Tuliptree	Liriodendron tulipifera
Tupelo	Nyssa sylvatica
American Hophornbeam	Ostrya virginiana
White Spruce_(1.5:1 ratio) (6' ht.)	Picea glauca
Black Spruce_(1.5:1 ratio) (6' ht.)	Picea mariana
Red Pine_(1.5:1 ratio) (6' ht.)	Pinus resinosa
White Pine_(1.5:1 ratio) (6' ht.)	Pinus strobus
American Sycamore	Platanus occidentalis
Black Cherry	Prunus serotina
White Oak	Quercus alba
Swamp White Oak	Quercus bicolor
Scarlet Oak	Quercus coccinea
Shingle Oak	Quercus imbricaria
Burr Oak	Quercus macrocarpa
Chinkapin Oak	Quercus muehlenbergii
Red Oak	Quercus rubra
Black Oak	Quercus velutina
American Basswood	Tilia americana

ZONING BOARD OF APPEALS APPLICATION

PROVIDED AS SUPPLEMENTAL INFORMATION

SHOWING RENDERINGS OF POSSIBLE FUTURE GARAGE ADDITION



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:** April 14, 2020

REGARDING: 26181 Mandalay Circle, Parcel # 50-22-16-300-086 (PZ20-0004)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Maen Jabboori

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Single Family Residential
Location:	East of Beck Road and North of Eleven Mile Road
Parcel #:	50-22-16-300-086

Request

The applicant is requesting a variance from the City of Novi Zoning Code Section 3.6.2.M.iii to remove vegetation from within a wetland setback. This property is zoned Single Family Residential (R-1).

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. **PZ20-0004**, 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. **PZ20-0004**, 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

RECEIVED

JAN 21 2020

CITY OF NOVI
COMMUNITY DEVELOPMENT



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

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				Meeting Date: <u>March 17, 2020</u>	
ADDRESS <u>26181 MANDALAY CIRCLE</u>		LOT/SUITE/SPACE # <u>31</u>		ZBA Case #: <u>PZ 20-0004</u>	
SIDWELL # <u>50-22-16-300-086</u>		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY <u>11 MILE AND TART</u>					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input checked="" type="checkbox"/> YES <input 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 type="checkbox"/> NO					
II. APPLICANT INFORMATION					
A. APPLICANT		EMAIL ADDRESS <u>MJABBOKI@YAHOO.COM</u>		CELL PHONE NO. <u>248-640-0118</u>	
NAME <u>MAEN JABBOKI</u>		TELEPHONE NO. <u>SAME</u>			
ORGANIZATION/COMPANY		FAX NO.			
ADDRESS <u>26181 MANDALAY CIRCLE</u>		CITY <u>NOVI</u>		STATE <u>MI</u>	ZIP CODE <u>48374</u>
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		CELL PHONE NO.	
NAME <u>SAME</u>		TELEPHONE NO.			
ORGANIZATION/COMPANY		FAX NO.			
ADDRESS		CITY		STATE	ZIP CODE
III. ZONING INFORMATION					
A. ZONING DISTRICT					
<input type="checkbox"/> R-A <input checked="" type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input 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>3.6.2.M.111</u>		Variance requested <u>REMOVE VEGITATION WITH IN WETLAND SETBACK</u>			
2. Section _____		Variance requested _____			
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 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

[Signature] 1-20-20
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.

[Signature] 1-20-20
Property Owners signature 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:

RECTANGULAR LOT FOR PARKING PROVES INADEQUATE FOR PARKING.
PROPOSING TO BUILD ADDITIONAL GARAGE WITH CAR PORT
(PORTICO SHARE) ATTACHED TO HOME.

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:

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).

THAT WE NEEDED TO BUILD ANOTHER ATTACHED GARAGE

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.

WITH OUT ENTERING BUFFER I WILL NOT BE ABLE TO BUILD ADDITIONAL ATTACHED GARAGE

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.

MINIMUM IMPACT TO BUFFER DUE TO THERE ARE NO TREES IN BUFFER ONLY VERY SMALL GROWTH

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.

LIMITED PARKING WOULD LIKE TO EXPAND DRIVEWAY AND ADD ANOTHER 3 CAR ATTACHED WITH A CAR PORT TO EXISTING HOME THAT WILL NOT INTERFERE WITH BUFFER. CURRENTLY WE HAVE 7 CARS THAT ARE PARKED IN STREET OR MOST IN DRIVEWAY AND WE ARE ALWAYS MOVING CARS TO PULL OUT OTHER CARS. WE LIVE IN A BEAUTIFUL ~~NEIGHBORHOOD~~ SUBDIVISION AND DO NOT WANT TO DISTURB THE NEIGHBORHOOD WITH SEVERAL CARS ON STREET OR DRIVEWAY FULL OF CARS. WITH THIS PLAN ALL CARS WOULD BE IN GARAGES AND ONE WILL BE UNDER PORTICO SHARE (CAR PORT). NOT MENTION HOME WOULD HAVE VERY NICE UP GARAGE.

ALSO MUCH NEEDED STORAGE WITH THE GARAGE WOULD PROVIDE WE ARE A FAMILY OF 4 KIDS THIS ADDITION IS BADLY NEEDED.



FRONT
CORNER



CORNER VIEW



FRONT VIEW



CENTER
VIEW

A photograph of a snowy forest. The ground is covered in a layer of snow, and the trees are mostly bare, with some evergreens visible in the background. The trees are of various heights and thicknesses, and their shadows are cast on the snow. In the foreground, there is a handwritten note in blue ink that reads "BACK BUFFER AREA".

BACK BUFFER
AREA



EXAMPLE



EXAMPLE

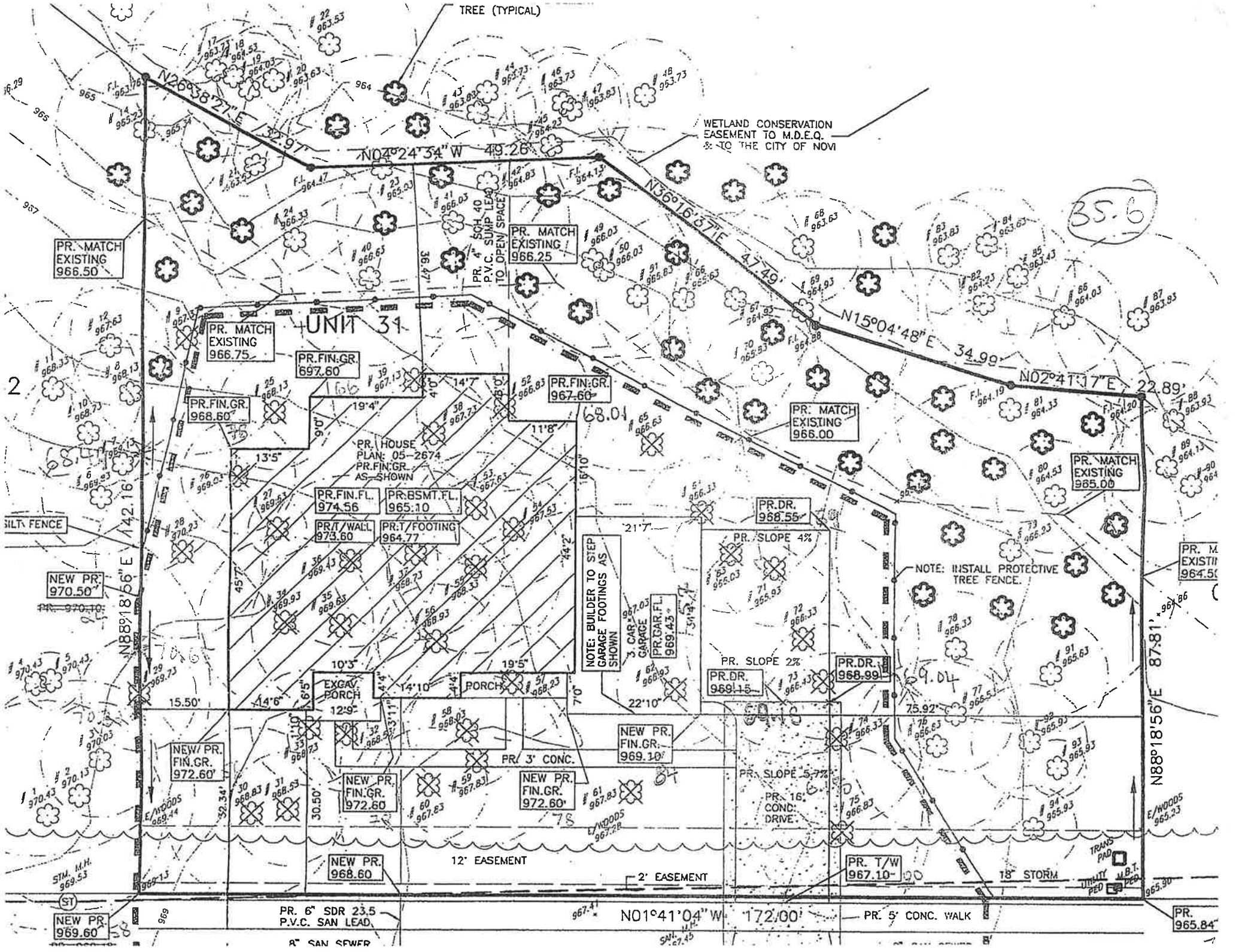


EXAMPLE

TREE (TYPICAL)

WETLAND CONSERVATION
EASEMENT TO M.D.E.Q.
TO THE CITY OF NOVI

35.6



PR. MATCH EXISTING 966.50

PR. MATCH EXISTING 966.75

PR. FIN. GR. 967.60

PR. FIN. GR. 968.60

PR. MATCH EXISTING 966.25

PR. FIN. GR. 967.60

PR. MATCH EXISTING 966.00

PR. MATCH EXISTING 965.00

PR. MATCH EXISTING 964.50

NEW PR. 970.50

PR. FIN. FL. 974.56

PR. BSMT. FL. 965.10

PR. T/WALL 973.60

PR. T/FOOTING 964.77

PR. DR. 968.55

NOTE: BUILDER TO STEP GARAGE FOOTINGS AS SHOWN

PR. SLOPE 4%

NOTE: INSTALL PROTECTIVE TREE FENCE.

PR. DR. 969.15

PR. DR. 968.99

NEW PR. FIN. GR. 972.60

NEW PR. FIN. GR. 972.60

NEW PR. FIN. GR. 972.60

NEW PR. FIN. GR. 969.10

NEW PR. 968.60

PR. T/W 967.10

NEW PR. 969.60

PR. 6" SDR 23.5 P.V.C. SAN LEAD

N01°41'04"W 172.00'

PR. 5' CONC. WALK

PR. 965.84

01/02/2020

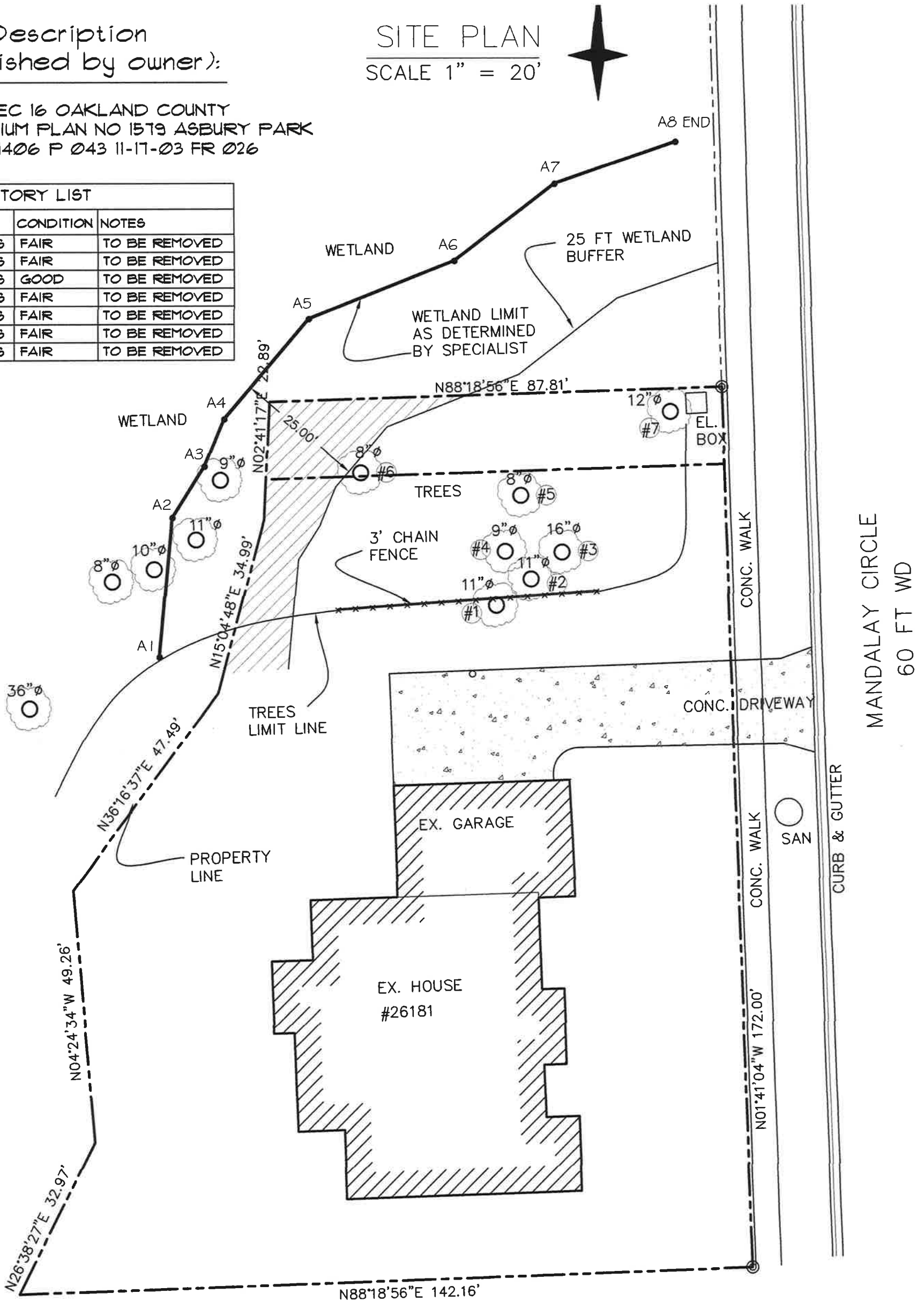
Legal Description
(as furnished by owner):

SITE PLAN
SCALE 1" = 20'



T1N, R8E, SEC 16 OAKLAND COUNTY
CONDOMINIUM PLAN NO 1579 ASBURY PARK
UNIT 31 L 31406 P 043 11-17-03 FR 026

TREE INVENTORY LIST				
#	DIA.	TYPE	CONDITION	NOTES
1	11	DECIDUOUS	FAIR	TO BE REMOVED
2	11	DECIDUOUS	FAIR	TO BE REMOVED
3	16	DECIDUOUS	GOOD	TO BE REMOVED
4	9	DECIDUOUS	FAIR	TO BE REMOVED
5	8	DECIDUOUS	FAIR	TO BE REMOVED
6	8	DECIDUOUS	FAIR	TO BE REMOVED
7	12	DECIDUOUS	FAIR	TO BE REMOVED



CJP
ENGINEERING & DESIGN, LLC
28763 NORTHWESTERN HWY
SUITE 225
SOUTHFIELD, MI 48034
Office (248)747-4562
Fax (248)297-6121
Cell (248)376-5006
harishakim@yahoo.com



PROJECT:
EXISTING RESIDENCE

26181 MANDALAY CIRCLE
NOVI, MI



Associa®

Kramer-Triad Management Group, L.L.C.

Ann Arbor • Novi • Troy

July 22, 2019

Julya & Maen Jabboori
26181 Mandalay Circle
Novi, MI 48374

RE: 26181 Mandalay Circle

Dear Julya & Maen Jabboori:

As Community Association Manager for the Asbury Park Homeowners Association, we are contacting you on behalf of the Board of Directors.

1. The ACC concurs with your tree removal proposal from an HOA perspective. You will still need to get approval/tree replacement concurrence with the city.
2. The ACC concurs with the layout of the proposed deck but we need to see the color and materials being planned.
3. 3. The ACC has modified your driveway expansion request and is proposing the following alternative:
 - a. 19' wide (not including apron) expanding to 25' after 20' of length. See drawing. Overall length of 102' is acceptable as requested.

The Board and Management appreciate your cooperation.

If you have any questions or concerns regarding this matter, please address them in writing to the Board of Directors in care of Kramer-Triad Management Group, L.L.C., to the address listed below.

Sincerely,

Associa Kramer-Triad Management Group, L.L.C.
For and on the behalf of Asbury Park HOA

Deborah Laudermilch
Community Administration Manager

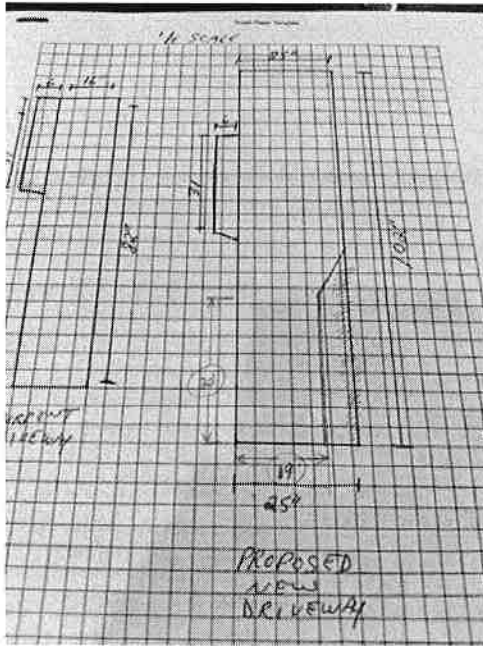
From: Deborah Laudermitlch
Sent: Monday, July 22, 2019 6:48 AM
To: 'jjabboori@yahoo.com'
Subject: RE: Asbury Park - 26181 Mandalay Circle Modification Requests

Hello Julia & Maen Jabboori,

I just wanted to touch base with you as we haven't heard from you since we emailed you last on 6/20/2019 regarding the improvements you wanted to make. Please provide and respond to the items below.

We responded with the following:

1. The ACC concurs with your tree removal proposal from an HOA perspective. You will still need to get approval/tree replacement concurrence with the city.
2. The ACC concurs with the layout of the proposed deck but we need to see the color and materials being planned.
3. The ACC has modified your driveway expansion request and is proposing the following alternative:
 - a. 19' wide (not including apron) expanding to 25' after 20' of length. See drawing. Overall length of 102' is acceptable as requested.



Thank you,

Debbie Laudermitlch, Community Association Manager

Associa® – Delivering unsurpassed management and lifestyle services to communities worldwide.

Kramer-Triad Management Group – An Associa® Company

Ann Arbor Office: 1100 Victors Way, Suite 50, Ann Arbor, MI. 48108

Novi Office: 40000 Grand River Avenue, Suite 100, Novi, MI. 48375

Troy Office: 320 E. Big Beaver, Suite 190, Troy, MI. 48083

O: 866-788-5130

Associa® – Delivering unsurpassed management and lifestyle services to communities worldwide.

Work-Order Request & General Inquiries (Preferred Method): customerservice@kramertriad.com

Three ways to connect:

[Subscribe to the blog](#) • [Like us on Facebook](#) • [Tell us about your experience!](#)

Notice: This e-mail message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Please virus check all attachments to prevent widespread contamination and corruption of files and operating systems. The unauthorized access, use, disclosure, or distribution of this email may constitute a violation of the Federal Electronic Communications Privacy Act of 1986 and similar state laws.



From: Deborah Laudermitlch

Sent: Thursday, June 20, 2019 4:48 PM

To: jjabboori@yahoo.com

Subject: Asbury Park - 26181 Mandalay Circle Modification Requests

Hello Julia & Maen Jabboori,

TO: CITY OF NOVI
ZONING BOARD OF APPEALS
45175 TEN MILE ROAD
NOVI, MI 48375

Please note my comments to:

26181 Mandalay Circle, Parcel # 50-22-16-300-086 (PZ20-0004)

Please note my: (Approval) (Objection) to the requested variance.

Comments:

(PLEASE PRINT CLEARLY)

Name: SERWESH BABU

Address: 26128 MANDALAY CIRCLE

Date: 3/10/20

Zoning Board of Appeals meetings are broadcast live on Bright House channel 13-1 and AT&T U-verse channel 99. They are also streamed live on the City's website at cityofnovi.org.