

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: November 10, 2020

REGARDING: 50760 Applebrooke Drive, Parcel # 50-22-31-253-001 (PZ20-0040)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Cedar Works

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: Residential Acreage

Location: East of Napier Road and North of Eight Mile Road

Parcel #: 50-22-31-253-001

Request

The applicant is requesting variance from the Novi Zoning Ordinance Section 3.1.1 for a proposed rear yard setback of 45 feet (50 feet required by code, variance of 5 feet). This variance would accommodate the building of a three season's room. This property is zoned Residential Acreage (R-A).

II. STAFF COMMENTS:

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.	PZ20-00	40 , s	ought	by fo
	 dif	ficulty re	culty requiring			Petitioner		showr	ı prac					
					perty be	ecaus	ier will be ui e					nited w	/ith resp	oec.
		(b) The	e prope	rty is u	ınique b	ecaus	se				·			
		(c) Pe	titioner	did nc	ot create	the c	condition be	caus	e					

	(d)			_	nted wil								ent or —	surrour	ding
	(e)	The	relief		consister 			•				the c	ordinan	ce bec	ause
	(f)	The	variar	nce gr	anted is	subjec	t to:					·			
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	(a)		uding_									of not ur	the nique b	pro pecause	perty they
	exist generally throughout the City. (b) The circumstances and features of the property relating to the variance request are self-created because										t are				
	(c) The failure to grant relief will result in mere inconvenience or inability to attain high economic or financial return based on Petitioners statements th										igher that				
	(d) The variance would result in interference with the adjacent and by							and su	rroundi	ng prop	erties				
	(e)		_		ariance v						•	and inte	ent of tl	he ordina	ance

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

RECEIVED

AUG 2 6 2020

APPLICATION MUST BE FILLED OUT COMPLETELY

CITY OF NOVI

I. PROPERTY INFORMATION (Address of subject ZBA Cas	se)	Application Fee:	\$200.00			
PROJECT NAME / SUBDIVISION Deck / Covered Porch						
ADDRESS	LOT/SIUTE/SPACE #	Meeting Date:	Oct. 13, 2020			
50760 Applebrooke Dr.	tain from Assessing	BA Case #: PZ 2	0-0040			
50-22 Departmen	it (248) 347-0485					
CROSS ROADS OF PROPERTY						
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?	REQUEST IS FOR:		_			
X YES □ NO	🛮 RESIDENTIAL 🗆 COM		roperty 🗆 signage			
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CIT	TATION ISSUED?	s 💢 no				
II. APPLICANT INFORMATION EMAIL ADDRESS		CELL BLIONE NO				
A. APPLICANT jame@cedar	Tuncks not	248 681 093	34			
NAME	•	TELEPHONE NO.				
ORGANIZATION/COMPANY Jamie Rudo	<i>Ι</i> γ	248 363 /1	13			
Cedar Works	8) 					
ADDRESS CI	Commerce	STATE MJ	ZIP CODE 48382			
B. PROPERTY OWNER			1.120-3			
Identify the person or organization that owns the subject property:		CELL PHONE NO.				
NAME		TELEPHONE NO.				
Thomas Mulvihill		248 536 6	200			
ORGANIZATION/COMPANY		FAX NO.				
	ITY	STATE	ZIP CODE			
111. ZONING INFORMATION	Northville	MI	48167			
A. ZONING DISTRICT		III III III III III III III III III II				
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B. VARIANCE REQUESTED						
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:						
1. Section $3.1.1$ Variance requested 1	ear yard of	45' (variance	ce of 5')			
2. SectionVariance requested		-1				
3. SectionVariance requested						
4. SectionVariance requested	11-21					
IV. FEES AND DRAWNINGS						
A. FEES						
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	on) \$400 🗆 Signs \$300					
_	etings (At discretion of Bo	, ,				
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED A	S A PDF	, .				
Dimensioned Drawings and PlansSite/Plot Plan	Existing & proposed Location of existing					
 Existing or proposed buildings or addition on the property 	 Location of existing Floor plans & elevation 		abblicable			
Number & location of all on-site parking, if applicable	 Any other information 		riance application			



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House Moves \$300 Special Meetings (At discretion of Board) \$600							
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF	B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS	S A PDF	ura) \$600				
 Dimensioned Drawings and Plans Existing & proposed distance to adjacent property lines 	 Dimensioned Drawings and Plans 	 Existing & proposed 	distance to adjacent	property lines			
Location of existing & proposed signs, if applicable Existing or proposed buildings or addition on the property Floor plans & elevations	 Site/Plot Plan Existing or proposed buildings or addition on the proposet. 	 Location of existing 	& proposed signs if a	pplicable			
 Number & location of all on-site parking, if applicable Any other information relevant to the Variance application 	 Number & location of all on-site parking, if applicable 	 Floor plans & elevation 	ons on relevant to the Vari	iance 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 vo	ariance approvals.
B. SIGN CASES (ONLY) Your signature on this application indicates that you agree to install a meeting. Failure to install a mock-up sign may result in your case not schedule ZBA meeting, or cancelled. A mock-up sign is NOT to be acremoved within five-(5) days of the meeting. If the case is denied, the removal of the mock-up or actual sign (if erected under violation) wi	a Mock-Up Sign ten-(10) days before the schedule ZBA being heard by the Board, postponed to the next ctual sign. Upon approval, the mock-up sign must be
C. ORDINANCE	""" "" (b) days of the theeling.
City of Novi Ordinance, Section 3107 – Miscellaneous	
No order of the Board permitting the erection of a building shall be voluilding permit for such erection or alteration is obtained within such proceeds to completion in accordance with the terms of such permitting or premises shall be volutionally as a premise	period and such erection or alteration is started and t.
dependent upon the erection or alteration or a building such order st for such erection or alteration is obtained within one-(1) year and suc completion in accordance with the terms of such permit.	vided, nowever, where such use permitted is
D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL	
PLEASE TAKE NOTICE:	
The undersigned hereby appeals the determination of the Building Of	fficial / Inspector or Ordinance made
☐ CONSTRUCT NEW HOME/BUILDING ☐ ADDITION TO EXISTING HOME	Media / Inspector of Ordinance Made
TO THE PROPERTY OF THE PROPERT	ME/BUILDING LISIGNACE
☐ ACCESSORY BUILDING ☐ USE ☐ OTHER ☐	94.0
□ ACCESSORY BUILDING □ USE ☑ OTHER □	
☐ ACCESSORY BUILDING ☐ USE ☑ OTHER ☐ VI. APPLICANT & PROPERTY SIGNATURES	94.0
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VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT Applicant Signature	eck/ Covered Porch
VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT Applicant Signature B. PROPERTY OWNER	eck/Coursed Porch 8/17/2020
VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT Applicant Signature B. PROPERTY OWNER If the applicant is not the owner, the property owner must read	god sign bolows
VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT Applicant Signature B. PROPERTY OWNER If the applicant is not the owner, the property owner must read The undersigned affirms and acknowledges that he she or thou are the	and sign below:
VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT Applicant Signature B. PROPERTY OWNER If the applicant is not the owner, the property owner must read The undersigned affirms and acknowledges that he she or thou are the	and sign below:
VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT Applicant Signature B. PROPERTY OWNER If the applicant is not the owner, the property owner must read The undersigned affirms and acknowledges that he, she or they are the application, and is/are aware of the contents of this application and reading the contents of the contents of the contents of this application and reading the contents of the contents	and sign below: ne owner(s) of the property described in this related enclosures.
VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT Applicant Signature B. PROPERTY OWNER If the applicant is not the owner, the property owner must read The undersigned affirms and acknowledges that he she or thou are the	and sign below: ne owner(s) of the property described in this related enclosures.
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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 The undersigned affirms and acknowledges that he, she or they are the application, and is/are aware of the contents of this application and reproperty owner Signature VII. FOR OFFICIAL USE ONLY	and sign below: ne owner(s) of the property described in this related enclosures.
VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT Applicant Signature B. PROPERTY OWNER If the applicant is not the owner, the property owner must read The undersigned affirms and acknowledges that he, she or they are the application, and is/are aware of the contents of this application and reproperty Owner Signature VII. FOR OFFICIAL USE ONLY DECISION ON APPEAL:	and sign below: ne owner(s) of the property described in this related enclosures. S/17/2020 Date
ACCESSORY BUILDING USE OTHER VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT Applicant Signature B. PROPERTY OWNER If the applicant is not the owner, the property owner must read The undersigned affirms and acknowledges that he, she or they are the application, and is/are aware of the contents of this application and reproperty Owner Signature VII. FOR OFFICIAL USE ONLY DECISION ON APPEAL:	and sign below: ne owner(s) of the property described in this related enclosures. SALT/2020 Date
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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. Applicable ☐ Not Applicable If applicable, describe below: · Irregular lot configuration. 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

to the subject prop	erty would prohibit the	nt of the property immediately adjacent literal enforcement of the requirements 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).

The lot is a narrow pie shaped piece of property

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.

our let backs up to the ITC power lines which is wetlands, weeds, and other vegetation, This causes an unusual amount of bugs in our yard. We need a screened in porch so we can sit outside with some protection from bugs our lot also backs up to the city of Novi. bike path which is heavily traveled we need the screened porch to provide privacy from the Standard #4. Minimum Variance Necessary.

Path users.

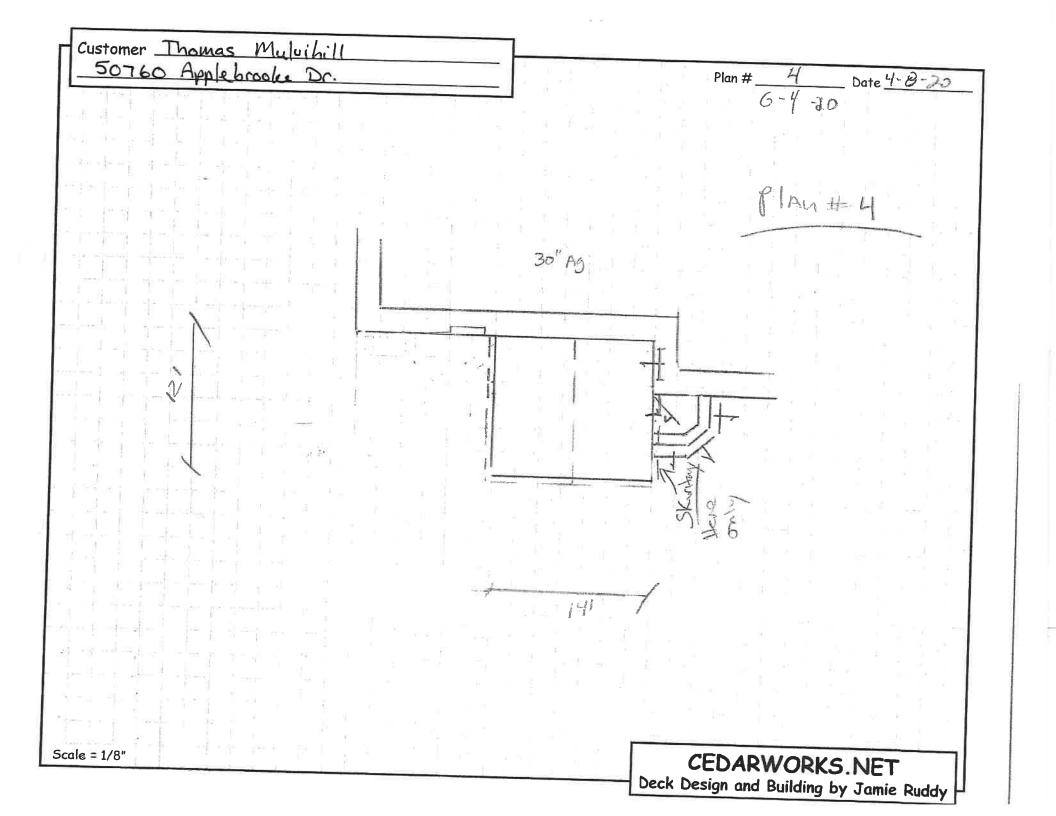
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

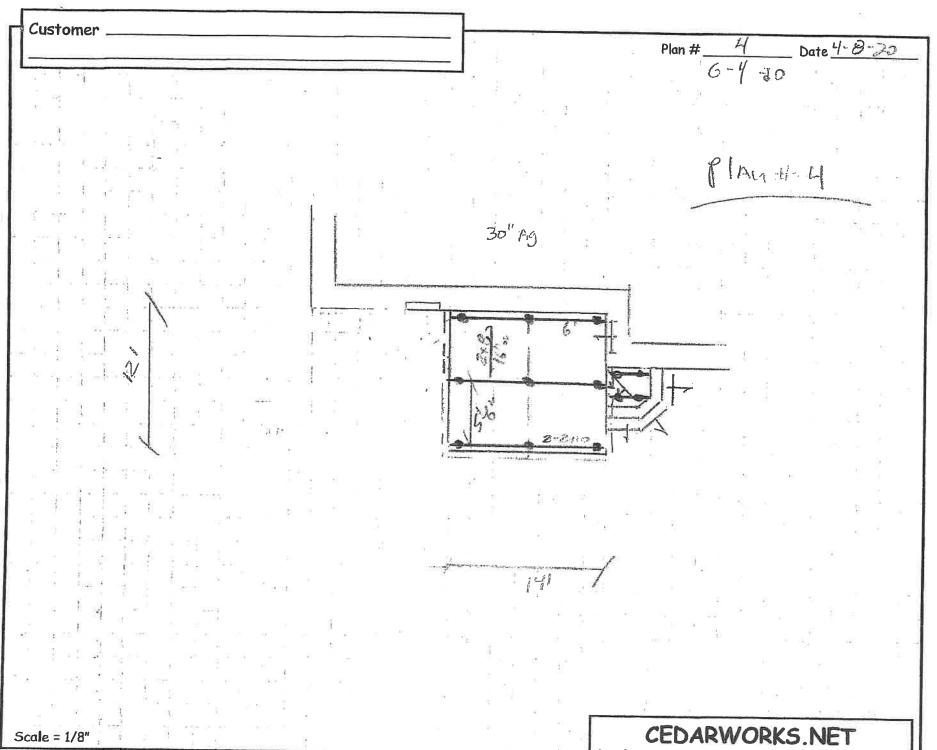
The purch only extends 12 feet from the back of our house and does not face any other property owner. We are keeping the porch as small as possible, while being functional for a small group to use.

Standard #5. Adverse Impact on Surrounding Area.

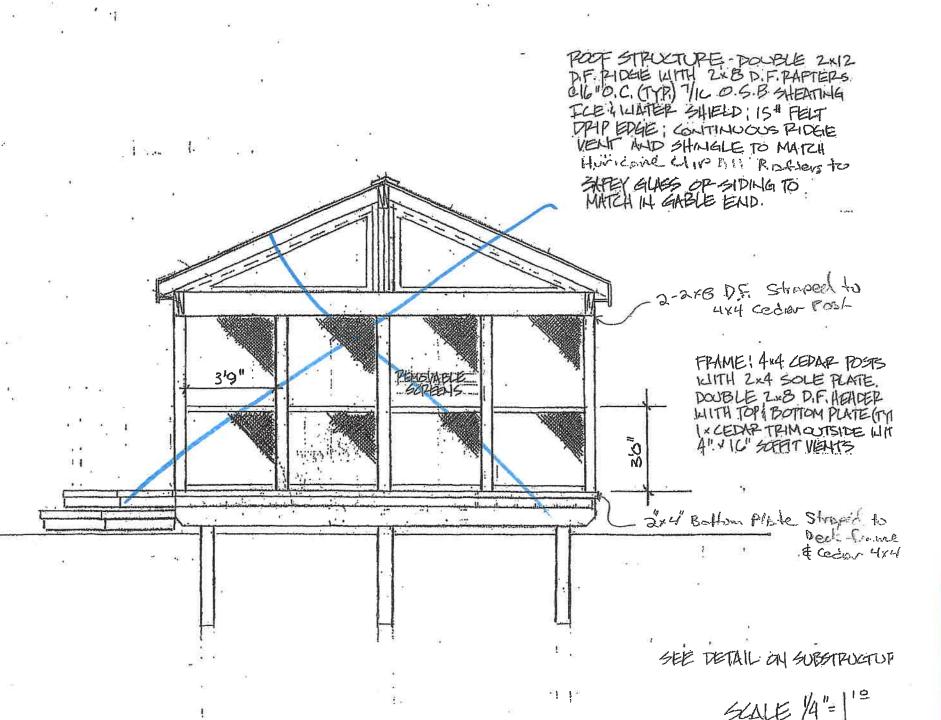
Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

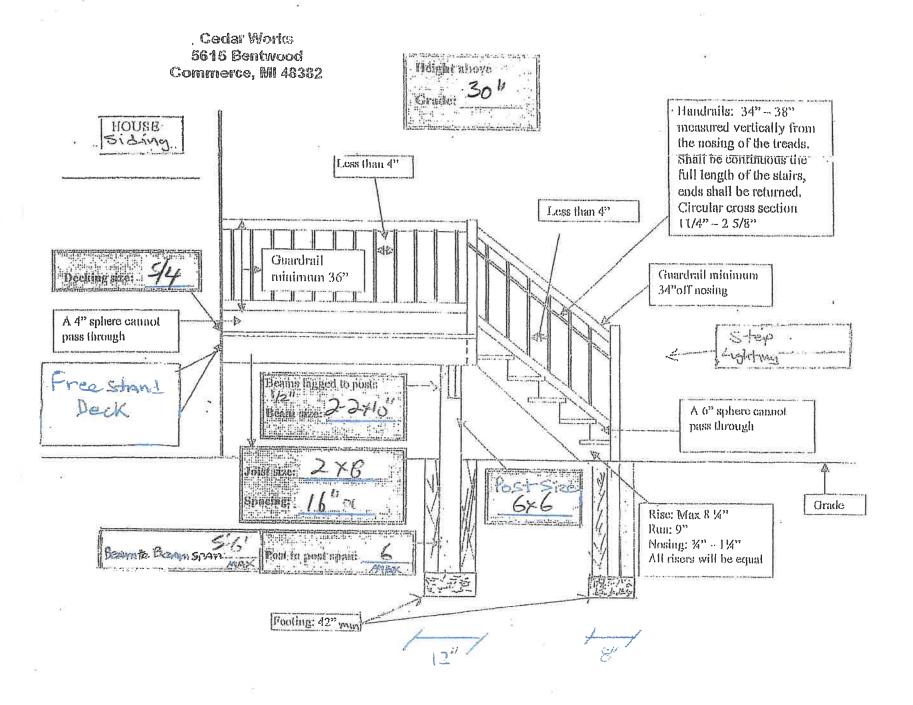
The porch is will be located on the southeast lot line of our property. which faces the ITC power lines. There are no neighbors along this lot line and will have no adverse attent impact on the surrounding property. The pack place association has already approved our request for thes variance,

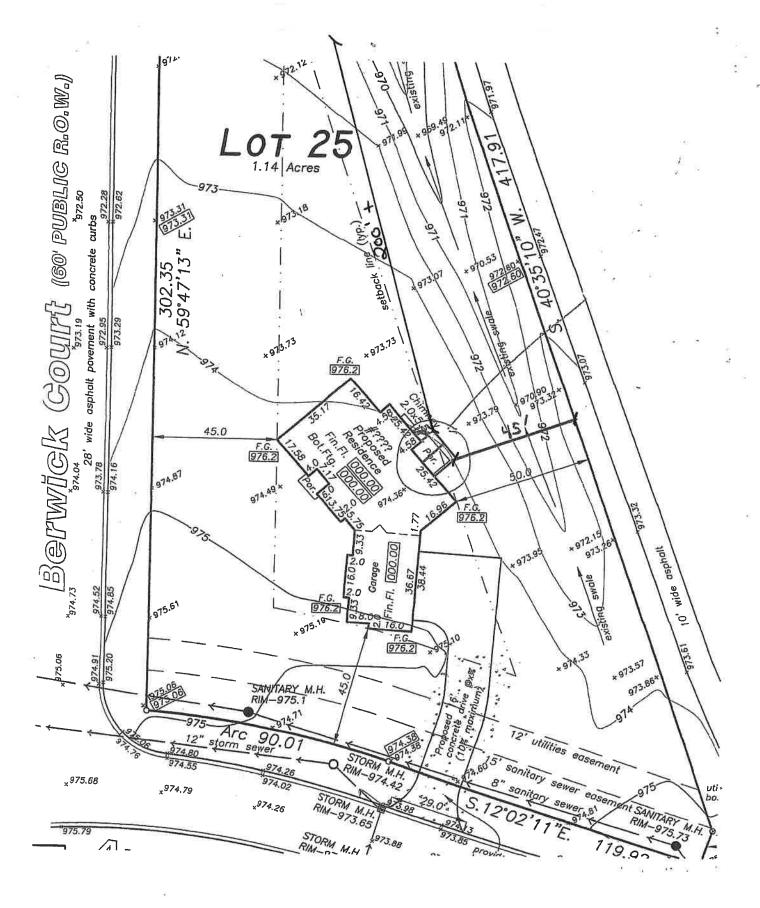




Deck Design and Building by Jamie Ruddy







TO: CITY OF NOVI

ZONING BOARD OF APPEALS 45175 TEN MILE ROAD

NOVI, MI 48375

Please note my comments to:

50760 Applebrooke Drive, Parcel # 50-22-31-253-001 (PZ20-0040)

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

Comments:

I Approve the requested Variance

They have some a great job with their
house and lembscape and I would
ber sure that they will continue.

Thanks-David & Lillian Baracit

(PLEASE PRINT CLEARLY)

Name: DAVID BARACH

Address: 50820 Apple brooke Dr. Northville 48164

Date: 10-31-20

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

Oppermann, Katherine

From:

David Snead <sneaddav@hotmail.com>

Sent:

Saturday, October 17, 2020 9:52 AM Oppermann, Katherine

To: Subject:

Re: PZ20-0040 Plans

Happy Sweeties Day Mrs. Oppermann,

I have reviewed the plans and have no issues with them. I understand their bug concerns from the wetlands and they should be able to enjoy outside living on their property which doesn't face my property.

lapprove.

P.S. at our annual association meeting 2020 we continued to lack a quorum for the voting on solar panels & sheds etc. Annually, we do not have enough members to confirm a vote on items. I have not built on my lot however; I am interested in the solar panels when I do. How would I go about this?

Sincerely,

David L. Snead II sneaddav@hotmail.com (313) 399-1691

From: Oppermann, Katherine < koppermann@cityofnovi.org>

Sent: Tuesday, October 13, 2020 7:55 PM

To: sneaddav@hotmail.com <sneaddav@hotmail.com>

Subject: PZ20-0040 Plans

Good Afternoon Mr. Snead,

Please find attached the packet for the Zoning Board case concerning your neighbors at 50760 Applebrook Drive. Feel free to contact me should you need anything further, I hope you have a lovely rest of your day.

Best regards,



Katherine Oppermann | Account Clerk

City of Novi | 45175 Ten Mile Road | Novi, MI 48375 USA t: 248.347-0459

cityofnovi.org | InvestNovi.org

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