

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 9, 2019

REGARDING: 1189 E Lake Dr, Parcel # 50-22-02-127-011 (PZ19-0009)

BY: Larry Butler, Deputy Director Community Development

. GENERAL INFORMATION:

Applicant

Marc Zuccato

Variance Type

Dimensional

Property Characteristics

Zoning District: Single Family Residential

Location: East of East Lake Drive and South of Fourteen Mile Road

Parcel #: 50-22-02-127-011

Request

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 4.19.E.i for a variance of 572 square feet to allow a proposed 1422 square feet of garage space, 850 square feet allowed. Section 3.32-10.ii.a, for the building of a proposed 160 square foot structure on the waterfront, 100 square feet allowed by code, and to allow an 11 foot 4 inch height, 8 foot allowed by code. This property is zoned Single Family Residential (R-4).

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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.	PZ19-0009,	sought	by for
	_							b	ecause	Petitic	ner has sho	own prac	
	dit	fficulty re	equiring	J							·		
							ner will be ui e		9	•	nted or limite 	d with res	pect
		(b) The	e prope	erty is u	ınique b	ecaus	se				·		
		(c) Pe	titioner	did no	ot create	e the c	condition be	caus	se				

Case # PZ19-0009

		he relief granted will not unreasonably interfere with adjacent or surrounding properties because
	(e) T	he relief if consistent with the spirit and intent of the ordinance because
	(f) T	he variance granted is subject to:
		1
		2
		3
		4
2. I	move	e that we <u>deny</u> the variance in Case No. PZ19-0009 , sought by
	or	
Р		
	(a) Ti ir	he circumstances and features of the property ncluding are not unique because they
	е	exist generally throughout the City.
		he circumstances and features of the property relating to the variance request are elf-created because
		he failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that
		he variance would result in interference with the adjacent and surrounding properties
		Granting the variance would be inconsistent with the spirit and intent of the ordinance o

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

FEB 2 2 2019

APPLICATION MUST BE FILLED OUT COMPLETELY

CITY OF NOVI
COMMUNITY DEVELOPMENT

I. PROPERTY INFORMATION (Address of subject ZBA Case)	Application Fee: #250.00
PROJECT NAME / SUBDIVISION	Meeting Date: April 9, 7
ADDRESS 1189 E LAKE DRIVE 64 HOUSE/8:	#
SIDWELL# May be obtain from Assessir	70 A C H. D7 1 - () (//) (/
50-22	
CROSS ROADS OF PROPERTY 14 MILE & ELAKE IR	
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? REQUEST IS FOR:	
	L COMMERCIAL VACANT PROPERTY SIGNAGE
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED?	☐ YES
II. APPLICANT INFORMATION EMAIL ADDRESS	CELL PHONE NO.
A. APPLICANT MZUCCATO @ Dron Xde 1	CELL PHONE NO. 248 980 7525
NAME MARC ZUCCATO	TELEPHONE NO.
ORGANIZATION/COMPANY	FAX NO.
ADDRESS A DESCRIPTION OF THE PROPERTY OF THE P	STATE A ZIP CODE
ADDRESS 40757 VILLAGE WOOD RD CITY NOVI	STATE M1 48375
B. PROPERTY OWNER CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OW	WNER
Identify the person or organization that	CELL PHONE NO.
owns the subject property: NAME	TELEPHONE NO.
	<u> </u>
ORGANIZATION/COMPANY	FAX NO.
ADDRESS CITY	STATE ZIP CODE
III. ZONING INFORMATION	
A. ZONING DISTRICT	
□ R-A □ R-1 □ R-2 □ R-3 □ R-4 □ RM-1 □	RM-2 □ MH
□ I-1 □ I-2 □ RC □ TC □ TC-1 □ OTHER	
B. VARIANCE REQUESTED	
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:	IN THE STORY STORY
1. Section Variance requested At SI	ZE INCREASE 3/03/ DAIN
2. SectionVariance requested	NUDING 5176 \$416HI INCKER
3. Section	QFT INCREASE 5'HGHT INC
4. SectionVariance requested	
IV. FEES AND DRAWNINGS	
A. FEES	
\square Single Family Residential (Existing) \$200 \square (With Violation) \$250 \bowtie S	iingle Family Residential (New) \$250
☐ Multiple/Commercial/Industrial \$300 ☐ (With Violation) \$400 ☐ 5	Signs \$300 🗌 (With Violation) \$400
☐ House Moves \$300 ☐ Special Meetings (At discre	etion of Board) \$600
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF	
	L proposed distance to adjacent property lines of existing & proposed signs, if applicable
• Existing or proposed buildings or addition on the property • Floor plan	ns & elevations
 Number & location of all on-site parking, if applicable Any othe 	er 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				
□ ACCESSORY BUILDING □ USE □ OTHER				
VI. APPLICANT & PROPERTY SIGNATURES				
VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT March Purchas 2-22-19				
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 property described in this				
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NOVI cityofnovi.org

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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:

1,	out and the first in the code.	
in existence on the	effective date of the Zonir	rness or shape of a specific property ng Ordinance or amendment. If applicable, describe below:
	and/or	
other extraordinary Not Applicable THE LAND STRUCTURE	situations on the land, buil Applicable STS BELOW	If applicable, describe below: THE ROAD AND WILL BE LESS
	dila, di	
to the subject prope of the Zoning Ordina	erty would prohibit the lite	the property immediately adjacent ral enforcement of the requirements nificant practical difficulties. 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).

SHELTERSIZE DICTATED BY ORDINANCE IS NOT PRACTICAL

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.

PROPERTY OWNER NEEDS A BIT

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.

SEE ATTACHED

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.

SEE ATTACHED

REVIEW STANDARDS FOR DIMENSIONAL VARIANCE – RESPONSE 4/9/2019

Request for increase of allowed Lakefront Lot Accessory Building Area & Hght.

ZACATTO RESIDENCE at 1189 EAST LAKE DRIVE, NOVI

Standard ONE: Not applicable

Standard TWO: Not applicable

Standard THREE: Not applicable

Standard FOUR: For the Lake Shelter we are asking for an increase of area of 60%, or 60 additional sq. ft. under roof. We also ask for 60 sq. Ft. additional footprint for an external stair. We believe this is the minimum increase in area to provide shelter for this family of five. It won't be the largest shelter in the immediate area. We are trying to minimize its bulk by using a flat roof. The roof height will only be 9'-0" above grade. At that point the lot has sloped down five feet from the road so the roof will be 4' above the road. Driving by in an SUV you will be able to look right over the top of it. Since the roof is flat we would like to use it for a sun deck. That is why we need to build the external stair. The 3 foot tall railing on the roof deck will project 12' above grade. It will be a very transparent cable rail that won't clutter the view. We are hoping the board will consider the extra 2' projection, above the 10' allowed, to be an architectural projection which is often allowed beyond building limits. We still come out more transparent than if we put in a pitched roof with a gable.

Standard FIVE: We don't feel that the new Lake Shelter would cause an adverse impact on surrounding properties nor their values, use or enjoyment. The understated character and low profile design render the structure barely visible. We plan to dress it up in materials to match the new house. We will use lap siding, Hardie panels and steel siding. We are hoping that it becomes a brief point of interest to those that do manage to notice the shelter.

We don't believe that the neighbourhood or zoning district will be negatively impacted by the shelter.

1189 EAST LAKE DRIVE

Community Development Department GARAGE S& FOOTAGE



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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 Cir

rcumstances or physical conditions r	ne same zoning district o nay include:	or in the general vicinity.	
 a. Shape of Lot. Exceptional narrow in existence on the effective do Not Applicable	ite of the Zoning Ordinar	ape of a specific propert nce or amendment, able, describe below:	у
	and/or		
b. Environmental Conditions. Exce other extraordinary situations or Not Applicable Applicable WE FOUND IT EXVERY SUBSTATI	n the land, building or struable If applic TRAORTHUAE AL STRUCT L	ucture.	
c. Abutting Property. The use or de to the subject property would p of the Zoning Ordinance or would not applicable Applicable Applicable WITH NEW HOUSE	rohibit the literal enforce uld involve significant pro able If application	ement of the requirement actical difficulties. cable, describe below:	ts SARAGE

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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).

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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.

SEE ATTACHED

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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.

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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.

SEE ATTACHED

REVIEW STANDARDS FOR DIMENSIONAL VARIANCE – RESPONSE 4/9/2019

Request for increase of allowed garage square footage area

ZACATTO RESIDENCE at 1189 EAST LAKE DRIVE, NOVI

Standard ONE: Not applicable

Standard TWO: We have to admit this condition was created by a previous owner, BUT the immediate practical difficulty is the impracticality of removing the sound, unobtrusive and useful structure.

Standard THREE: The strict compliance will prevent the owner from using the property for a permitted purpose, his woodworking hobby. Whether or not the conformity with regulations preventing the intended use is unreasonable is up to the Board. And whether the demolition of the existing structure is unnecessarily burdensome is also up to the Board. We just ask for consideration for what is practical.

Standard FOUR: We are asking for an increase of garage area of 56% or 476 sq. ft., in order to save this 480 sq. Ft. Structure. This is just over 3% of the area of the upper lot we are building on. We believe this is the minimum necessary variance because the proposed attached garage is designed to accommodate our three car family including the pickup truck and SUVs. And we end up using almost all the allowed square footage for the cars. And yet there at the back of the lot, nearly 100 feet behind the house, sits a beautifully proportioned building with multiple windows and side door facing the house. It is surrounded by trees on the side and rear property lines and has only a gravel path leading to it.

The owner's hobby is woodworking. He finds great satisfaction in working with his hands and creating furniture and other functional pieces. It is a craft passed on for generations in his family. But this activity requires a workshop. The couple is experienced enough to realize that a wood shop in the basement or attached garage makes the whole house dusty. The maintaining and use of the existing structure seemed ideal to them when they purchased the property.

Standard FIVE: We believe that maintaining the structure will not have any adverse impact on surrounding properties or the neighborhood. The workshop is surrounded by trees and only visible from our yard.

The structure is very sound which makes it all the more impractical to remove it. It has a good slab, solid masonry walls, and a good, rather new, roof. We plan to dress it up in materials to match the new house. We will use lap siding, Hardie panels and steel siding. We will also replace the windows and doors. These improvements along with the solid masonry walls will make the workshop even more soundproof. We would also like to embellish the look with a small covered wooden entry porch. We will not pave around the workshop. We enjoy the image of the gravel path leading to the charming structure sitting quietly in the landscape surrounded by trees.

Preserving the structure would also keep approximately 80 cubic yards of waste from being trucked over our roads and deposited in the landfills.

ZUCCATO RESIDENCE

1189 EAST LAKE DRIVE NOVI, MI 48377

LEGAL DESCRIPTION:

TIN, R8E, SEC 2 SHORE ACRES SUB NLY 6.88 FT OF LOT 63, ALSO ALL OF LOT 64 1-7-98 CORR





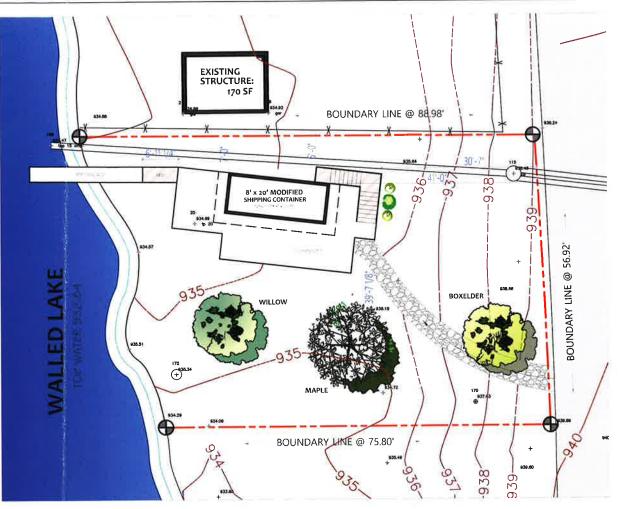




LOWER LOT BUILDING SIZE VARIANCE REQUEST:

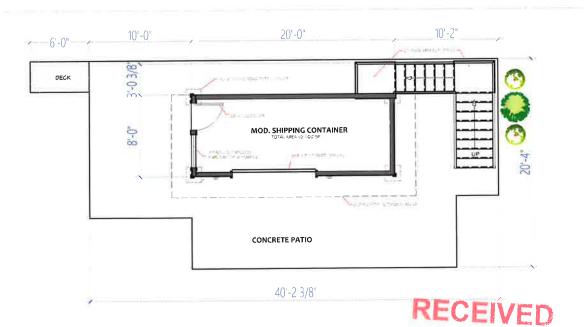
- PROPOSED BUILDING: 160 SQ. FT. (11'-4" TO TOP OF RAILING) - STAIR SIZE: 64 SQ. FT. (36"-48" WIDTHS) - ALLOWED BY CODE: 100 SQ. FT.

** REQUESTING VARIANCE FOR TOTAL ALLOWANCE INCREASE OF 36 SQ. FT. **



PROPOSED PROPERTY SITE PLAN

TOTAL LOT AREA: 4,660 SQ. FT.



PROPOSED FLOOR PLAN LAYOUT

SCALE: N.T.S.

FEB 27 2019

PROFESSIONAL SEAL:

ARCHITECT

Giovanni Lavigne 1733 Pembroke Birmingham, Mi Tel: 586-242-1525

ISSUED FOR:

OWNER REVIEW PERMIT SUBMITTAL

ZUCCATO LAKE HOME 1189 EAST LAKE DRIVE NOVI, MICHIGAN 48377

LAKE LOT STRUCTURE VARIANCE **PRESENTATION**

DRAWING TITLE:

SITE & ELEVATION RENDERINGS

DRAWN: KM

SHEET No.

S1

COMMUNITY DEVELOPMENT

ZUCCATO RESIDENCE

1189 EAST LAKE DRIVE NOVI, MI 48377

LEGAL DESCRIPTION:

TIN, R8E, SEC 2 SHORE ACRES SUB NLY 6.88 FT OF LOT 63, ALSO ALL OF LOT 64 1-7-98 CORR



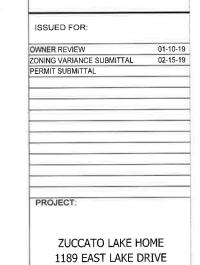


(UPDATED 24' x 24' DETACHED GARAGE)

PROFESSIONAL SEAL:

ARCHITECTGiovanni Lavigne

1733 Pembroke Birmingham, Mi Tel: 586-242-1525 Email:GioLavigne@gmail.com



NOVI, MICHIGAN 48377

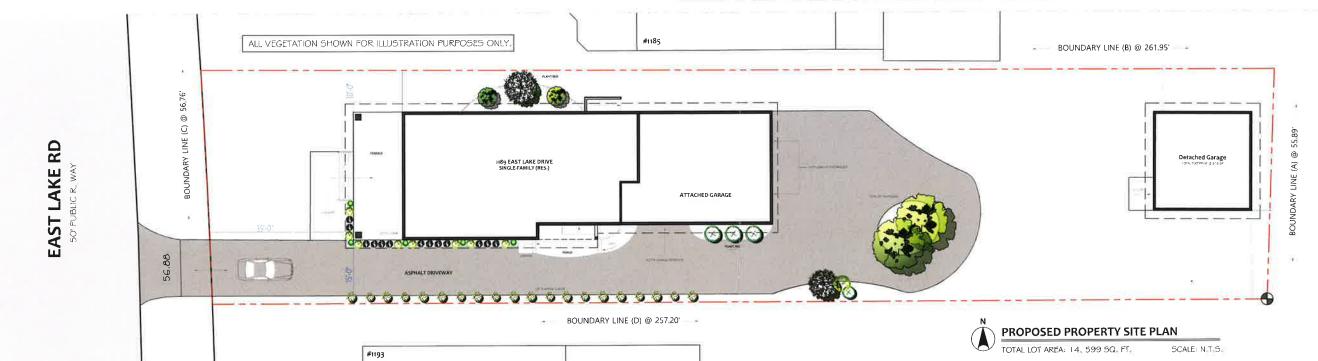
DRAWING TITLE:

SITE / ZONING

DRAWN: KM CHECKED: GL

SHEET No.

S1



BUILDING DATA:

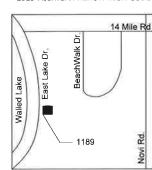
NEW FOOTPRINT = 1,561 sq. ft. CONSTRUCTION TYPE = 5-B

SITE DATA:

LOT ZONE = R1 (RESIDENTIAL) LOT A SIZE (WEST) = 14,599 sq. ft. LOT B SIZE (EAST) = 4,660 sq. ft. COMBINED AREA = 19,259 sq. ft.

CODE REFERENCES:

LOCAL CITY CODE & ORDINANCES 2015 MICHIGAN RENOVATION CODE





REQUEST FOR TOTAL ALLOWABLE GARAGE FOOTPRINT INCREASE:

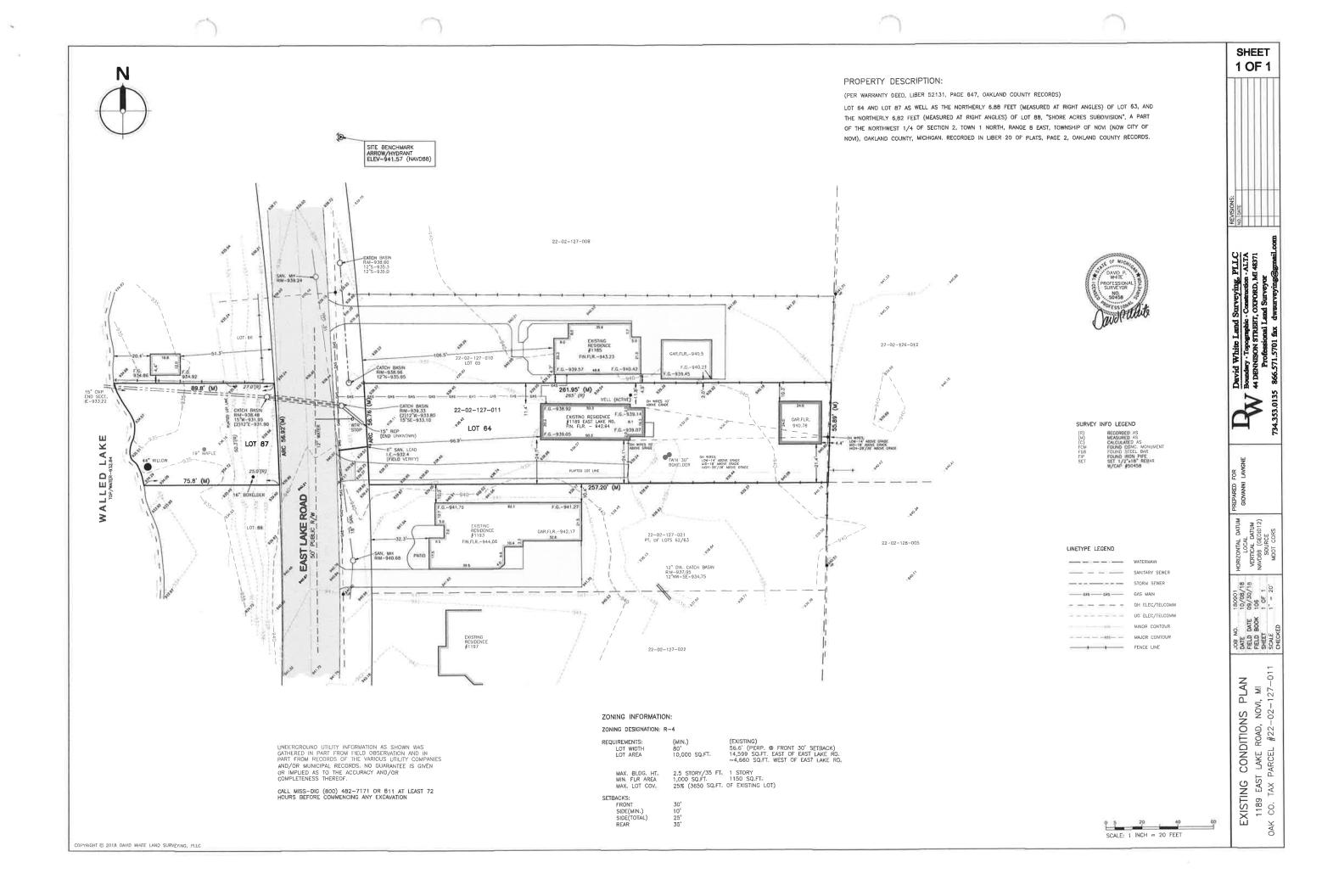
- Existing workshop garage: 576 sq. ft.

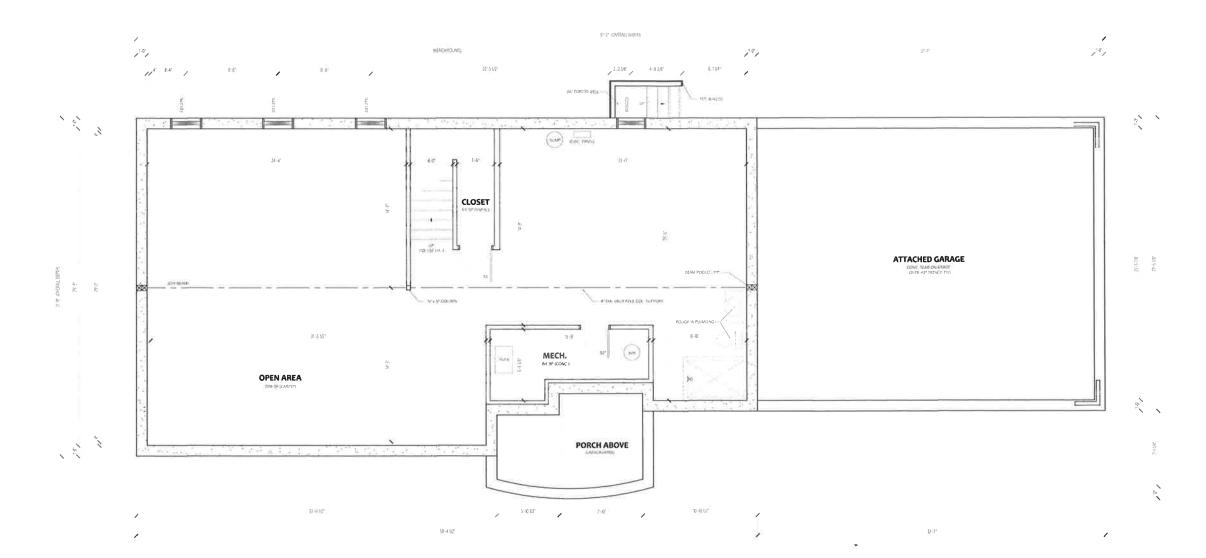
- Proposed attached garage: 846 sq. ft.

- Combined garage total: 1,422 sq. ft.

- Allowed area per code: 850 sq. ft.

** REQUESTING VARIANCE FOR TOTAL ALLOWANCE INCREASE OF 572 SQ. FT. **







ARCHITECT

Giovanni Lavigne
1733 Pembroke
Birmingham, Mi
Tel: 586-242-1525
Emall:GloLavigne@gmail.com

ISSUED FOR:

OWNER REVIEW PERMIT SUBMITTAL 01-10-19

PROJECT:

ZACCATO LAKE HOME 1189 EAST LAKE DRIVE NOVI, MICHIGAN 48377

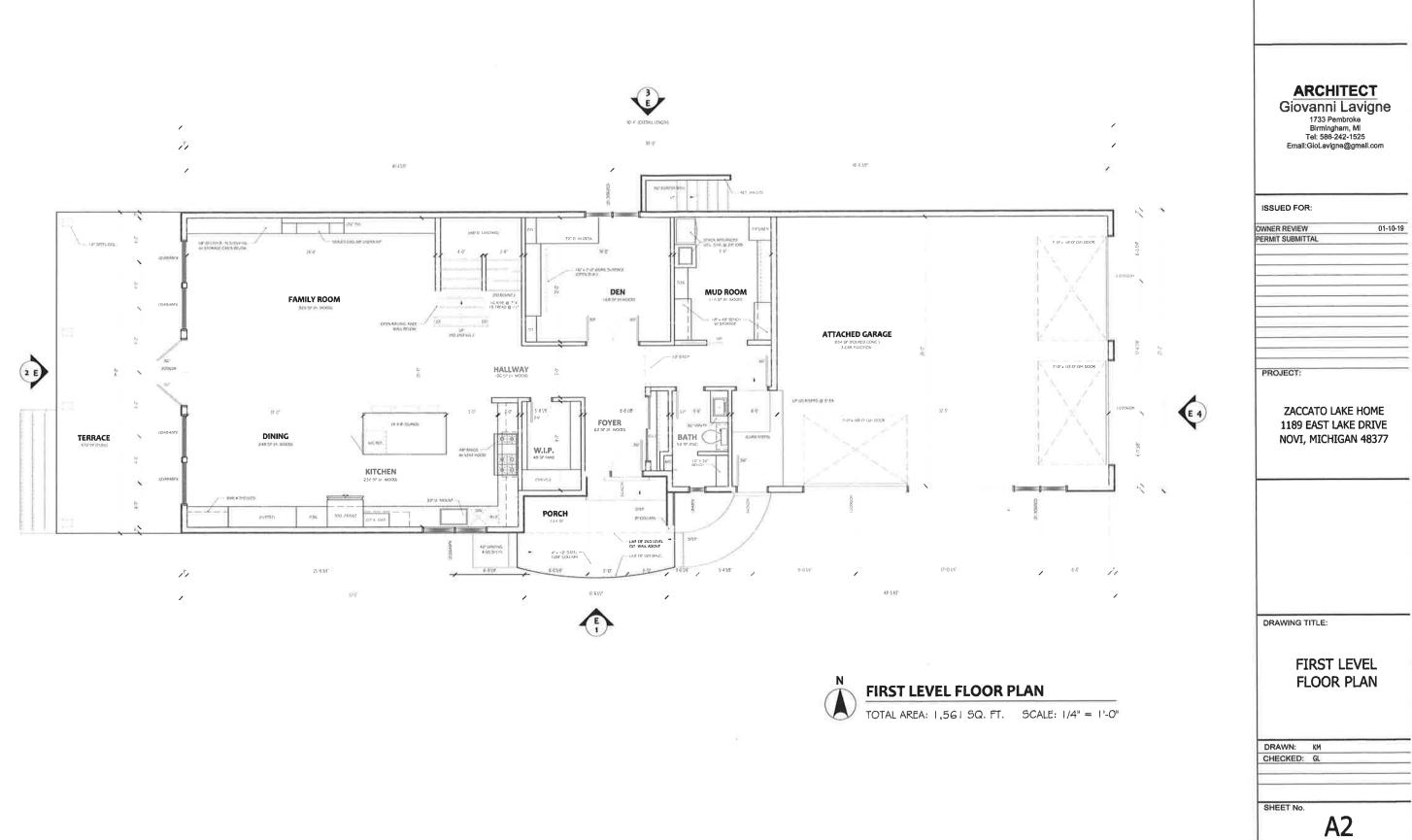
DRAWING TITLE:

FOUNDATION LEVEL FLOOR PLAN

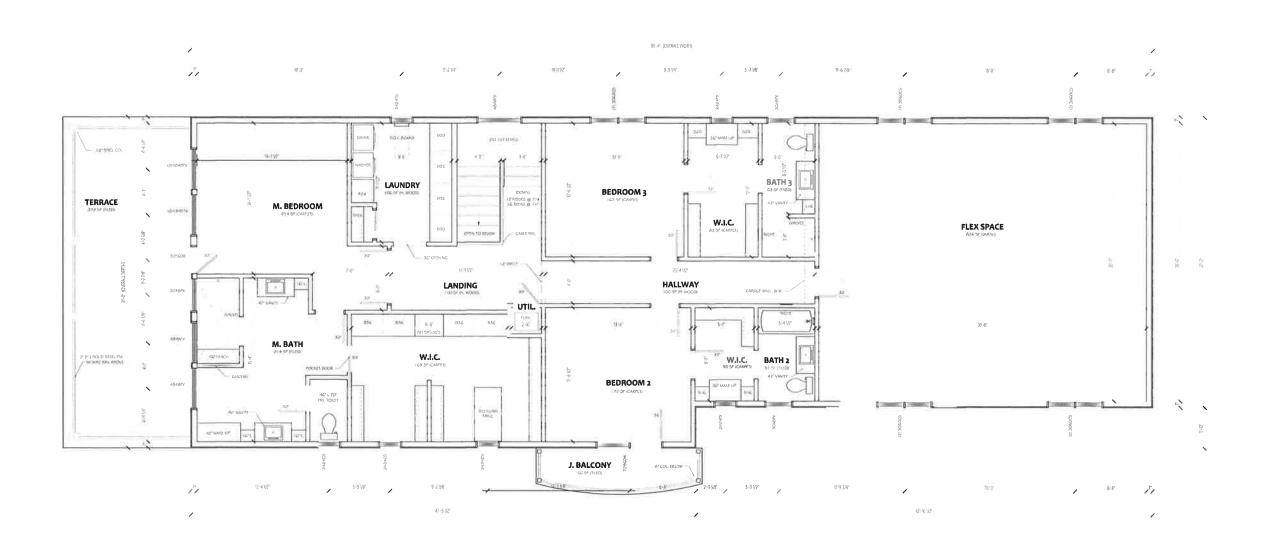
DRAWN: KM CHECKED: GL

SHEET No.

A1



PROFESSIONAL SEAL:





PROFESSIONAL SEAL:

ARCHITECT Giovanni Lavigne

1733 Pembroke Birmingham, Mi Tel: 586-242-1525 Emall:GloLavigne@gmail.com

ISSUED FOR:

OWNER REVIEW	01-10-19
PERMIT SUBMITTAL	

PROJECT:

ZACCATO LAKE HOME 1189 EAST LAKE DRIVE NOVI, MICHIGAN 48377

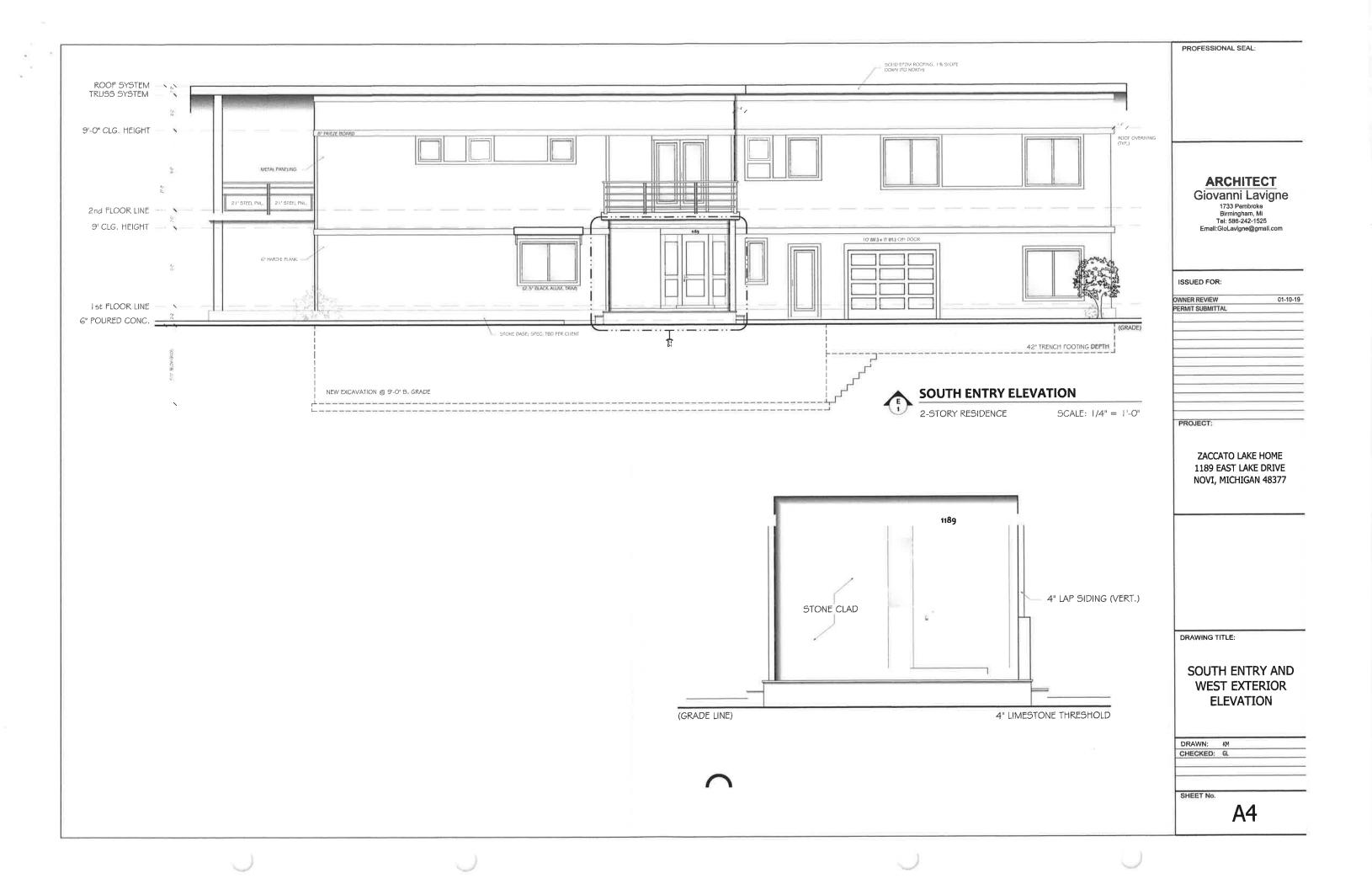
DRAWING TITLE:

SECOND LEVEL FLOOR PLAN

DRAWN: KM
CHECKED: GL

SHEET No.

A3



WEST EXTERIOR ELEVATION

2-STORY RESIDENCE

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

ARCHITECT

Giovanni Lavigne
1733 Pembroke
Birmingham, Mi
Tel: 586-242-1525
Emall:GloLavigne@gmail.com

ROOF SYSTEM TRUSS SYSTEM

> ISSUED FOR: OWNER REVIEW

PERMIT SUBMITTAL

9'-0" CLG. HEIGHT

PROJECT:

2nd FLOOR LINE

9' CLG. HEIGHT

ZACCATO LAKE HOME 1189 EAST LAKE DRIVE NOVI, MICHIGAN 48377

1st FLOOR LINE 6" POURED CONC. _

DRAWING TITLE:

WEST ENTRY ELEVATION

DRAWN: KM CHECKED: GL

SHEET No.

A#







