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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

ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals ZONING BOARD APPEALS DATE: May 10, 2016

West Lake Drive (PZ16-0016), Parcel 50-22-03-129-019

BY: Larry Butler, Deputy Director Community Development

. GENERAL INFORMATION:

Applicant

Xuan Tran & Hong Doan

Variance Type

Dimensional Variances

Property Characteristics

Zoning District: R-4 (Single Family Residential)

Site Location: 1623 West Lake Drive Parcel #: 50-22-03-129-019

Request

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5 and 3.32.8 to allow construction of new home with reduced side yard setbacks (10 feet required, 7.6 and 7.1 feet proposed) and reduced aggregate side setback (25 feet required, 14.7 feet proposed), confirmation of compliance with the 2.5 story/35 foot maximum building height and oversize vertical projections of 2 feet into each side setback (15.2 and 14.2 inches allowed). The property is zoned R-4.

II. STAFF COMMENTS:

Proposed Changes

The applicant is requesting approval to build a 2.5 story new home on a narrow 40 foot lot. The proposed structure includes protrusions into the requested reduced side setbacks in excess of the exceptions applicable in the Zoning Ordinance, thus requiring the additional request. The total height of the structure does not exceed the allowable height normally measured to the median of a sloped roof, however, the somewhat unusual roof configuration does not fit neatly within the limitation of 2-1/2 stories and is brought forward for review. Should the board be inclined to grant the variance(s) requested, staff suggests consideration be given to handling of roof drainage to avoid possible impact to neighboring properties.

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. **PZ16-0016**, sought by for

Zoning Board Of Appeals May 10, 2016 Page 2 of 3 Xuan Tran/Hong Doan Case # PZ16-0016 _____ 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: 2. I move that we <u>deny</u> the variance in Case No. PZ16-0016, sought by _____ for______ because Petitioner has not shown practical difficulty requiring _____ circumstances and features of the (a) 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
 - (e) Granting the variance would be inconsistent with the spirit and intent of the ordinance

Zoning Board Of Appeals

Xuan Tran/Hong Doan Case # PZ16-0016 May 10, 2016 Page 3 of 3

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0423.

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	ase)	Application Fee:					
PROJECT NAME / SUBDIVISION Doan/Tran Residence Meeting Date:							
ADDRESS	LOT/SIUTE/SPACE #	Meeting Date					
1623 West Lake Drive, Novi MI, 48377			ZBA Case #: PZ				
50-22- <u>03</u> - <u>129</u> - <u>019</u> Department (248) 347-0485							
CROSS ROADS OF PROPERTY Ludlow Drive/West Lake Drive	CROSS ROADS OF PROPERTY						
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIA	IATION JURISDICTION?	REQUEST IS FOR:					
☐ YES 🗹 NO		☑ RESIDENTIAL ☐ COM	IMERCIAL 🗆 VACANT PR	operty 🗌 signage			
DOES YOUR APPEAL RESULT FROM A NOTICE	OF VIOLATION OR	CITATION ISSUED? \Box YI	es 🗹 no				
II. APPLICANT INFORMATION							
A ADDITO ANT	MAIL ADDRESS		CELL PHONE NO.				
111	nauhouse@gmail.co	om	248-904-5221				
NAME Xuan Tran & Hong Doan			TELEPHONE NO.				
ORGANIZATION/COMPANY			FAX NO.				
ADDRESS 2008 Hazel St.		CITY Birmingham	STATE MI	ZIP CODE 48009			
	IF APPLICANT IS ALSO	O THE PROPERTY OWNER		1.0000			
<u> </u>	EMAIL ADDRESS		CELL PHONE NO.				
	mauhouse@gmai	il.com	248-904-5221				
NAME			TELEPHONE NO.				
Xuan Tran & Hong Doan ORGANIZATION/COMPANY			FAX NO.				
ORGANIZATION/COMPANY			FAX NO.				
ADDRESS 2008 Hazel St.		CITY Birmingham	STATE MI	ZIP CODE 48009			
III. ZONING INFORMATION		Dimingham	IVII	+0000			
A. ZONING DISTRICT							
	R-3 ☑ R-4	□ RM-1 □ RM-2	□мн				
] TC						
B. VARIANCE REQUESTED		_ 0	_				
INDICATE ORDINANCE SECTION (S) AND VAR	RIANCE REQUESTED:						
0.4.5	iance requested	Side yard set back (North) =10)-7.6=2.4ft, (South) =10-7.1:	=2.9ft			
0.4 5	•	Side yard set back (
2. Section 3.1.5 variable 2.1.5	iance requested	Confirmation of 2-1/2					
	iance requested						
4. Section 3.32.8 Variance requested Vertical Projection (North) = 15.2-24=8.8in, (South) = 14.2-24=9.8in							
IV. FEES AND DRAWNINGS							
A. FEES							
☐ Single Family Residential (Existing) \$200 ☐ (With Violation) \$250 ☑ Single Family Residential (New) \$250							
☐ Multiple/Commercial/Industrial \$300 ☐ (With Violation) \$400 ☐ Signs \$300 ☐ (With Violation) \$400							
☐ House Moves \$300 ☐ 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
$oxedsymbol{oxdot}$ dimensional $oxdot$ use $oxdot$ 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
A. APPLICANI
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.
Property Owner 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

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ZONING BOARD OF APPEALS VARIANCE APPLICATION CHECKLIST

The following items are required for a complete Variance application. Incomplete applications will be returned.

Signed Application Form

Complete the Zoning Board of Appeals application form. Application must be signed by the applicant and the property owner (if different).

Response to Variance Review Standards - Dimensional, Use, or Sign

Select the applicable Review Standards for the requested Variance and complete in full. Use additional paper if needed. If you don't know which Review Standards to complete, call the Community Development Department at 248.347.0415 for guidance.

Dimensioned Site Plan (1 copy & 1 digital copy submitted as a PDF)

- Existing or proposed buildings or additions on the property.
- Number and location of all on-site parking spaces.
- Existing and proposed distances to adjacent property lines.
- Location of existing and proposed signs, if applicable.
- Any other information relevant to the Variance application.

Dimensioned Drawings and Plans (1 copy & 1 digital copy submitted as a PDF)

- Floor plans and elevations with all proposed buildings and additions.
- All existing and proposed signs on the property (photographs may be used).
- For use variances, include floor plan showing the existing and proposed layout and functions of each area.
- For multi-family residential structures or projects, a summary showing the existing and proposed number of dwelling units by type (efficiency, one-bedroom, two-bedroom, etc.)

✓ Other Helpful Information – Optional (1 copy & 1 digital copy submitted as a PDF)

- Photographs of the lot or structure that shows the special conditions or circumstances described in the application.
- Photographs or maps that show how other properties in the area enjoy the same type of property rights related to the Variance.
- Letters of support from the neighbors who would be most affected by your request.

Fee (make check payable to the City of Novi)

Single Family Residential (Existing) \$200 (With Violation) \$250 Single Family Residential (New) \$250 Multiple/Commercial/Industrial \$300 (With Violation) \$400 Signs \$300 (With Violation) \$400 House Moves \$300 Special Meetings (At discretion of Board) \$600

Additional Information

In the course of reviewing the application, the Planning Department staff may request additional information from the applicant.

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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:

in e	existence on the		allowness or shape of a specific property Zoning Ordinance or amendment. If applicable, describe below:
		and/c	or .
oth	er extraordinary	•	pographic or environmental conditions of I, building or structure. If applicable, describe below:
		and/o	or .
to t of t	he subject prope he Zoning Ordina	erty would prohibit the	ent of the property immediately adjacent e literal enforcement of the requirements e significant 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).

Standard #3. Strict Compliance.

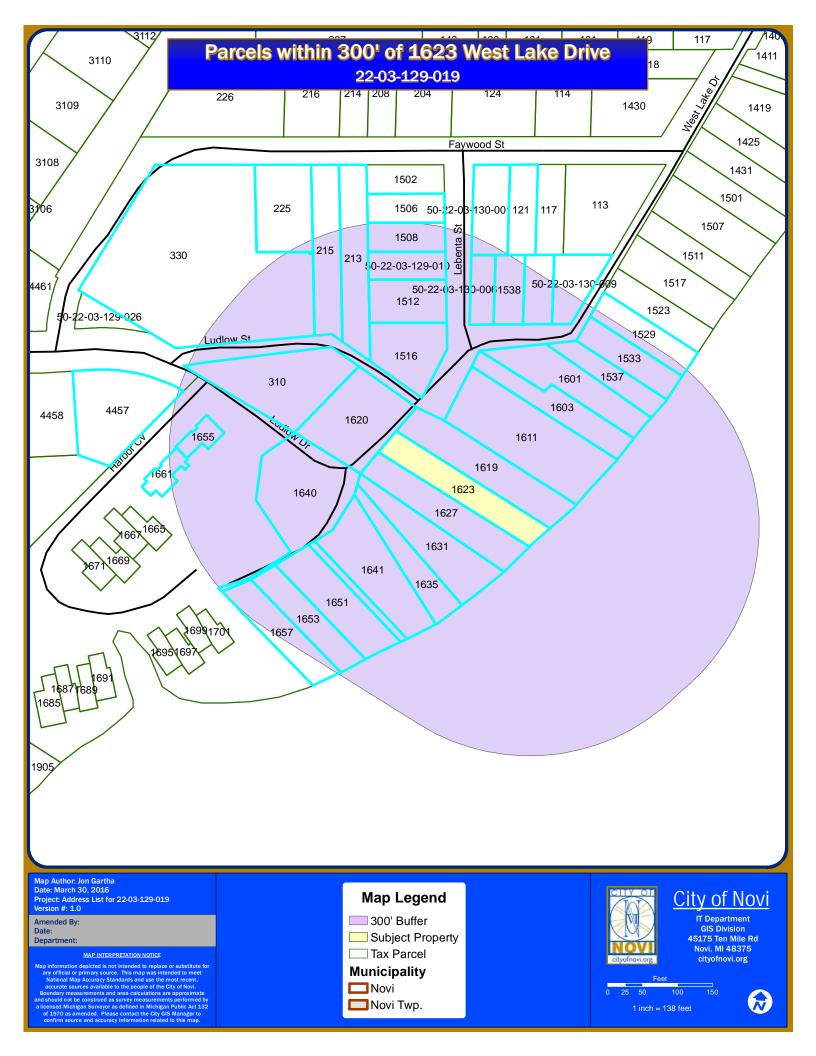
Explain how the Dimensional Variance in strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

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.

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.



Doan/Tran Residence - Variance Summary

WHAT: The variance requested of the Zoning Board of Appeals is:

a) 3.1.5 - Side Yard Setback (North) = $10 - 7.6^* = 2.4$ ft

b) 3.1.5 - Side Yard Setback (South) = $10 - 7.1^* = 2.9$ ft

c) 3.1.5 - Side Yard Setback (total) = 25 - 14.7 = 10.3ft

d) 3.1.5 - Confirmation of ½ story / 35ft max height (slide 6)

e) 3.32.8 - Vertical Projection 2ft into side yards 7.6ft and 7.1ft (slide 7)

*Note: These are requested setbacks per side (i.e. House foot print is centered on lot width!).

WHY: 40ft lake front lot is too narrow to build a new house based on side setback

ordinance (i.e. Strict adherence = 15ft wide house).

WHEN: Planned construction to start 2016

WHERE: 1623 West Lake Drive [Zone District R-4] on Walled Lake

WHO: Hong Doan & Xuan Tran

HOW: Variance allows demolition of existing house & new, residential construction of:

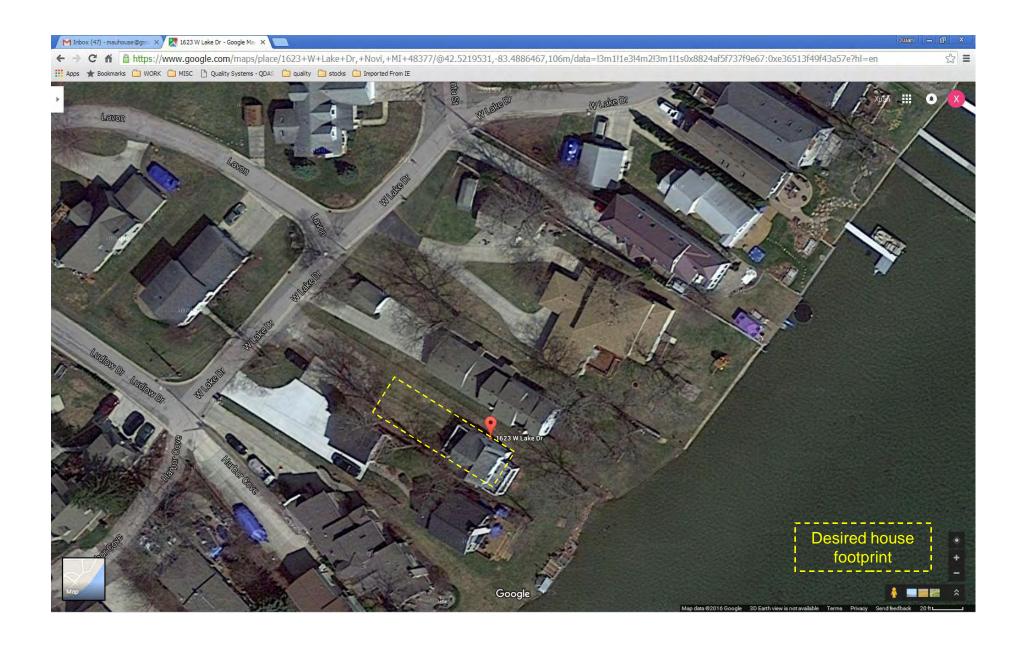
1) 2-1/2 Story, contemporary

2) Single-family

3) 23.6% lot coverage

4) 24ft W x 90ft L Footprint

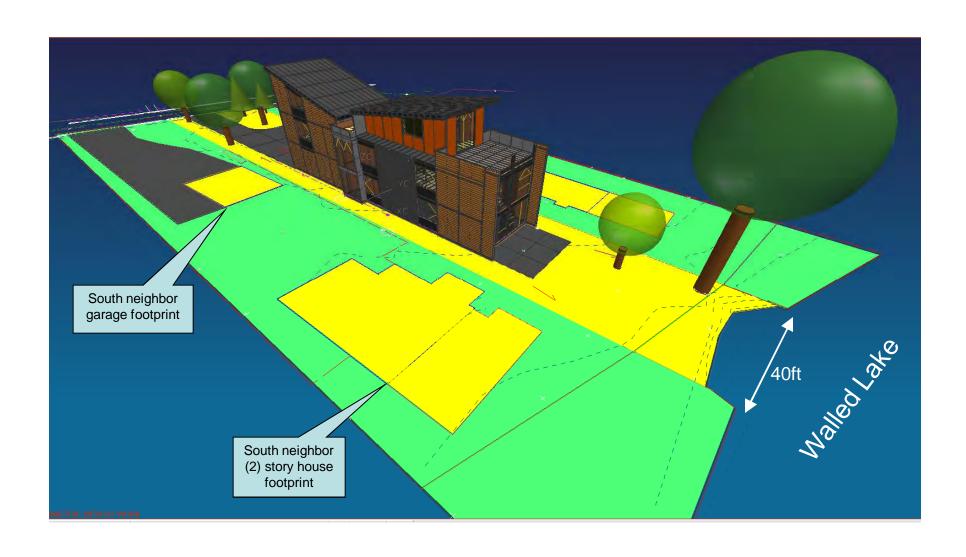
Doan/Tran Residence - Reference Details



Doan/Tran Residence – Reference Details

COMMUNITY CONSIDERATION #1: House is set back behind neighboring

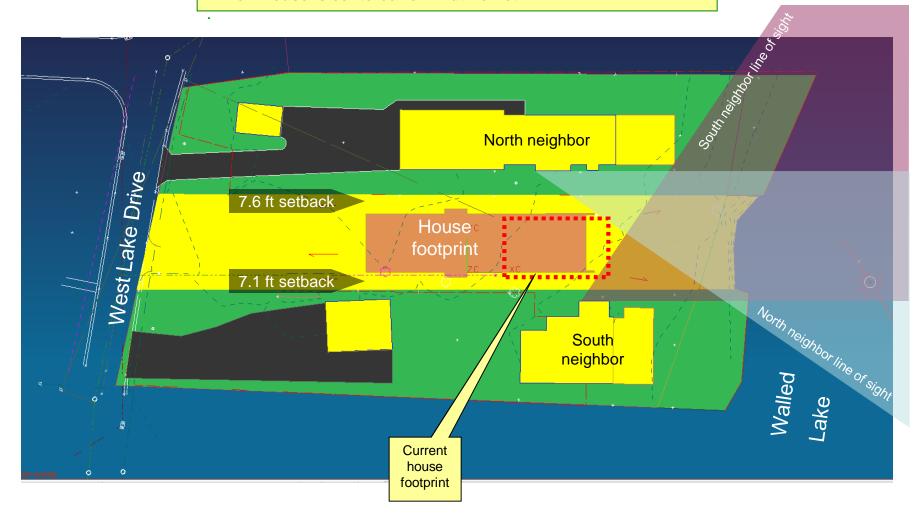
houses so as to not disrupt their views.



Doan/Tran Residence - Reference Details

COMMUNITY CONSIDERATION #2:

- New house footprint ~2ft narrower than existing house
- New house is centered* on width of lot



Lot Coverage = [(House = 2,197.80 sf) / (Lot = 9,311.43 sf)]= 23.6% Existing Setbacks = North = 8'8" South = 4'6"

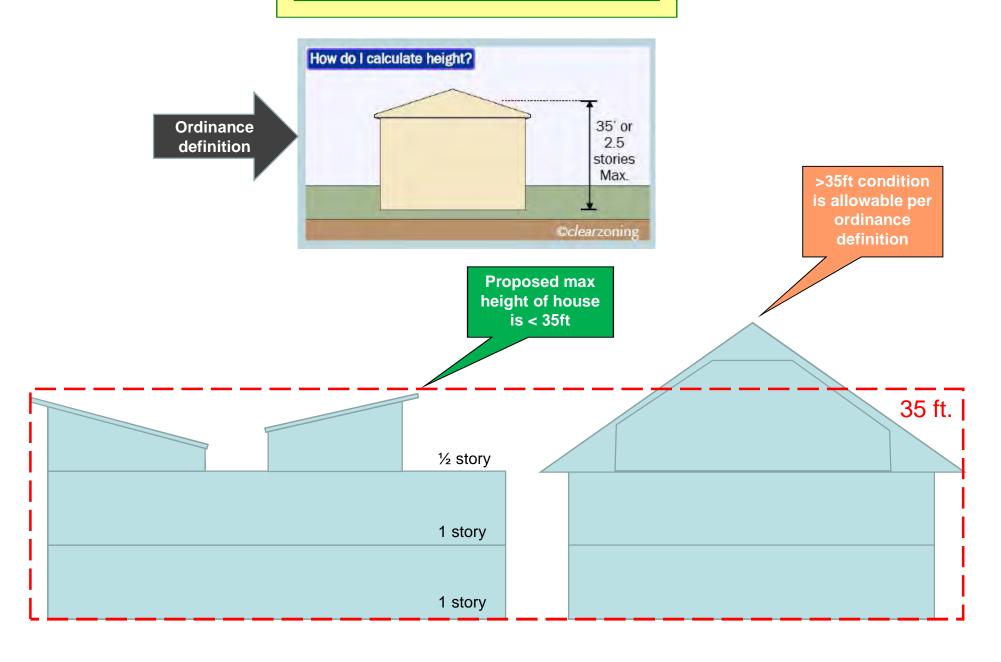
Doan/Tran Residence – Reference Details

COMMUNITY CONSIDERATION #3: Overhead electrical service (currently bisecting North neighbor) to be buried.



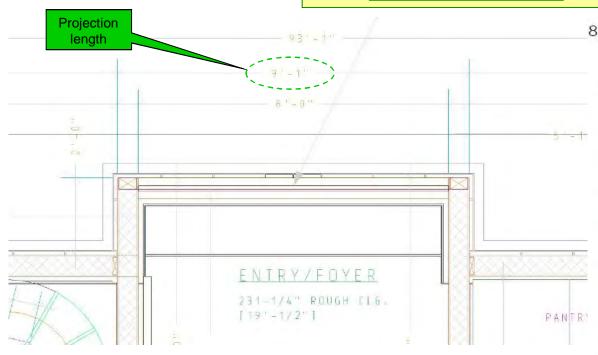
Doan/Tran Residence – Reference Details

CONFIRMATION of ½ STORY / 35ft Max HEIGHT



Doan/Tran Residence - Reference Details

PROJECTION VARIANCE:



8. Projections into Yards. Architectural features, including gutters, soffits, eaves, cornices, and roof overlaps, but not including vertical projections, may extend or project into a required side yard not more than two (2) inches for each one (1) foot of width of such side yard; and may extend or project into a required front yard or rear yard not more than three (3) feet.

Bay windows, chimneys, cantilevered floors, and other vertical projections of up to ten (10) feet in length, and not occupying more than thirty (30) percent of the length of the wall on which they are located, may project into required side yard not more than two (2) inches for each one (1) foot of width of such side yard (up to a maximum of two (2) feet of projection), and may project into a required front or rear yard not more than three (3) feet.

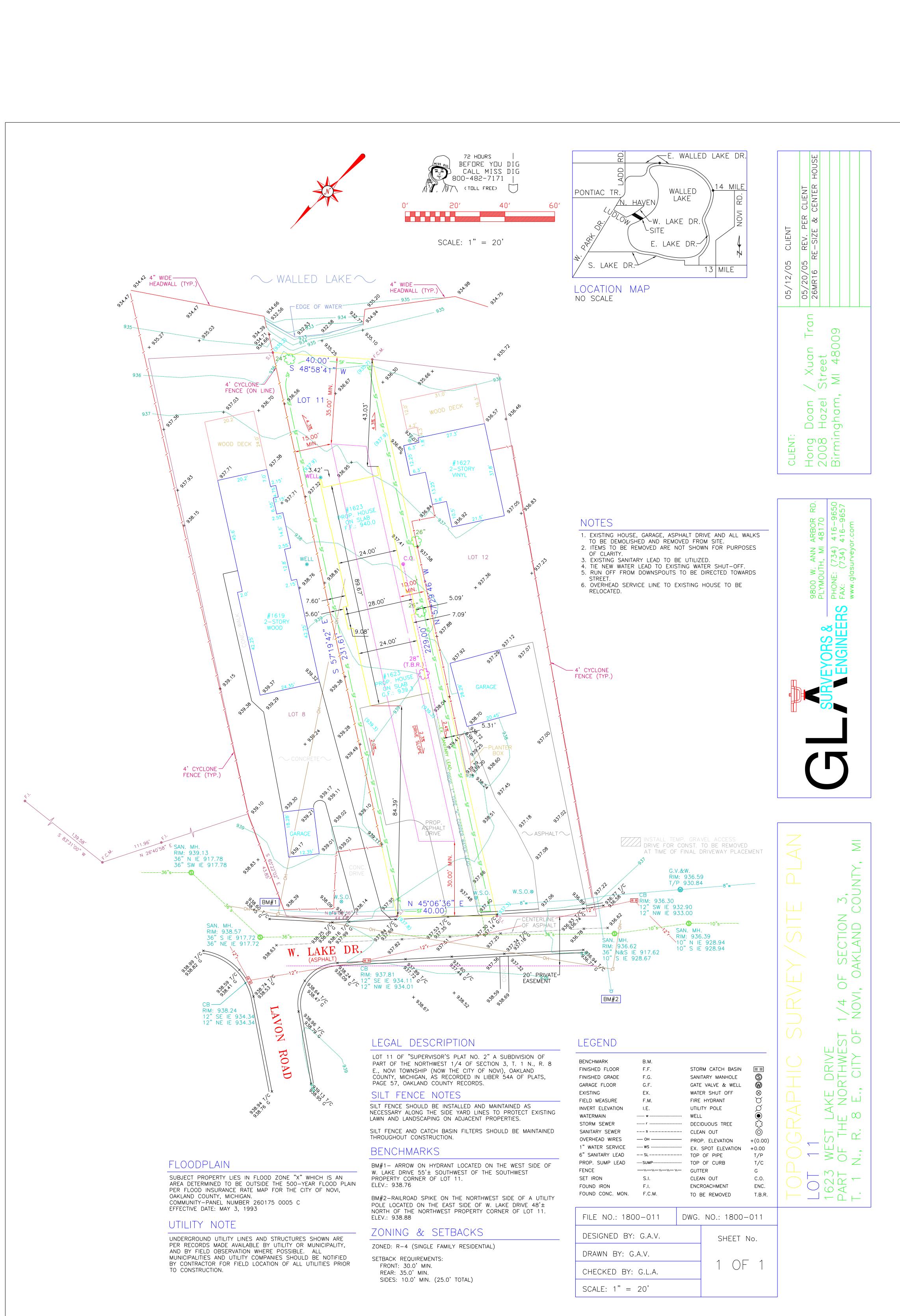
Projection Variance Request

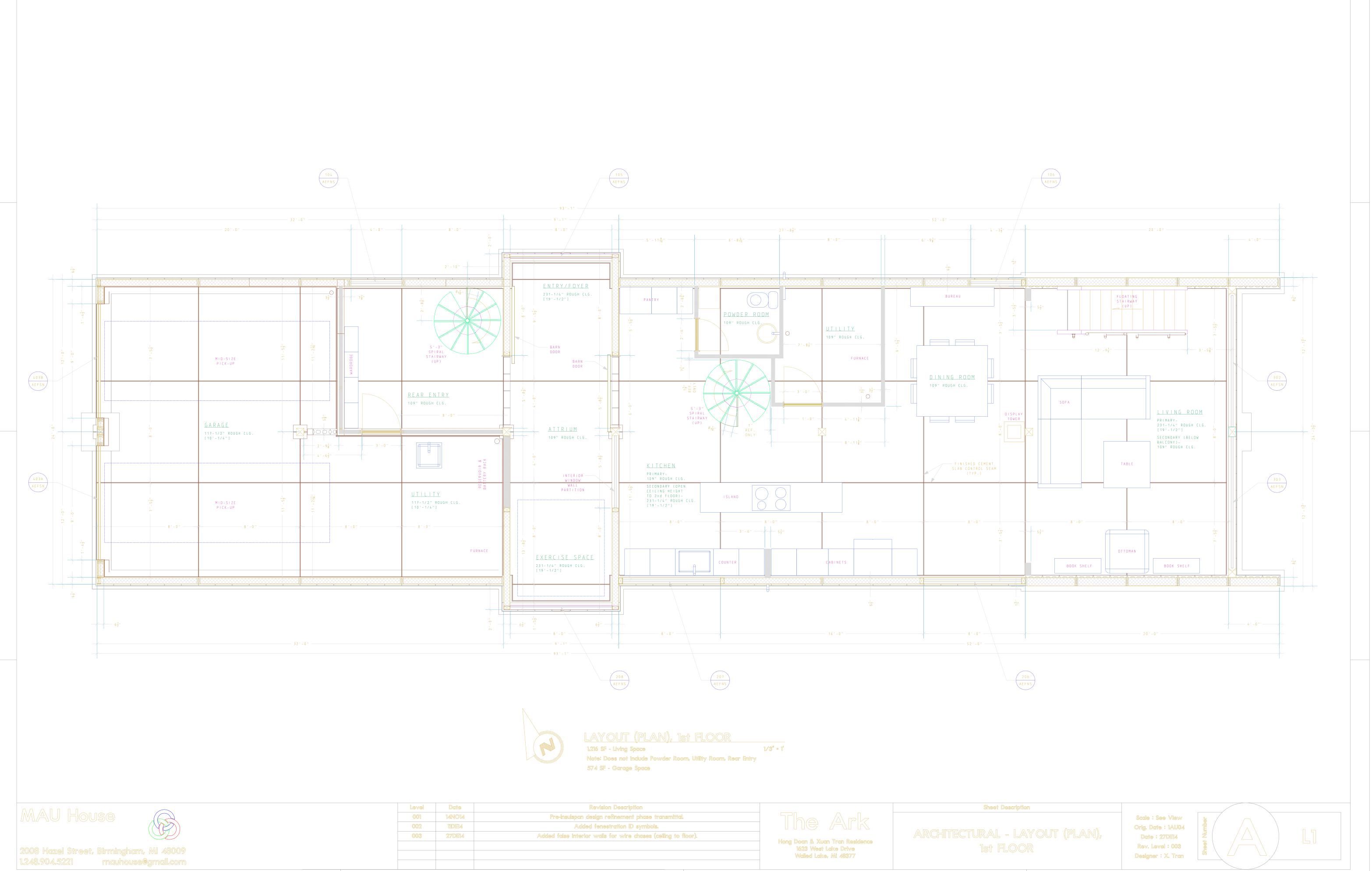
- North calculation = 7.6' setback x 2" = 15.2" permissible = 15.2" 24" desired projection = -8.8" or 8.8" of variance requested
- South calculation = 7.1' setback x 2" = 14.2" permissible
 = 14.2" 24" desired projection = -9.8" or 9.8" of variance requested

Note: Allowable Projection Formula = 2" per 1' of setback

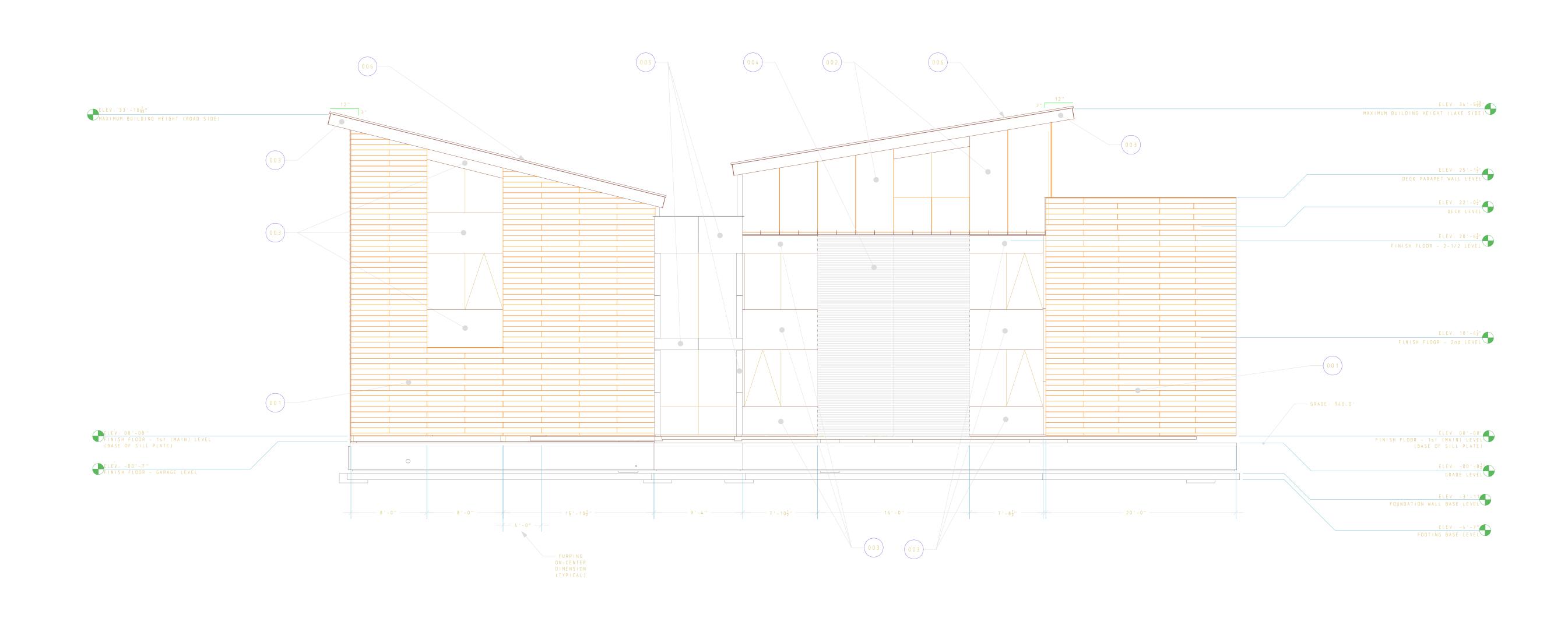
REF:

- Total house length = 93' (OK)
- Projection length = 9' (OK)
- Projection length % = ~ 10% (OK)





ARK_arch-lay 1st flr_sht-A11-003



ELEVATION, SOUTHWEST

3/16" = 1'

_	_	_		-	
007	-	CEMENT FIBERBOARD - MISC. TRIM	5 / 46 " T	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	BLACK / POLYURETHANE
006	-	METAL STANDING SEAM ROOFING	???	INSTALL PER SUPPLIER SPEC	DARK GREY / ???
005	-	CEMENT FIBERBOARD SIDING	5/16"T x 47-1/2"W x 48"H	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	GREY / POLYURETHANE
004	-	CORRUGATED STEEL SHEET SIDING	???	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	SILVER / GALVANIZED
003	-	CEMENT FIBERBOARD SIDING	5/16"T x 47-1/2"W x 48"H	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	BLACK / POLYURETHANE
002	-	CEMENT FIBERBOARD SIDING	5/16"T x 47-1/2"W x 48"H	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	RUST / POLYURETHANE
001		RED CEDAR SIDING	3/4"T x 6"W	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	AMBER / STAINED & SEALED
ART NO.	QTY	PART	PART DESCRIPTION	COMMENTS	COLOR / FINISH

MAU House

mauhouse@gmail.com

Revision Description	
Pre-Insulspan design refinement phase transmittal.	
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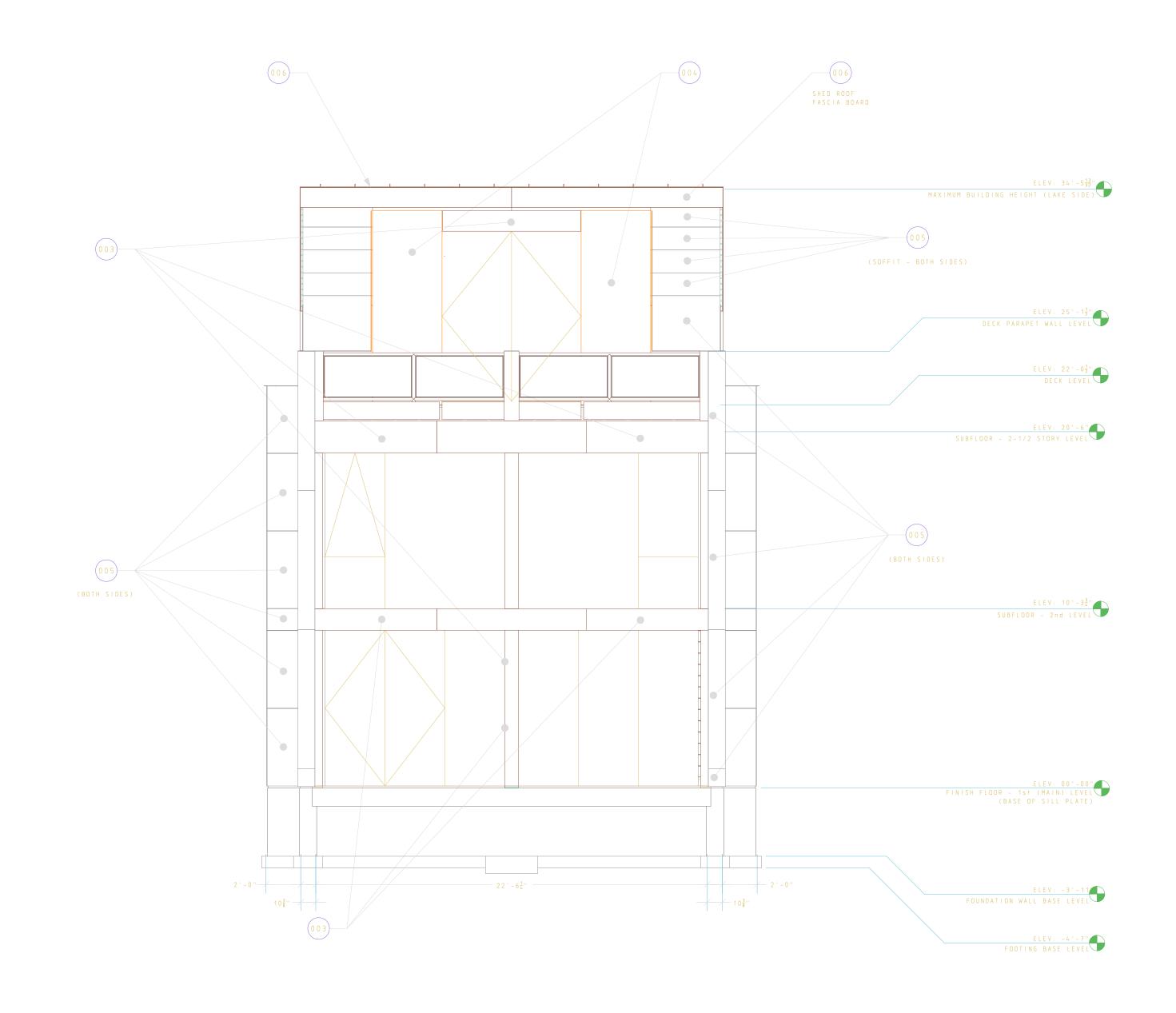
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Hong Doan & Xuan Tran Residence 1623 West Lake Drive Walled Lake, MI 48377 ARCHITECTURAL - ELEVATION, SOUTH
WEST

Sheet Description



ES V



1/4" = 1'

	-				
007	-	CEMENT FIBERBOARD - MISC. TRIM	5 / 46 " T	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	BLACK / POLYURETHANE
006	-	METAL STANDING SEAM ROOFING	???	INSTALL PER SUPPLIER SPEC	DARK GREY / ???
005	-	CEMENT FIBERBOARD SIDING	5/16"T x 47-1/2"W x 48"H	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	GREY / POLYURETHANE
004	-	CORRUGATED STEEL SHEET SIDING	???	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	SILVER / GALVANIZED
003	-	CEMENT FIBERBOARD SIDING	5/16"T x 47-1/2"W x 48"H	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	BLACK / POLYURETHANE
002		CEMENT FIBERBOARD SIDING	5/16"T x 47-1/2"W x 48"H	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	RUST / POLYURETHANE
001		RED CEDAR SIDING	3/4"T x 6"W	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	AMBER / STAINED & SEALED
NO.	ΤY	PART	PART DESCRIPTION	COMMENTS	COLOR / FINISH
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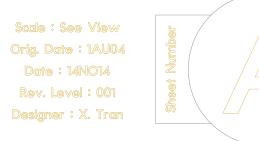


Level	Date	Revision Description	
001	14NO14	Pre-Insulspan design refinement phase transmittal.	
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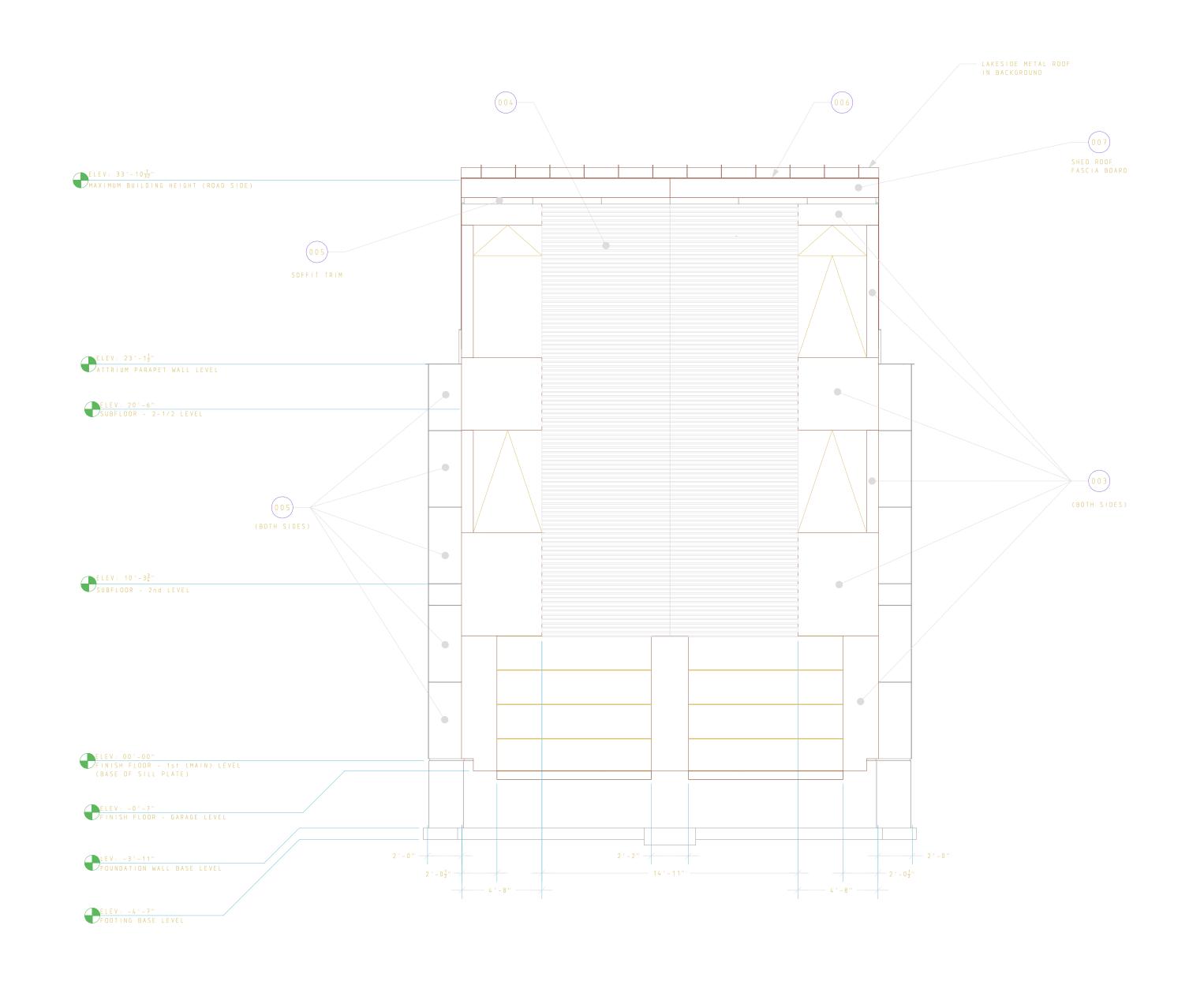


Hong Doan & Xuan Tran Residence 1623 West Lake Drive Walled Lake, MI 48377

Sheet Description



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FIEWATION NORTHWEST

]/4" = 1"

007 -	CEMENT FIBERBOARD - MISC. TRIM	5 / 46 " T	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	BLACK / POLYURETHANE
006 -	METAL STANDING SEAM ROOFING	???	INSTALL PER SUPPLIER SPEC	DARK GREY / ???
005 -	CEMENT FIBERBOARD SIDING	5/16"T x 47-1/2"W x 48"H	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	GREY / POLYURETHANE
004 -	CORRUGATED STEEL SHEET SIDING	???	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	SILVER / GALVANIZED
003 -	CEMENT FIBERBOARD SIDING	5/16"T x 47-1/2"W x 48"H	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	BLACK / POLYURETHANE
002 -	CEMENT FIBERBOARD SIDING	5/16"T x 47-1/2"W x 48"H	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	RUST / POLYURETHANE
001 -	RED CEDAR SIDING	3/4"T x 6"W	RAIN-SCREEN/INSTALL PER SUPPLIER SPEC	AMBER / STAINED & SEALED
ART QTY	PART	PART DESCRIPTION	COMMENTS	COLOR / FINISH
		DADT	CILCT	

MAU House



Level Date Revision Description

001 14NO14 Pre-Insulspan design refinement phase transmittal.



Hong Doan & Xuan Tran Residence
1623 West Lake Drive
Walled Lake, MI 48377

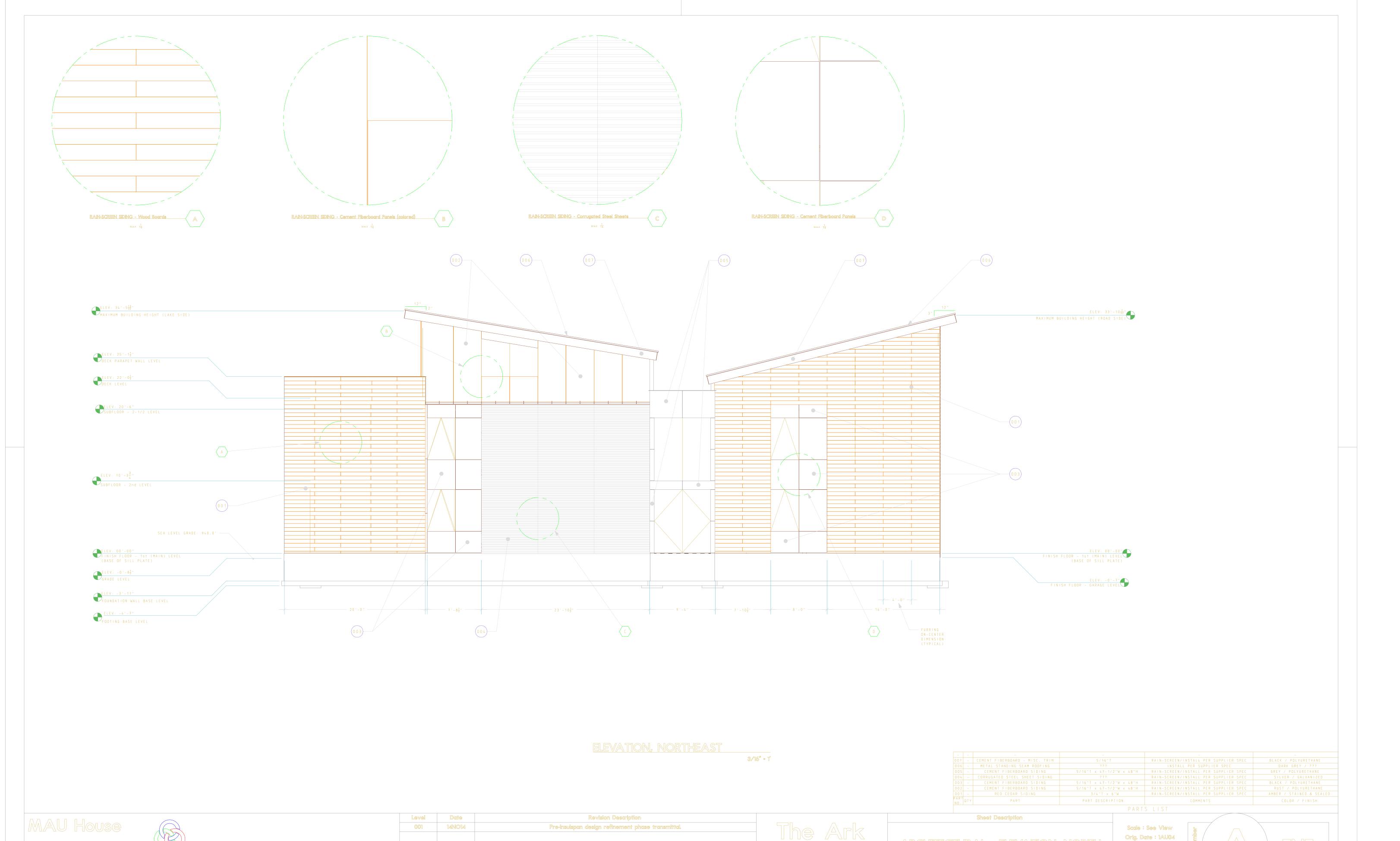
ARCHITECTURAL - ELEN
NORTHWEST

Sheet Description

Scale: See View
Orig. Date: 1AU04
Date: 14NO14
Rev. Level: 001
Designer: X. Tran



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mauhouse@gmail.com

Hong Doan & Xuan Tran Residence

1623 West Lake Drive Walled Lake, MI 48377

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Date: 14N014

Rev. Level: 001

Designer : X. Tran