



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 14, 2017

REGARDING: 25863 Arcadia Drive, Parcel # 50-22-21-202-005 (PZ17-0053)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Coy Construction Inc.

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Single Family Residential
Location:	West of Taft Road and South of Eleven Mile Road
Parcel #:	50-22-21-202-005

Request

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.2 for a proposed 4 feet reduced rear yard setback to 31 feet, to build a 17 foot deep screened in porch, 35 feet minimum required by code.

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. **PZ17-0053**, 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. **PZ17-0053**, sought by _____ for _____ because Petitioner has not shown practical difficulty requiring _____.

(a) The circumstances and features of the property including _____ are not unique because they exist generally throughout the City.

(b) The circumstances and features of the property relating to the variance request are self-created because _____.

(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that _____.

(d) The variance would result in interference with the adjacent and surrounding properties by _____.

(e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to _____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler
Deputy Director Community Development
City of Novi



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ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

RECEIVED

OCT 04 2017

CITY OF NOVI
COMMUNITY DEVELOPMENT

I. PROPERTY INFORMATION (Address of subject ZBA Case)		Application Fee: <u>\$200</u>	
PROJECT NAME / SUBDIVISION <u>Walden Woods II</u>		Meeting Date: <u>Nov. 14th 2017</u>	
ADDRESS <u>28863 Arcadia Dr</u>		ZBA Case #: <u>PZ 17-0053</u>	
SIDWELL # <u>50-22-</u>	May be obtain from Assessing Department (248) 347-0485		
CROSS ROADS OF PROPERTY			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?		REQUEST IS FOR:	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<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>mccoy@coyconstruction.com</u>	CELL PHONE NO.
NAME <u>Coy Construction, Inc</u>		TELEPHONE NO. <u>248 303 1050</u>	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>4214 Martin Rd</u>	CITY	STATE	ZIP CODE
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>Rich & Lisa Osbain</u>		<u>248-344-9388</u>	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>SAME AS Project</u>	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: <u>L</u>			
1. Section <u>4.1.1</u>		Variance requested _____	
2. Section <u>3.1.2</u>		Variance requested <u>rear yard setback of 31' (35' req. 4' variance)</u>	
3. Section _____		Variance requested _____	
4. Section _____		Variance requested _____	
IV. FEES AND DRAWINGS			
A. FEES			
<input checked="" type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600			
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF			
<input type="checkbox"/> Dimensioned Drawings and Plans <input type="checkbox"/> Site/Plot Plan <input type="checkbox"/> Existing or proposed buildings or addition on the property <input type="checkbox"/> Number & location of all on-site parking, if applicable		<input type="checkbox"/> Existing & proposed distance to adjacent property lines <input type="checkbox"/> Location of existing & proposed signs, if applicable <input type="checkbox"/> Floor plans & elevations <input type="checkbox"/> Any other information relevant to the Variance application	



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE

A. VARIANCE (S) REQUESTED

DIMENSIONAL USE SIGN

There is a five-(5) hold period before work/action can be taken on variance approvals.

B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a **Mock-Up Sign** ten-(10) days before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

C. ORDINANCE

City of Novi Ordinance, Section 3107 – Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGNAGE
 ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Applicant Signature Michael L. McCoy

Date 10/4/17

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 [Signature]

Date 10/4/17

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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**REVIEW STANDARDS
DIMENSIONAL VARIANCE**

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Dimensional Variance.)

Standard #1. Circumstances or Physical Conditions.

Explain the circumstances or physical conditions that apply to the property that do not apply generally to other properties in the same zoning district or in the general vicinity. Circumstances or physical conditions may include:

- a. **Shape of Lot.** Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment.
 Not Applicable Applicable If applicable, describe below:

and/or

- b. **Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.
 Not Applicable Applicable If applicable, describe below:

*Too Many Mosquitos - allergic to them! Need
Relief to Every back yard.
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).

SMALL & UNIQUE LOT SIZE

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.

THE HOMEOWNER WILL NOT BE ABLE REASONABLY USE & ENJOY THEIR BACKYARD

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.

4' VARIANCE FOR CONSTRUCTION OF A 17' DEEP SCREEN PORCH. PROPOSED PORCH IS 31' FROM REAR LOT LINE CODE REQUIRES 35'

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.

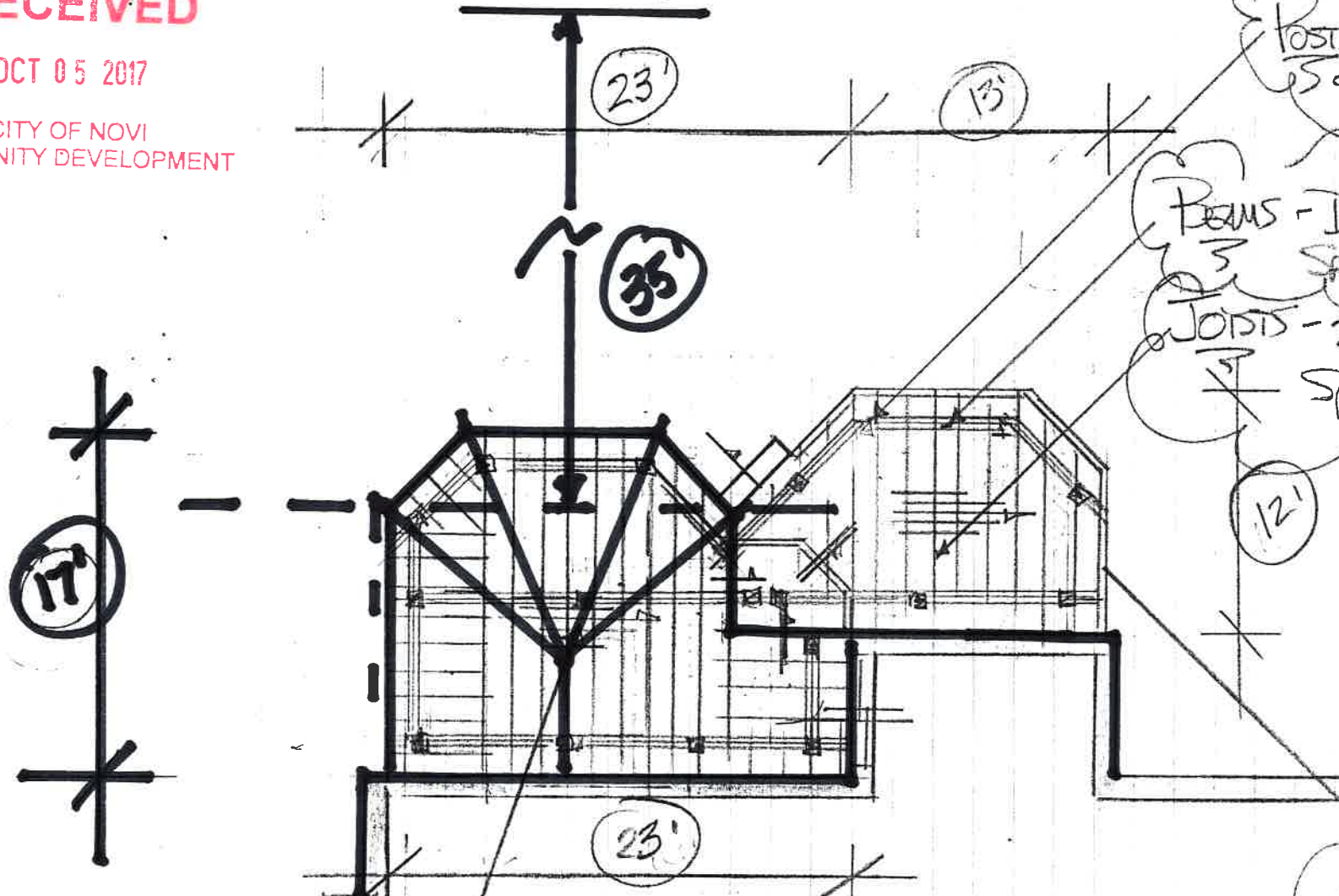
NEIGHBORS CAN'T EVEN SEE THE BACKYARD AND ARE IN SUPPORT.

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CITY OF NOVI
COMMUNITY DEVELOPMENT

LOT LINE



POSTS - 6x6 " 42" IN
5 SPANS W/ CURBS

BEAMS - Double 2x8"
3 SPANS 4' TO 7'

JOISTS - 2x8" 16" O.C.
5 SPANS 4' TO 8'

RAILINGS
36" TO CODE

GRABBAR RESIDENCE

SCALE 1/8" = 1'

TRUSS
TRUSS

REVISED 9/19/17

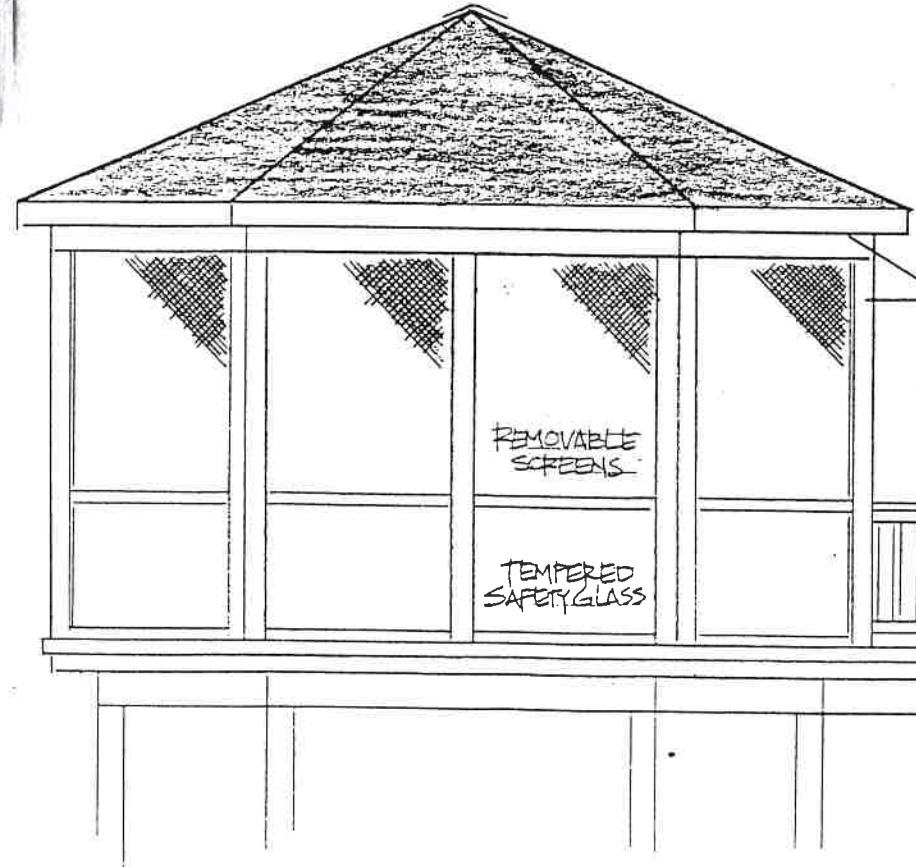
2/1/17

EQUAL

5'2"
EQUAL

17'

FRAME - 4x4 CEDAR POSTS
 WITH (2) 2x10 RIDGE (TYP.)
 2x8 RAFTERS @ 16" O.C. (TYP.)
 (2) 2x8 HEADER (TYP.) 7/16"
 O.S.B. SHEETING WITH ICE
 AND WATER SHIELD 15" FELT
 PAPER, DRIP EDGE AND
 SHINGLES TO MATCH
 CONTINUOUS RIDGEVENT
 SOFFIT VENTS AND 1xR.S.
 CEDAR TRIM, STEP FLASHING
 @ HOUSE AND (1) "TRAPP"
 BRAND STORM DOOR



1 x R.S. CEDAR TRIM

1" O.E.

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COMMUNITY DEVELOPMENT



WETLAND MITIGATION AREA
PRESERVATION AND
DRAINAGE EASEMENT
64.20

UNIT 61

UNIT 62

UNIT 63

120.00

120.00

#25841

54.7

16.2

CONC.

ATT.
GAR.

CONC.

POR.

#25895

43.1

50.1

25.0

7.1

8.0

12.5

22.5

33.1

30.7

CONC. DR.

12.4

1.0

15.2

13.4

4.0

19.2

0.5x3.6
BAY

0.5x3.5
BAY

31.0

0.5x3.6
BAY

0.5x3.6
BAY

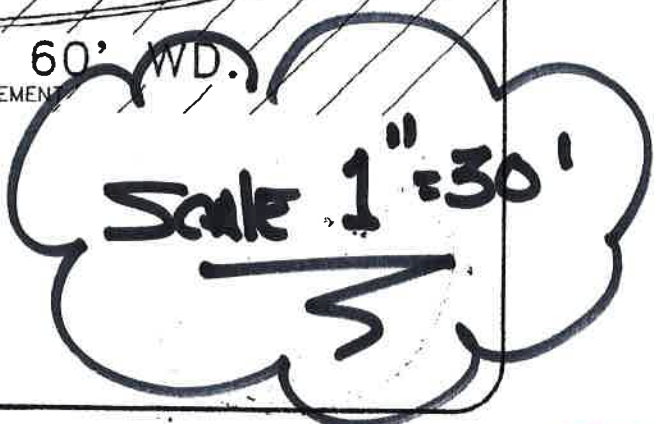
6' EASEMENT

14' EASEMENT

ARCADIA DRIVE 60' WD.

GENERAL COMMON ELEMENTS

We hereby certify that we have surveyed the above-
ty in accordance with the description furnished for the
tgage loan to be made by the forementioned applicants,
at the buildings located thereon do not encroach on the
rty, nor do the buildings on the adjoining property
re property heretofore described, except as shown. This
e used for the purpose of establishing property lines, nor
urposes, no stakes having been set at any of the



[Signature]
SCALE 1" = 30'
DR. BY T.W.

KEM-TEC
LAND SURVEYORS

16041 East Nine Mile Road
Eastpointe, MI 48021-2319
(810) 772-2222
FAX: (810) 772-4048



KEM-TEC WEST
LAND SURVEYORS

205 N. Main Street
Ann Arbor, MI 48104-1412
(313) 994-0888 • (800) 433-6133
FAX: (313) 994-0667

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