

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: 1310 East Lake Drive, Parcel # 50-22-02-151-033 (PZ20-0011)

BY: Larry Butler, Deputy Director Community Development

. GENERAL INFORMATION:

Applicant

Michael Thompson Design

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: Single Family Residential

Location: West of Novi Road and North of Thirteen Mile Road

Parcel #: 50-22-02-151-033

Request

The applicant is requesting variances from the City of Novi Zoning Code Section 3.1.5 for a proposed lot coverage of 26.8%, 25% maximum coverage allowed by code and a proposed Side Yard setbacks of 5 feet and 5.65 feet, 10 feet minimum required by code; and an aggregate side yard setback of 10.56 feet, 25 feet required by code. This property is zoned Single Family Residential (R-4).

II. STAFF COMMENTS:

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1.	1	move	that	we	grant	the	variance	in	Case	No.	PZ20-0011,	sought	by for
	 dif	ficulty re	equirino								oner has sho	own prac	
	difficulty requiring (a) Without the variance Petitioner will be unreasonably prevented or limited with respet ouse of the property because										sect		
		(b) The	e prope	erty is u	ınique b	ecaus	se				·· ·		

	((C)	Petitioner did not create the condition because																							
	((d)		relie oertie																			nt c	or su	ırrour	nding
	((e)	The	relie	ef it	f c	onsi	sten	nt v	with	n tl	he	sp	irit	ar	nd	inte	ent	of	th	ie	ord	dina	nce	bec	ause
	((f)	The	varia																						
																								•		
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2.	for_			e that we <u>deny</u> the variance in Case No. PZ20-0011, sought by because Petitioner has not shown all difficulty requiring								_														
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	(circı crea																			ianc	e re	ques	t are
	((c)		failu nom		o gr or		relie				ılt ir urn 			e in sed		nvei on			or tion			_	att eme	ain h nts	igher that
	((d) The variance would result in interference with the adjacent and surrounding prop												prop	erties											
	(nting															oirit —	anc	l in	ten	t of	the	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

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Cas	se)	application Fee: \$\frac{1}{200},00
PROJECT NAME SUBDIVISION HOUSE ADDITION	16) / Z STOVEIDED	Meeting Date: APRIL 14TH.
ADDRESS 310 EAST LAKE DRIVE	LOT/SIUTE/SPACE #4	neering buile. 111
50-22- 12-131-036 Department	ain from Assessing t (248) 347-0485	BA Case #: PZ
		- NEW CT. of NORTH OF MOR
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?	REQUEST IS FOR:	creek
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CIT		MERCIAL VACANT PROPERTY SIGNAGE NO
II. APPLICANT INFORMATION	ATION ISSUED \$\(\text{TES}\)	A NO
A. APPLICANT michael thompson archi	tectoamail.com	CELL PHONE NO. (749) 933-5093
MICHAEZ A. THOMPSON ALA		TELEPHONE NO.
ORGANIZATION/COMPANY DESIGN GROUP LLC		FAX NO.
ADDRESS 1210 IRVING AUE.	ZOYAL OAK	STATE CHICAN ZIP CODE 7
B. PROPERTY OWNER	HE PROPERTY OWNER	4
Identify the person or organization that EMAIL ADDRESS owns the subject property:	amail: com	(PHONE NO.) 937-0737
ROBERT VARTO	9111001	TELEPHONE NO.
ORGANIZATION/COMPANY HUME OWNER	7	FAX NO. W A
ADDRESS 1310 EAST LAKE DRIVE 9	VOVI	STATE I CHICAN ZIP GODE 377
III. ZONING INFORMATION		
A. ZONING DISTRICT □ R-A □ R-1 □ R-2 □ R-3 □ R-4	□ RM-1 □ RM-2 [□MH
	OTHER	17411
		11 OWS IN APCHITECT'S LETTER
INDICATE ORDINANCE SECTION (3) AND VARIANCE REQUESTED.	mali	
1. Section 5 Variance requested	EXCEED CS /ON	lax Lot contrage (2) 26.
2. Section $3.1.5$ Variance requested		HAN 10= MIN. SETBACK
3. SectionVariance requested _	EXCH SIDE 4	LESS THAW 250
4. SectionVariance requested	COMBINED	
IV. FEES AND DRAWNINGS		
A. FEES		
Single Family Residential (Existing) \$200 \square (With Violatic	on) \$250 🗆 Single Famil	y Residential (New) \$250
☐ Multiple/Commercial/Industrial \$300 ☐ (With Violatic	on) \$400 🗆 Signs \$300	☐ (With Violation) \$400
	etings (At discretion of Bo	ard) \$600
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED A • Dimensioned Drawings and Plans		distance to adjacent property lines
Site/Plot Plan	 Location of existing 	& proposed signs, if applicable
Existing or proposed buildings or addition on the property	y Floor plans & elevat	ions
Number & location of all on-site parking, if applicable	Any other information	on 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										
Cíty of Novi Ordinancé, 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 ACCESSORY BUILDING USE OTHER										
VI. APPLICANT & PROPERTY SIGNATURES										
A. APPLICANT Michael A. Thompson AIA Applicant Signature A. Applicant Signature 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 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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M Not Applicable

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.

Applicable

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.

	and/or	r .	
other extraordin Not Applicable THE EXIS EXISTING C BVILT INTO FUNCTION	nary situations on the land, ble Applicable TING HOUSE WAS BLOCK FOR THE RISE IN THE RISE	pographic or environmental of building or structure. If applicable, describe If applicable describe If applicable describe If applicable describe IND WEST. PRE-E IND WEST. PRE-E IND MINIMALLY EFF	below: VER AN S NAPROW & PITION TO EXISTING NOW.
to the subject p	roperty would prohibit the rdinance or would involve	nt of the property immediately e literal enforcement of the rec e significant practical difficultie If applicable, describe	quiréments es.

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 ORIGINAL HOUSE FOUNDATION WAS IN NOW-COMPLITAKE DUE TO THE SOUTH SIDEYARD SETBACK OF 5.17. THE VARIANCES KEEP THE SIDETARD SETBACKS INTACT & THE PROPOSED LOT COVERAGE WOULD BE 1.8% OVER THE

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 CURRENT HOUSE'S PUNCTIONALITY IS VERY COMPROMISED DUE TO PRE-EXISTING CONDITIONS BASED ON THE HOUSE'S LIMITED WIDTH ON LAYOUT. THE HOUSE'S SOLUTION IS BASED ON EXTENDING IT BY 14º TOWARDS THE LAKE. WITHOUT VARIANCES, THE HOUSE FUNCTIONS MET 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.

DESIGN IS BYGED ON THE SMALLEST SIZED ADDITION TO SOLVE THE FUNCTIONAL PROBLEMS WITH THE EXISTING HOUSE, THE FIRST FLOOR IS ONLY 134 SQUARE PEET IN FOOTPRINT SIZE.

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.

HE LARZEPRONT HOUSES ON EXPECT SIDE EXTEND FURTHER TOWARDS THE LAKE EVEN AFTER THIS PROPOSED 140 DEED ADDITION BE CONSTRUCTED. IN ADDITION, THE LAKE FRONT DECKS ON BOTH SIDES OF THE NEIGHBORING HOUSES ALGO EXTEND PURTHER THAN THIS PROJECTS NEW DECKS.

March 3, 2020

City of Novi Community Development Department Building Division 4575 Ten Mile Road Novi, Michigan 48375

Re: Request for Zoning Board of Appeals approval for a proposed addition to 1310 East Lake Drive, Novi, Michigan

Attachments:

- One full sized set of drawings of proposed design of the new addition
- Completed Zoning Board of Appeals application with \$200 check
- One digital copy of all submission documents

Dear City of Novi:

The following is a description of the property at 1310 East Lake Drive, the proposed new work, and the unique conditions that we are seeking City of Novi zoning review prior to formerly presenting our proposed project to the Zoning Board of Appeals.

Please note that the Chey & Robert are currently completing construction on an added storage room above the existing garage and the new mud room connector between the existing house and garage. This project required ZBA approval in July of 2019.

Existing hardships:

The following are unique pre-existing conditions that this house has prior to the Vartos purchasing it in 2018:

- Narrow house: The house is 20'-6" wide and built on top of an original concrete block foundation. The limited width is similar to a shot-gun style where the circulation is limited, and the rooms are stacked end to end. Adding an expansion to this house is limited to the current proposed design which is to expand further back in-line with the exterior walls. A side expansion to the north would require major grade rework, complicated foundations, and compromise the aesthetic value and style of the house.
- Grade above first floor: The existing house is partially dug into a rise on the property.
 The first floor is a lab and many other houses along the lake are all very different and
 unique and many include existing non-conforming conditions due to being originally
 constructed prior to the modern City Zoning Ordinance.

- Outdoor decks: The existing wood outdoor deck and stairs are in disrepair from years
 of weathering and need to be replaced. In addition, the deck stairs block views to the
 lake from the family room windows.
- Internal functional shortcomings: There are many pre-existing house conditions that the Varto family has discovered since purchasing this house. These include the following descriptions:
 - Mechanical room: The first floor is slab on ground and the mechanical room is centrally located. This small room is loaded with the furnace, hot water tank, and three water tanks. The laundry room is squeezed into this same room which makes it difficult to access the mechanical systems and there should be a separate laundry room. This existing condition is also is potential fire risk.
 - Family Room: The existing family room is small in size and similar to a walk-out basement with limited sized windows that restrict the lake views and natural daylight. This current room is undersized with limited functionality. This is a four bedroom house and should have a quality and properly sized family room.
 - Master suite: The existing second floor master is supported by a very narrow and inefficient master bathroom as well as a very limited walk-in closet. The bathroom is limited to 5' wide with a boxed-out duct shaft within the room.
 - Attic level: The existing attic includes a layout that results in a dead-end area in the southwest corner of the attic.

Minimize the proposed project to the neighboring properties:

This proposed project has been designed to minimize any effects on the neighboring parcels as follows:

- Limited changes to existing house setbacks: This proposed addition does not affect the front yard. The north side-yard setback is unaffected. The south side-yard setback would be decreased from 5.17' to 5'. The addition will not encroach into the lake front setback and the new lake front elevation has been designed to set back further from the lake than the existing houses on both sides.
- No impact on neighbor's views: Since the addition is set back further from the lake than the neighboring houses, it will no project out far enough to affect the lake views of both neighboring houses.
- **Same appearance:** The appearance of the new addition is an exact duplication and an added extrusion of the existing house appearance.

Proposed project:

This proposed new work scope is intended to improve all the pre-existing functional shortcomings with the current house and includes the following components: This proposed new work scope includes the following components that will make this house much more functional, improve the internal spaces, take advantage of the lake front views, preserve the exterior look, and add value to the house and neighborhood.

- **New additional space:** Add a three-story addition with a footprint size of 287 square feet. This would include the following:
 - o **First Floor:** Family Room with fireplace/adding 267 square feet. The new proposed design includes a 12' wide section of glass facing the lake.
 - Second Floor: Master Bedroom suite/adding 287 square feet. The new proposed design includes a modern and efficient master bathroom and large walk-in-closet. The master bedroom widens in sized windows and a new lake front deck to walk out on.
 - Attic Floor: Open 2-story space to second floor below/ adding 154 square feet to infill an existing floor area opening to improve the functionality of the attic.
 - New deck/balcony: Add a new deck/balcony for the Second-Floor master suite access. Size is 20'-6" wide x 10'-0" deep.
 - Patio: Add a paved patio at the walk-out from the Family Room. Size is 20'-6" wide x 15'-0" deep.
 - Exterior design: This addition is designed and clad to match the same roof slopes and exterior materials and details. All the windows/doors being shown (except for one) are existing windows/doors in new condition, salvaged, and reinstalled in new openings in the proposed addition. The existing house was recently renovated with a fresh and modern design with a steep metal roof, quality siding, and distinctive overhangs

• Existing condition photographs:

Included are photographs of existing property as follows:



VIEW LOOKING FROM THE REAR YARD LOOKING SOUTH TOWARDS THE NEIGHBOR'S HOUSE.



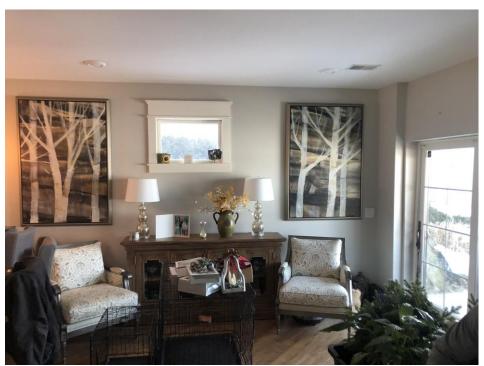
FIRST FLOOR/LAKE-FRONT ELEVATION IS SIMILAR TO WALK-OUT BASEMENT



LAKE-FRONT VIEW FROM FIRST FLOOR OBSCURRED BY PRE-EXISTING WOOD DECK & STAIRS IN DISREPAIR.



UNUSABLE PRE-EXISTING CONDITIONS IN ATTIC LEVEL.



EXISTING FAMILY ROOM SIMILAR TO WALKOOUT BASEMENT WITH SMALL WINDOWS AND LIMITED VIEWS.



EXISTING FIRST FLOOR CENTRALLY LOCATED MECHANICAL ROOM IS SLAB ON GRADE AND FURNACE AND WATER TANKS HAVE LIMTED ACCESSIBILITY WITH LAUNDRY MACHINES IN THE SAME ROOM.



EXISTING MASTER BATHROOM IS 5' WIDE WITH POOR FUNCTIONALITY.

Zoning Data: This data is included on the submitted drawings and was submitted to the City Building Inspector in order to define the variances required for this proposed project.

- This parcel is zoned as "Zoning District R-4 Residential"
- Lot size: 7,080 square feet
- Front & Rear setbacks are compliant
- Max. 25% allowable lot coverage: 1,770 square feet
- Current lot coverage: 1,616.5 square feet
- Proposed added coverage: 287 sq. ft (20.5' x 14' addition)
- Proposed new lot coverage: 1,904 square feet (this is 134 sq. ft. over the allowable lot coverage)

Required Zoning Variances verified by the City:

The following variances requested from the ZBA for the proposed project are from the Zoning Code Section 3.1.5:

- <u>Lot Coverage:</u> A variance request for a 134 square foot variance to exceed the maximum 25% allowable lot coverage allowed by code. The lot size is 7,080 square feet and 25% equals 1,770 square feet. The proposed addition would increase the lot coverage to 1,904 square feet which is 26.8% lot coverage.
- <u>Side-yard setbacks:</u> A variance request for relief from the required 10-foot minimum and 25-foot total combined side yard aggregates.
 Please note that the existing side-yards are pre-existing non-code compliant conditions with this unique parcel.

The following is the current and proposed side yard setbacks for the proposed new addition:

- South side-yard setback:
 - Currently: 5.17' (existing south wall of main house)
 - Proposed: 5' (new addition to align with existing south wall of main house)
 - Required: 10' minimum (both to equal 25')
- North side-yard setback:
 - Currently: 5.65' (existing north wall of existing attached garage)
 - **Proposed:** 5.65' (no change)
 - Required: 10' minimum (both to equal 25')
- Combined side-yard setbacks:
 - *Currently:* 10.82'
 - **Proposed:** 10.65'
 - Required: 25' minimum

We look forward to the City of Novi's Zoning Board of Appeal's review of this proposed new addition to 1310 East Lake Drive.

THOMPSON DESIGN GROUP LLC, 1210 IRVING, ROYAL OAK, MICHIGAN (248)933-5093

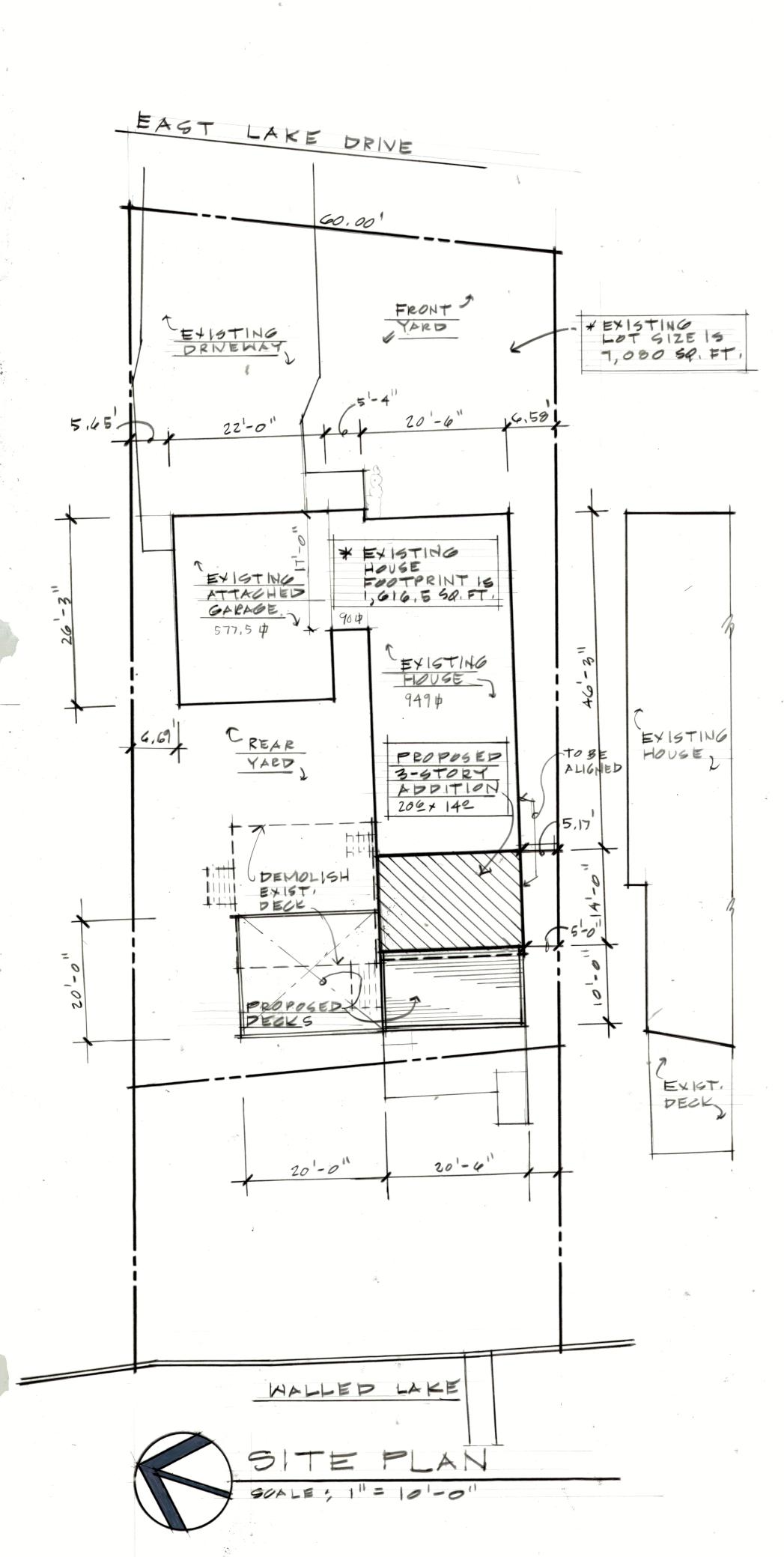
Please let us know if you have any questions or comments or require any additional information and we look forward to presenting this proposed project at an upcoming Zoning Board of Appeals meeting on April 14th.

Respectfully submitted,

Michael Thompson AIA

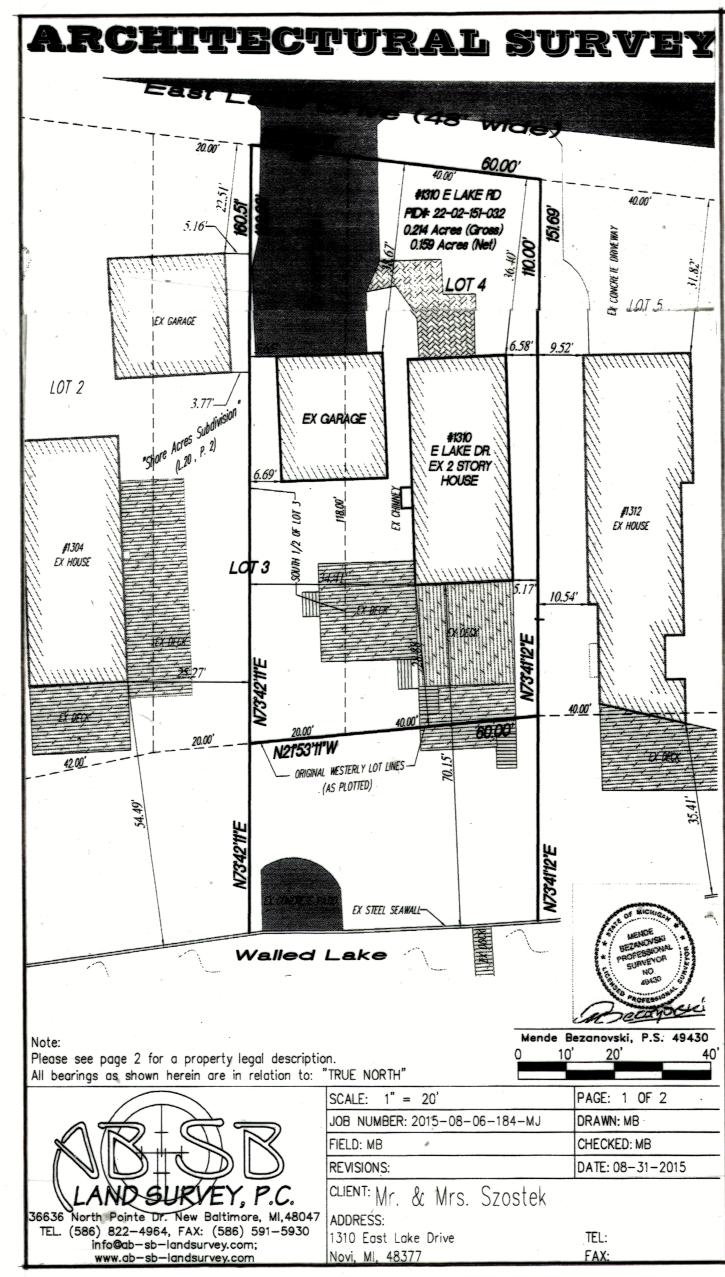
Mile Though

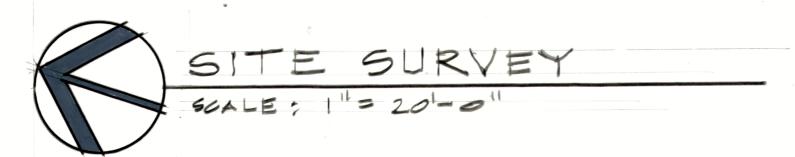
Copy: Robert Varto, Homeowner (734) 837-0732





house on right side.







View of existing lake front elevation with first floor elevation below the existing grades on each side.

Project Description:

Property Owner: Robert & Chey Varto

Architect & Applicant: Michael Thompson AIA

Project: This proposed new work scope includes the following components:

- New addition: Add a three-story addition with a footprint size of 287 square feet. This would include the following:
 - First Floor: Laundry Room & Family Room with fireplace
 - Second Floor: Master Bedroom suite o Attic Floor: Infill existing floor opening & add open 2-story space to second floor
- New deck/balcony: Add a new deck/balcony for the Second Floor master suite access. Size is 20'-6" wide x 10'-0" deep.
- Patio: Add a paved patio at the walk-out from the Family Room. Size is 20'-6" wide x
- Exterior design: This addition is designed and clad to match the same roof slopes and exterior materials and details. All the windows/doors being shown (except for one) are existing windows/doors, salvaged, and installed in new openings. The intent is to have this addition blend into the existing house with no effect on the neighboring parcels.

Construction type: Type V, with wood framed walls and roof.

Zoning Data:

- This parcel is zoned as "Zoning District R-4 Residential"
- Lot size: 7,080 square feet Front & Rear setbacks are compliant
- Max. 25% allowable lot coverage: 1,770 square feet
- Current lot coverage: 1,616.5 square feet
- Proposed added coverage: 287 sq. ft (20.5' x 14' addition)
- Proposed new lot coverage: 1,904 square feet (this is 134 sq. ft. over the allowable lot

Required Zoning Variances verified by the City:

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 - Required: 10' minimum (both to equal 25')
- Combined side-yard setbacks:
 - Currently: 10.82'
 - Proposed: 10.65' Required: 25' minimum

THOMPSON DESIGN GROUP LLC

1210 Irving Avenue Royal Oak, Michigan 248 933 5093

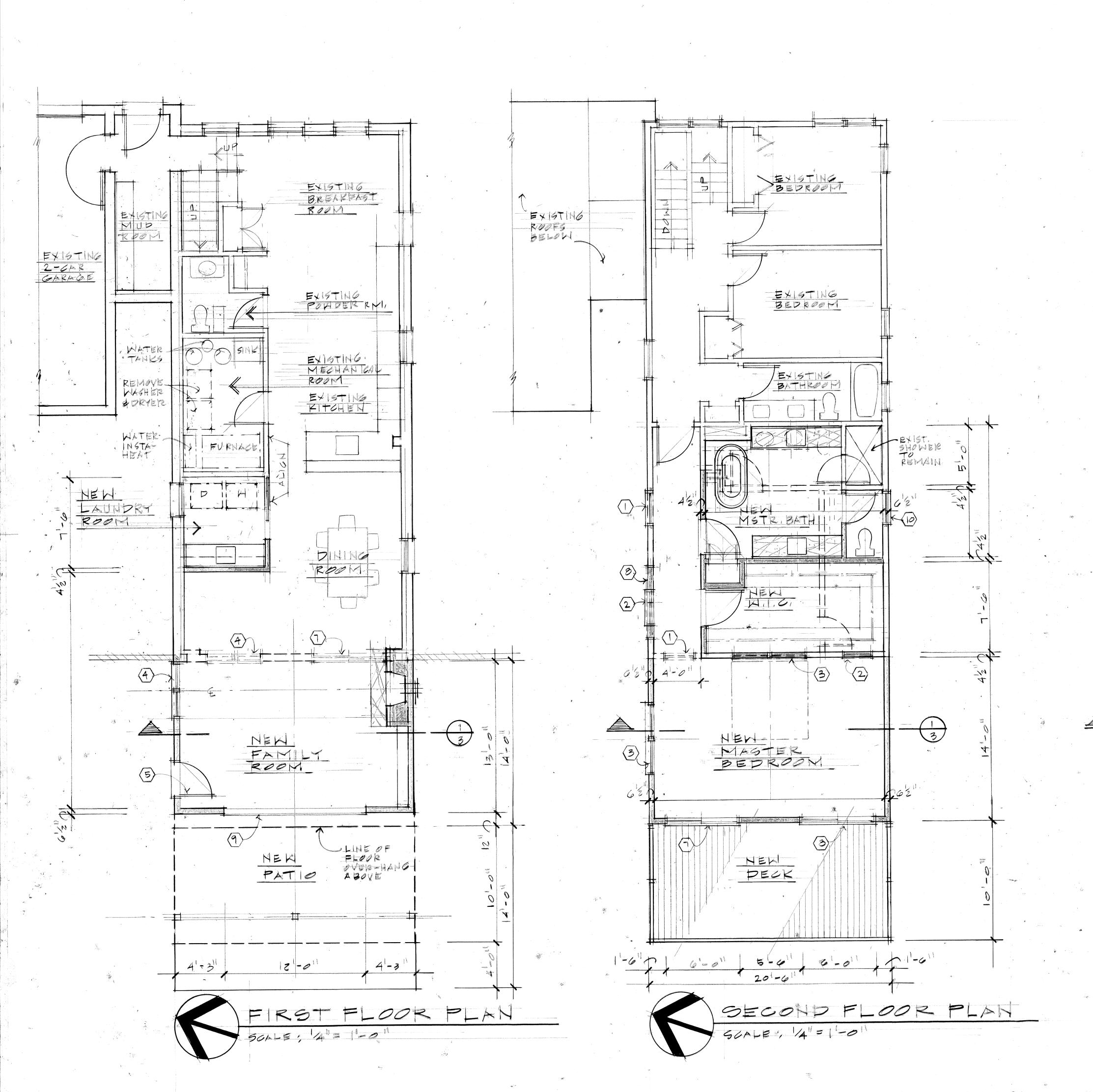
1310 East Lake Drive Novi, Michigan **Proposed** Addition

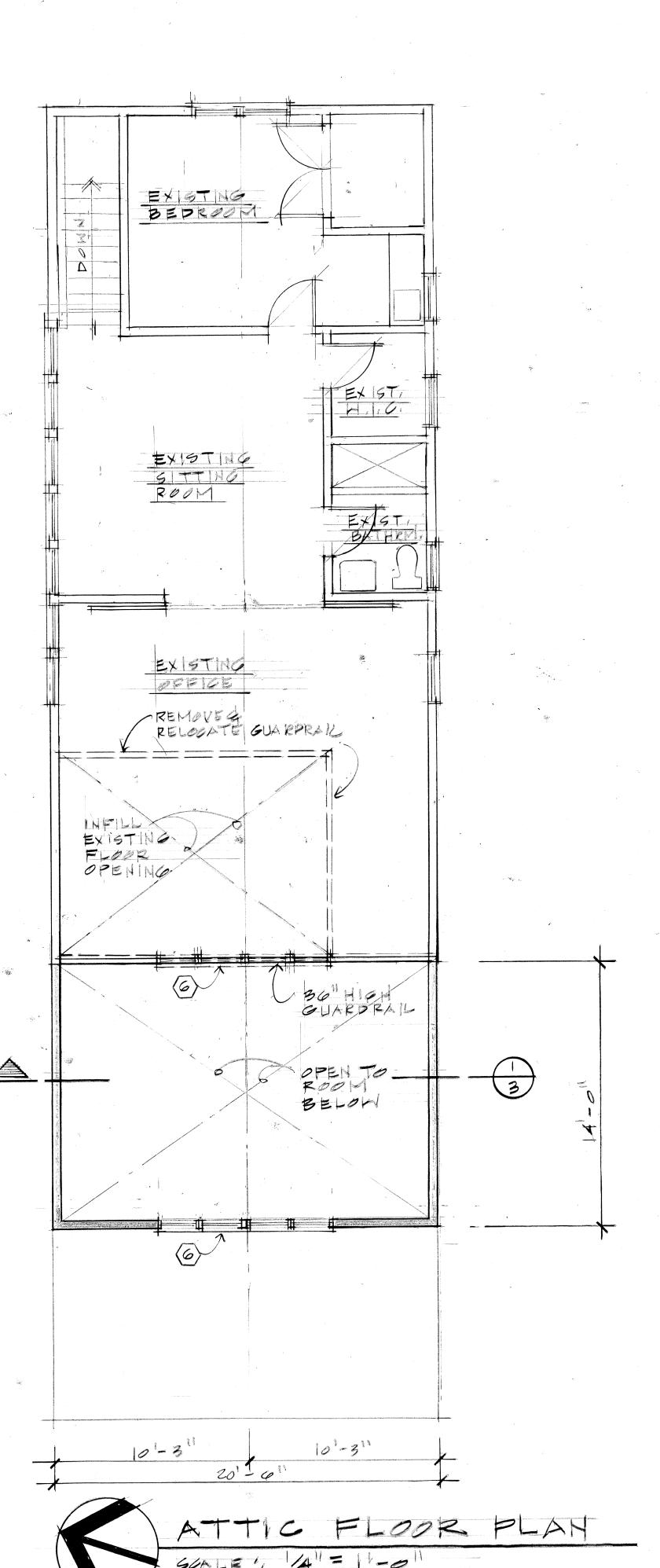
ISSUED FOR HOVI ZBA REVIEW & APPLICATION 03/03/20

Survey, Site Plan, Details, & **Notes**

ISSUED FOR:

BIDS **PERMITS** CONSTRUCTION





THOMPSON
DESIGN
GROUP LLC

1210 Irving Avenue Royal Oak, Michigan 248 933 5093

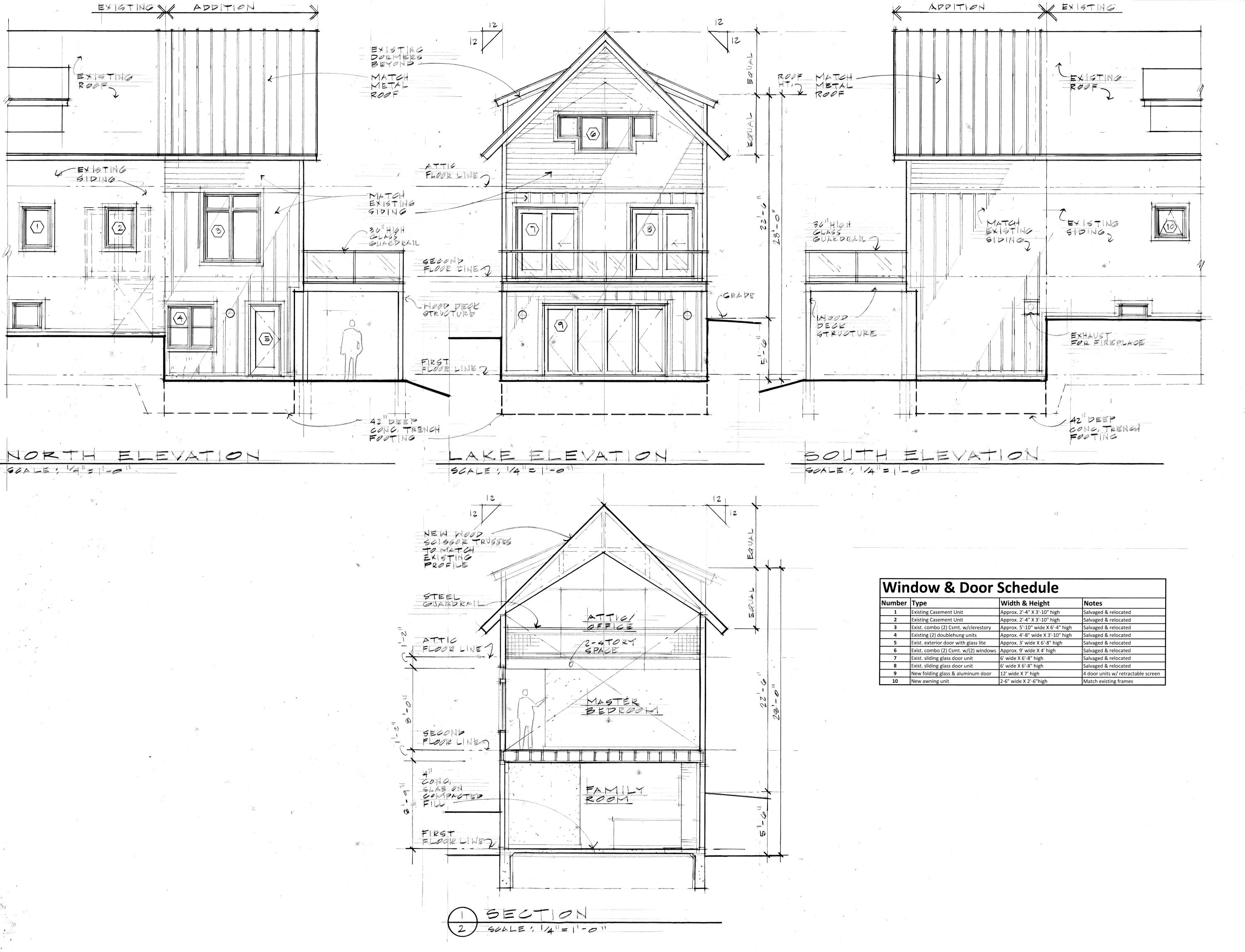
1310 East
Lake Drive
Novi, Michigan
Proposed
Addition

TSSUED FOR HOYS
ZBA REVIEW &
APPLICATION
03/03/20

Floor Plans

ISSUED FOR:

O BIDS
O PERMITS
O CONSTRUCTION



THOMPSON DESIGN GROUP LLC

1210 Irving Avenue Royal Oak, Michigan 248 933 5093

1310 East Lake Drive Novi, Michigan **Proposed**

ISSUED FOR HOU! ZBA REVIEW & APPLICATION 03/03/20

Addition

Elevations, Section, & Details

ISSUED FOR

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BIDS PERMITS CONSTRUCTION