



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: September 11, 2018

REGARDING: 1957 West Lake Dr, Parcel #50-22-03-155-003 (PZ18-0041)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Tina & Mark Miller

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Single Family Residential
Location:	West of W Lake Dr and North of S Lake Dr
Parcel #:	50-22-03-155-003

Request

The applicant is requesting variances from the City of Novi Zoning Code of Ordinance Section 3.1.5 for a 8 foot variance for a proposed 2 feet and 3.7 feet setbacks required (10 foot minimum allowed), a 9.4 foot variance for a proposed 5.6 feet side yard setback required, 25 feet minimum required, and a proposed 40.1% lot coverage, (25% maximum allowed). Covered balcony is included in this requested variances boundaries. This property is zoned Single Family Residential (R-4).

II. STAFF COMMENTS:

The owner is proposing multiple additions including a 2-story infill between the existing home and garage, expanded living space and porches on the east. The existing home is non-conforming on a very narrow 30 foot lot.

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. **PZ18-0041**, sought by _____, _____ 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 is 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. **PZ18-0041**, 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 Petitioner's 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.



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ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$200.00
 Meeting Date: Sep. 11th 2018
 ZBA Case #: PZ 18-0041

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION <u>MILLER / BENTLEY Subdivision</u>			
ADDRESS <u>1957 W. LAKE DR</u>		LOT/SUITE/SPACE # <u>13</u>	
SIDWELL # <u>50-22- 03 -155 - 003</u>		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY <u>PENN HILL & W. LAKE DR</u>			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		REQUEST IS FOR: <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 checked="" type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS <u>markmiller4@aol.com</u>	CELL PHONE NO. <u>810-938-3131 (TINA)</u>
NAME <u>TINA & MARK MILLER</u>		TELEPHONE NO. <u>810-938-8911 (MARK)</u>	
ORGANIZATION/COMPANY <u>N/A</u>		FAX NO. <u>---</u>	
ADDRESS <u>1957 W. LAKE DR</u>		CITY <u>NOVI</u>	STATE <u>MI</u>
			ZIP CODE <u>48377</u>
B. PROPERTY OWNER <input checked="" 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			TELEPHONE NO.
ORGANIZATION/COMPANY			FAX NO.
ADDRESS		CITY	STATE
			ZIP CODE
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input checked="" 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:			
1. Section <u>3.1.5 Setback</u> Variance requested <u>minimum - 10', proposed - 2' Var Req - 8'</u>			
2. Section <u>3.1.5 Setback</u> Variance requested <u>minimum 25', proposed 5.7' Var Req 19.3'</u>			
3. Section <u>3.1.5 Lot Cov</u> Variance requested <u>maximum 25%, proposed - 40.1%</u>			
4. Section <u>3.1.5</u> Variance requested <u>And Covered Balcony as proposed</u>			
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			
<ul style="list-style-type: none"> • Dimensioned Drawings and Plans • Site/Plot Plan • Existing or proposed buildings or addition on the property • Number & location of all on-site parking, if applicable • Existing & proposed distance to adjacent property lines • Location of existing & proposed signs, if applicable • Floor plans & elevations • Any other information relevant to the Variance application 			



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:

NARROW LAKE LOTS DO NOT ALLOW FOR HOUSE FOOT PRINT TO MEET ZONING SET BACK REQUIREMENTS.

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

- 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).

EXISTING HOUSE FOOT PRINT DOES NOT MEET SET BACK REQUIREMENTS. ADDITION TO RESIDENCE MAINTAINS EXISTING SET BACK ALLOWANCE. SIMILAR SITUATION EXISTS FOR ALL HOMES ALONG W. LAKE DR.

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.

STRICT COMPLIANCE WOULD NOT ALLOW HOME OWNER TO IMPROVE RESIDENCE TO THE LEVEL OF REMODELED HOMES IN AREA.

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.

REQUESTED VARIANCE KEEPS THE SAME WIDTH OF THE RESIDENCE. THE ORIGINAL BUILT HOME IS ANGLED ON THE LOT.

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.

IMPROVEMENTS PLANNED BRING HOME TO EQUIVALENT LIVING STANDARDS OF SURROUNDING RESIDENCES. PLANNED IMPROVEMENTS DO NOT BLOCK OR OBSTRUCT IMMEDIATE RESIDENCES.

Sunday, August 19 2018

As home owner of adjacent residence of 1953 W. Lake Dr, Novi Michigan. I have reviewed the neighbors revised lot survey showing the proposed home addition for residence 1957 W. Lake Dr. and determined that the home addition will not obstruct or otherwise block the view of Walled Lake. By signing this document I acknowledge this decision to the City of Novi Zoning Board.

 AUG 19/18

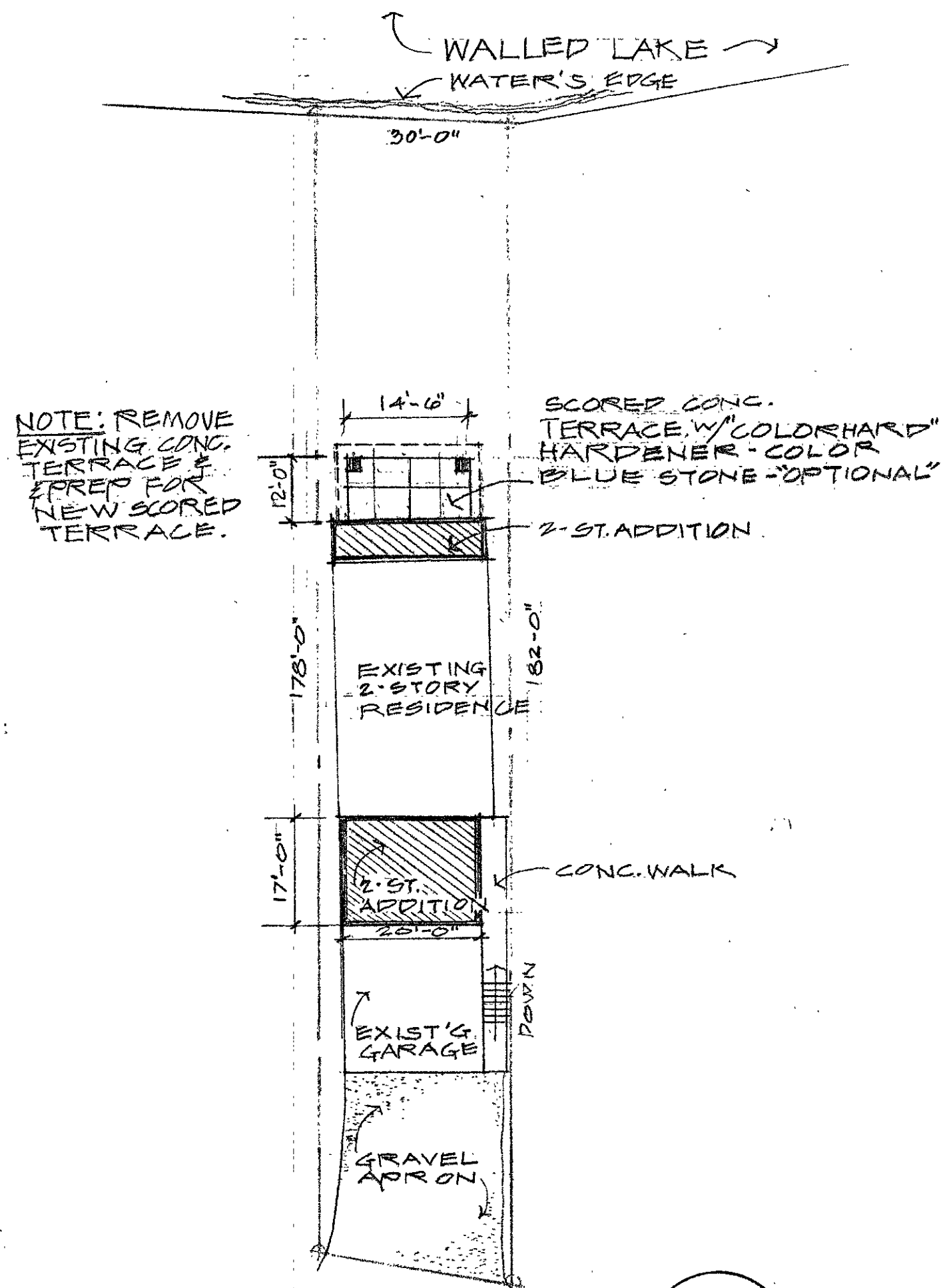


Mark Miller
1957 West Lake Dr
Novi MI 48377-1343

RECEIVED

AUG 20 2018

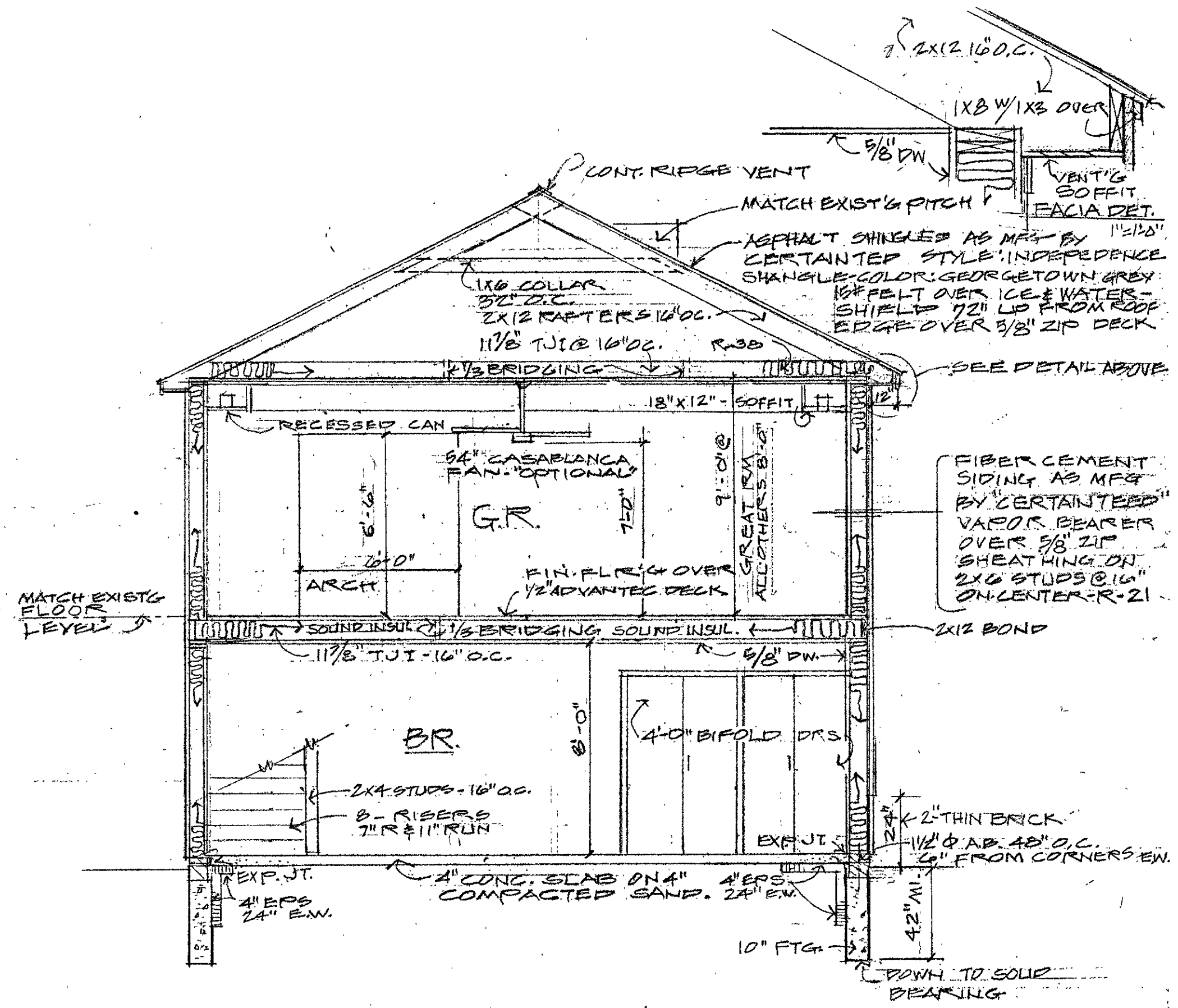
**CITY OF NOVI
COMMUNITY DEVELOPMENT**



NOTE: REMOVE EXISTING CONC. TERRACE & PREP FOR NEW SCORED TERRACE.

WEST LAKE DR.
30' WIDE ROW

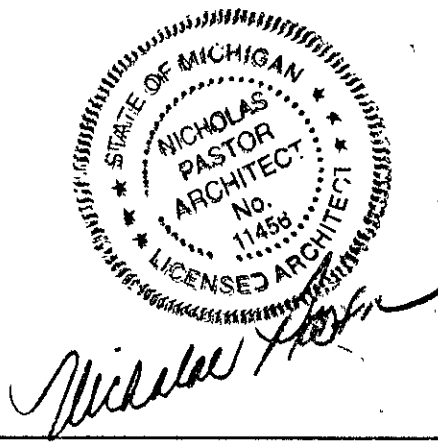
SITE PLAN
1" = 20 FT.



CROSS SECTION
1/4" = 1'-0"

RESIDENCE ADDITION/RENOVATION

FOR:
MARK & TINA MILLER
1957 WEST LAKE DR.
NOVI, MI. 48337 248-938-3131



Nicholas Pastor

SHEET NO.
1
OF
SHEETS

PROJECT #
18-3675

DATE
03-28-18

DRAWN BY: N/P

APPROX BY: M/M

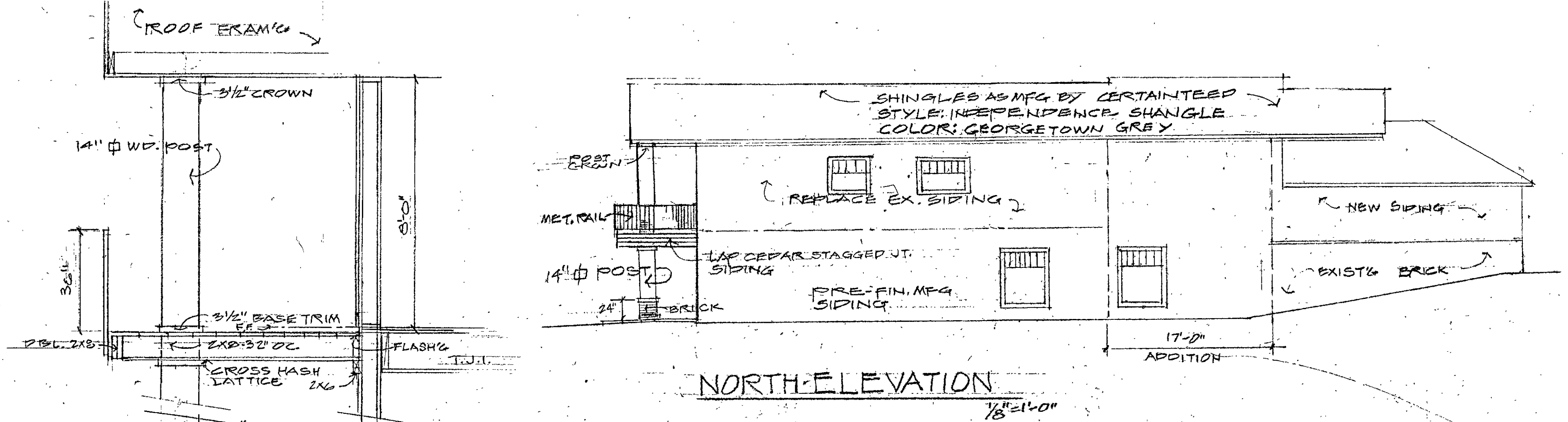
SEAL / SIGNATURE

REVISIONS	

SITE PLAN - CROSS SECTION

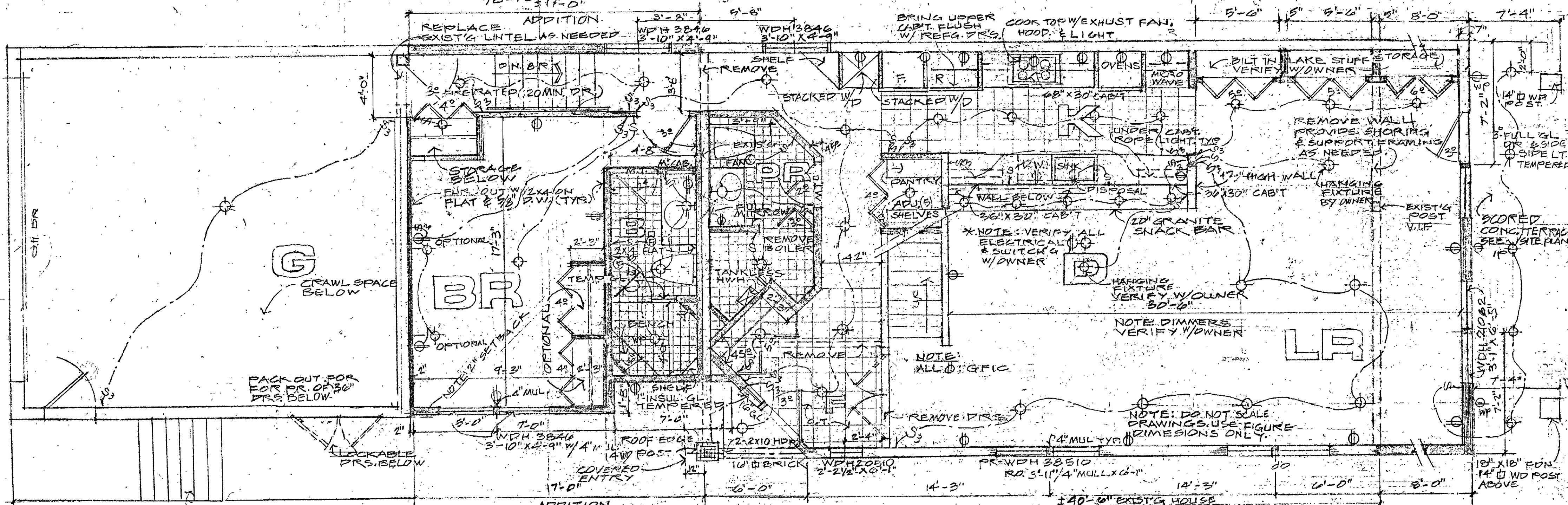
Do & Associates
ARCHITECTS

Nicholas Pastor & Associates Inc.
248-644-1818

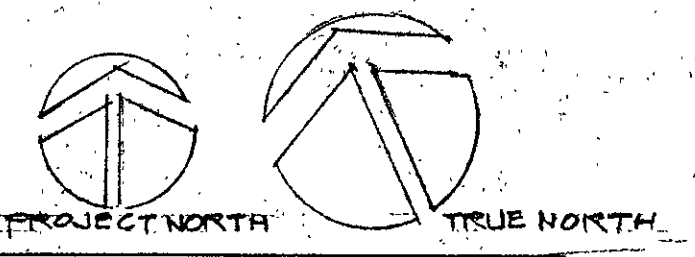


NORTH ELEVATION

BALCONY FRAMING



FIRST FLOOR PLAN



Nicholas Pastor



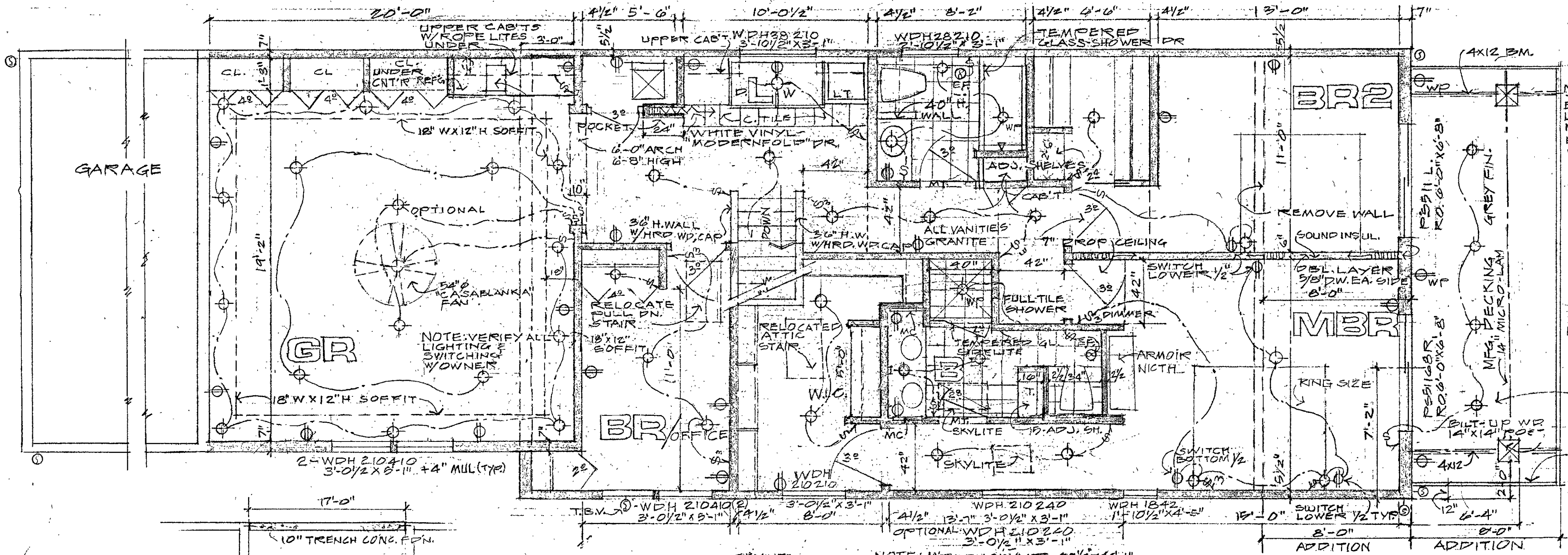
Nicholas Pastor & Associates Inc.

2

SHEET NO. 2 OF SHEETS	PROJECT:	18-3075
	DATE:	03-28-18
	DRAWN BY:	JLP
	APPROVED BY:	MJM

SEAL / SIGNATURE

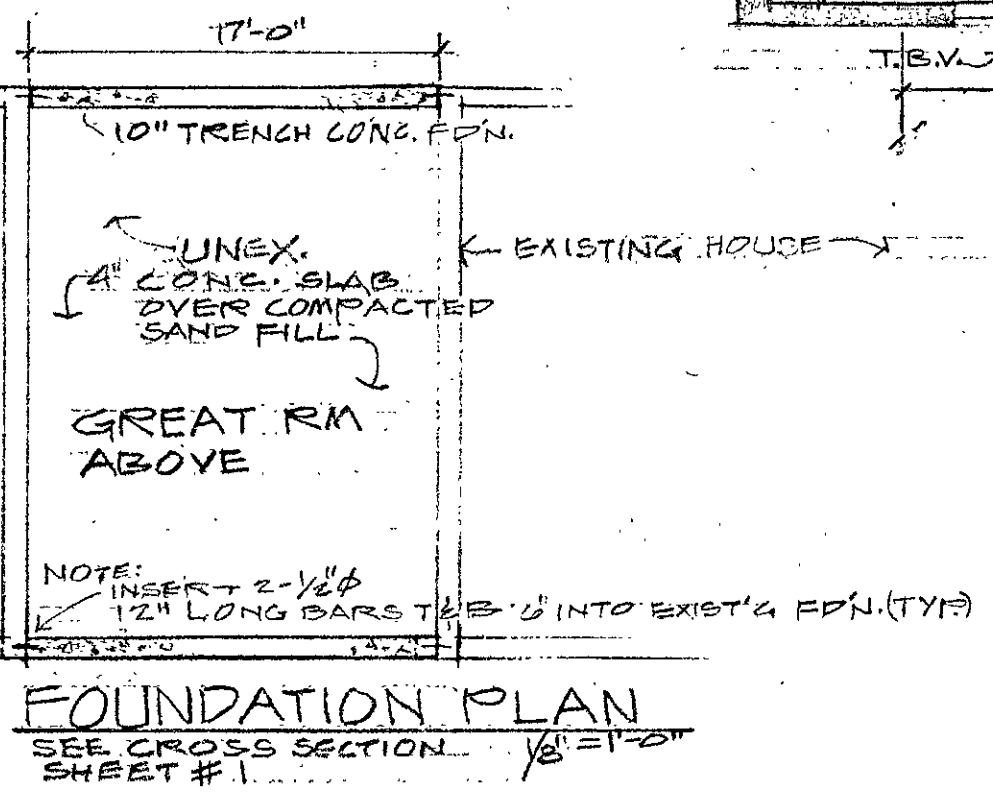
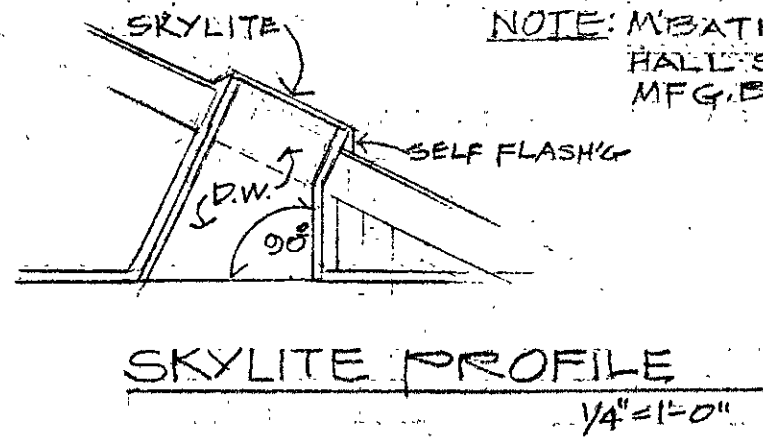
REVISIONS	



NOTE:
EXTERIOR LITES ON PHOTO CEL (OPTIONAL)
EXTERIOR OUTLETS: GFCI & W/P
SWITCHES W/ DIMMERS TO BE VERIFIED W/ OWNER
SECURITY CAMERA G-RECO
ALL DECK SUPPORT FRAMING: TREATED LUMBER
PRE-MFG. DECKING COLOR: VERIFY W/ OWNER
NOTE:
BLACK METAL RAILING: DESIGNED TO SUPPORT 50 LBS. PER LINEAL FT. & 100 LB. CONCENTRATED LOAD.

2ND FLOOR PLAN

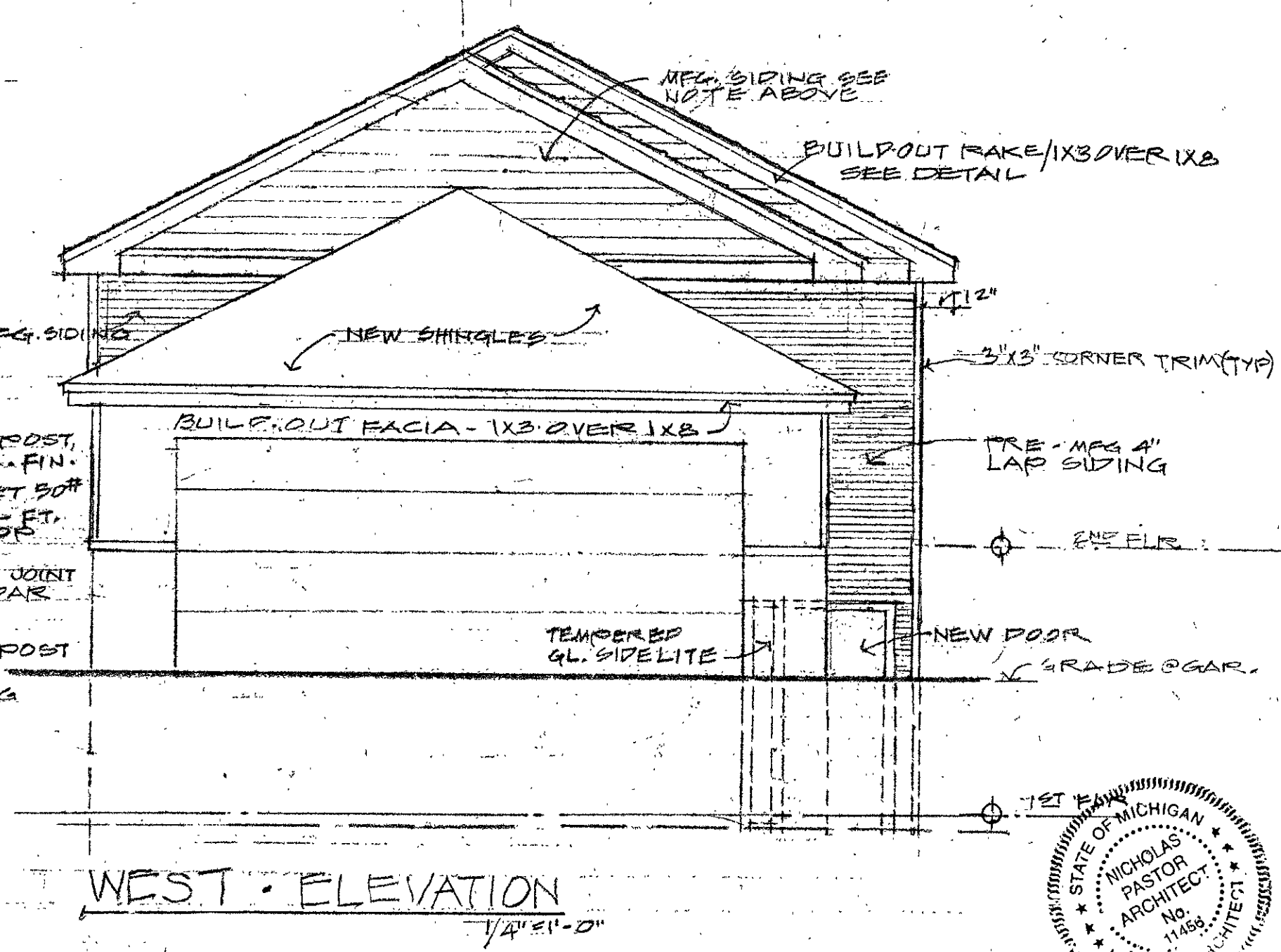
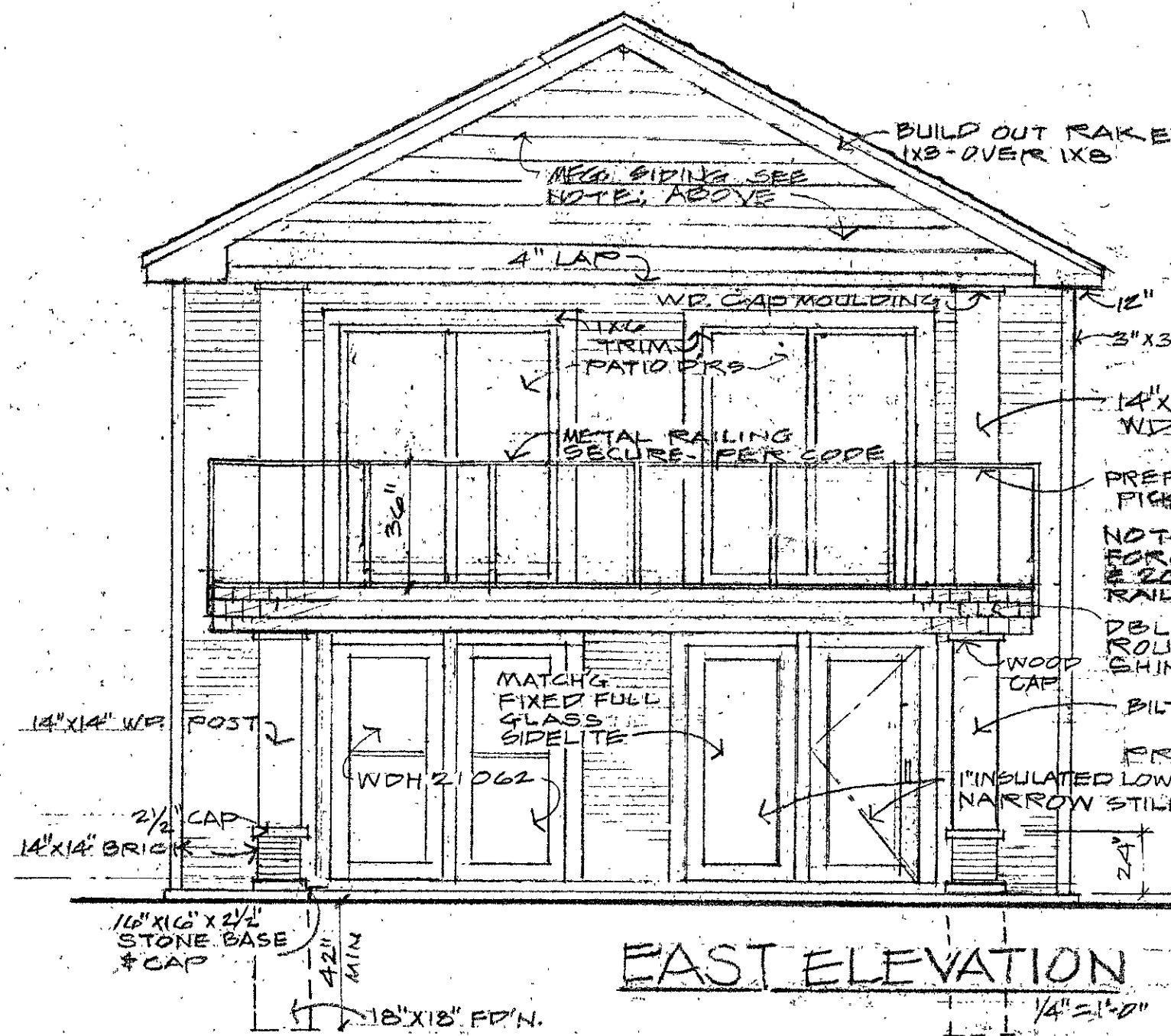
1/4" = 1'-0"



SHEET NO. OF SHEETS	DATE: 3-28-18	PROJECT: 18-3075	DRAWN BY: NP	APPROV. BY: MM	SEAL / SIGNATURE	REVISIONS	Nicholas Pastor Architects Inc. 248-644-1818				3



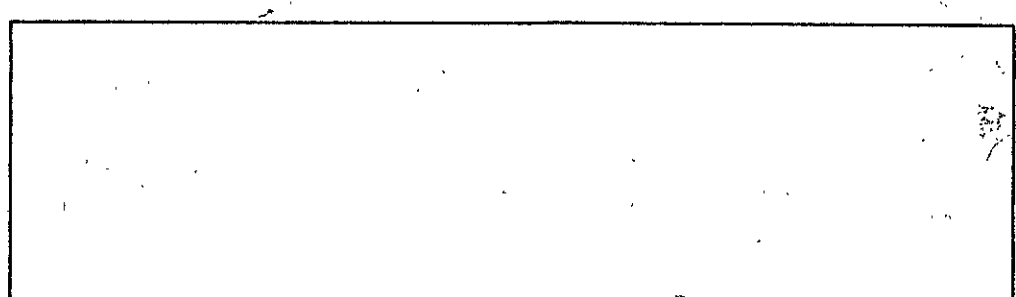
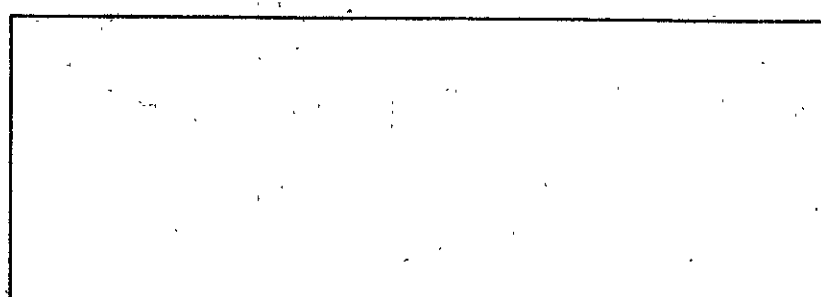
- NOTES:**
1. VERIFY SIDING W/ OWNER
 2. INSTALL LOW-E GLAZING ON SOUTH & EAST ELEVATIONS



SHEET NO.	PROJECT	18-3675
	DATE	3-28-18
of SHEETS	DESIGN BY	N.P.
	APPROV. BY	M.M.

SEAL / SIGNATURE

REVISIONS	



no & 3 ARCHITECTS

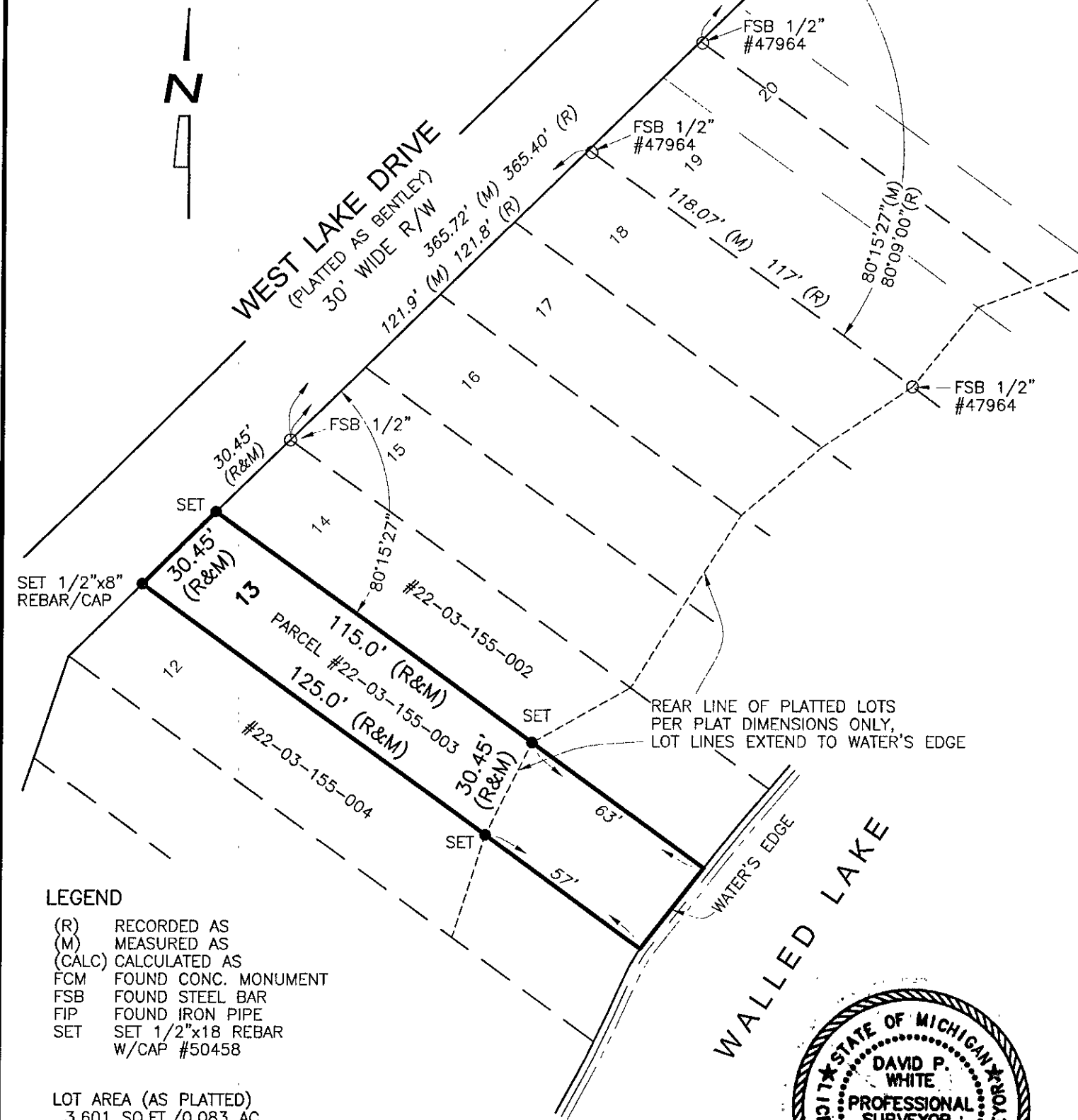
Nicholas Pastor & Associates Inc.

248-644-1818

PLAT OF SURVEY

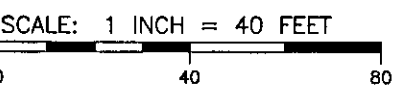
PROPERTY DESCRIPTION

LOT 13, "BENTLEY SUBDIVISION", LOCATED IN THE NORTHWEST 1/4 OF SECTION 3, TOWN 1 NORTH, RANGE 8 EAST, TOWNSHIP OF (NOW CITY OF) NOVI, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 10 OF PLATS, PAGE 3, OAKLAND COUNTY RECORDS.



- LEGEND**
- (R) RECORDED AS
 - (M) MEASURED AS
 - (CALC) CALCULATED AS
 - FCM FOUND CONC. MONUMENT
 - FSB FOUND STEEL BAR
 - FIP FOUND IRON PIPE
 - SET SET 1/2"x18 REBAR W/CAP #50458

LOT AREA (AS PLATTED)
3,601 SQ.FT./0.083 AC.
LOT AREA (AS SURVEYED)
5,394 SQ.FT./0.124 AC.



*SEE SHEET 2 FOR HOUSE DETAIL



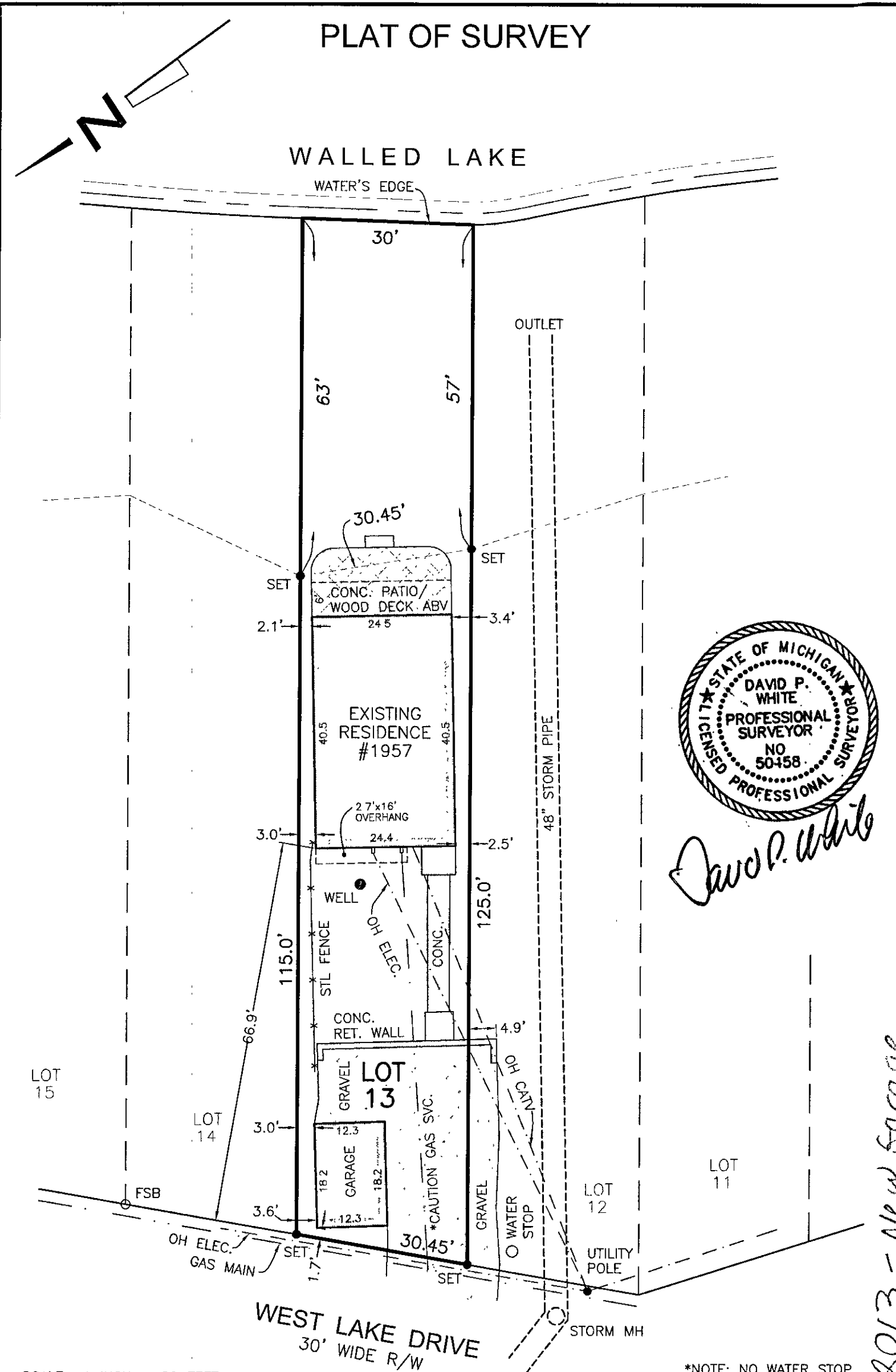
David P. White

Dec 2013

©2013 DAVID WHITE LAND SURVEYING, PLLC

<p>PREPARED FOR: MARK & TINA MILLER 1957 WEST LAKE DR. NOVI, MI 48377</p>	<p>DW David White Land Surveying, PLLC Boundary - Topographic - Construction - ALTA 2656 N. Coats Rd. Oxford, MI 48371 Professional Land Surveyor 734.353.0135 866.571.5701 fax dwsurveying@gmail.com</p>	<p>JOB NO.: 131105 DATE: 10 DEC 13 FIELD: 17 NOV 13 DRAWN: DPW SHEET: 1 OF 2</p>
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PLAT OF SURVEY



David P. White

Dec 2013 - New Garage

SCALE: 1 INCH = 20 FEET
0 20 40

*SEE SHEET 1 FOR BOUNDARY DETAIL

*NOTE: NO WATER STOP BOX FOUND ON LOT 13 CHECK MUNICIPAL RECORDS

<p>PREPARED FOR: MARK & TINA MILLER 1957 WEST LAKE DR. NOVI, MI 48377</p>	<p>DW David White Land Surveying, PLLC Boundary · Topographic · Construction · ALTA 2656 N. Coats Rd. Oxford, MI 48371 Professional Land Surveyor 734.353.0135 866.571.5701 fax dwsurveying@gmail.com</p>	<p>JOB NO.: 131105 DATE: 10 DEC 13 FIELD: 17 NOV 13 DRAWN: DPW SHEET: 2 OF 2</p>
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CERTIFICATE OF SURVEY

LOT 13

BENTLEY SUBDIVISION

SECTION 3, T1N, R8E

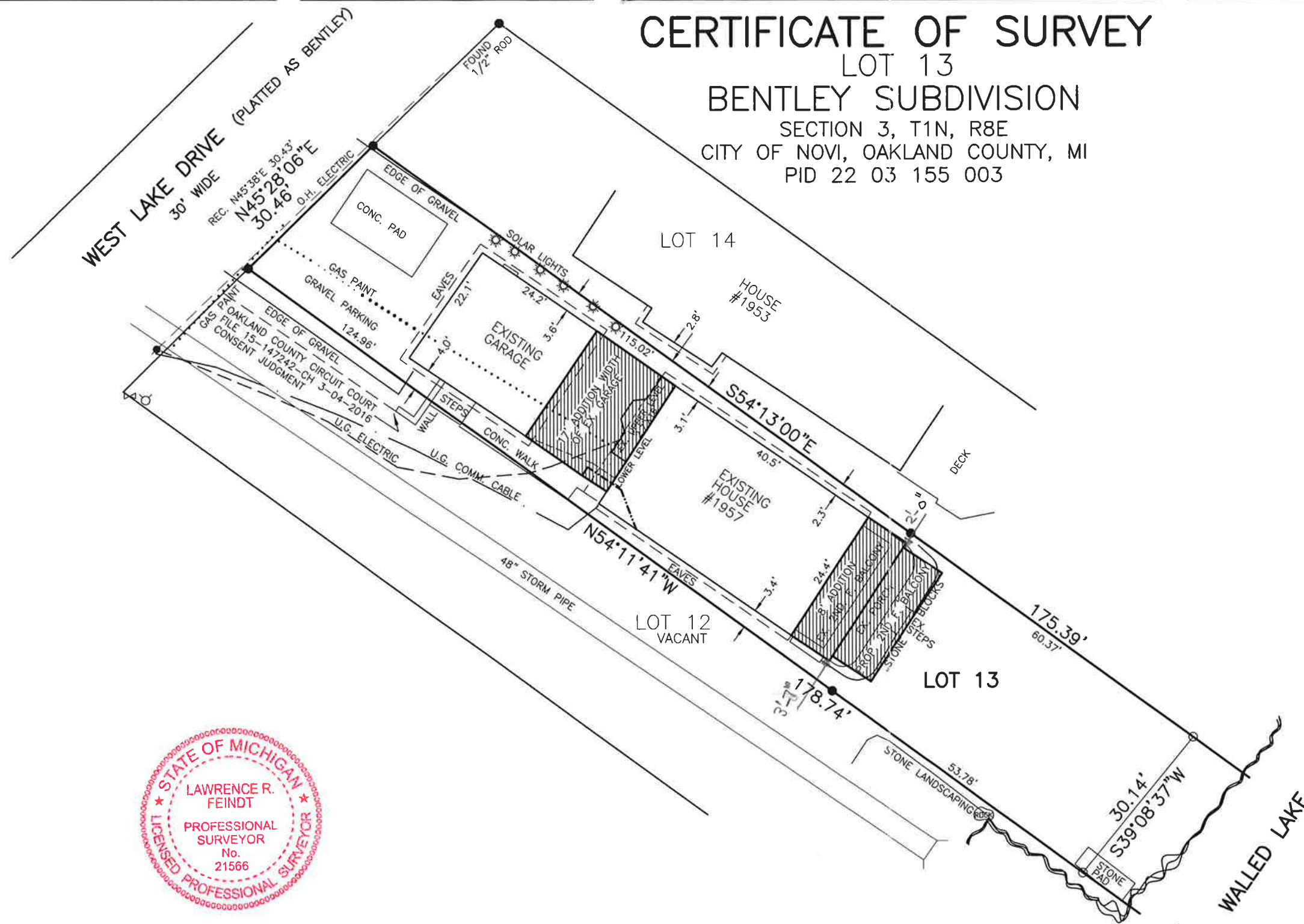
CITY OF NOVI, OAKLAND COUNTY, MI

PID 22 03 155 003

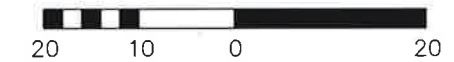
RECEIVED

AUG 08 2018

**CITY OF NOVI
COMMUNITY DEVELOPMENT**



SCALE 1" = 20'



- - FOUND IRON #50458 UNLESS OTHERWISE NOTED.
- - SET T-IRON #21566
- ⊠ - ROCK
- ☀ - LAWN LIGHT
- ⦿ - UTILITY POLE
- ⊕ - HYDRANT
- ⊗ - WATER VALVE
- PROPERTY IS ZONED R-4
- ▨ - PROPOSED HOUSE ADDITIONS



Lawrence R. Feindt
Lawrence R. Feindt
Professional Surveyor No. 21566

CLIENT: MARK J. MILLER	
FIELDWORK: IJK, LRF	COMPUTED BY: LRF
COMPUTER #: 16201.DWG	CHECKED BY: LRF
DRAWN BY: FAF	REV. 7-18-2018
DATE: JULY 6, 2018	JOB #: 16201



48800 W. 10 Mile RD.
NOVI, MICHIGAN 48374-2708
(248) 344-2077 FAX: (248) 305-8030

6121 MAPLE GROVE RD.
CHARLEVOIX, MICHIGAN 49720
(231) 547-9901

BEARINGS ARE APPROXIMATELY RELATIVE TO THE RECORDED PLAT.

I HEREBY CERTIFY THAT THE SURVEY HEREON DELINEATED IS TRUE AND CORRECT, THAT THE ACCURACY IS WITHIN 1:5000.