

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: March 8, 2022

REGARDING: 29906 Brush Park Court, Parcel # 50-22-04-451-028 (PZ22-0004)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Meridien Homes Construction

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: Residential Acreage

Location: West of West Park Drive and South of South Lake Drive

Parcel #: 50-22-04-451-028

Request

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.3 for a rear yard setback of 29.26 feet (35 feet minimum required, variance of 5.74). This variance will accommodate the construction of a new home. This property is zoned Residential Acreage (RA).

II. STAFF COMMENTS:

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.	PZ22-0	004,	sought	by	
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	dit	fficulty re	equiring	J							·				
							er will be ur e		-	-		mited	d with res	spect	
		(b) The property is unique because													
		(c) Pe	titioner	did no	ot create	the c	condition be	caus	se				_		

		(d)		The relief granted will not unreasonably interfere with adjacent or surrounding properties because																	
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		(d)		variaı								/ith t	he a	djac	:ent	and	surro	oundi	ng p	rope	rties
		(e)		nting										-	oirit c	and ir	nten	t of t	he or	dina	nce
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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



cityofnovi.org

ZONING BOARD OF APPEALS APPLICATION

JAN 10 2022

RECEIVED

3711 1 4 2022

CITY OF NOVI COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

i. PROPERTY INFORMATION (Address of subject ZBA Case)	Application Fee: 250,00
PROJECT NAME / SUBDIVISION Single Family Recidence	
TABURESS LUI/3IU	TE/3FACE #
SIDWELL# May be obtain from	ot 12 Assessing ZBA Case #: PZ 22 - 000 4
50-22 Department (248) 3	
12 Mile & West Park 1	on'æ
	it is for: IDENTIAL COMMERCIAL VACANT PROPERTY SIGNAGE
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION IS	
II. APPLICANT INFORMATION	
A. APPLICANT EMAIL ADDRESS COW	cell phone no. 28-821-9053
NAME Basil Karana	TELEPHONE NO.
ORGANIZATION/COMPANY Meridien Homes Communition	FAX NO.
ADDRESS 5223 Green Rd West Bloombel.	STATE ZIP CODE
B. PROPERTY OWNER CHECK HERE IF APPLICANT IS ALSO THE PROP	
Identify the person or organization that EMAIL ADDRESS	CELL PHONE NO.
owns the subject property: ram, Krishnasu	
Kam & Sula Krishnacula	mi D gmail com
ORGANIZATION/COMPANY TADIVIZUAL	FAX NO.
ADDRESS 2834 Blue Heron In. Wix	STATE ZIP CODE
III. ZONING INFORMATION	
A. ZONING DISTRICT $\square R-A \qquad \square R-1 \qquad \square R-2 \qquad \square R-3 \qquad \square R-4 \qquad \square RM-1$	1 □ RM-2 □ MH
	1
B. VARIANCE REQUESTED	=R
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:	1 10 10 1 1
1. Section 3.1.3 Variance requested Reg K	2 Yard set Back Reduction 5'74
2. SectionVariance requested Regu	inel 35 Pregposed 29:26
3. SectionVariance requested	V.
4. SectionVariance requested	
IV. FEES AND DRAWNINGS	
A. FEES	
Single Family Residential (Existing) \$200 (With Violation) \$25	
	00 🗆 Signs \$300 🗀 (With Violation) \$400
	At discretion of Board) \$600
	r isting & proposed distance to adjacent property lines
Site/Plot Plan Log	cation of existing & proposed signs, if applicable
Existing or proposed buildings or addition on the property Number & location of all on-site parking, if applicable An	por plans & elevations ny 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 ABRIGANIE
A. APPLICANT Jan 10 / 2022 Applicant Signature Jan 10 / 2022
Brilkarana Jan 10, 2022
Applicant Signature Jan 10, 2022
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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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:

	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: Lot has 6 sides of which 3 are considered rear sides totalling almost 220 feet -see attached. this creates a lot of unused wasted amount of land.
	and/or
b.	Environmental Conditions. Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. Not Applicable
	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).

Owner has done nothing so far, just trying to build a house

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.

requirement makes intended new house to be on the right side of property and no ability to center house on lot mass.

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.

Required set back will prevent locating house (with intended side entry garage to be away from house to south (on lot 13) and they will be very close with doors facing each other.

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.

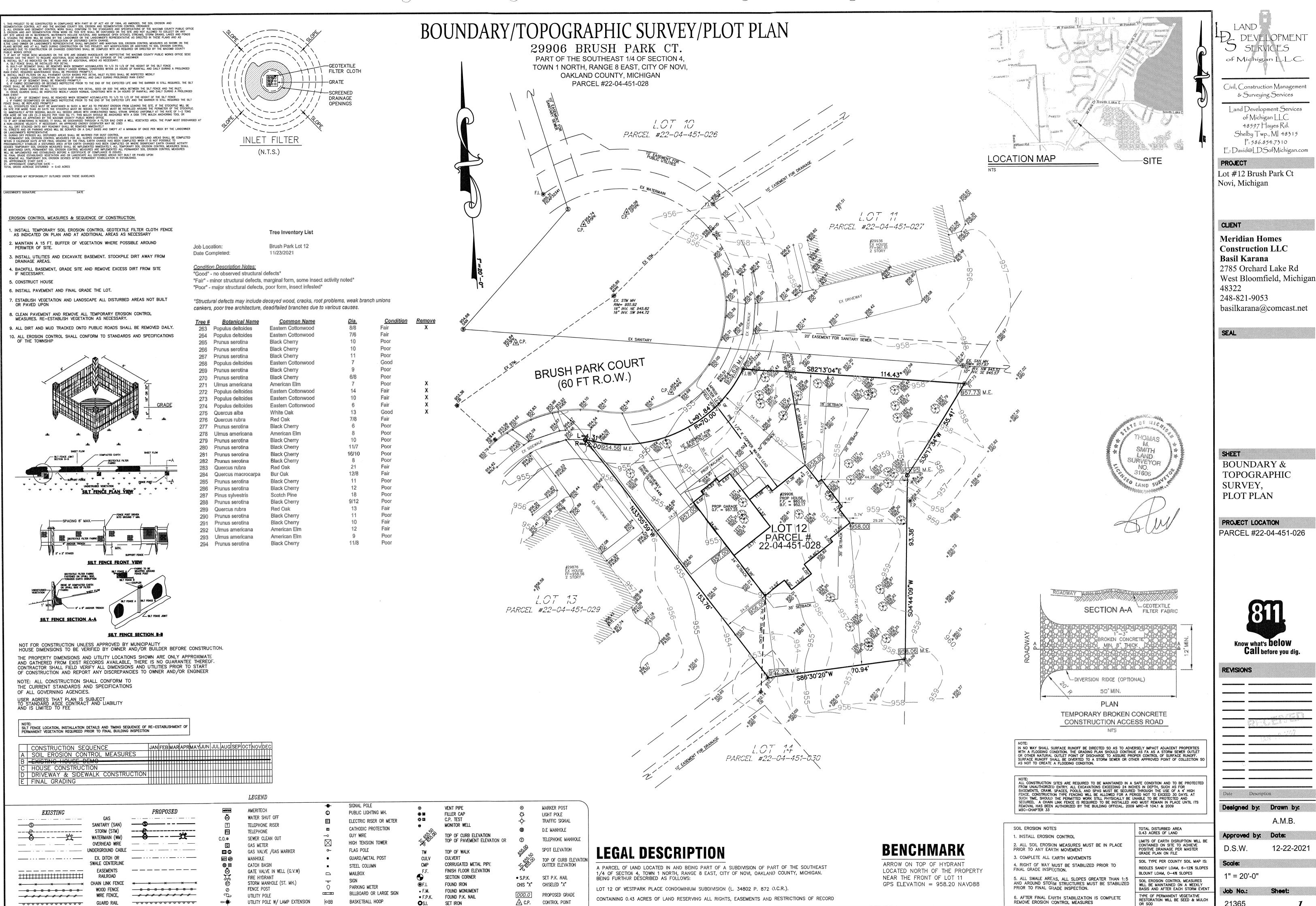
Lots are big with large setbacks so varience requested will not have any noticeable impact on any property

A STATE



that is hurting use So property

Basil Kavana (248) 8219053



Civil, Construction Management

Land Development Services of Michigan LLC 48597 Hayes Rd. Shelby Twp., MI 48315 P: 586.854.7310 E: David@LDSofMichigan.com

Lot #12 Brush Park Ct

Meridian Homes Construction LLC 2785 Orchard Lake Rd

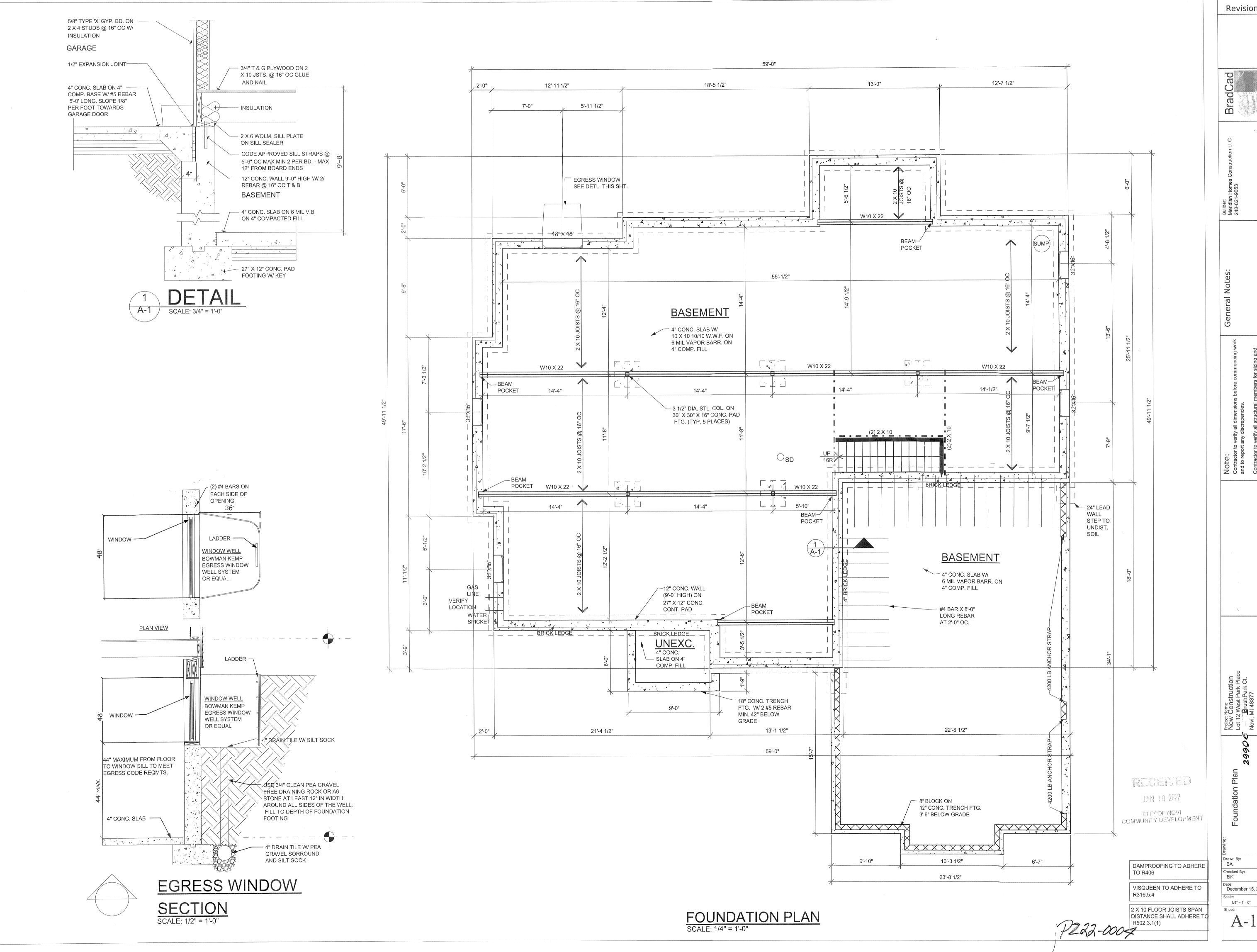
basilkarana@comcast.net

BOUNDARY & TOPOGRAPHIC

PROJECT LOCATION PARCEL #22-04-451-026

Know what's **below**

12-22-2021



Revision

Date: December 15, 2021

GENERAL NOTES:

- 1. All footings shall bear on soil of 3,000 p.s.f. minimum bearing capacity.
- 2. Field confirm soils conditions / capacities with Soils Engineer at time of excavation.
- 3. Footings shall be extended down as necessary to bear on 3,000 p.s.f. soil, as directed by Soils Engineer.
- 4. Confirm all finish grade and finish floor elevations with approved site engineering.
- 5. Provide stepped footings and ledges as required. Confirm locations and extents with General Contractor.
- 6. Slabs shall be constructed with control joints having a depth of at least one-fourth the slab thickness, and joints shall be spaced at intervals not more than 30 feet in each direction and slabs not rectangular in shape shall have control joints across the slab at points of offset, if offset excess 10 feet.
- 7. All structural steel beams shall have 2 x 4 top plate. Secure plate to beam with (2) rows of shot-in anchors @ 48" o.c. Stagger rows.
- 8. INSULATION: All exposed insulation materials, including facings, such as vapor barriers or breather papers installed within the floor-ceiling assemblies, wall assemblies, crawl spaces or attics
- shall have a flame-spread rating not to exceed 25. EXCEPTION: When such materials are installed in concealed spaces, the flame-spread and smoke development limitaions do not apply to the facings, provided that the facing is installed in substantial contact with the unexposed surface of the ceiling, floor or wall finish. SMOKE DENSITY: The smoke density shall be not

greater than 450.

- GARAGE DOOR OPENINGS: R602.10.6.3 * Braced wall panel length shall be a min. of 24" & braced wall
- panel height shall be a max. of 10' * braced wall panel shall be sheathed on one face with a single layer of 7/16" min. thickness wood structural panel sheathing attached to framing with 8d common nails @ 3" oc.
- *The wood structural panel sheathing shall extend up over the solid sawn or glued-laminated header & shall be nailed to the header at 3" oc.
- *The header shall be a min. (2) 2 x 12 or 3 x 11.25 gluedlaminated header. The header shall extend between the i inside face or the first full-length outer studs of panels. The clear span of the header between the inner studs shall not be less than 6" & greater than 18'.
- * A strap with an uplift capacity of not less than 1,000 lbs. shall fasten the header to the side of the inner studs opposite the sheathing face.
- * A min. of 2 bolts not less tan 1/2" with a 3/16 x 2 1/2" steel plate washer between the bottom plate and the nut of each bolt shall be installed.
- * Where an alternate braced wall panel is located only on one side of the garage opening, the header shall be connected to a supporting jack stud with a 1000 lb strap.

1. ALL WORK SHALL BE COMPLETED PER 2015 MICHIGAN RESIDENTIAL CODE 2. ALL WOOD EXPOSED TO THE WEATHER, IN CONTACT WITH THE GROUND OR ENTERING EXTERIOR MASONRY WALLS SHALL BE PRESERVATIVE TREATED (P.T.)

3. ALL FASTENERS FOR PRESERVATIVE TREATED WOOD SHALL BE HOT-DIPPED GALVANIZED STEEL OR

4. ALL STRUCTURAL CONNECTORS & HANGERS SHALL BE HOT-DIPPED GALVANIZED STEEL. 5. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS. IF A DISCREPANCY IS DISCOVERED, COORDINATE WITH ARCHITECT TO RESOLVE THE ISSUE TO ACHIEVE THE INTENT OF THE DRAWINGS. 7. COORDINATE WITH OWNER ALL ACTUAL FINISHES AND MATERIAL SAMPLES 8. ELECTRICAL SHALL BE DESIGN/BUILD PER LATEST NEC. COORDINATE FIXTURES, SPECIAL RECEPTACLES

AND REQUIREMENTS WITH OWNER. LIGHTING SHALL BE PROVIDED BY OWNER, INSTALLED BY CONTRACTOR. 9. DATA SHALL BE DESIGN/BUILD. COORDINATE SPECIAL RECEPTACLES AND REQUIREMENTS WITH OWNER. 10. HEATING VENTILATION AIR CONDITIONING SHALL BE DESIGN/BUILD PER LATEST CODES. COORDINATE SYSTEM TYPES AND PERFORMANCE SPECIFICATIONS WITH OWNER.

11. PLUMBING SHALL BE DESIGN/BUILD PER LATEST CODES. COORDINATE SYSTEM TYPES AND PERFORMANCE SPECIFICATIONS WITH OWNER.

12. ALL DIMENSIONS ARE TO FACE OF NEW STUDS (ROUGH FRAMING), FACE OF BRICK OR FACE OF SHEATHING, FACE OF EXISTING FINISHED WALLS TO REMAIN, CENTERLINE OF OPENINGS FOR DOORS AND 13. ALL WINDOWS WITH SILLS 24" OR LESS A.F.F. AND 6'-0" OR MORE ABOVE EXTERIOR GRADE SHALL HAVE

1. VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO

WINDOW OPENING CONTROL DEVICES PER MRC 312.2

- CONSTRUCTION
- 2. SEE ELEVATIONS FOR WINDOW DESIGNATIONS. 3. INTERIOR WALL THICKNESSES ARE 4 1/2
- UNLESS NOTED OTHERWISE. 4. 2 X 6 STUDS FRAMING AT ALL EXTERIOR WALLS.
- EXCEPT WHERE NOTED OTHERWISE. 5. PROVIDE RIGID INSUL. IN SPACE BETWEEN EXTERIOR WINDOW HEADER MEMBERS.

BEARING NOTES:

- ALL BEARING STUDS NOTED TO BE DOUGLAS FIR OR BETTER "POINT LOADS"
- ALL BEARING SHALL CONTINUE THROUGH THE FLOOR SYSTEM USING THE SAME AMOUNT OF STUDS CALLED OUT ON FLOORS ABOVE FOR SQUASH BLOCKING/ QUANTITY TO MATCH NUMBER OF BEARING STUDS
- 2x12 DOUBLE HEADER IN BASEMENT TO BE #2 DOUGLAS FIR OR BETTER ALL ROUGH OPENINGS OVER 5'-0" WIDTH REQUIRES DOUBLE CRIPPLE
- STUDS FOR BEARING TRIPLE CRIPPLE STUDS AT ALL GARAGE OVERHEAD DOOR HEADERS
- ROOF TRUSS SYSTEM ENGINEERING TO BE PROVIDED PER LOCAL CODES BY TRUSS MANUFACTURER

SMOKE ALARMS SHALL BE LISTED IN ACCORDANCE W/ UL 217 AND INSTALLED IN ACCORDANCE W/ THE PROVISIONS OF MRC15 AND THE HOUSEHOLD FIRE WARNING **EQUIPMENT PROVISIONS OF NFPA 72**

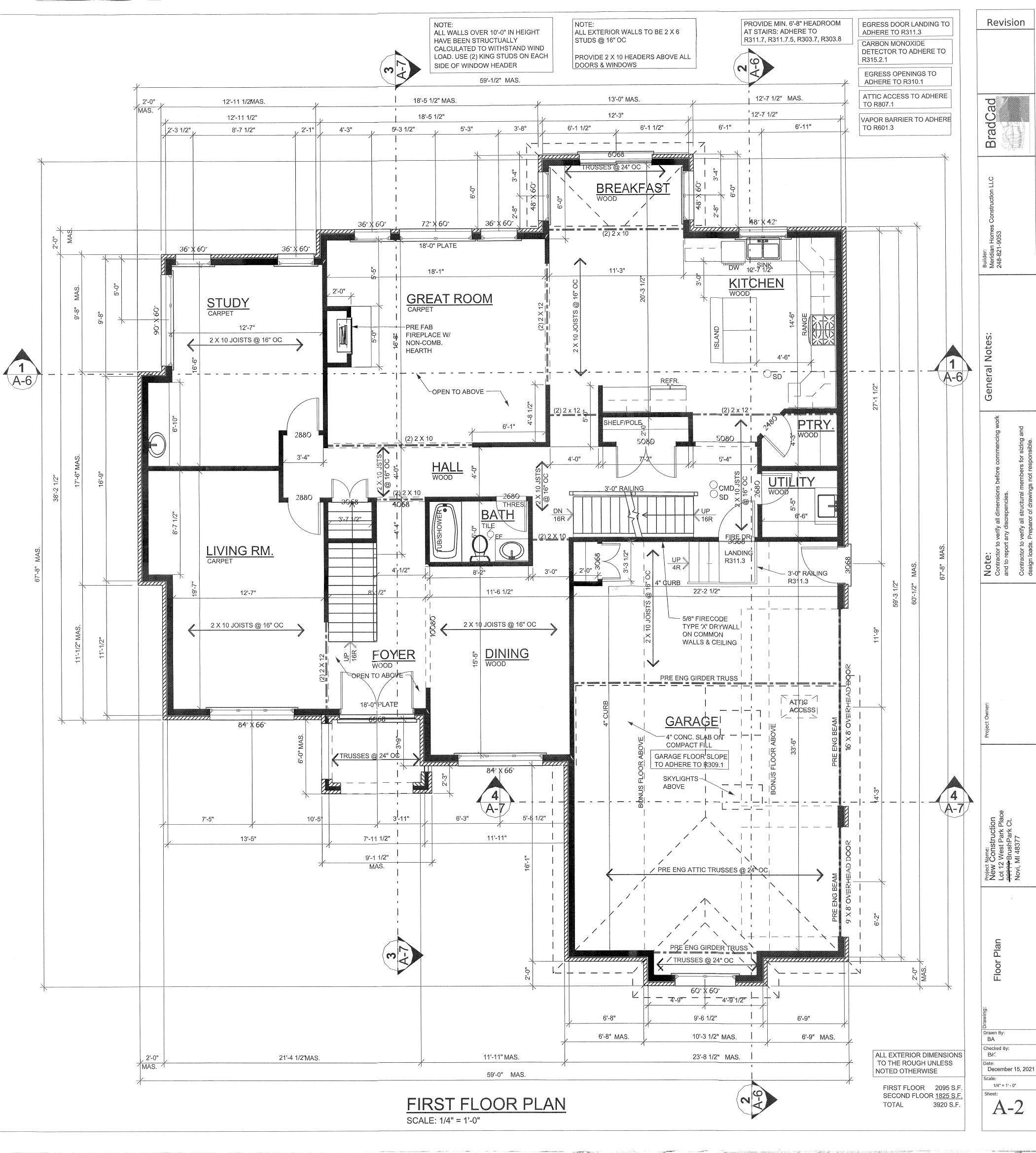
SMOKE ALARMS SHALL BE INTERCONNECTED SO THAT ACTIVATION OF ONE ALARM SHALL ACTIVATE ALL OF THE ALARMS IN THE DWELLING UNIT

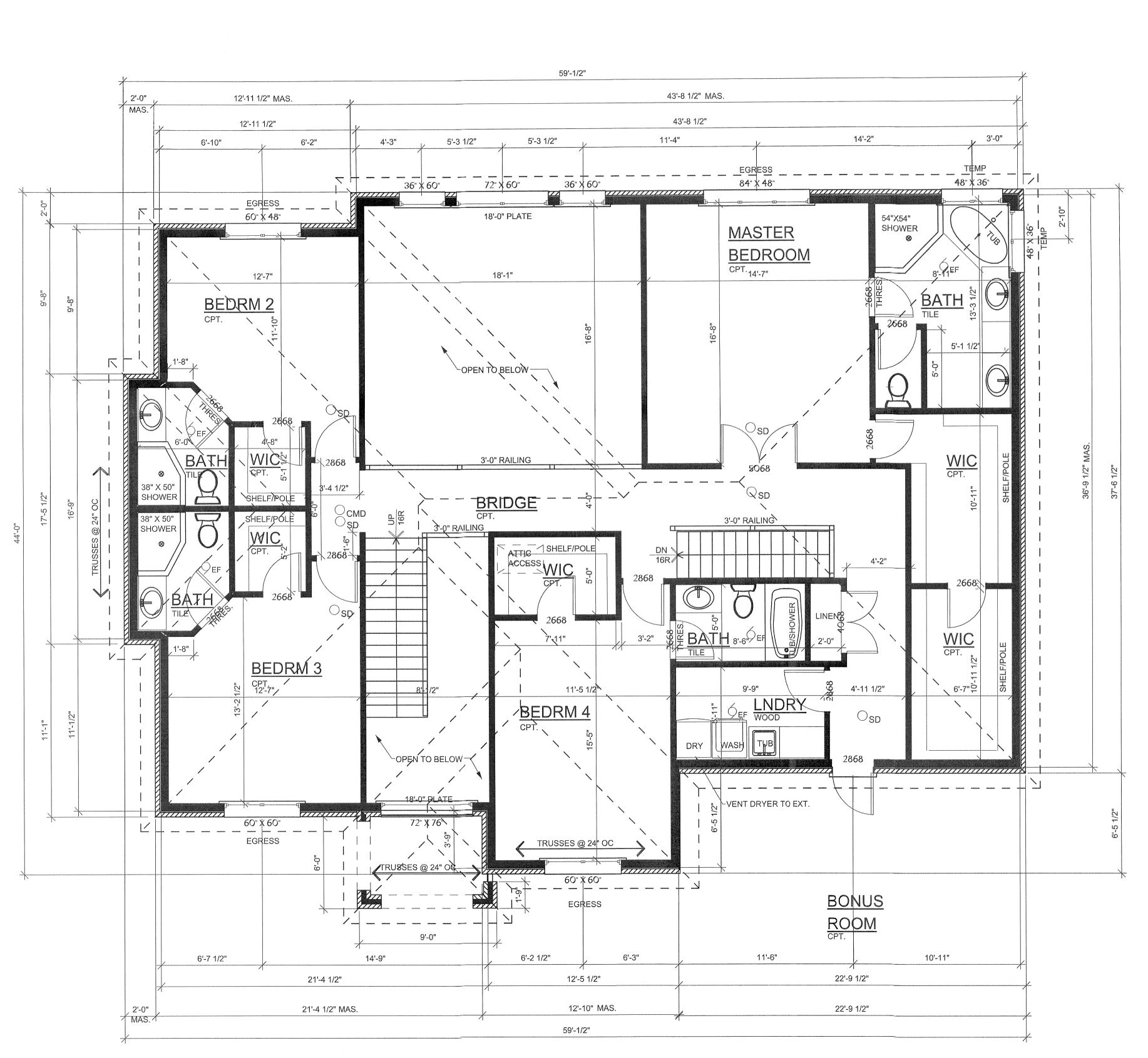
SMOKE ALARMS SHALL RECEIVE PRIMARY POWER FROM THE BUILDING WIRING AND BACK-UP POWER FROM A BATTERY

SINGLE STATION CARBON MONOXIDE ALARMS SHALL BE LISTED AS COMPLYING w/ UL 2034 AND SHALL BE INSTALLED IN ACCORDANCE W/ MRC15 AND MANUFACTURER'S INSTALLATION INSTRUCTIONS

CODE COMPLIANCE

- 1. BUILDER TO COMPLY WITH THE 2015 MICHIGAN CODE REQUIRMENTS.
- 2. BUILDER TO COMPLY WITH OR EXCEED THE REQUIREMENTS OF CHAPTER 11
- ENERGY EFFICIENCY OF THE 2015 MRC CLIMATE ZONE 5A PER THE
- FOLLOWING BASIS OF DESIGN OR SPECIFIED THERMAL PERFORMANCES.
- WINDOWS U = .032
- CEILING INSULATION R = 38 MIN. EXTERIOR WALL R = 20 MIN.
- CRAWL SPACE WALL R = 10 MIN. 3. ACCESS DOORS FROM CONDITIONED SPACE TO UNCONDITIONED SPACE TO BE
- WEATHER-STRIPPED AND INSULATED TO MATCH THE SORROUNDING SURFACE THEY PENETRATE. 4. BUILDER TO PROVIDE PERMANENT CERTIFICATE POSTED ON OR IN THE ELEC. PANEL,
- INDICATING THE INSTALLED R-VALUES OF INSULATION WINDOW U-VALUES AND HEATHING AND COOLING EQUIPMENT TYPES AND EFFICIENCIES.
- 5, PROJECT SCOPE SHALL INCLUDE VERIFICATION OF CODE COMPLIANT SMOKE ALARMS AT: - EACH SLEEPING ROOM
- OUTSIDE EACH SLEEPING AREA
- ON EACH ADDITIONAL STORY OF THE HOUSE SMOKE ALARMS NOT ALREADY AT THESE
- LOCATIONS SHALL BE PROVIDED.
- 6, PROJECT SCOPE SHALL INCLUDE VERIFICATION OF A CARBON MONOXIDE ALARM OUTSIDE OF THE FIRST FLOOR SLEEPING AREA. PROVIDE IF ONE IS NOT EXISTING.





SECOND FLOOR PLAN SCALE: 1/4" = 1'-0"

Revision

Drawn By:
BA
Checked By:
BK

Date: December 15, 2021

1/4" = 1' - 0" A-3

