



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: July 13, 2021

REGARDING: 41131 S McMahon Circle, Parcel # 50-22-25-105-034 (PZ21-0034)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

All Construction SCI

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:

Single Family Residential

Location:

East of Meadowbrook Road and South of Ten Mile Road

Parcel #:

50-22-25-105-034

Request

The applicant is requesting variances from The City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 3 feet (10 feet required, variance of 7 feet). This variance would accommodate the building of a home addition. 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. I move that we **grant** the variance in Case No. **PZ21-0034**, 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. **PZ21-0034**, 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

RECEIVED

JUN 04 2021

CITY OF NOVI
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$200.00</u>
PROJECT NAME / SUBDIVISION		WILLOWBROOK ESTATES ^{NO 2}		Meeting Date: <u>July 13, 2021</u>
ADDRESS	41131 S MCMAHON CIR.	LOT/SUITE/SPACE #	293	ZBA Case #: <u>PZ 21-0034</u>
SIDWELL #	50-22-	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 type="checkbox"/> YES <input checked="" 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 checked="" type="checkbox"/> NO				
II. APPLICANT INFORMATION				
A. APPLICANT		EMAIL ADDRESS	CELL PHONE NO.	
		DEANREMODEL @ GMAIL.COM	561-222-6259	
NAME		TELEPHONE NO.		
EDIN BUZIMKIC				
ORGANIZATION/COMPANY		FAX NO.		
ALL CONSTRUCTION SCI				
ADDRESS	CITY	STATE	ZIP CODE	
10605 OAK	TAYLOR	MI	48180	
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.	
		SEANO BriEN.DDS52@YAHOO.COM	734-223-8608	
NAME		TELEPHONE NO.		
SEAN O BRIEN				
ORGANIZATION/COMPANY		FAX NO.		
ADDRESS	CITY	STATE	ZIP CODE	
41131 S MCMAHON CIR.	NOVI	MI	48	
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</u> Variance requested <u>OF 7 FEET</u>				
2. Section _____ Variance requested _____				
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"/> Existing & proposed distance to adjacent property lines <input type="checkbox"/> Site/Plot Plan <input type="checkbox"/> Location of existing & proposed signs, if applicable <input type="checkbox"/> Existing or proposed buildings or addition on the property <input type="checkbox"/> Floor plans & elevations <input type="checkbox"/> Number & location of all on-site parking, if applicable <input type="checkbox"/> Any other information relevant to the Variance application				



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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:

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:

THE EXISTING HOUSE ALREADY BUILT
TO CLOSE TO THE PROPERTY LINE

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).

NOT SELF CREATED BECAUSE THE GARAGE WAS BUILT BY ORIGINAL BUILDER AT EXISTING LOCATION

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 PROPOSED ADDITION IS AT LEAST 3' FROM PROPERTY LINE AND WILL BE ACCESSIBLE.

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.

WE WOULD LIKE TO FLUSH THE EXISTING GARAGE WALL WITH THE NEW ADDITION WALL.

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.

THE PROPOSED ADDITION IS AT LEAST 12' AWAY FROM ADJACENT PROPERTY. ALSO WE WILL FIREPROOF THE ENTIRE SIDE WALL ON EAST ELEVATION AND THE OVER HANGS.

11:51



S McMahon Cir

Perimeter 

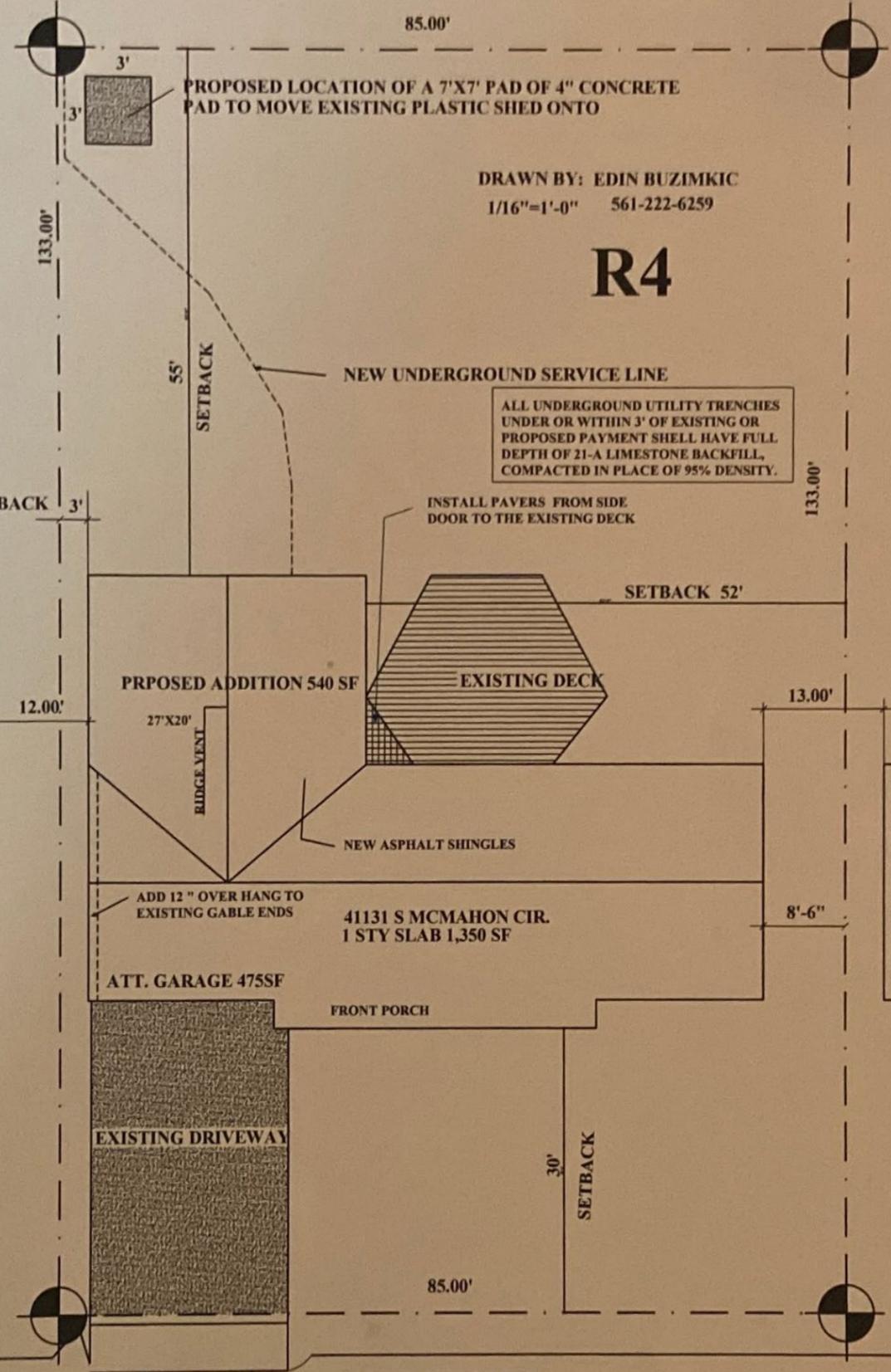
441 ft 



Area

11,660 ft² 





DRAWN BY: EDIN BUZIMKIC
 1/16"=1'-0" 561-222-6259

R4

ALL UNDERGROUND UTILITY TRENCHES UNDER OR WITHIN 3' OF EXISTING OR PROPOSED PAYMENT SHELL HAVE FULL DEPTH OF 21-A LIMESTONE BACKFILL, COMPACTED IN PLACE OF 95% DENSITY.

NEW UNDERGROUND SERVICE LINE

INSTALL PAVERS FROM SIDE DOOR TO THE EXISTING DECK

PROPOSED ADDITION 540 SF

EXISTING DECK

NEW ASPHALT SHINGLES

FRONT PORCH

EXISTING DRIVEWAY

LEGAL DESCRIPTION:

T1N,R8E,SEC25 WILLOWBROOK ESTATES
 SUB NO 2 LOT 293

S MCMAHON CIR.

41131 S MCMAHON CIR.
 1 STY SLAB 1,350 SF

ATT. GARAGE 475SF

ADD 12" OVER HANG TO EXISTING GABLE ENDS

27'X20'
 RIDGE VENT

EXISTING RESIDENCE

EXISTING RESIDENCE

133.00'

133.00'

12.00'

13.00'

8'-6"

85.00'

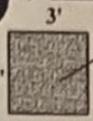
3'

SETBACK 3'

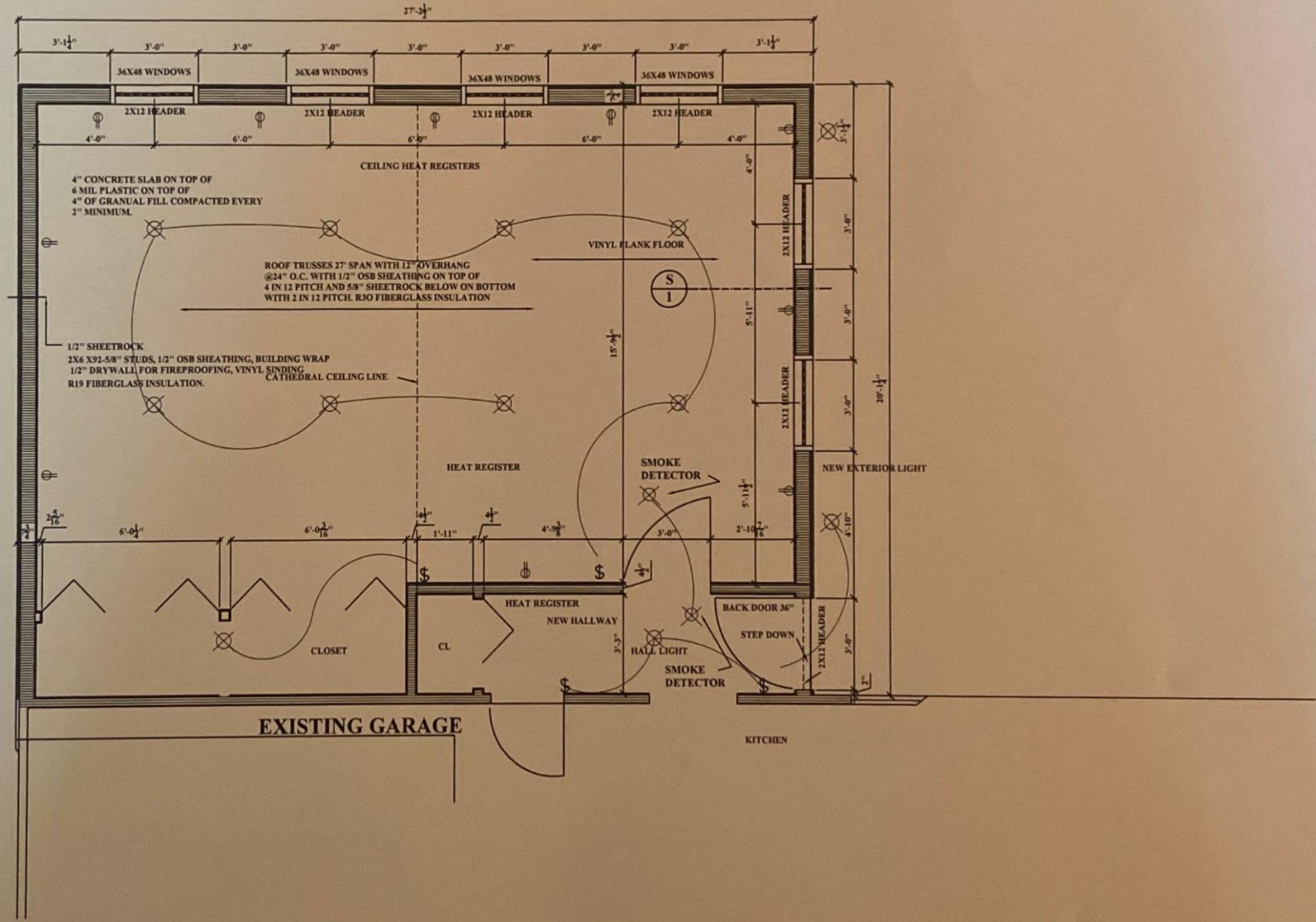
55'
 SETBACK

SETBACK 52'

30'
 SETBACK



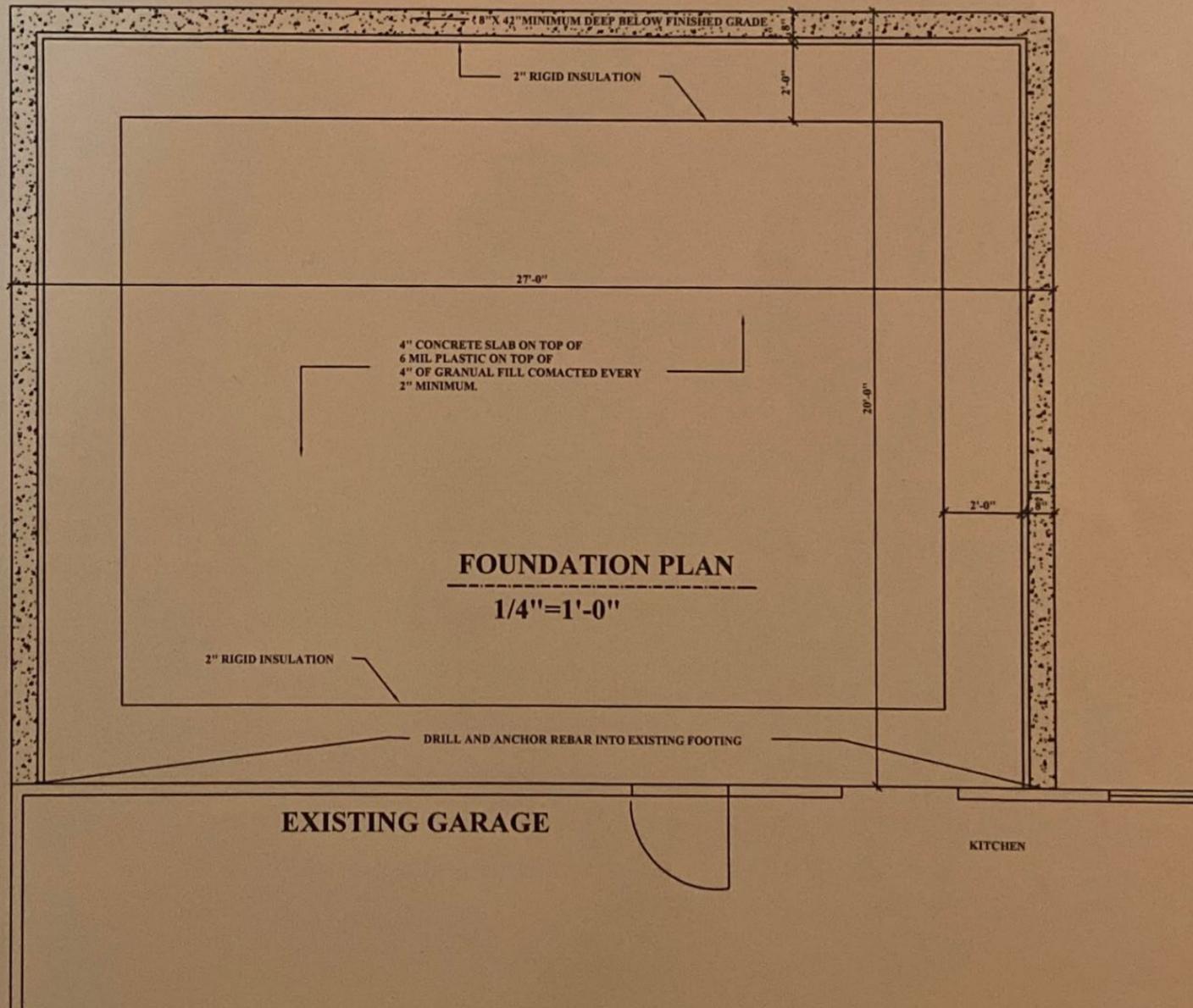
ALL CONSTRUCTION SCI **DRAWN BY: EDIN BUZIMKIC 561-222-6259**
RECREATIONAL ROOM
FLOOR PLAN 1/4"=1'-0" CUSTOMER: SEAN O BRIEN 734-223-8608



ALL CONSTRUCTION SCI

DRAWN BY: EDIN BUZIMKIC 561-222-6259

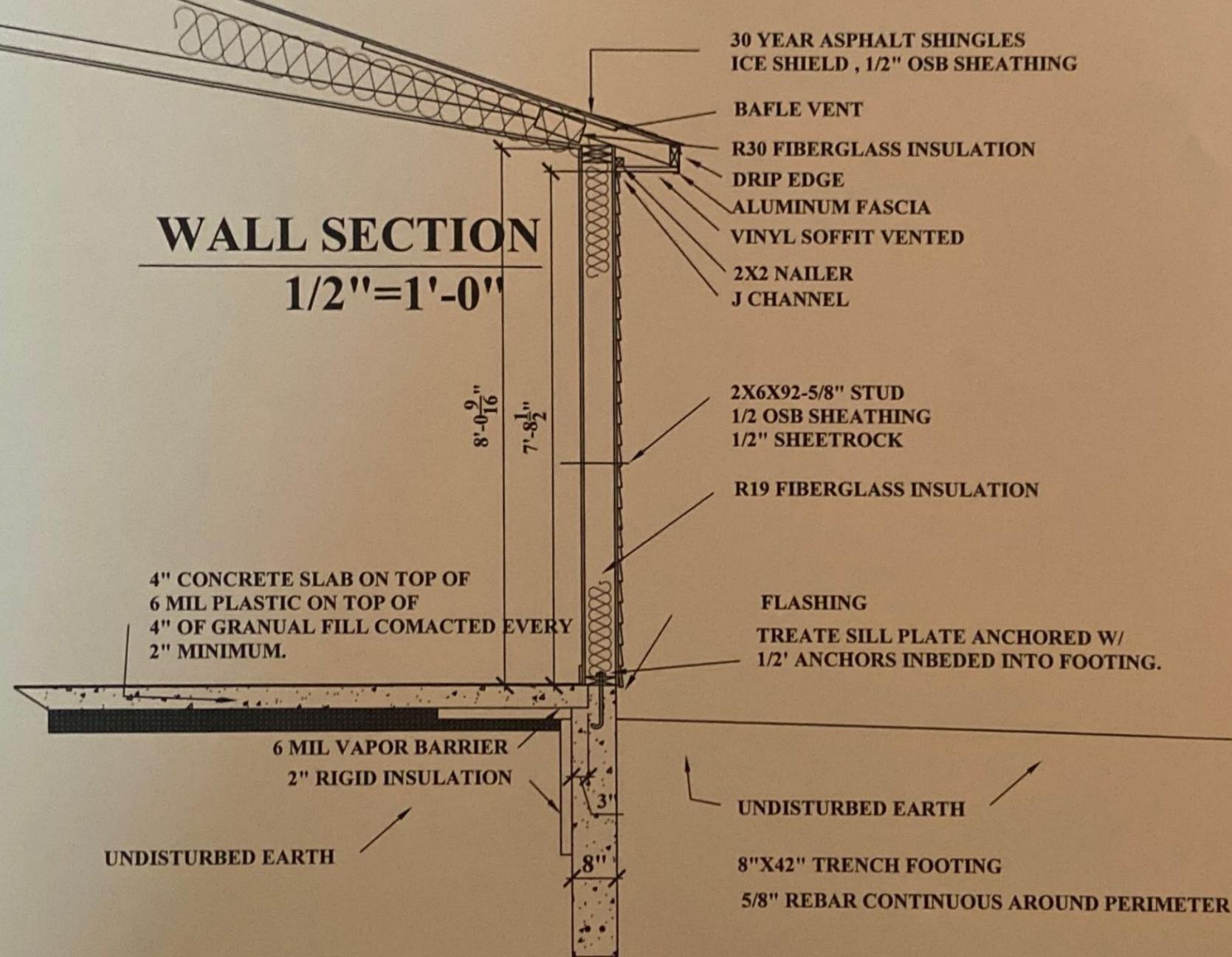
CUSTOMER: SEAN O BRIEN 734-223-8608



DRAWN BY: EDIN BUZIMKIC
561-222-6259

CUSTOMER: SEAN O BRIEN 734-223-8608

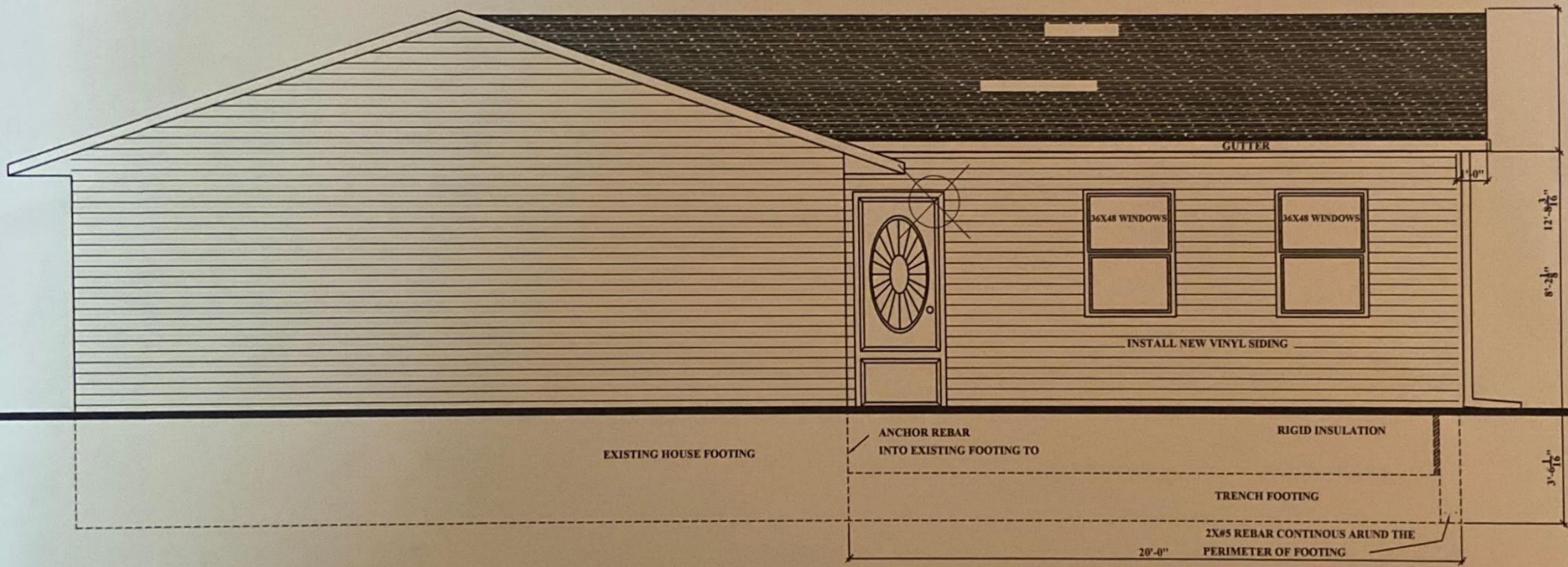
WALL SECTION
1/2"=1'-0"



DRAWN BY: EDIN BUZIMKIC
CUSTOMER: SEAN O BRIEN 734-223-8608

ELEVATION VIEW WEST

1/4"=1'-0"



EXISTING HOUSE FOOTING

ANCHOR REBAR INTO EXISTING FOOTING TO

RIGID INSULATION

TRENCH FOOTING

2X#5 REBAR CONTINOUS ARUND THE PERIMETER OF FOOTING

20'-0"

12'-0 3/16"

8'-2 1/8"

3'-0 1/8"

GUTTER

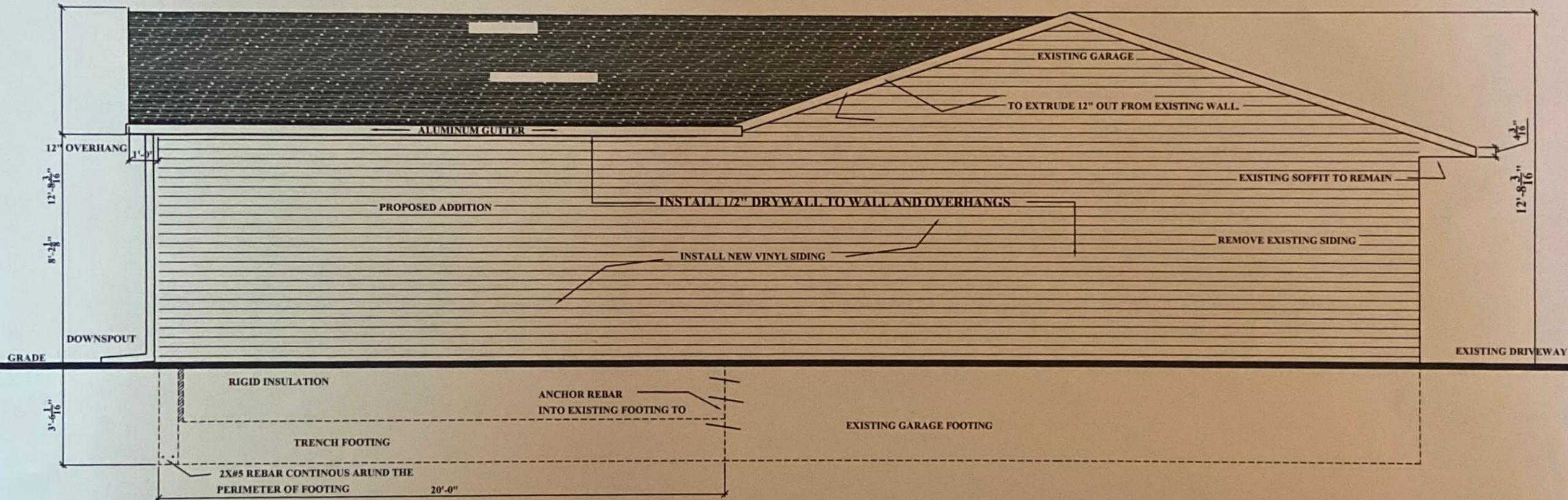
36X48 WINDOWS

36X48 WINDOWS

INSTALL NEW VINYL SIDING

DRAWN BY: EDIN BUZIMKIC 561-222-6259
 CUSTOMER: SEAN O BRIEN 734-223-8608

EAST ELEVATION
 1/4"=1'-0"



DRAWN BY: EDIN BUZIMKIC 561-222-6259
CUSTOMER: SEAN O BRIEN 734-223-8608

ELEVATION VIEW NORTH

1/4"=1'-0"

TO EXTRUDE 12" OUT FROM EXISTING WALL.

