



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: May 12, 2015

REGARDING: WILSON (CASE NO. PZ15-0012)

BY: Thomas M. Walsh, Building Official

I. GENERAL INFORMATION:

Applicant

Gordie and Audrey Wilson

Variance Type

Dimensional Sign Land Use Variance

Property Characteristics

Zoning District: R-4, One Family Residential
Site Location: 1345 East Lake Drive, south of 14 Mile Road and west of Novi Road
Parcel #: 50-22-02-177-013

Request

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.5(d) to allow construction of new ramp addition on an existing parcel; a variance of 11.0 feet in the required aggregate side yard setback (25.0 feet required, 14.0 feet proposed).



II. ZONING AND LAND USE:

The table below lists the zoning district, existing land use and future land use for the subject site and surrounding parcels.

Parcel	Zoning District	Existing Land Use	Future Land Use
Subject Property	R-4, One Family Residential	Shore Acres Subdivision	Single Family
North	R-4, One Family Residential	Shore Acres Subdivision	Single Family
South	R-4, One Family Residential	Shore Acres Subdivision	Single Family
East	R-4, One Family Residential	Shore Acres Subdivision	Single Family
West	R-4, One Family Residential	Shore Acres Subdivision	Single Family

III. STAFF COMMENTS:

Existing Condition

The subject property consists of two- (2) lots located on the east side of East Lake Drive within Shore Acres Subdivision. The parcel has approximately 80.0 feet of frontage on East Lake Drive and approximately 156.16 feet deep as measured along north side yard lot line. The total lot area of the parcel is approximately 12,246.4 square feet. The existing residence is located 36.7 feet from the front yard lot line, 10.0 feet from the north side yard lot line, 10.0 feet from the south side yard lot line, and 44.6 feet from the rear yard lot line.

Proposed Changes

The applicant proposes to construct a new ramp addition on an existing parcel. According to the submitted plans, the overall dimensions measure 6.2' x 30' for a total area of approximately 186 square feet. The addition would result in a setback of 3.8 feet from the north side yard lot line and 10.2 feet from the south side yard lot line with aggregate side yard setback of 14.0 feet. ***This requires a variance of 11.0 feet in the required aggregate side yard setback.***

IV. DEVELOPMENT STANDARDS:

The table below summarizes the zoning district development standards for the subject parcels.

Lot Size		Minimum Setback			
Area	Width	Front	Sides	Aggregate Side	Rear
R-4 10,000 sq. ft.	80 ft.	30 ft.	10 ft. (one side)	25 ft. (total of two side)	35 ft.

V. RECOMMENDATION:

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

1. Grant I move that we **grant** the variance(s) in Case No. **PZ15-0012**, sought by _____, for _____ because the Petitioner has established that _____ causes a practical difficulty relating to the property, including some or all of the following criteria:

(a) Petitioner has established that the property is unique because _____, or that the physical condition of the property creates the need for a variance because _____.

And, the condition is not a personal or economic hardship.

(b) The need for the variance is not self-created, **because** _____.

(c) Strict compliance with dimensional regulations of the Zoning Ordinance, including _____, will (either):

- 1. unreasonably prevent Petitioner from using the property for the permitted purpose as a _____, because _____, and/or,
- 2. will make it unnecessarily burdensome to comply with the regulation because _____.

(d) Petitioner has established that variance is the minimum variance necessary because a lesser variance would not _____.

(e) The requested variance will not cause adverse impact on surrounding property, property values, or the enjoyment of property in the neighborhood or zoning district, because _____.

(f) The variance granted is subject to the conditions that:

- 1. _____,
- 2. _____,
- 3. _____,
- 4. _____.

Zoning Board Of Appeals

Wilson Property
Case # PZ15-0012

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2. Deny I move that we **deny** the variance in Case No. **PZ15-0012**, sought by _____, for _____ because the Petitioner has **not** established a practical difficulty because:

(a) Petitioner has shown no unique circumstance or physical condition of the property because petitioner can reasonably comply with the ordinance by _____.

(b) The difficulty described by the Petitioner is a personal or economic difficulty only in that Petitioner stated _____.

(c) The need for the variance is self-created because Petitioner _____.

(d) Conforming to the ordinance would not (either):

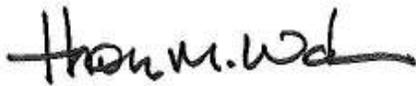
1. be unnecessarily burdensome because _____, or,

2. unreasonably prevent petitioner from using the property for _____, because _____.

(e) A lesser variance consisting of _____ would do substantial justice to Petitioner and surrounding property owner's because _____.

(f) The proposed variance would have adverse impact on surrounding property because _____.

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



Thomas M. Walsh
Building Official
City of Novi



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 Novi, MI 48375
 (248) 347-0415 Phone
 (248) 735-5600 Facsimile
 www.cityofnovi.org

ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$200</u> Meeting Date: <u>5/12/15</u> ZBA Case #: <u>PZ 15-0012</u>
PROJECT NAME / SUBDIVISION Shore Acres Subdivision				
ADDRESS 1345 East Lake Drive		LOT/SIUTE/SPACE # 18 and 19		
SIDWELL # 50-22-02-477-013 <u>02 177- 013</u>		May be obtain from Assessing Department (248) 347-0485		
CROSS ROADS OF PROPERTY between 13 and 14 mile on EaSt SIDE OF WALLED LAKE				
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		
NAME Gordie and Audrey Wilson		CELL PHONE NO. 248 981 5400		
ORGANIZATION/COMPANY		TELEPHONE NO.		
ADDRESS 1345 East Lake Drive		FAX NO.		
CITY Novi		STATE MI		
		ZIP CODE 48377		
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		
NAME		CELL PHONE NO.		
ORGANIZATION/COMPANY		TELEPHONE NO.		
ADDRESS		FAX NO.		
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>3.1.5D</u> Variance requested <u>allow a 6 foot wide wheelchair ramp in the 10 foot setback.</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				
• Dimensioned Drawings and Plans		• Existing & proposed distance to adjacent property lines		
• Site/Plot Plan		• Location of existing & proposed signs, if applicable		
• Existing or proposed buildings or addition on the property		• Floor plans & elevations		
• Number & location of all on-site parking, if applicable		• 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

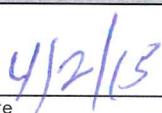
ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT



Applicant Signature



Date

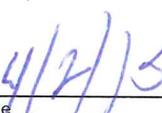
B. PROPERTY OWNER

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

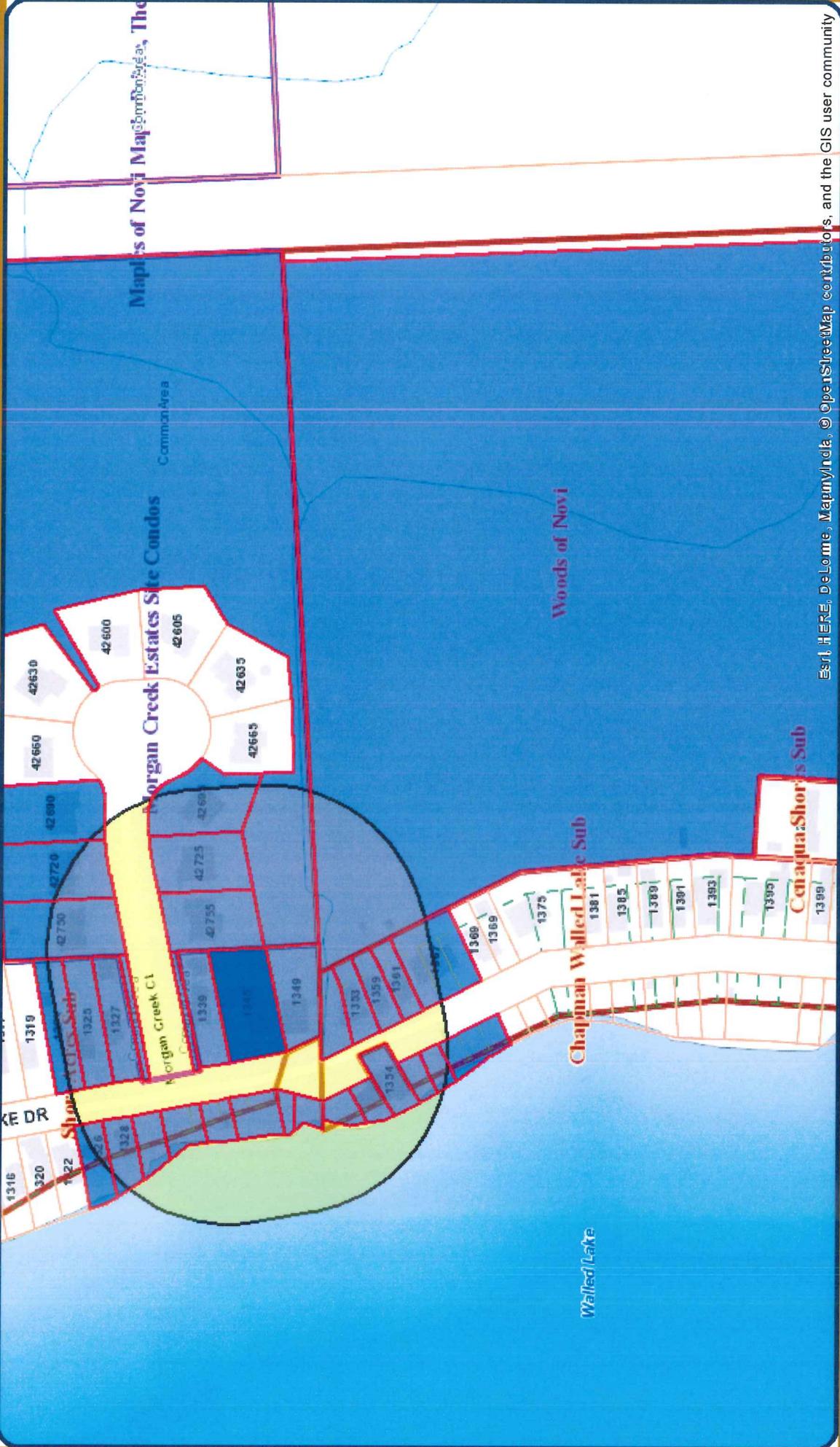
DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

Chairperson, Zoning Board of Appeals

Date

1345 East Lake Drive PZ15-0012



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MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map. This map was produced under the terms of the City's Internet Site Use Policy available at <http://cityofnovi.org/Resources/SiteUsePolicy.asp>

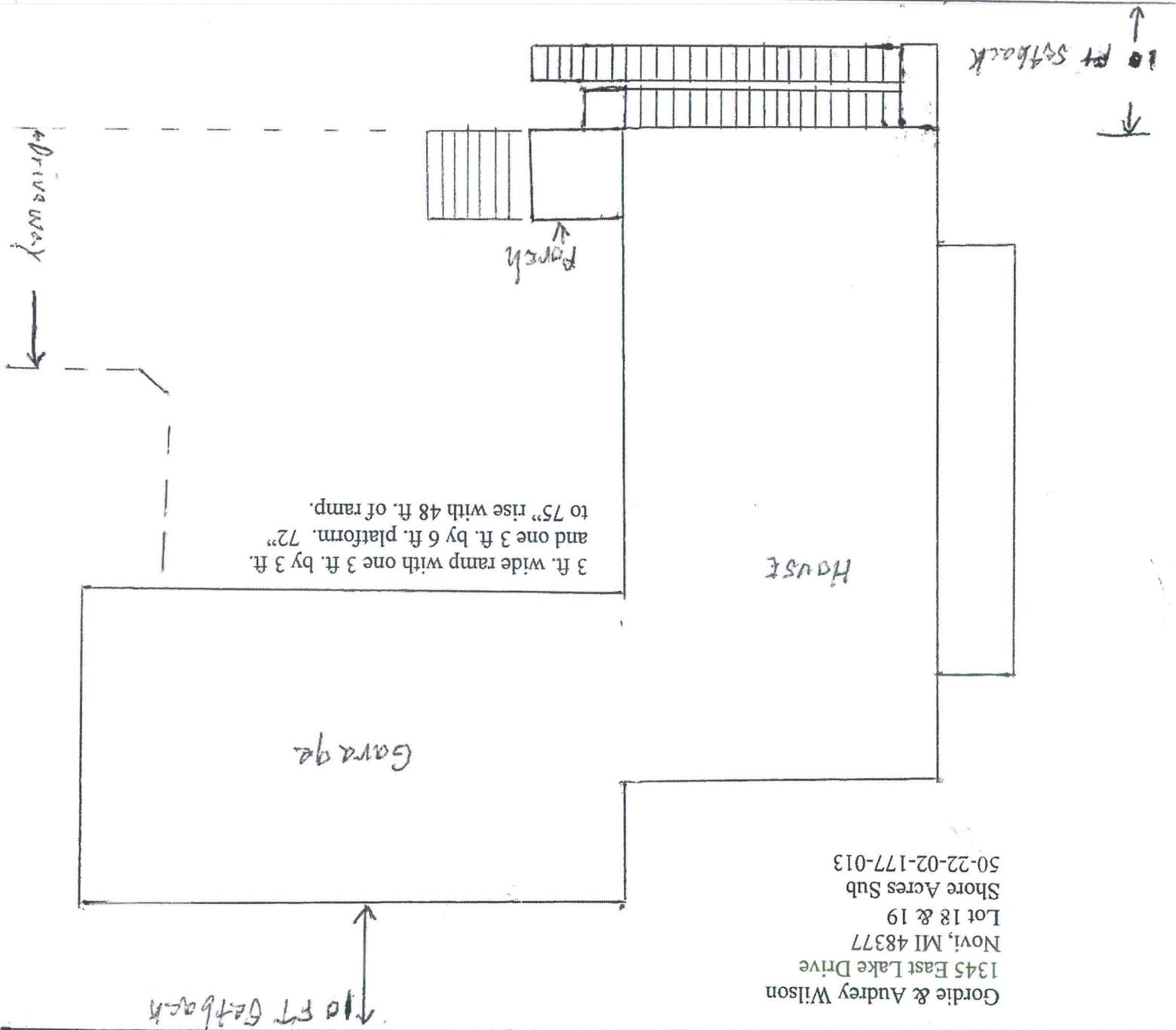
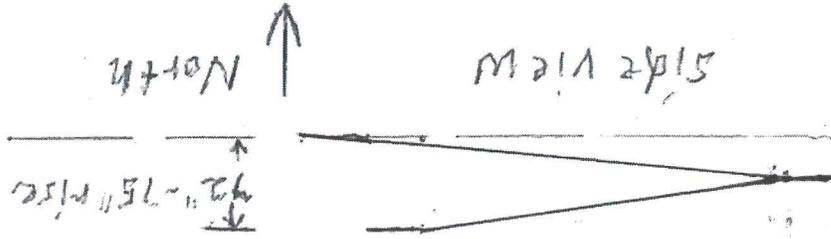


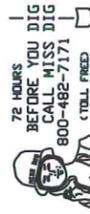
Map Produced Using the
City of Novi, Michigan
Internet Mapping Portal



Author:
Date: 4/17/2015







72 HOURS
BEFORE YOU DIG
CALL MISS DIG
800-482-7171
TOLL FREE

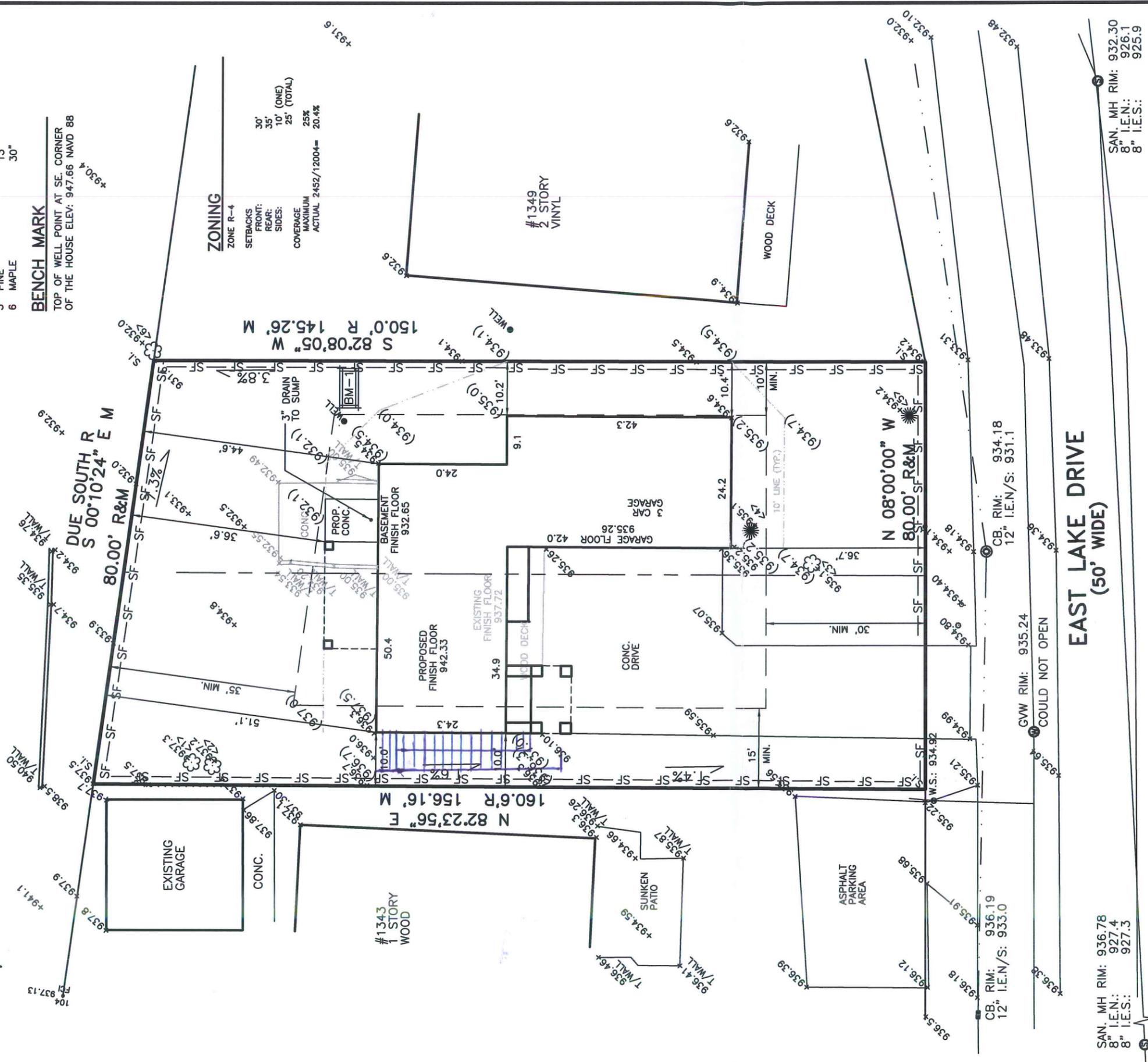


SITE PLAN

#	TREE TYPE	SIZE
1	HONEY LOCUST	14", 20"
2	HONEY LOCUST	24", 24"
3	FRUIT TREE	8", 8"
4	PINE	12"
5	PINE	13"
6	MAPLE	30"

BENCH MARK

TOP OF WELL POINT AT SE. CORNER
OF THE HOUSE ELEV: 947.66 NAVD 88
+930.4



ZONING
ZONE R-4
SETBACKS
FRONT: 30'
REAR: 10' (ONE)
SIDES: 25' (TOTAL)
COVERAGES
MAXIMUM 25%
ACTUAL 2452/12004= 20.4%

#1349
2 STORY
VINYL

#1343
1 STORY
WOOD

LEGEND

SILT FENCE	SF
BENCH-MARK	B.M.
FINISHED FLOOR	F.F.
FINISHED GRADE	F.G.
EXISTING	EX.
FIELD MEASURE	F.M.
INVERT ELEVATION	I.E.
GAS MAIN	—
WATER MAIN	—
STORM SEWER	—
SANITARY SEWER	—
OVERHEAD WIRES	—
1" WATER SERVICE	—
6" SANITARY LEAD	—
PROP. SUMP LEAD	—
FENCE	—
PROP. ELEVATION	—
EX. SPOT ELEVATION	—
STORM MANHOLE	⊕
STORM CATCH BASIN	⊕
SANITARY MANHOLE	⊕
GATE VALVE & WELL	⊕
DET. EDISON MANHOLE	⊕
WATER/GAS SHUT OFF	⊕
FIRE HYDRANT	⊕
UTILITY POLE	⊕
SOIL BORING	⊕
SEPTIC TANK	⊕
WELL	⊕
POLE OR POST	⊕
MAILBOX	⊕
SECTION CORNER	⊕
LIGHT	⊕
DECIDUOUS TREE	⊕
EVERGREEN TREE	⊕
RECORDED	R.
MEASURED	M.
PRORATED	P.
CALCULATED	C.
SET IRON	S.I.
FOUND IRON	F.I.
FOUND CONC. MON.	F.C.M.
POINT OF BEGINNING	P.O.B.
ARC LENGTH	A.
RADIUS	RAD.
DELTA	D.
CHORD BEARING	CB.
CHORD LENGTH	CL.

LEGAL DESCRIPTION

LOT 18 AND 19 OF "SHORE ACRES SUB-DIVISION" PART OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP OF NOVI (NOW CITY OF NOVI), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 20 OF PLATS, PAGE 2, OAKLAND COUNTY RECORDS.

R. M. P. C. S.I. F.I. F.C.M. P.O.B. A. RAD. D. CB. CL.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 06/09/14 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1870 HAVE BEEN COMPLIED WITH.



Greg L. Ash
GREG L. ASH, P.L.S. #28400

GLA SURVEYORS & ENGINEERS
8495 N. TERRITORIAL RD.
PLYMOUTH, MI 48170
PHONE: (734) 416-9650
FAX: (734) 416-9657
www.glasurveyor.com

CLIENT:
GORDIE WILSON
1345 EAST LAKE DRIVE
NOVI, MI 48377

DATE: 07/01/14
JOB NO.: 3404-0018
FILE NO.: 3404-0018

SCALE: 0' 20' 40'
1" = 20'

SHEET: 1 OF 1
DRAWN BY: G.L.A.

NOTE: GLA SURVEYORS & ENGINEERS, INC. ASSUMES NO RESPONSIBILITY FOR OWNER SUPPLIED BUILDING DIMENSIONS. BUILDER/CLIENT MUST VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.