



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 11, 2017

REGARDING: **101 LASHBROOK (PZ17-0009)**

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Kingsway Construction

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Single Family Residential
Location:	North of Thirteen Mile and west of Novi Road
Parcel #:	50-22-02-376-008

Request

The applicant is requesting a variance from the CITY OF NOVI Code of Ordinance; Sections 3.1.2 to allow reduce setbacks for front, rear, side yards and reduce lot coverage for additions to existing residence. 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. **PZ17-0009**, 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. **PZ17-0009**, 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

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)
PROJECT NAME / SUBDIVISION: JEAN DAHLE RES.
ADDRESS: 101 LASHBROOK
LOT/SUITE/SPACE #: 17
SIDWELL #: 50-22-02-376-008
CROSS ROADS OF PROPERTY: 13 MILE - EAST LAKE DRIVE
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? [X] NO
REQUEST IS FOR: [X] RESIDENTIAL
A. APPLICANT: KINGSWAY CONSTRUCTION
B. PROPERTY OWNER: JEAN DAHLE
III. ZONING INFORMATION
A. ZONING DISTRICT: [X] R-4
B. VARIANCE REQUESTED: FRONT YARD, REAR YARD, SIDE YARD, LOT COVERAGE
IV. FEES AND DRAWINGS
A. FEES: [X] Single Family Residential (Existing) \$200
B. DRAWINGS: 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF

Application Fee: \$200.00
Meeting Date: April 11, 2017
ZBA Case #: PZ 17-0009



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 scheduled 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 an 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 established within such a period; provided, however, where such use permitted is dependent upon the erection or alteration of 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

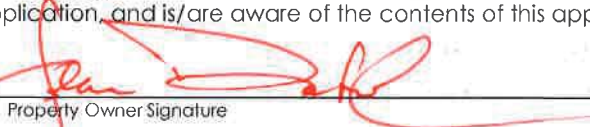

Applicant Signature

2.14.17
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

2.14.17
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 conditions:

Chairperson, Zoning Board of Appeals

Date



Community Development Department

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

**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. **Describe below:**

OR

- b. **Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. **Describe below:**

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. **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 RESIDENCE IS NON-CONFORMING IN EVERY ASPECT OF REQUESTED VARIANCES

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.

AS DESCRIBED ABOVE AND LOOKING AT THE SITE PLAN THE ENTIRE EXISTING RESIDENCE IS ALREADY NON-CONFORMING

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.

ADDING MINIMAL EXTENSIONS TO EXISTING RESIDENCE IN REAR & EAST SIDE. ALL OTHER VARIANCE REQUESTS ARE EXISTING.

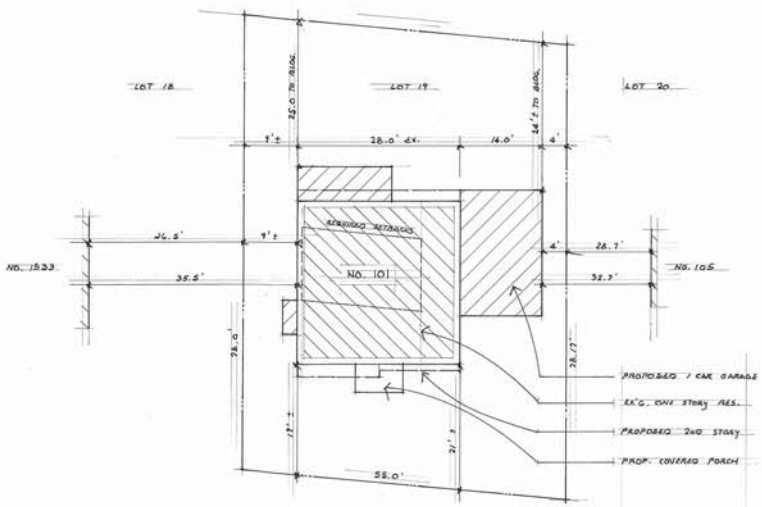
Standard #5. Adverse Impact on Surrounding Area.

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.

APPROVAL OF REQUESTED VARIANCES WOULD DEFINITELY IMPROVE THE GENERAL CHARACTER AND PROPERTY VALUE OF ALL SURROUNDING PROPERTIES.

date 09-16-17
 rev. _____
 rev. _____
 rev. _____

**ARCHITECTURALLY
 SPEAKING**
 120 antim street
 charlevoix michigan
 LYONSIA - MICHIGAN 49154
 PHONY 248.215.5355
 88720-616-647-4040



LASHROOK 50.0' WD.



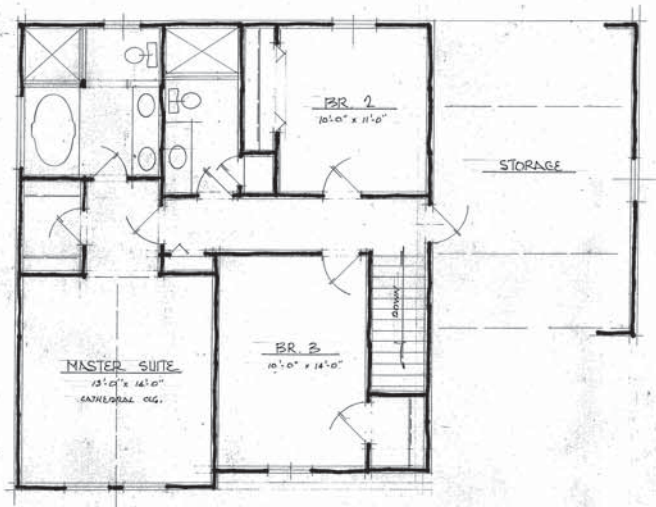
SITE PLAN 1"=10.0'

LOT 19 OF REUNION SHORES SUB.
 CITY OF HOWLAND TWP., MICH.
 REC'D IN LIBRA 43 OF PLATS., PG. 40 O.C.A.

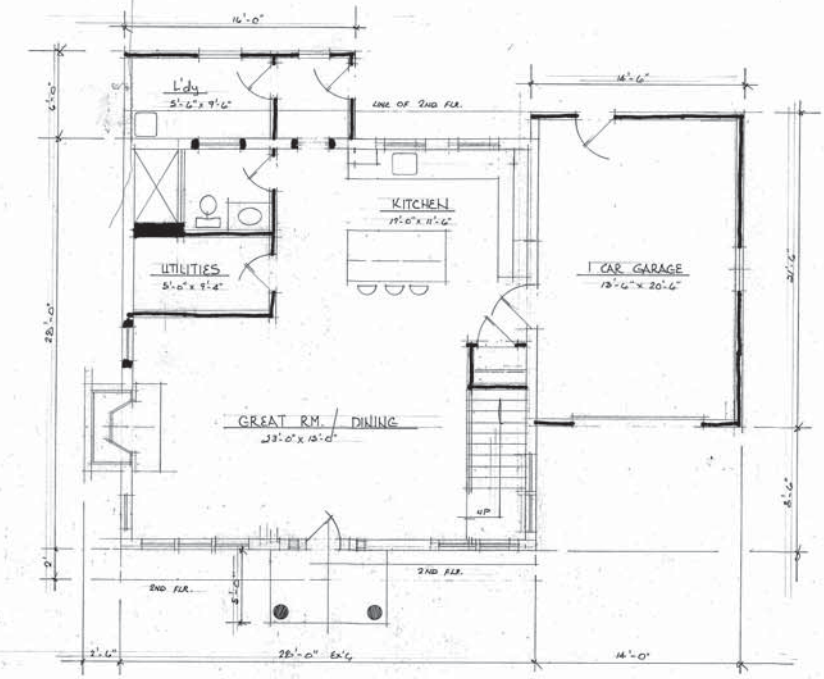
SETBACKS	ASST'D.	MINIM.
FRONT	36'	19'
REAR	35'	24'
SIDES	10' MIN / 25' TOTAL	9' / 13' TOTAL
LOT COVERAGE	25%	28.7%

project: PROPOSED RENOVATION
 101 LASHROOK
 HOWLAND, MICH.

job no.
 sheet no.



2ND FLOOR PLAN 1/4" = 1'-0"



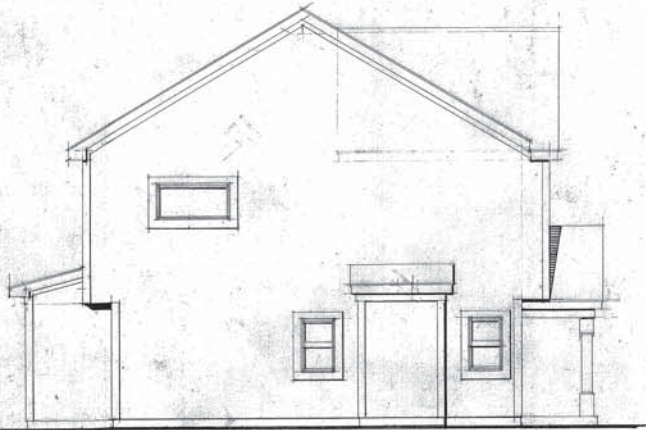
1ST FLOOR PLAN 1/4" = 1'-0"



EAST SIDE VIEW 1/4" = 1'-0"



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



WEST SIDE VIEW 1/4" = 1'-0"



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

TO: CITY OF NOVI
ZONING BOARD OF APPEALS
45175 TEN MILE ROAD
NOVI, MI 48375

Please note my comments to 101 LASHBROOK, PARCEL # 50-22-02-376-008 (PZ17-0009)

Please note my: (Approval) (Objection) to the requested variance, with added notes / future consideration below

Comments:

I stopped by the Novi City office and reviewed the plans. It is not desirable for me to have a 20' 6" tall garage 4' from my property. I will approve though with the future consideration that if I request the same that I am given approval as well. I am considering a garage and / or shed on the rear of my property that borders 101 lashbrook and so a similar approval from my neighbor and council could hopefully be expected. As a note, I have had my property professionally plotted this past year and so I have stakes in the ground currently on this border line. I'll be glad to share the locations if necessary. Also, there is a large tree that borders 101 address in the corner of my property may be of some concern since it overhangs greatly onto your dwelling. It may be more of more a safety concern with high winds or lightning strike with the 2nd story addition you are planning You are welcome to (PLEASE PRINT CLEARLY) remove this if you wish to do so. Just check with me 1st. My mobile is 248-403-0760

Name: Mark Brandewie

Address: 105 Lashbrook

Date: March 22nd, 2017

Zoning Board of Appeals meetings are broadcast live on Bright House channel 13-1 and AT&T U-verse channel 99. They are also streamed live on the City's website at cityofnovi.org.