



cityofnovi.org

ZONING BOARD OF APPEALS
CITY OF NOVI
Community Development Department

Case No. PZ13-0066

Location: 2214 Austin Drive

Zoning District: R-4, One Family Residential

The applicant is requesting variances to allow reduced side yard setbacks of 4 ft., on each side respectively, a front yard setback of 13.3 ft. and maximum lot coverage of 37.9% for a new residence proposed to be constructed on an existing lot. The property is located west of Novi Road and south of South Lake Drive in the R-4 Zoning District.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires minimum and aggregate side yard setbacks of 10 ft. and 25 ft. respectively, a front yard setback of 30 ft. and maximum lot coverage of 25%.

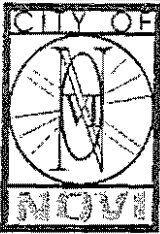
City of Novi Staff Comments:

The applicant is proposing construction of a new modestly sized single family home on an existing narrow lakefront lot. The required aggregate side setbacks of 25 feet would allow a limited building width. The proposed home is closer to the required setbacks than the current structures on the site. Staff supports the variances provided substantial justice can be provided for neighboring property owners.

Standards for Granting a Dimensional Variance:

A variance may be granted if a practical difficulty exists due to all of the following:

- There are unique circumstances or physical conditions of the property such as narrowness, shallowness, shape, water, topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty because_____.
- The need is not self-created because_____.
- 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 because_____.
- The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district because_____.
- The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district because_____.



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CITY OF NOVI
 Community Development Department
 (248) 347-0415

For Official Use Only

ZBA Case No: _____ ZBA Date: _____ Payment Received: \$ _____ (Cash)

Check # _____ Include payment with cash or check written to "City of Novi."

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

Please submit one original signed application and 13 copies of all supporting documentation relevant to the appeal,

Applicant's Name JOSEPH + JANE VAICUNAS Date 2013-11-05

Company (if applicable) _____

Address* 14121 STONEHOUSE City LIVONIA ST ZIP 48154
*Where all case correspondence is to be mailed.

Applicant's E-mail Address: JOEVAAS@YAHOO.COM

Phone Number () 248-202-1019 FAX Number () _____

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 2214 AUSTIN DRIVE ZIP 48377

2. Sidwell Number: 5022 - may be obtained from Assessing Department (248) 347-0485

3. Is the property within a Homeowner's Association jurisdiction? Yes No

4. Zoning: RA R-1 R-2 R-3 R-4 RT RM-1 RM-2 MH OS-1 OS-2 OSC OST _____ OTHER

5. Property Owner Name (if other than applicant) _____

6. Does your appeal result from a Notice of Violation or Citation Issued? Yes No

7. Indicate ordinance section(s) and variances requested:

- 1. Section 2400 Variance requested FRONT, SIDE & REAR YARDS
- 2. Section _____ Variance requested _____
- 3. Section _____ Variance requested _____
- 4. Section _____ Variance requested _____

8. Please submit an accurate, scaled drawing of the property showing:

- a. All property lines and dimensions correlated with the legal description.
- b. The location and dimensions of all existing and proposed structures and uses on property.
- c. Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
- d. Dimensions necessary to show compliance with the regulations of this Ordinance.

9. State the practical difficulties which prevent conformance with the Zoning Ordinance requirements (attach separate sheet if necessary):

LOT SIZE IS 40 X 100. ZONING HAS CHANGED
TO HAVE A HOME THAT IS 30' WIDE ON A 40'
LOT. WE NEED A VARIANCE DOWN TO 4 FEET
ON THE NORTH + SOUTH BOUNDARY LINES

10. Describe any unique circumstances regarding the property (i.e., shape, topography, etc.) which are not common to other properties in the area and which prevent strict compliance with the Zoning Ordinance:

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 scheduled ZBA meeting, or cancelled. A mock-up sign is **NOT** to be the 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.

Variance approval is void if permit not obtained within one hundred eighty (180) days of date of decision.

There is a five (5) day hold period before work/action can be taken on variance approvals.

All property owners' within 300 feet of ZBA property address will be notified of the ZBA case and variance requests.

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official/ Inspector or Ordinance Officer made

- Construct New Home/Building
 Addition to Existing Home/Building
 Accessory Building
 Use
 Signage
 Other

Joseph R. Vaidicunas
Applicants Signature

2013-11-05
Date

Joseph R. Vaidicunas
Property Owners Signature

2013-11-05
Date

DECISION ON APPEAL

_____ Granted _____ Denied Postponed by Request of Applicant _____ Board _____

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

Chairperson, Zoning Board of Appeals

Date

Joseph R. & Jane U. Vaiciunas

14121 Stonehouse, Livonia, MI 48154 • 248-202-1014

November 04, 2013

City of Novi
Community Development Department

RE: The tear down of our existing cottage and building new home at 2214 Austin Drive, Novi, MI 48377

On our lot, we would like to tear down the existing structure and build a new home. We are submitting copies of the proposed house plan on this property for the Zoning Board to study.

Due to the 40' narrow lot size, we are requesting the City of Novi Zoning Board for a variance to allow this home to be built on this property. We are requesting for a variance of 4 feet from the North and South property lines. This plan would allow 4 feet from the structure to the property lines including the roof overhang.

From our observation, it appears that many homes within our community on Austin Drive have similar distances up to property lines. We do not believe our request would alter the overall appearance of the neighborhood. We believe a new home would actually enhance and increase home values in the area.

We are also interested in any suggestions or advice from the Community Development Department to help us build our home.

Thank you,...

Joseph R. Vaiciunas & Jane U. Vaiciunas

Attached

ZBA Application

Boundary Survey by Alpine Engineering, 8.5 x14

Site Plan by Proud Home Construction, 11x17

LEGEND

○ FD. IRON

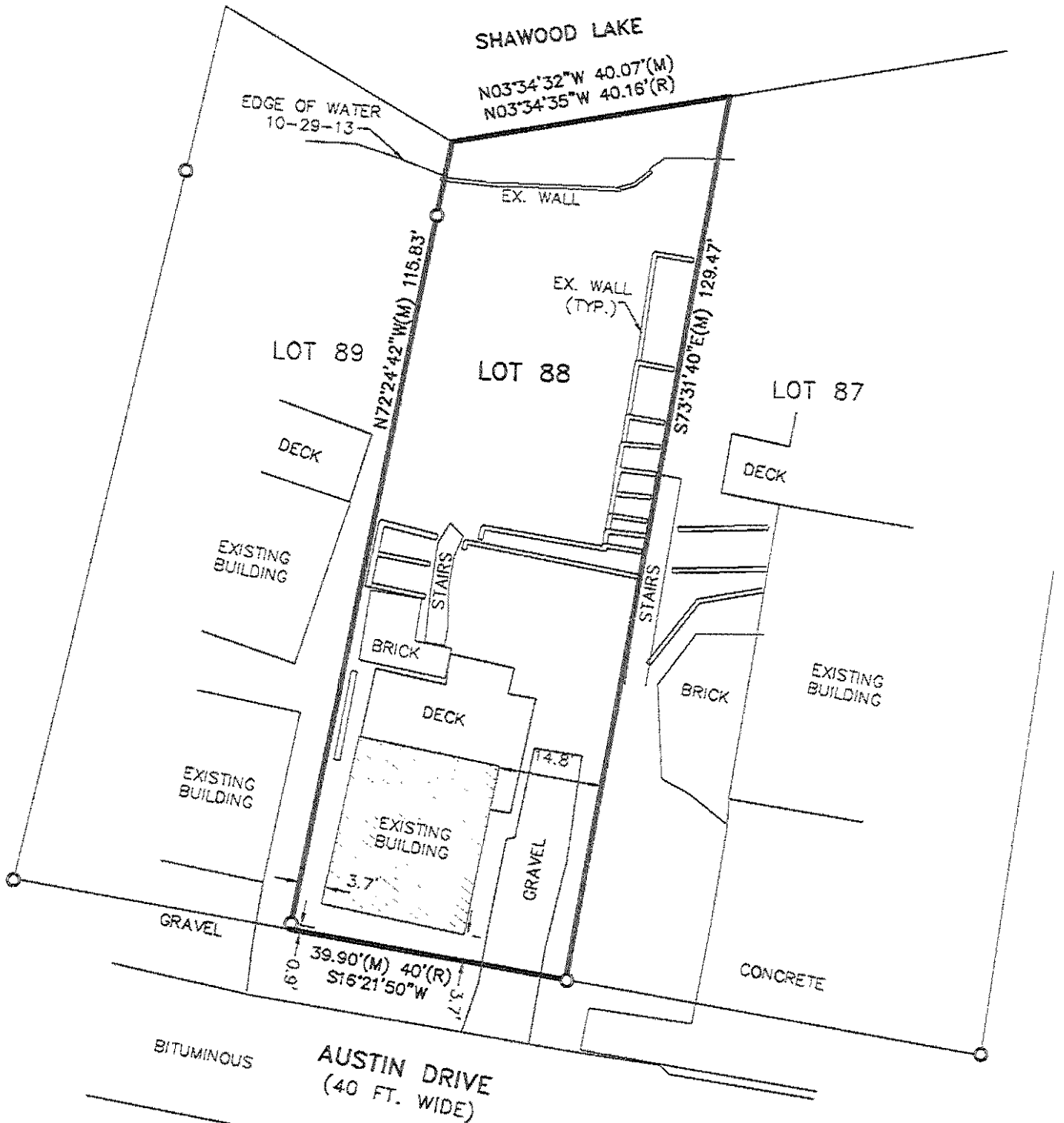


NOTE

BEARINGS BASED ON "SHAWOOD WALLED LAKE HEIGHTS SUBDIVISION," OAKLAND COUNTY, MICHIGAN.

LEGAL DESCRIPTION

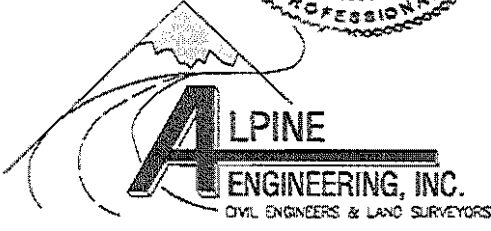
LOT 88 OF "SHAWOOD WALLED LAKE HEIGHTS SUBDIVISION," A PART OF THE N.E. 1/4 OF SEC. 10 AND PART OF N.W. 1/4 OF SEC 11 T.1N. R.8E. NOV TWP. (NOW CITY OF NOV), OAKLAND CO., MICH. AS RECORDED IN LIBER 46, PAGE 48, O.C.R.



I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED, AND THAT THERE ARE NO VISIBLE ENCROACHMENTS UPON THE ABOVE DESCRIBED PROPERTY, EXCEPT AS SHOWN HEREON.

Ginger Michalski-Wallace

GINGER MICHALSKI-WALLACE
PROFESSIONAL SURVEYOR NO. 47964



46892 WEST ROAD
SUITE 109
NOVI, MICHIGAN 48377
(248) 926-3701 (BUS)
(248) 926-3765 (FAX)

CLIENT:	JOSEPH VAICIUNAS		DATE:	11-4-13
BOUNDARY SURVEY			DRAWN BY:	GLM
			CHECKED BY:	TTP
2214 AUSTIN DRIVE			0 10 20	
			SECTION: 10	TOWNSHIP: 1 N
CITY OF NOV OAKLAND COUNTY MICHIGAN			CHP: R0F	13-192
			SCALE HOR 1"=20 FT. VER 1"= FT.	

