



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: January 12, 2021

REGARDING: 23403 Mystic Forest Drive, Parcel # 50-22-27-429-006 (PZ20-0054)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Coy Construction

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Single Family Residential
Location:	West of Novi Road and South of Ten Mile Road
Parcel #:	50-22-27-429-006

Request

The applicant is requesting variance from the Novi Zoning Ordinance Section 3.1.5 for a proposed 30-foot rear yard setback (35 feet required, variance of 5 feet). This variance will accommodate the building of a new deck and sunroom. 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. **PZ20-0054**, 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. **PZ20-0054**, 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



45175 Ten Mile Road
 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

RECEIVED
 02
 NOV 2020
 CITY OF NOVI
 COMMUNITY DEVELOPMENT

I. PROPERTY INFORMATION (Address of subject ZBA Case)		Application Fee: <u>\$200.00</u>	
PROJECT NAME / SUBDIVISION <u>Riding Sweeopedio Porch Room</u>		Meeting Date: <u>Dec 8th</u>	
ADDRESS <u>23403 Mystic Forest Dr</u>	LOT/SIUTE/SPACE #	ZBA Case #: <u>PZ 20-0054</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? <input checked="" type="checkbox"/> YES <input 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 <u>mmccoy@cityconstruction.com</u>	CELL PHONE NO.
NAME <u>City Construction</u>		TELEPHONE NO. <u>248 363 1050</u>	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>4214 MARTIN Rd</u>	CITY <u>Walled Lake</u>	STATE <u>MI</u>	ZIP CODE <u>48390</u>
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.
NAME <u>Allan & Julie Ryding</u>		TELEPHONE NO. <u>248-513-9777</u>	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>23403 Mystic Forest</u>	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 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>3.15</u> Variance requested <u>5' rear yrd variance (with drawing)</u>			
2. Section _____ Variance requested _____			
3. Section _____ Variance requested _____			
4. Section _____ Variance requested _____			
IV. FEES AND DRAWINGS			
A. FEES			
<input 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			
<ul style="list-style-type: none"> Dimensioned Drawings and Plans Site/Plot Plan Existing or proposed buildings or addition on the property Number & location of all on-site parking, if applicable Existing & proposed distance to adjacent property lines Location of existing & proposed signs, if applicable Floor plans & elevations 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 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

*REMOVE EXISTING DECK (700#)
REBUILD NEW 420# DECK w/ SCREEN PORCH
WITHIN THE SAME FOOT*

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Michael L. McCoy
Applicant Signature

11/1/2020
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.

Salvatore
Property Owner Signature

10/26/2020
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



**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:

NA

OR

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

HOMEOWNER IS NOT ABLE TO ENJOY EXISTING DECK & PATIO
 DUE TO THE EXISTING POND AT BACK OF PROPERTY THAT IS
 A BREEDING GROUND FOR MOSQUITOS. A VERY MODEST SIZED
 "SCREENED" IN ROOM EXTENDING ONLY 12' IS BEING REQUESTED.

- 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:**

THIS RELATES TO ONLY A 40% VARIANCE (5' INTO SETBACK ON ONE CORNER AND 0' ON THE OTHER CORNER).

REQUEST 5' VARIANCE
FOR SCREEN PORCH

ELIMINATE
EXISTING DECK

BEAMS - 2-2x10"
MAX SPAN 8'

SPRINGER 2x12"
12" O.C.

POSTS - 6" 42" IN
GROUND / CONCRETE



2-2x8" (DOUBLED) UNDER
PORCH WALLS

NEW ADJACENT DECK

SCREEN
PORCH

JOISTS - 2x8" 16" O.C.
MAX. SPAN 9 1/2'

1/4" PLAN
SCALE 3/8" = 1'

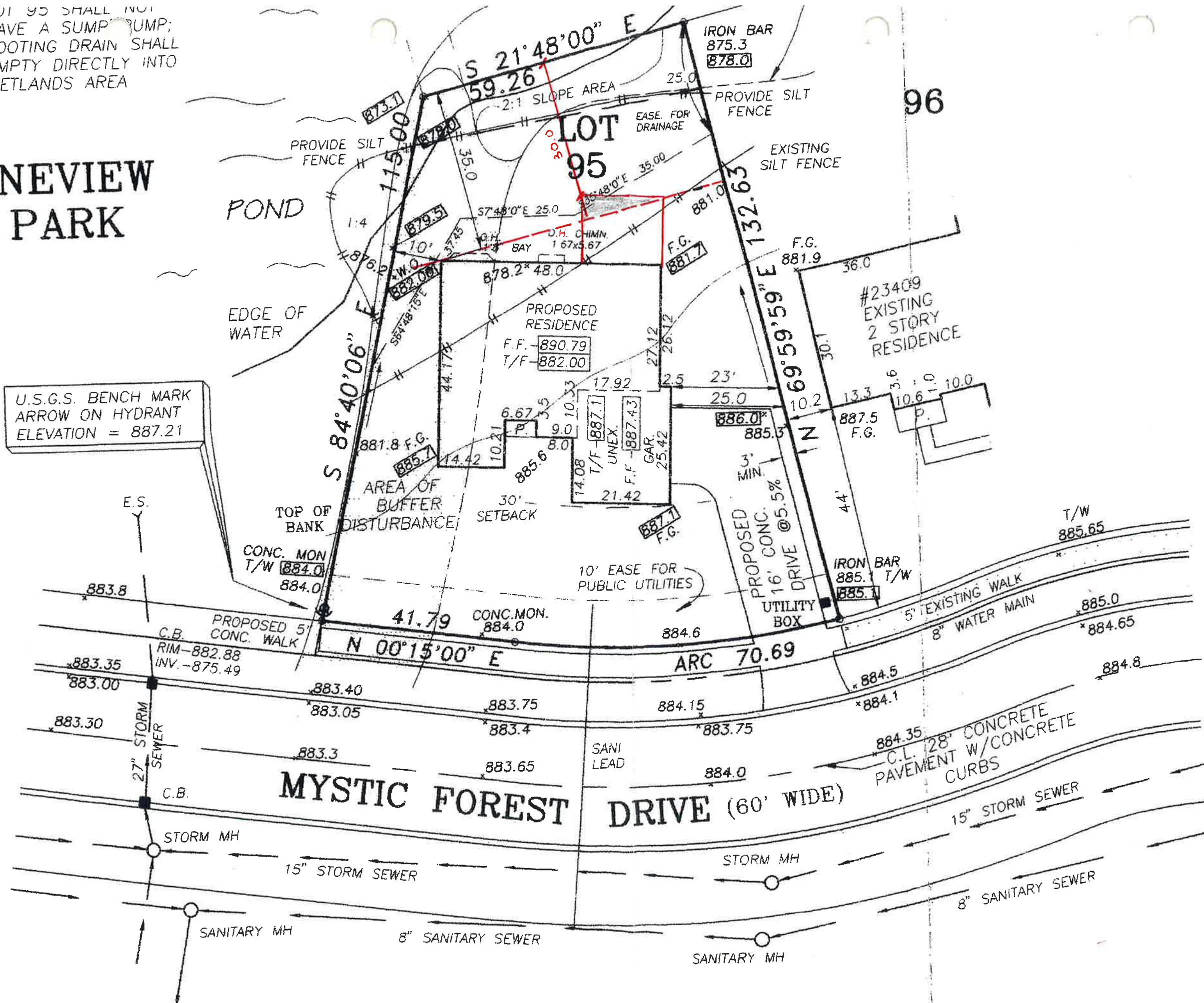
REVISED 9/3/2020

RYDINS RESIDENCE
ALLAN & JULIE

LOT 95 SHALL NOT
HAVE A SUMP PUMP;
FOOTING DRAIN SHALL
EMPTY DIRECTLY INTO
WETLANDS AREA

PINEVIEW PARK

U.S.G.S. BENCH MARK
ARROW ON HYDRANT
ELEVATION = 887.21



LAND IMPROVEMENT P
JWA & ASSOCIAT
CORPORATION INC
DATE: SEP 20
APPROVED BY: [Signature]

REVISED 16 SEP
REVISED 26 SEP

ALL CURVE DISTANCES
MEASURED ALONG THE