

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: December 8, 2015

REGARDING: BRENNAN (CASE NO. PZ15-0040)

BY: Charles Boulard, Building Official

. GENERAL INFORMATION:

Applicant

Steve and Erica Brennan

Variance Type

Dimensional Variances

Property Characteristics

Zoning District: R-4, One Family Residential

Site Location: 203 Henning, west of Novi Road and south of 13 Mile Road

Parcel #: 50-22-03-377-017

Request

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.5(d) to allow construction of an addition to an existing nonconforming home on an existing parcel: 1) a variance of 13.0 feet in the required total of side yard setbacks (10 feet minimum each side required, 25 feet total required, existing south side 2.0 feet, proposed north side 10 feet, total 12 feet proposed); 2) a variance of 5.0 feet for the required front yard for the addition (30 feet required. 25 feet proposed, existing home approximately 10 feet.) The property is located west of Novi Road and south of 13 Mile Road.

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 | Lakewoods Subdivision | Single Residential |
| North | R-4, One Family Residential | Lakewoods Subdivision | Single Residential |
| South | R-4, One Family Residential | Lakewoods Subdivision | Single Residential |
| East | RM-1, Low Rise Multiple-Family District | South Point Condominium | Single Residential |
| West | R-4, One Family Residential | Lakewoods Subdivision | Single Residential |

III. STAFF COMMENTS:

Existing Condition

The subject property consists of a single lot (a combination of (2) 40.0 foot lots) located on the east side of Henning Drive within the Lakewoods Subdivision. The parcel has approximately 80.0 feet of frontage on Henning and approximately 236.0 feet deep as measured along south side lot line. There is currently a legal nonconforming home and detached garage on the site.

Proposed Changes

The applicant is proposing to construct a new addition to the home that will fill in the area to between the home and garage with new living area to create an attached garage as well as a portion that wraps along the back of the garage and into the required front yard. The added structure within the required front yard would be behind the front of the existing home.

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 mov | e that | we | <u>grant</u> | the | variand | ce(s) in | Case | No.PZ | 15-004 | 0 , so | ought | by |
|----|-------|----------|------------------|--------|--------------|-------|--------------|-----------|------------------|----------|--------|---------------|---------------|------|
| | | | | | | | | | | causes | a pra | stabli: | | |
| | | relating | to the p | oroper | ty, inclu | uding | some or | all of th | e followi | ng crite | ria: | | | |
| | | (a) | becau | se | | | ablished | | | | that | the | unic physi | ical |
| | | | conditi becau | | ot the | e pi | roperty | create | s the | need | for | а | variar | nce |
| | | And, th | | | not a p | erson | al or eco | onomic I | nardship | | | | | |
| | | (b) | The ne | ed for | the var | iance | e is not se | elf-creat | ed, bec o | ause | | | · | _ |
| | | (c) | | - | | | dimensio | - | - | | | - | | ıce, |
| | | | р | | | | nt Petitio | | • | | • | | | |
| | | | 2. wi | ll mak | e it ur | nece | ssarily b | urdenso | me to | comply | with | the i | egulat | tion |

Zoning Board Of Appeals

Brennan Property Case # PZ15-0040 December 8, 2015 Page 3 of 3

| 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. Deny I move that we <u>deny</u> the variance in <u>Case No.PZ15-0040</u> , sought by, for because the Petitioner has <u>not</u> 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, |
| unreasonably prevent petitioner from using the property for, because |
| (e) A lesser variance consisting ofwould 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 |

Charles Boulard Building Official City of Novi

(248) 347-0415.

RECEIVED



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

ZONING BOARD OF APPEALS APPLICATION

OCT 1 2 2015

CITY OF NOVI COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

| I. PROPERTY INFORMATION (Address of subject ZBA C | ase) | Application Fee: | \$200 |
|---|--|----------------------------|---|
| PROJECT NAME / SUBDIVISION / LALEWOODS | | | 7 9-15 |
| ADDRESS | LOT/SIUTE/\$PACE # | Meeting Date: | and the American |
| | normal distriction of the control of | ZBA Case #: PZ | <u>5-0040</u> |
| CROSS ROADS OF PROPERTY | ent (248) 347-0485 | | |
| IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTIONS | REQUEST IS FOR: | A | |
| □ YES □ NO | RESIDENTIAL COM | | ROPERTY D SIGNAGE |
| DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR C | CITATION ISSUED? | S 🗆 NO | *************************************** |
| II. APPLICANT INFORMATION EMAIL ADDRESS | | CELL PHONE NO. | 1 - 4 |
| A. APPLICANT SURPLENDA | W () GMAIC. | con 124 | 1.679.95% |
| STEUS & FINIA BOTENHAN | • | TELEPHONE NO. | |
| ORGANIZATION/COMPANY | | FAX NO, | |
| | Nous | STATE | 21968277 |
| B. PROPERTY OWNER CHECK HERE IF APPLICANT IS ALSO | THE PROPERTY OWNER | | |
| Idenlify the person or organization that owns the subject property: | | CEUL PHONE NO. | |
| NAME | | TELEPHONE NO. | |
| ORGANIZATION/COMPANY | | FAX NO. | |
| ADDRESS | CITY | STATE | ZIP CODE |
| III. ZONING INFORMATION | | | <u> </u> |
| A. ZONING DISTRICT | | | |
| $\square R-A \qquad \square R-1 \qquad \square R-2 \qquad \square R-3 \qquad \bigcirc R-4$ | | □ MH | |
| □ -1 □ -2 □ RC □ TC □ TC-1 B. VARIANCE REQUESTED | OTHER | | |
| INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED: | | 1 | |
| 1. Section 2409 Variance requested | FRANT TANK | 5. | |
| 2. Section 2400/P Variance requested | 10 TAR 51106 | YAMP - | 12, |
| 3. Section Variance requested | | | |
| 4. Section Variance requested | | | |
| IV. FEES AND DRAWNINGS | | | |
| A. FEES | Hart dogo Eletada e at | i se sala sala la la la de | 000 |
| Single Family Residential (Existing) \$200 🗌 (With Violat 🗆 Multiple/Commercial/Industrial \$300 🗀 (With Violat | lion) \$250 🗀 Single Famil lion) \$400 🗀 Signs \$300 | | |
| | elings (At discretion of Bo | , | 400 |
| B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED | AS A PDF | | |
| Dimensioned Drawings and PlansSite/Plot Plan | Existing & proposedLocation of existing | | |
| Existing or proposed buildings or addition on the proper | ty • Floor plans & elevat | ions | |
| Number & location of all on-site parking, if applicable | Anv other information | on relevant to the Var | iance application |



ZONING BOARD OF APPEALS APPLICATION

| V, VARIANCE |
|---|
| A, VARIANCE (S) REQUESTED |
| MIDIMENSIONAL 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 permitling a use of a building or premises shall be valid for a period longer than one-hundred and elighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or afteration or a building such order shall continue in force and effect if a building permit for such erection or afteration is obtained within one-(1) year and such erection or afteration 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 DADDITION TO EXISTING HOME/BUILDING ☐ SIGNAGE |
| □ ACCESSORY BUILDING □ USE □ OTHER |
| |
| /I. APPLICANT & PROPERTY SIGNATURES |
| A. APPLICANT |
| 10/12/2015 |
| Applicant Signibiture Dotel |
| |
| . PROPERTY OWNER I 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. |
| |
| Properly Owner Signature Date |
| II. FOR OFFICIAL USE ONLY |
| ECISION ON APPEAL: |
| ☐ GRANTED ☐ DENIED |
| ne Bullding Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions: |
| |
| |
| · · · · · · · · · · · · · · · · · · · |
| Choliperson, Joning Board of Appeals Date |



REVIEW STANDARDS DIMENSIONAL VARIANCE

CITY OF NOVI

Community Development Department (248) 347-0415

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 how the circumstances or physical conditions applying to the property that do not apply generally to other properties in the same Zone District or in the general vicinity. Circumstances or physical conditions may include:

| b. Environmental Conditions. Exceptional topographic or environmental conditions on the land, building or structure. Not Applicable Applicable If applicable and/or | ie, describe below; |
|---|---|
| and/or b. Environmental Conditions. Exceptional topographic or environmental conditions on the land, building or structured Not Applicable | CONG |
| b. Environmental Conditions. Exceptional topographic or environmental conditions on the land, building or structured Not Applicable Applicable Applicable and/or | |
| b. Environmental Conditions. Exceptional topographic or environmental conditions on the land, building or structured Not Applicable Applicable Applicable and/or | |
| other extraordinary situations on the land, building or structur Not Applicable | |
| and/or | |
| | le, describe below: |
| | |
| | *************************************** |
| c. Abutting Property. The use or development of the property in to the subject property would prohibit the literal enforcement of the Zoning Ordinance or would involve significant practice. | ent of the requirements |
| ■ Not Applicable □ Applicable If applicable, | le, 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). |
|--|
| HOUSE IS CURRENT'LT NON CONFORMING. NOW APP (TOOK SPACE DO NOT INCREASE) NON CORFEDENTY. |
| Standard #3. Strict Compliance. Explain how the Dimensional Variance is 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. Louge Palsts, Non Contalmin. Values of the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome. |
| 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. LEGUETTEN VANAGUET DO NOT EXCESS. EXCESS DON CONFORMITY. |
| 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 Not Excelling all the Conformity. Does Not Impact of Supposition Area. |

Bristol Corners South 9955 29925 29895 29835 29805 29785 e Pondza 29755 29740 25710 293 Henning Drive 28 2 PZ15-0040 Buffington Or 130 136 1301 1301 128 124 1207 1255 <u>2</u> Henning Dr Super-ISW Shaping of the South Day of the South Lake and Lake DR 152 to 1001-07-11-11-01-0-10-10-15-956 3 305225 4 915 312 300 135 929 \$98 Ü 903 S ā 1 ā 8 K 307 31.811 123 CPark # # # # 4 727 725 725 귫 Ŋ , b 70770370 (23) 206 250 236 3 Bernstadt St

Author: Date: 11/19/2015

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City of Novi, Michigan

Map Produced Using the

primary source. This map was intended to replace or substitute for any official to primary source. This map was intended to meet National Mae Accuracy. Standards and use the most recent accurate sources evaluable to the people of the City of Noci Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a license, Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended Pleased 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 Internetiated to this map. This map was produced under the terms of the City's Internetiated to this map.

Esri, HERE, DeLorme, MapmyIndia, @ OpenStreetMap contributors, and the GIS user community

MAR INTERPRETATION NOTICE



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NOV 2:4 2015

CITY OF NOVI COMMUNITY DEVELOPMENT

TO: CITY OF NOVI

ZONING BOARD OF APPEALS 45175 W. TEN MILE ROAD

NOVI, MI 48375

| Please note my comments to BRENNAN (CASE NO. PZ15-0040) |
|---|
| Please note my (Approval) (Objection) to the requested variance. Comments: |
| |
| |
| Name: Suzitte Skrobacki Address: 132 Haning St. Date: 11-23-2015 |

Zoning Board of Appeals meetings are broadcast live on Novi's Bright House Cable on Channel 13.

Ramsay, Stephanie

From:

Kurt Werner < werner.km@gmail.com>

Sent:

Monday, November 23, 2015 8:28 PM

To:

Ramsay, Stephanie; Michelle

Subject:

BRENNAN (Case Number PZ15-0040) - Public Hearing Notice Comment Submission

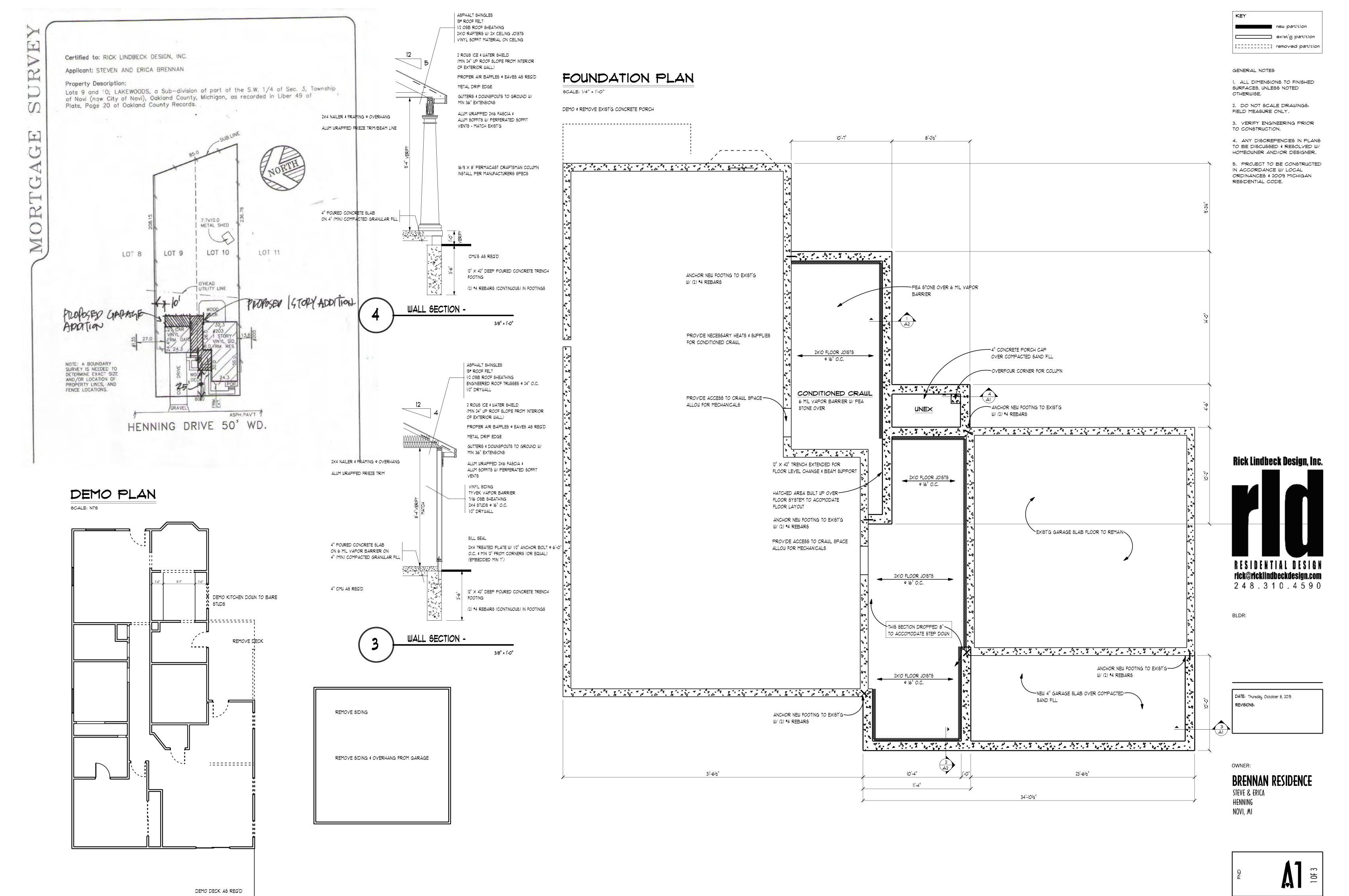
Dear Stephanie,

This email is in regards to BRENNAN Case Number PZ15-0040 request for dimensional variances. Our names are Kurt and Michelle Werner. We live at 135 Henning Street and we are the north side neighbor of Steve and Erica Brennan.

The Brennan's garage is the nearest structure to our property. The property line is identified by a fence. The variances are for the house and we believe that the addition to the Brennan home poses no possibility of damage to our property. We support granting the dimensional variances of Parcel #50-22-03-377-017 (203 Henning St) to Steve and Erica Brennan.

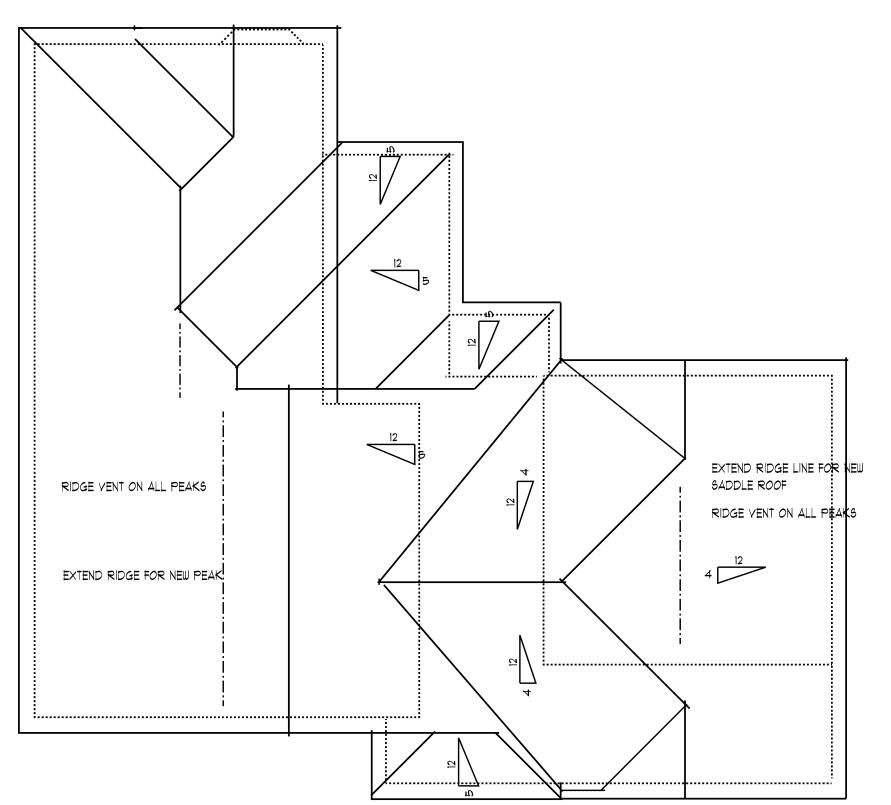
Sincerely,

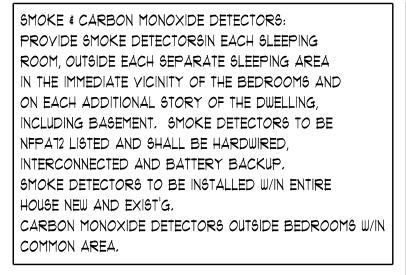
Kurt & Michelle Werner 135 Henning St Novi, MI 48377



ROOF PLAN

SCALE: 1/4" = 1'-0"





DINING

ROOM

10'-6¾"

6'-1134"

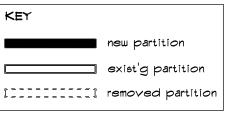
| ELECTRICAL | SYMBOL |
|---|------------------------------|
| 3-way switch | \$ 3 |
| 4-way ewitch | \$4 |
| 6 inch recessed can | R |
| duplex receptacle | Ф |
| exhaust fan | F |
| ground fault receptacle | • |
| incand surf mtd | ф |
| reinforced light box - chandelier | - P RF |
| single pole switch | \$ |
| emoke detector - hardwired & battery backup | 6 D |
| vanity strip light | 000 |

8'-234"

7'-1014"

| EXTERIOR DOOR/WINDOW SCHEDULE | | | | | | | | | |
|-------------------------------|------------------------|-----------|--------------|---|------------------------------|--|--|--|--|
| ITEM | UNIT TYPE | SPACE | UNIT SIZE | REMARKS | | | | | |
| | 3068 DR W/ 12" SDLT | FOYER | | | □EGRE66 □ TEMP □ GRILL | | | | |
| ⓑ | 2 SEC CASE | KITCHEN | 4-0 × 3-0 | | □EGRE66 □ TEMP □ GRILL | | | | |
| © | 2 SEC CASE | KITCHEN | 4-0 X 3-0 | | □EGRE66 □ TEMP □ GRILL | | | | |
| Ô | 2868 EXT DOOR | MUD ENTRY | | FIRERATED | □EGRE66 □ TEMP □ GRILL | | | | |
| Ê | 9X7 O.H. DOOR | GARAGE | | | □EGRESS □ FEMP □ GRILL | | | | |
| Ē | SPEC COMBO | OFFICE | 5-0 X 6-0 | 5-0 × 4-6 2 SEC CASE W/ 5-0 × 1-6 AWNING | □EGRESS ■ TEMP □ GRILL | | | | |
| Ġ | SPEC COMBO | OFFICE | 5-0 X 6-0 | 5-0 × 4-6 2 SEC CASE W/ 5-0 × 1-6 AWNING | □EGRESS ■ TEMP □ GRILL | | | | |
| ⑪ | SPEC COMBO | OFFICE | 5-0 X 6-0 | 5-0 × 4-6 2 SEC CASE W/ 5-0 × 1-6 AWNING | □EGRESS ■ TEMP □ GRILL | | | | |
| \bigcirc | 1 SEC CASE | OFFICE | 2-6 × 4-0 | | ■EGRE66 □ TEMP □ GRILL | | | | |
| ◐ | 1 SEC DBL HUNG | BEDROOM | 2-6 × 4-0 | VERIFY STYLE PRIOR | □EGRESS □ TEMP □ GRILL | | | | |

23'-71/2"



GENERAL NOTES

1. ALL DIMENSIONS TO FINISHED SURFACES, UNLESS NOTED OTHERWISE,

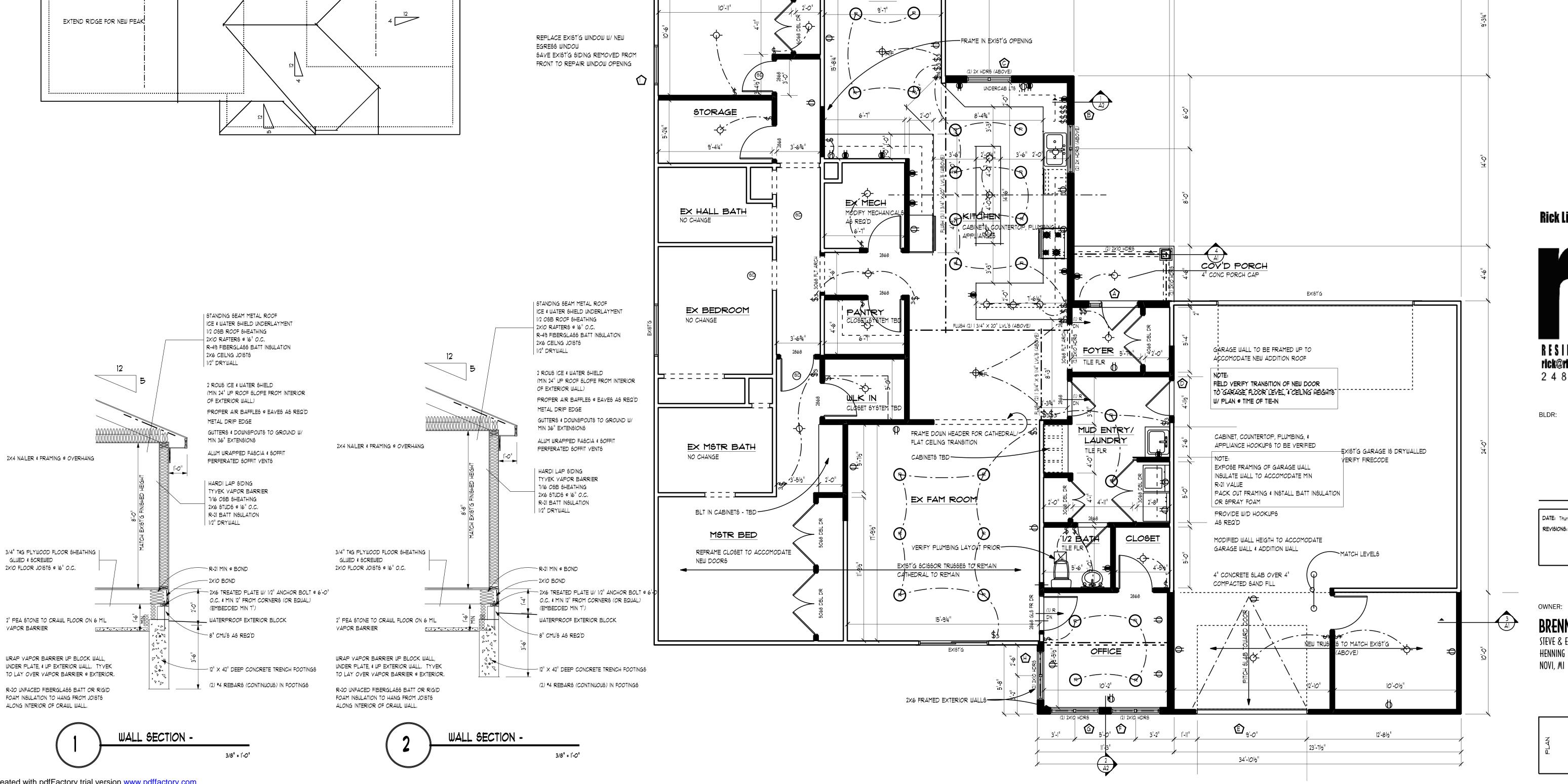
2. DO NOT SCALE DRAWINGS: FIELD MEASURE ONLY.

3. VERIFY ENGINEERING PRIOR TO CONSTRUCTION.

4. ANY DISCREPENCIES IN PLANS TO BE DISCUSSED & RESOLVED W/

HOMEOWNER AND/OR DESIGNER.

5. PROJECT TO BE CONSTRUCTED IN ACCORDANCE W/ LOCAL ORDINANCES \$ 2009 MICHIGAN RESIDENTIAL CODE.



FLOOR PLAN

EXIST'G

NEW BEDROOM

SCALE: 1/4" = 1'-0"

REMOVE FRONT DOOR & REPLACE W/

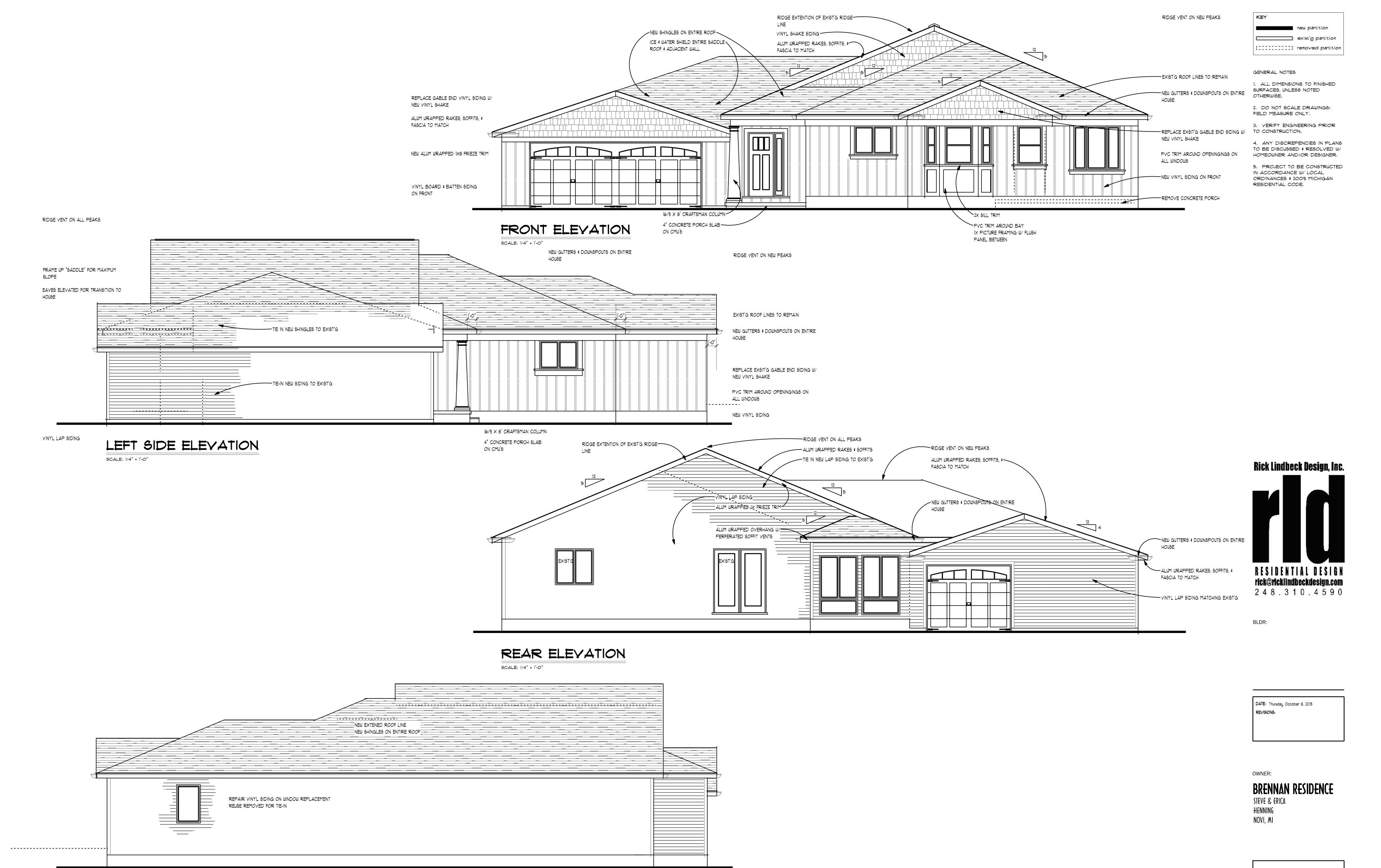
NEW WINDOWS

Rick Lindbeck Design, Inc. RESIDENTIAL DESIGN rick@ricklindbeckdesign.com 248.310.4590

DATE: Thursday, October 8, 2015 REVISIONS:

STEVE & ERICA HENNING





RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

A3 = =

1953 Deck Information

Reason for Variance Request

- 3 out of 4 homes to the North of 1953 West Lake Dr have 2 or more tier decks
- 5 out of 6 homes to the South of 1953 West Lake Dr have 2 or more tier decks
- Foot print of deck is smaller than the width of the home on the lower tier and a low elevation (23 32")
- Upper tier deck is 10' wide by 7' feet deep smaller than many current decks on similar properties with only 2 vertical supports that are 6" x 6". Should have little impact to neighbors lake front views
- Want space on the lower deck to have patio furniture and BBQ as 1951 West Lake neighbor to the immediate North has 2 large dogs that continue to pee on furniture and BBQ cover making them unusable.

1953 West Lake – Subject home view from the lake



Impact of deck View on 1951 West Lake Residence.

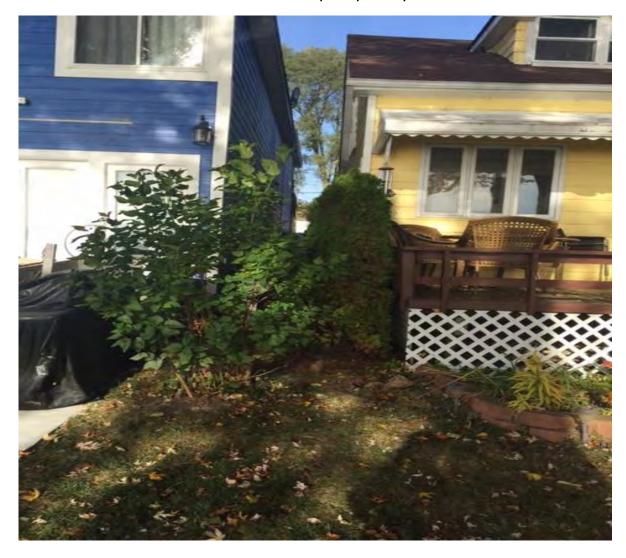
- Hedge row added last year and lilac tree standing over 6 feet tall approx. 12 feet from building. Will fill in and up to fully block 1951 West Lake's south view shortly
- 2nd picture is of 3 large trees on 1951 greater than 32" in diameter blocking some of the lake view.
- 1951 deck is the same elevation as planned 1953 deck.





Impact of deck View on 1951 West Lake Residence.

Hedge row added last year and lilac tree standing over 6 feet tall approx. 12 feet from building is a greater impact on south views. Will fill in and up to fully block 1951 West Lake's south view shortly
 View from lake side on property line.





1947 West Lake - 2 doors to the north

- Large multiple Tier deck
- 6 vertical support structures and stairs impacting view of adjacent homes



1945 West Lake – 3 doors to the North

- Large multiple Tier deck
- Next house over also has a multiple tier deck



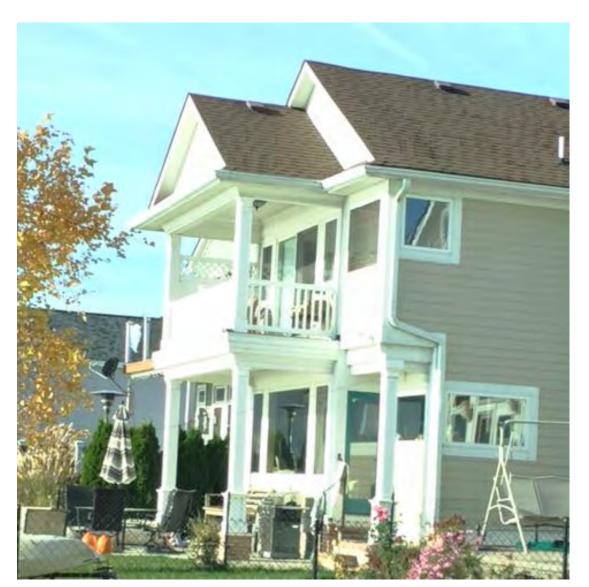
1957 West Lake – 1 Door South

- 1 door to the South Large multiple Tier deck
- Upper deck almost full width of house and 6 feet deep (from house)



2011 West Lake – 4 Doors South

- Large multiple Tier deck
- Upper deck wider then 1953 plans and as deep.



2115 West Lake – 5 Doors South

- Large multiple Tier deck
- Upper deck wider and similar depth than 1953 West Lake plans.



2018 West Lake – 6 Doors South

- Large multiple Tier deck
- Upper deck wider and deeper than 1953 West Lake plans.



2111 West Lake – 10 Doors South

- Large 3 Tier deck
- Upper deck much wider and deeper than 1953 West Lake plans.













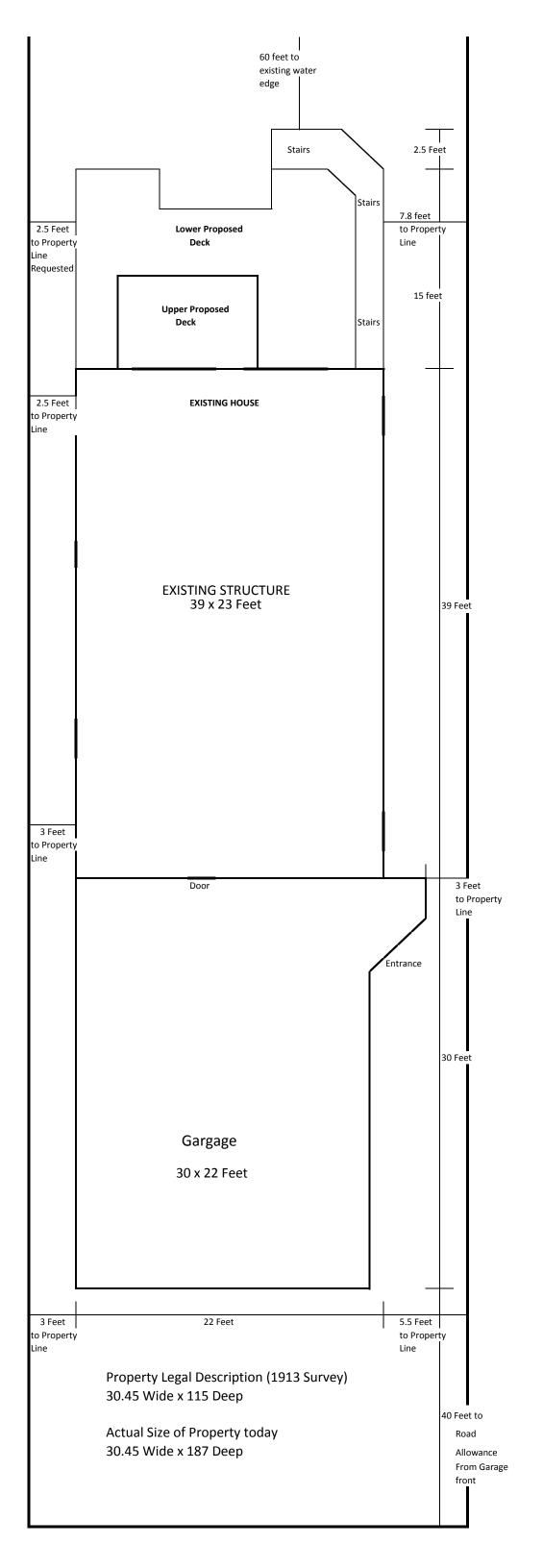












Certified to: RICK LINDBECK DESIGN, INC.

Applicant: STEVEN AND ERICA BRENNAN

Property Description:

Lots 9 and 10; LAKEWOODS, a Sub-division of part of the S.W. 1/4 of Sec. 3, Township of Novi (now City of Novi), Oakland County, Michigan, as recorded in Liber 49 of Plats, Page 20 of Oakland County Records.

