

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

Case No. 11-028

Location: 1601 East Lake Drive

Zoning District: R-4 , One Family Residential

The applicant is requesting variances from the required exterior side yard setback requirements and existing non-conforming building restrictions to allow the construction of a second floor addition of an existing (1) story portion of an existing residence. The property is located east of East Lake Drive and south of 14 Mile Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires exterior side yard setback of 30 ft. Section 2502(4)a prohibits work to enlarge or alteration of a structure in a way that increases its nonconformity.

| | |
|-----------------------------|----------------|
| Required Exterior Side yard | 30 ft |
| Proposed Exterior Side yard | 3.1 ft minimum |

City of Novi Staff Comments:

The applicant is seeking to construct a second floor addition over an existing single story portion of an existing residence on a narrow corner lakefront lot. The existing structure is non-conforming with a setback that varies from 3.1 ft to 5.0 feet along the Lashbrook Drive frontage. The 2nd floor addition would not reduce the setback but, would align with the existing first floor area. Staff is not opposed to a variance provided any concerns of neighboring property owners can be adequately addressed. The existing lot is narrow and on a corner and the situation was not created by the owner.

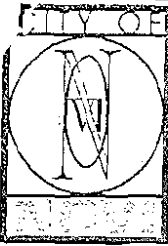
Standards for Granting a Dimensional Variance:

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.

- The need is not self-created.
- 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.
- 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.
- 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.



cityofnovi.org

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For Official Use Only

ZBA Case No: 11-028 ZBA Date: 8/9/11 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 Toby L. Jacoboni Date 8-27-11

Company (if applicable) _____

Address* 1601 E. Lake Dr. City Novi STMI ZIP 48377
*Where all case correspondence is to be mailed.

Applicant's E-mail Address: tljacoboni

Phone Number (313) 260-5355 FAX Number () _____

Request is for:

Residential Construction (New/ Existing) _____ Vacant Property _____ Commercial _____ Signage

1. Address of subject ZBA case: 1601 E. Lake Dr. ZIP 48377

2. Sidwell Number: 5022-02357024-03-131-007 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 2502(4) A Variance requested addition to Nonconforming building
- 2. Section 2400 Variance requested Set backs 2 front yards
- 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):

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:

~~Existing~~ Existing lot surrounding home
30' back & front yards

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.

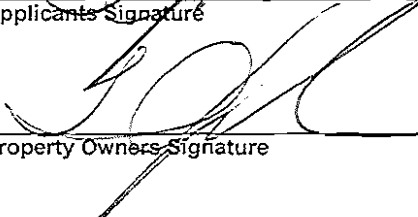
PLEASE TAKE NOTICE:

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


Applicants Signature

6-27-11
Date


Property Owners Signature

6-27-11
Date

DECISION ON APPEAL

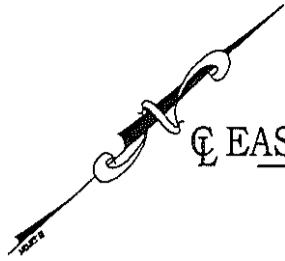
Granted Denied Postponed by Request of Applicant Board

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

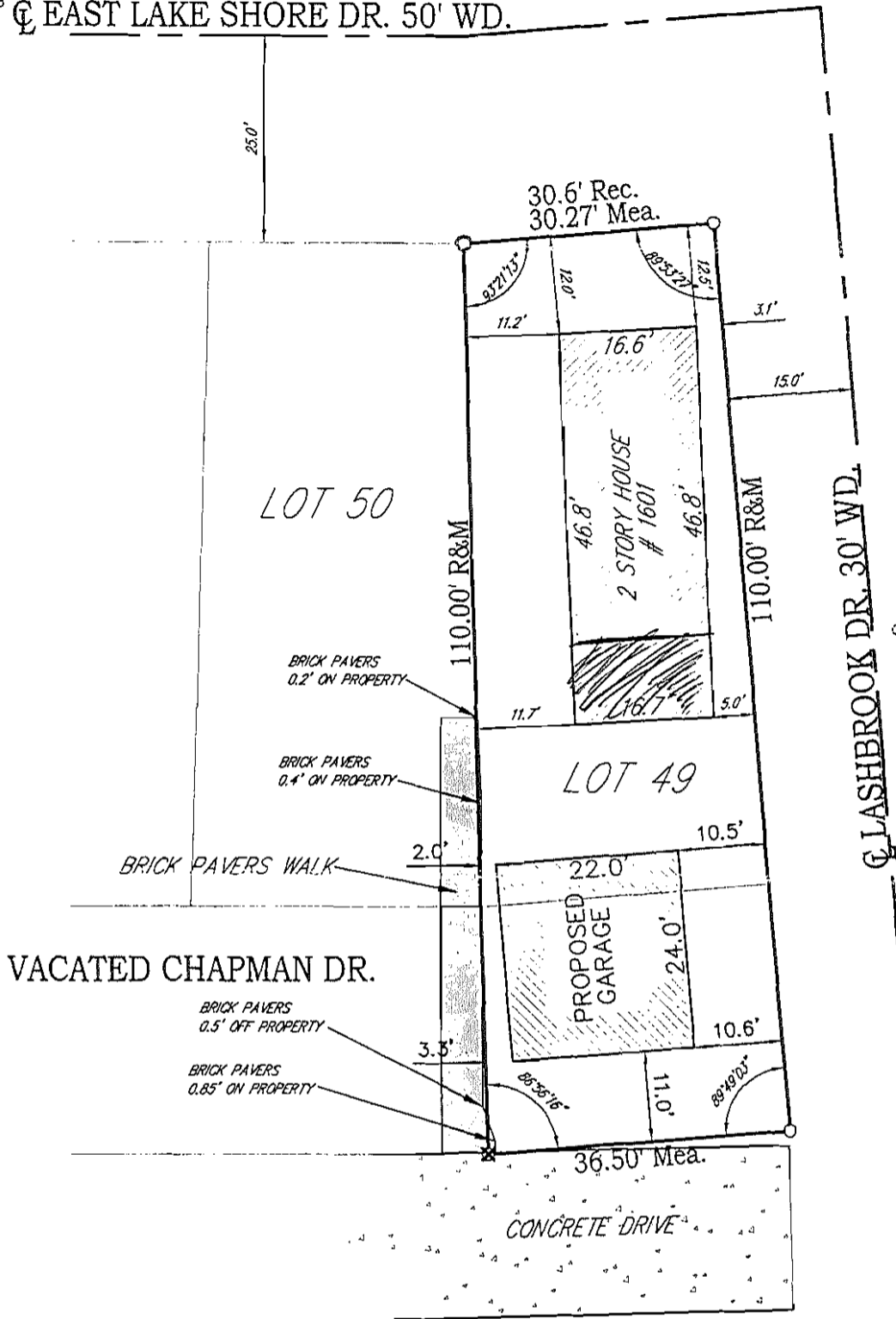
Chairperson, Zoning Board of Appeals

Date

Certificate of Survey/ Site Plan



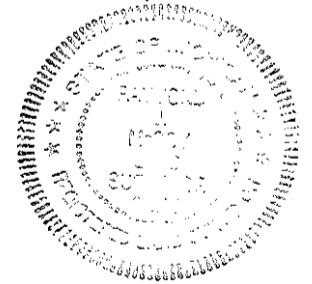
EAST LAKE SHORE DR. 50' WD.



*2nd story
addition
15'+*

LEGEND

- SET IRON
- FOUND IRON
- FOUND CAPPED IRON



LOT 54 AND VACATED CHAPMAN DRIVE

Job No. 07-59 Scale 1" = 20' Date 10-30-07 Client LINDA CORNILLIE
 Subdivision "CHAPMAN WALLED LAKE SUBDIVISION" Rec. in Liber 9 Page(s) 13
 Lot # SEE ABOVE Sec. 2 T. 1 N., R. 8 E. City NOVI TWP. County OAKLAND, Michigan

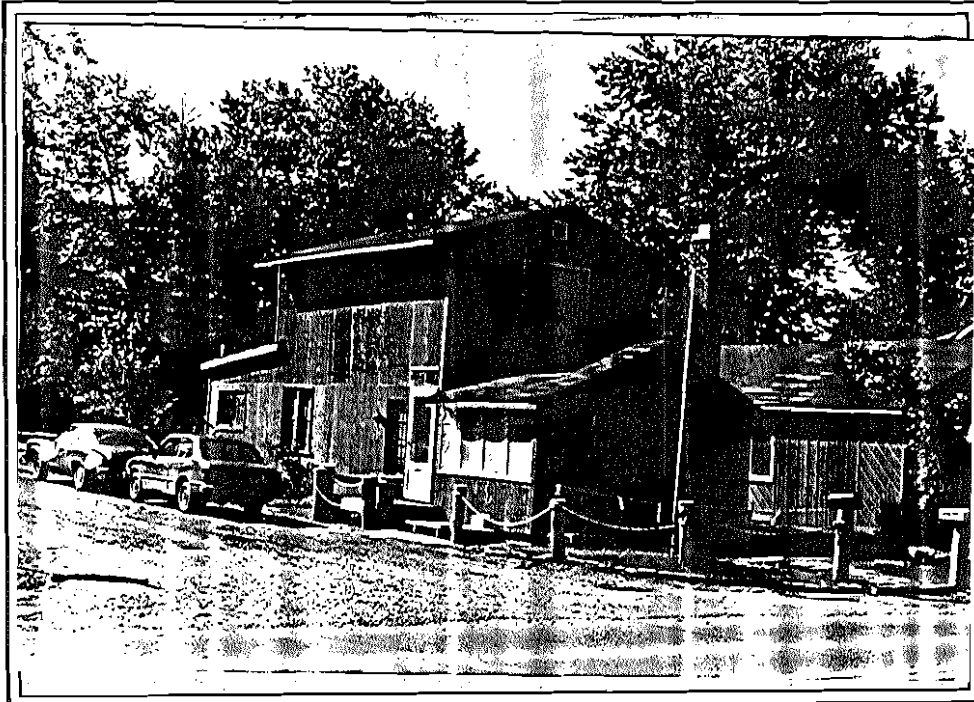
I hereby certify that I have surveyed the above shown and described premises on 10-19-07. All dimensions are as shown.

[Signature]
 Registered Land Surveyor

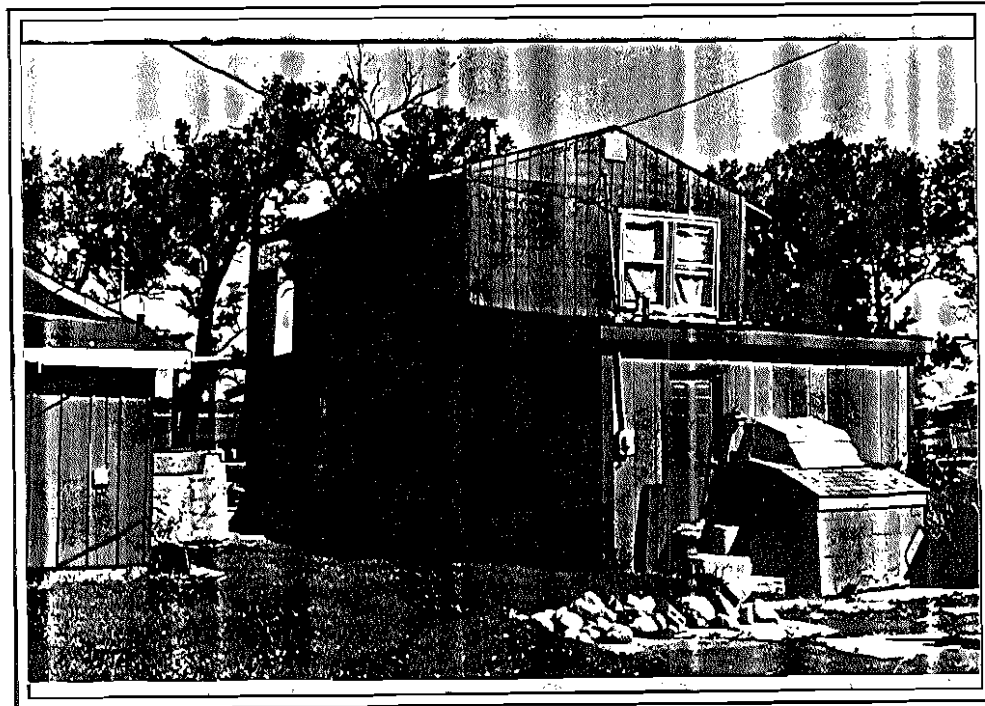
R.J. McCoy CO.
 641 W. HURON, PONTIAC, MI 48341
 OFFICE (248)332-2210 FAX (248)332-9254

PHOTOGRAPH ADDENDUM

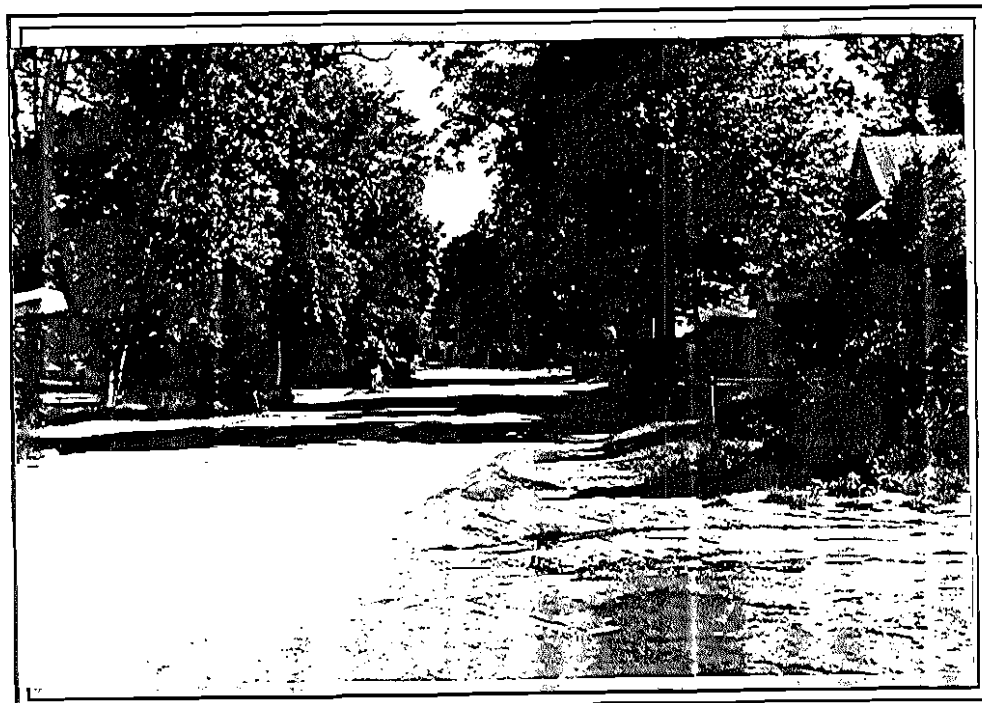
| | | | |
|-----------------------|----------------------------|----------|----------------|
| Borrower/Client | PIZZOLE, Dominic & Viola | File # | 1857 |
| Property Address | 1601 East Lake Drive | | |
| City Novi (Walled LK) | County Oakland | State MI | Zip Code 48088 |
| Lender | UNIVERSAL MORTGAGE COMPANY | | |



**FRONT OF
SUBJECT PROPERTY**



**REAR OF
SUBJECT PROPERTY**



STREET SCENE

