



cityofnovi.org

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

Case No. 12-009 2022 Austin

Location: 2022 Austin

Zoning District: R-4, One-family Residential District

The applicant is requesting an exception from Section 2400 of the Novi Zoning Ordinance to allow a reduction in the 10 ft. minimum side yard setback to 1.25 ft. and a reduction in the required 25 ft. minimum aggregate side setbacks to 2.25 ft. for an addition to an existing residence. The property is located west of Novi Road and south of South Lake Drive.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 of the Novi Zoning Ordinance requires a minimum side setback of 10 ft. and aggregate side yard setback of 25 ft. in the R-4 Zoning District.

City of Novi Staff Comments:

The petitioner is proposing an addition to an existing single family residence on a narrow lake lot. In June of 2010 the ZBA approved request 10-017 which allowed renovation of and an addition to an existing residence. The current owner wishes to "square off" a corner of the home with an addition. The new construction will not reduce any setback dimensions to less than the current minimums, but would result in additional building area within the required side yards.

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.



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FEB 24 2012

CITY OF NOVI

COMMUNITY DEVELOPMENT

ZONING BOARD OF APPEALS

CITY OF NOVI

Community Development Department

(248) 347-0415

For Official Use Only

ZBA Case No: 12-009 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 IAN HADDEN Date 2/24/12

Company (if applicable) _____

Address* 2420 ROLANDALE City W. BLOOMFIELD ST MI ZIP 48324

*Where all case correspondence is to be mailed.

Applicant's E-mail Address: ian.hadden@gabro.co.uk

Phone Number (248) 978 8407 FAX Number () _____

Request is for:

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

1. Address of subject ZBA case: 2022 JUSTIN, NOVI ZIP 48377

2. Sidwell Number: 5022-10-227-008 may be obtained from Assessing Department (248) 347-0485

3. Is the property within a Homeowner's Association jurisdiction? Yes _____ No [X]

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 [X]

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

1. Section _____ Variance requested NORTH SIDE YARD 8'9"

2. Section _____ Variance requested AGGREGATE TOTAL 22-75'

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):

THE LOT IS VERY NARROW AND EXISTING
PROPERTY IS AN ODD SHAPE
LOT SIZE AND CONFIGURATION WITH REFERENCE TO
EXISTING PROPERTY

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:

NARROW AND DEEP LOT

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

2/24/12
Date


Property Owners Signature

2/24/12
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

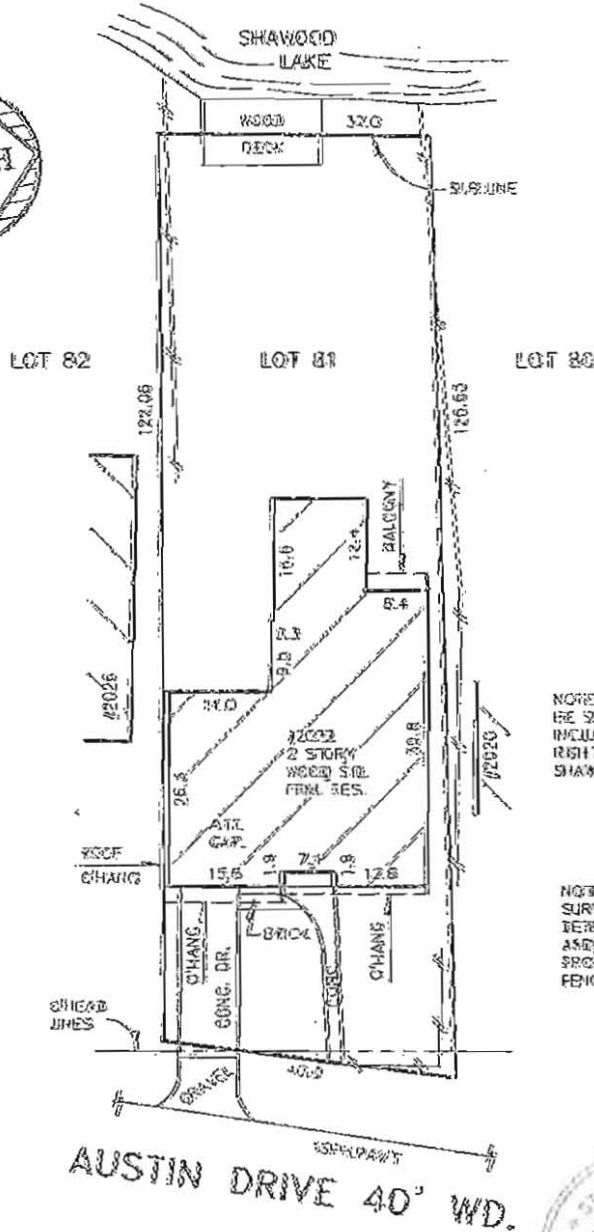
MORTGAGE SURVEY

Certified to: IAN HADDEN

Applicant: IAN HADDEN

Property Description:

Lot 81; SHAWOOD WALLED LAKE HEIGHTS SUBDIVISION, of part of the N.E. 1/4 of Sec. 10, and part of the N.W. 1/4 of Sec. 11, T.1 N., R.8 E., Novi Twp. (now City of Novi), Oakland County, Michigan, as recorded in Liber 48 of Plots, Page 48 of Oakland County Records.



NOTE: THIS PROPERTY MAY BE SUBJECT TO AND/OR INCLUDE THE EMBARRASSED RIGHTS ASSOCIATED WITH SHAWOOD LAKE.

NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND FENCE LOCATIONS.



THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the aforementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

Ian Hadden

JOB NO: 18-01325 SCALE: 1"=20'
DATE: 04/11/18 DR BY: IAO

KEM-TEC Professional Engineers & Surveyors

Eastpointe: (586) 245-6522 Detroit: (313) 762-0777 Ann Arbor: (734) 964-1370 Grand Blanc: (810) 624-6311
FAX: (586) 712-4648 FAX: (313) 772-2148 FAX: (734) 354-0167 FAX: (810) 624-6311

www.kemtecsurvey.com

MORTGAGE SURVEY

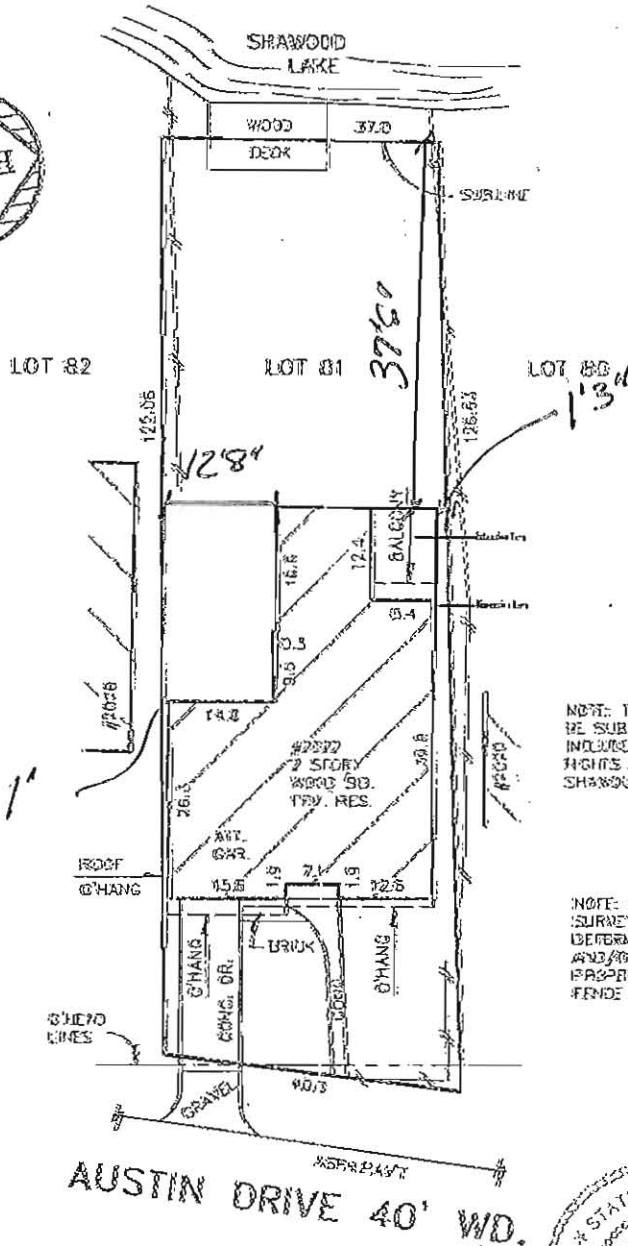
Certified to: IAN HADDON

Applicant: IAN HADDON

Property Description:

Lot 81; SHAWOOD WEALED LAKE HEIGHTS SUBDIVISION, of part of the NE 1/4 of Sec. 18, and part of the NW 1/4 of Sec. 17, T.1 N., R.8 E., 4th Twp. (near City of Novi), Oakland County, Michigan, as recorded in Liber 48 of Plats, Page 48 of Oakland County Records.

North side yard 8'9"
 Agg Total 22'75"
 Lot Coverage 25% - 04



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NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND FENCE LOCATIONS.



CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the aforementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of reestablishing property lines, nor for construction purposes, the stakes having been set at any of the boundary corners.

THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.

(Signature)
 JOB NO: 10-01325 SCALE: 1"=20'
 DATE: 04/14/03 DR BY: LAC

KEM-TEC Professional Engineers & Surveyors
 Eastpointe Detroit Ann Arbor Grand Blanc
 (313) 751-7272 (313) 751-7272 (313) 751-7272 (313) 751-7272
 www.kemtecsurvey.com

City of Novi 2022 Austin



MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please 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 Internet Site Use Policy available at <http://cityofnovi.org/Resources/SiteUsePolicy.asp>



1 inch = 215 feet



Date: 03/20/2012

Map Produced Using the
City of Novi, Michigan
Internet Mapping Portal

