



cityofnovi.org

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

Case No. 12-032 24926 Bloomfield Court

Location: 24926 Bloomfield Court

Zoning District: R-4, One Family Residential District

The applicant is requesting an exception to CITY OF NOVI, CODE OF ORDINANCES, Section 2400 which stipulates minimum rear and side yard setbacks. Section 2400 requires that a site within an R-4 district have a minimum rear yard setback of 35' and a minimum side yard setback of 10', with the aggregate of both sides no less than 25'.

The applicant's proposed plan has rear yard of 29.24', approximately six (6) feet less than the mandated minimum. The proposed plan has a 3.9' side yard setback with an aggregate total of 13.9', below the minimums of 10' and 25' respectively. The rear and side yards of issue abut a woodlands and wetlands area. The property is located south of Grand River Avenue and east of Meadowbrook Road.

Ordinance Sections:

- CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires that a site within a R-4 district have a minimum rear yard setback of 35'.
- CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires that a site within a R-4 district have a minimum side yard setback of 10' and a minimum aggregate of 25'.

City of Novi Staff Comments:

This request falls under the unique circumstances/physical conditions standard for granting a variance. The narrowness of the lot makes it very difficult to fit a home on the lot without violating setback standards. If the setback requirements are strictly followed, usage of the property for a permitted purpose will be prevented. Providing that the board does not find the variance will adversely impact property owners and property values in the neighborhood, staff would support the granting of the variance.

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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For Official Use Only

ZBA Case No: 12-032 ZBA Date: Aug 14th 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 SILVEH HOMES II, LLC Date 6/25/12

Company (if applicable) _____

Address* 7125 ORCHARD LAKE RD. City WEST BLOOM. ST MI ZIP 48322
*Where all case correspondence is to be mailed.

Applicant's E-mail Address: jmurteasinghhomes.com

Phone Number (2) 865-1600 FAX Number (2) 865-1630

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 24926 BLOOMFIELD COURT ZIP 48375

2. Sidwell Number: 5022-24-302-027 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 11.1 Variance requested SIDE YARD SET-BACK

2. Section 5.2c Variance requested REAR YARD SET-BACK

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):

* PLEASE SEE ATTACHED SHEET

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:

THE REAR AND SIDE YARDS WE ARE REQUESTING A VARIANCE ON ABUT TO PROTECTED WOODLANDS AND WETLANDS. ENCRoACHING ON THE SET-BACKS WILL NOT AFFECT OTHER PROPERTIES NOW OR ANY TIME IN THE FUTURE.

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

6/25/17
Date


Property Owners Signature

6/25/12
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

9) Our client is a retired empty-nester looking to build a barrier free based home with the anticipation of future limited mobility. A large footprint is required for the home design so that all the basic amenities can be provided on the first floor.

City of Novi 24926 Bloomfield Ct



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



0 195 390 780
Feet
1 inch = 375 feet



Date: 07/25/2012

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>