



cityofnovi.org

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

**Case No. 12-034 121 Auslin Drive**

**Location: 121 Auslin Drive**

**Zoning District: R-4, One-Family Residential District**

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 2400. Front yard and side yard setback requirements are stated in Section 2400. The minimum front yard for a lot in an R-4 District is 30 feet and the minimum side yard is 10 feet. The proposed reconstruction/repair of an existing nonconforming structure would maintain the structure with only a 7'2" side yard, 2' 10" short of the mandated minimum. The front yard would have a 20' setback, 10' below the required minimum. The property is located west of Old Novi Road and south of 13 Mile Road.

**Ordinance Sections:**

- CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires that a site within a R-4 district have a minimum front yard setback of 30'.
- 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 proposal encroaches upon one of the main restrictions on development in a R-4 district: setbacks. However the board may find that the unique shape of this lot fits into the standard for granting a dimensional variance, if such regulation is deemed unreasonably burdensome and the requested variance will not cause an adverse impact on the neighborhood.

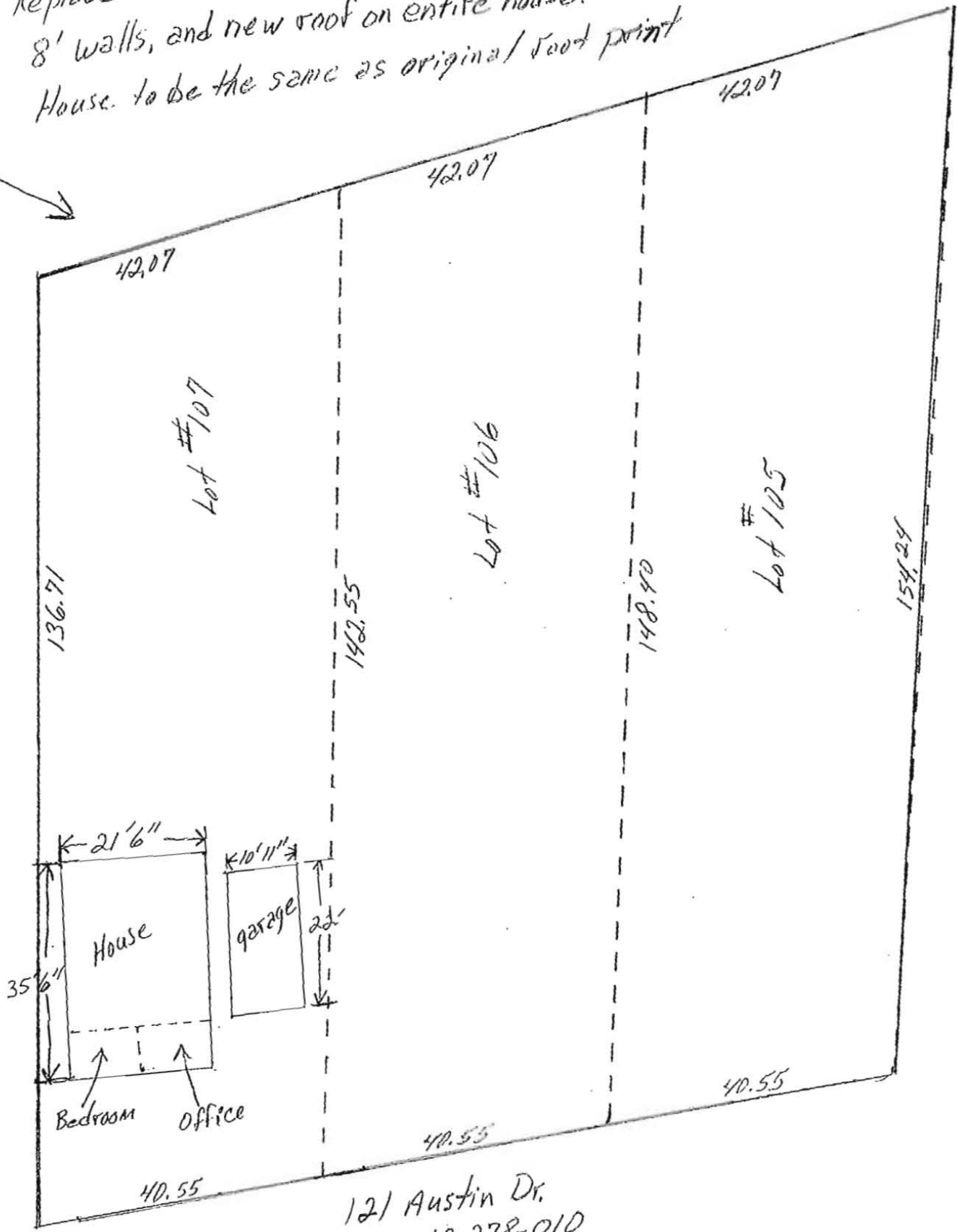
While CITY OF NOVI, CODE OF ORDINANCES, Section 2502 (6) does allow for repair of existing non-conforming structures without the issuance of a variance, staff believes the work is too extensive to fit into 2502 (6) – nonconforming structure repair/maintenance standard.

**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.

7' of sidewall & 21' across front to be removed.  
 Replace with 42" Footings. Reframe front of house with  
 8' walls, and new roof on entire house.  
 House to be the same as original / Foot print



121 Austin Dr.  
 50-22-10-278-010

42.07

50-22-10-248-010

Lot # 107

Lot # 106

Actual  
Property  
Measurements  
121 Austin Dr.

136.71

142.55

11' 01.8"

House

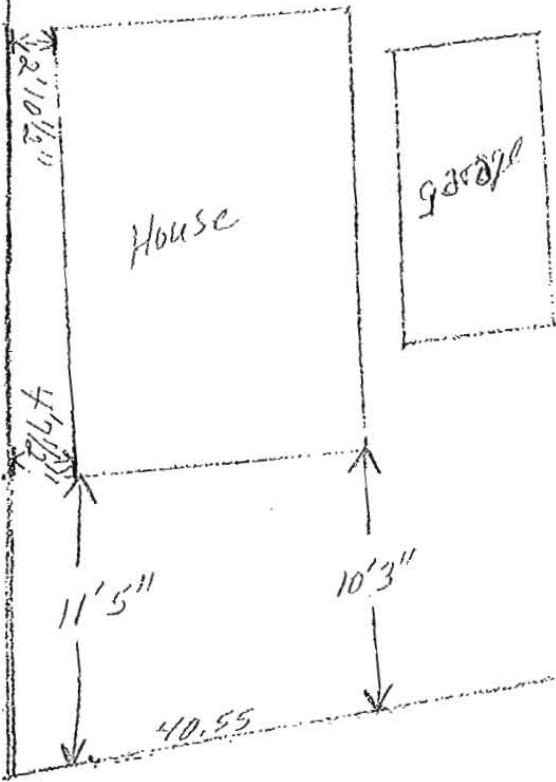
Garage

4' 11.2"

11' 5"

10' 3"

40.55



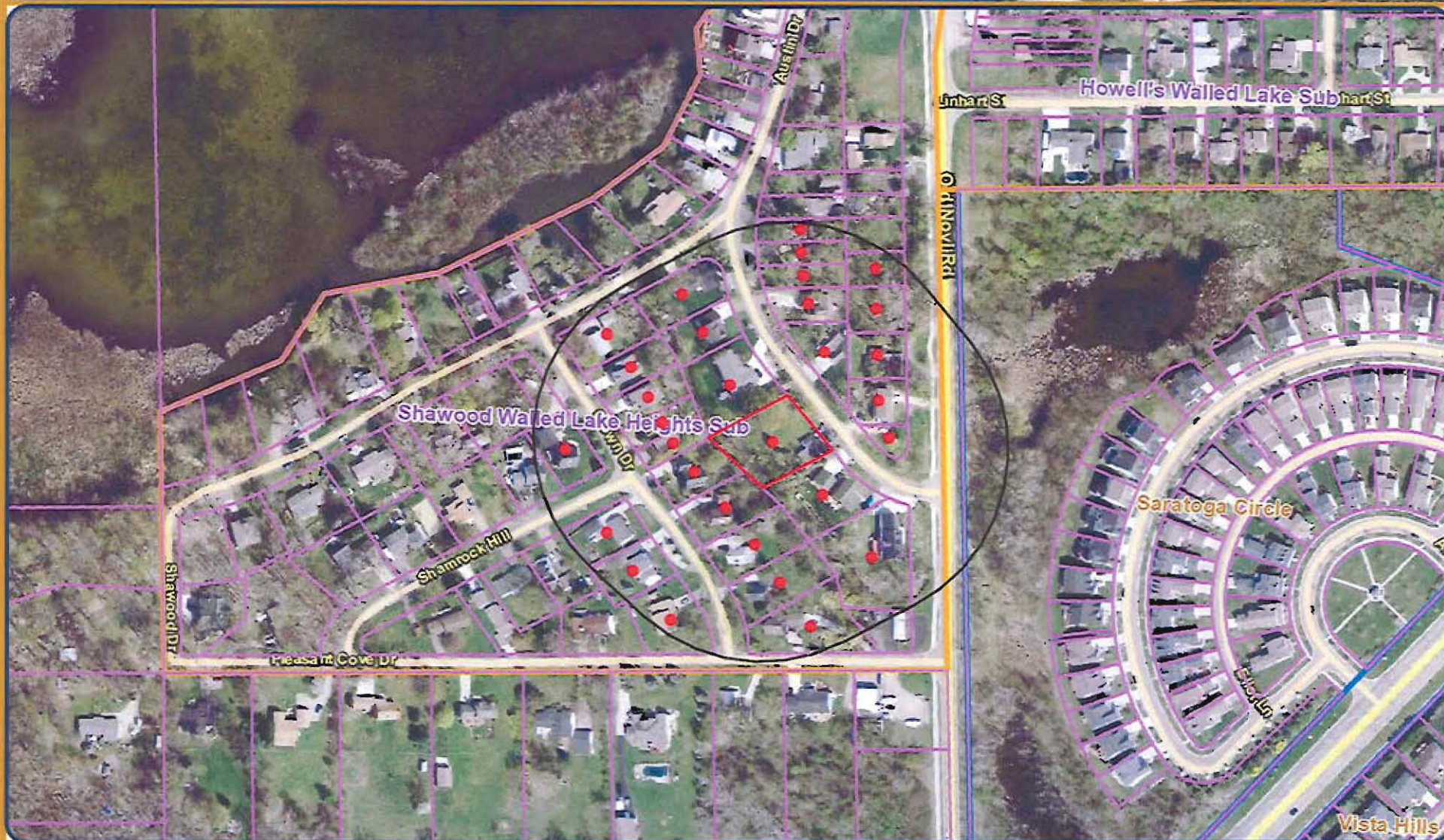






# City of Novi

121 Austin Dr



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



0 125 250 500  
Feet  
1 inch = 238 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>