



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: October 10, 2017

REGARDING: 131 Rexton Street, Parcel # 50-22-03-128-006 (PZ17-0045)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Jennifer Cooper

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: Single Family Residential
Location: East of West Park Drive and South of W Pontiac Trail
Parcel #: 50-22-03-128-006

Request

The applicant is requesting variances from the City of Novi Zoning ordinance Sections 3.1.5 for a 16 variance for a 14 foot proposed front yard setback 30 feet minimum required, and a 5 foot variance for 20 foot side yard setback, 25 feet minimum required to allow for a proposed second story addition and covered porch. This property is zoned Single Family Residential (R-4).

II. STAFF COMMENTS:

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we **grant** the variance in Case No. **PZ17-0045**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.

 - (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____.
 - (b) The property is unique because _____.

- _____.
- (c) Petitioner did not create the condition because_____.
- _____.
- (d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because_____.
- _____.
- (e) The relief is consistent with the spirit and intent of the ordinance because _____.
- _____.
- (f) The variance granted is subject to:
1. _____.
 2. _____.
 3. _____.
 4. _____.

2. I move that we **deny** the variance in Case No. **PZ17-0045**, sought by _____,
for_____ because Petitioner has not shown practical difficulty requiring _____.

- (a) The circumstances and features of the property including_____ are not unique because they exist generally throughout the City.
- (b) The circumstances and features of the property relating to the variance request are self-created because_____.
- _____.
- (c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioner's statements that _____.
- (d) The variance would result in interference with the adjacent and surrounding properties by_____.
- (e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to_____.
- _____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler
Deputy Director Community Development



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ZONING BOARD OF APPEALS APPLICATION

*must be submitted by
 August 3 - to get on
 soonest (October) ZBA

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$200.00
 Meeting Date: 10/10/17
 ZBA Case #: PZ 17-0045

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION			
ADDRESS <u>131 Rexton St, Novi MI 48377</u>		LOT/SUITE/SPACE # <u>75-76</u>	
SIDWELL # <u>50-22-03-128-006</u>		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY <u>West Park Dr and Pontiac Trail</u>			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		REQUEST IS FOR: <input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE	
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS <u>Jen.cooper.1@gmail.com</u>	CELL PHONE NO. <u>248-992-5165</u>
NAME <u>Jennifer Cooper</u>		TELEPHONE NO.	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>131 Rexton</u>		CITY <u>Novi</u>	STATE <u>MI</u>
			ZIP CODE <u>48377</u>
B. PROPERTY OWNER <input checked="" type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS	CELL PHONE NO.
NAME		TELEPHONE NO.	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS		CITY	STATE
			ZIP CODE
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input checked="" type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____			
B. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>3.1.5</u>	Variance requested	<u>Proposed 21' (9' variance) - Front yard</u>	
2. Section <u>3.1.5</u>	Variance requested	<u>Proposed 6' (4' variance) - side yard</u>	
3. Section <u>3.1.5</u>	Variance requested	<u>Proposed 20' (5' variance) - a gg. total</u>	
4. Section <u>3.32</u>	Variance requested	<u>Proposed 14' (12' variance) - general exceptias #7 open porch front yard</u>	
IV. FEES AND DRAWINGS			
A. FEES			
<input checked="" type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250			
<input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400			
<input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600			
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF			
<ul style="list-style-type: none"> • Dimensioned Drawings and Plans • Site/Plot Plan • Existing or proposed buildings or addition on the property • Number & location of all on-site parking, if applicable 		<ul style="list-style-type: none"> • Existing & proposed distance to adjacent property lines • Location of existing & proposed signs, if applicable • Floor plans & elevations • Any other information relevant to the Variance application 	



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE

A. VARIANCE (S) REQUESTED

DIMENSIONAL 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 permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration 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 ADDITION TO EXISTING HOME/BUILDING SIGNAGE
 ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT


Applicant Signature

8-11-17
Date

B. PROPERTY OWNER

If 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.


Property Owner Signature

8-11-17
Date

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

GRANTED DENIED

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

Chairperson, Zoning Board of Appeals

Date



Community Development Department
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Novi, MI 48375
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REVIEW STANDARDS DIMENSIONAL VARIANCE

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 the circumstances or physical conditions that apply to the property that do not apply generally to other properties in the same zoning district or in the general vicinity. Circumstances or physical conditions may include:

- a. **Shape of Lot.** Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment.

Not Applicable Applicable If applicable, describe below:

We have narrow lots and a small backyard. We do not want to lose our backyard. We have a huge tree that would get in our way if we had to build back.

and/or

- b. **Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.

Not Applicable Applicable If applicable, describe below:

We want to preserve the small backyard that we have. We also do not want to have to cut down 100 year old trees. We would like to preserve as much nature as possible.

and/or

- c. **Abutting Property.** The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirements of the Zoning Ordinance or would involve significant practical difficulties.

Not Applicable Applicable If applicable, describe below:

we have narrow lots with house all around. which prevents us from building wide or back.

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).

The current structure does not contain enough square feet to have a family. It is only 850 SF with one bedroom and one bathroom.

Standard #3. Strict Compliance.

Explain how the Dimensional Variance in 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 property not acceptable/suitable to raise a family in and we love the home, property and neighborhood and want to raise our family there.

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.

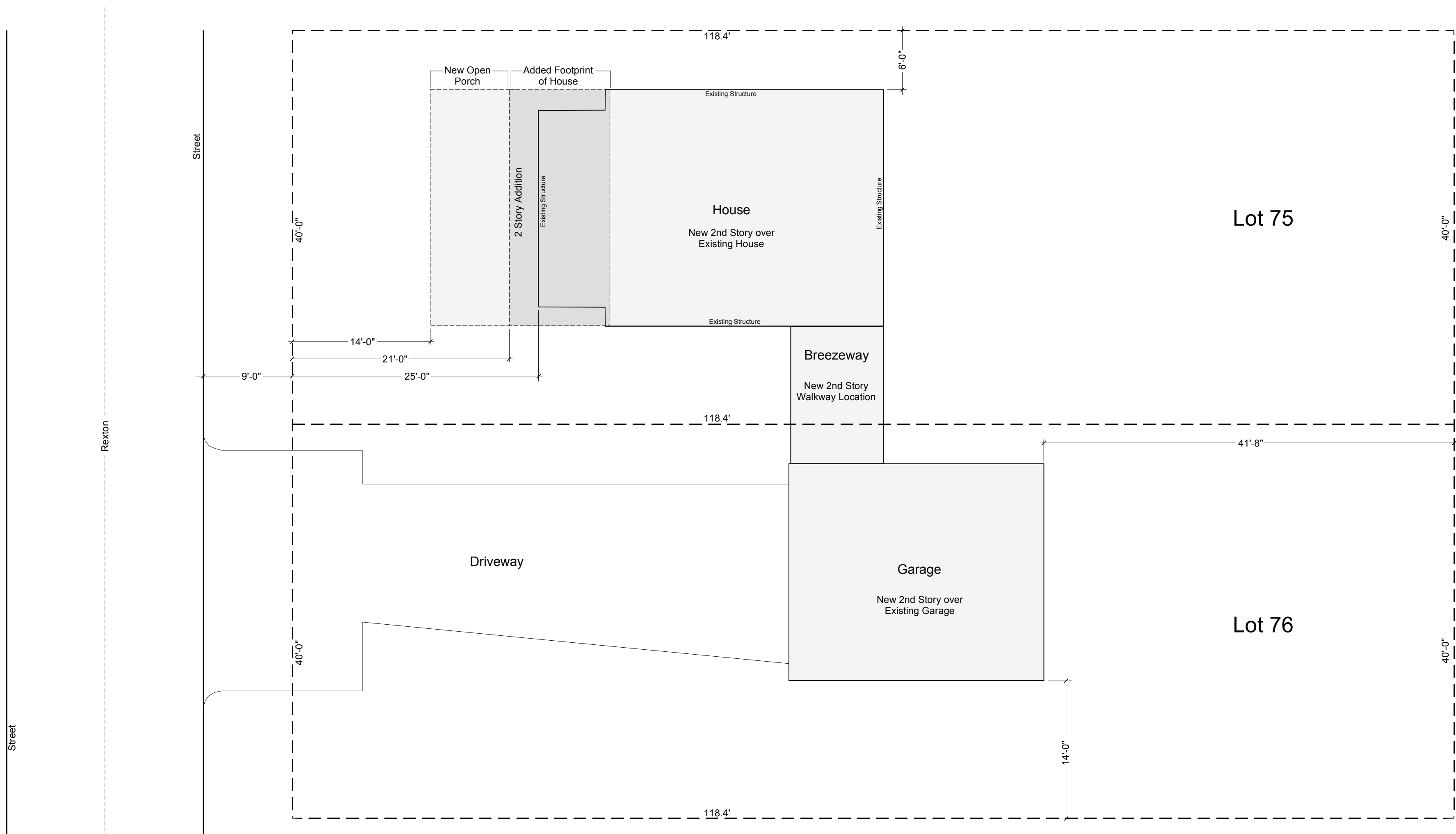
The variance that we are requesting will not affect the surrounding property owners because we will be adding on towards the road.

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.

This dimensional variance should raise property values after the house is finished. Our house is one of the few homes left in the neighborhood that have not been added on to.

Lot Plan
Scale: 1/8" = 1'- 0"
← North



Addition and Remodel Plans for:

131 Rexton
T1N, R8E, Sec. 3
Lake Wall Subdivision
Lot 75 & 76
Parcel 22-03-128-006
City of Novi, Oakland Co., Mi

Plans for additions and remodels to residence at:
131 Rexton St.
Novi, Mi.
For Ryan and Jennifer Cooper

Drawn by Steven Hall 6/2017
Residential Contractor
1-248-982-5972



1st Floor Overview

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

← Street, North

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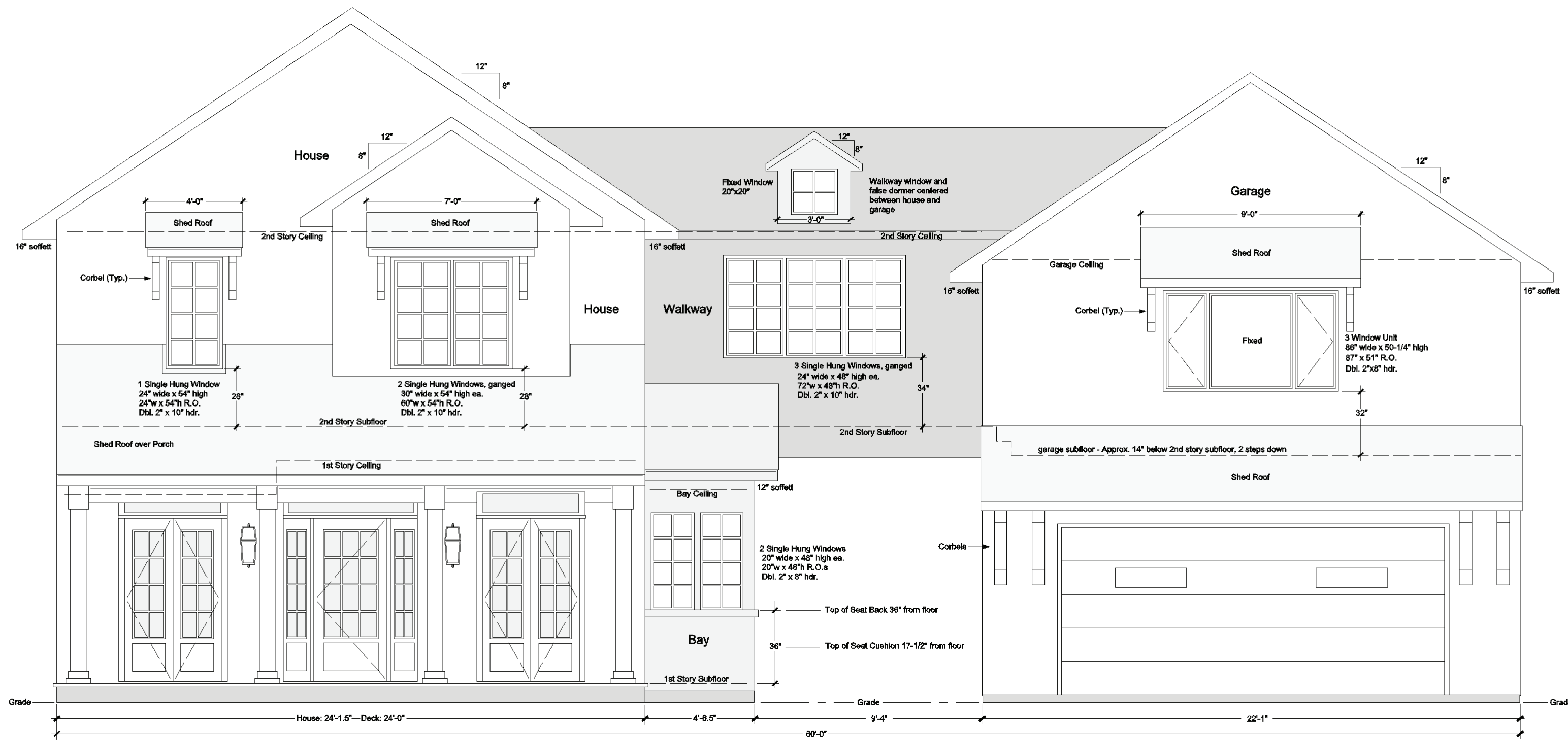


- Notes:**
- House 2nd Floor: 871 s.f. enclosed space
 - Multipurpose Room: 540 s.f. enclosed space
 - Walkway: 124 s.f. enclosed space
 - 2nd Floor Total: 1535 s.f. enclosed space

2nd Floor Overview
 Scale: 1/4" = 1'- 0"
 ← Street, North

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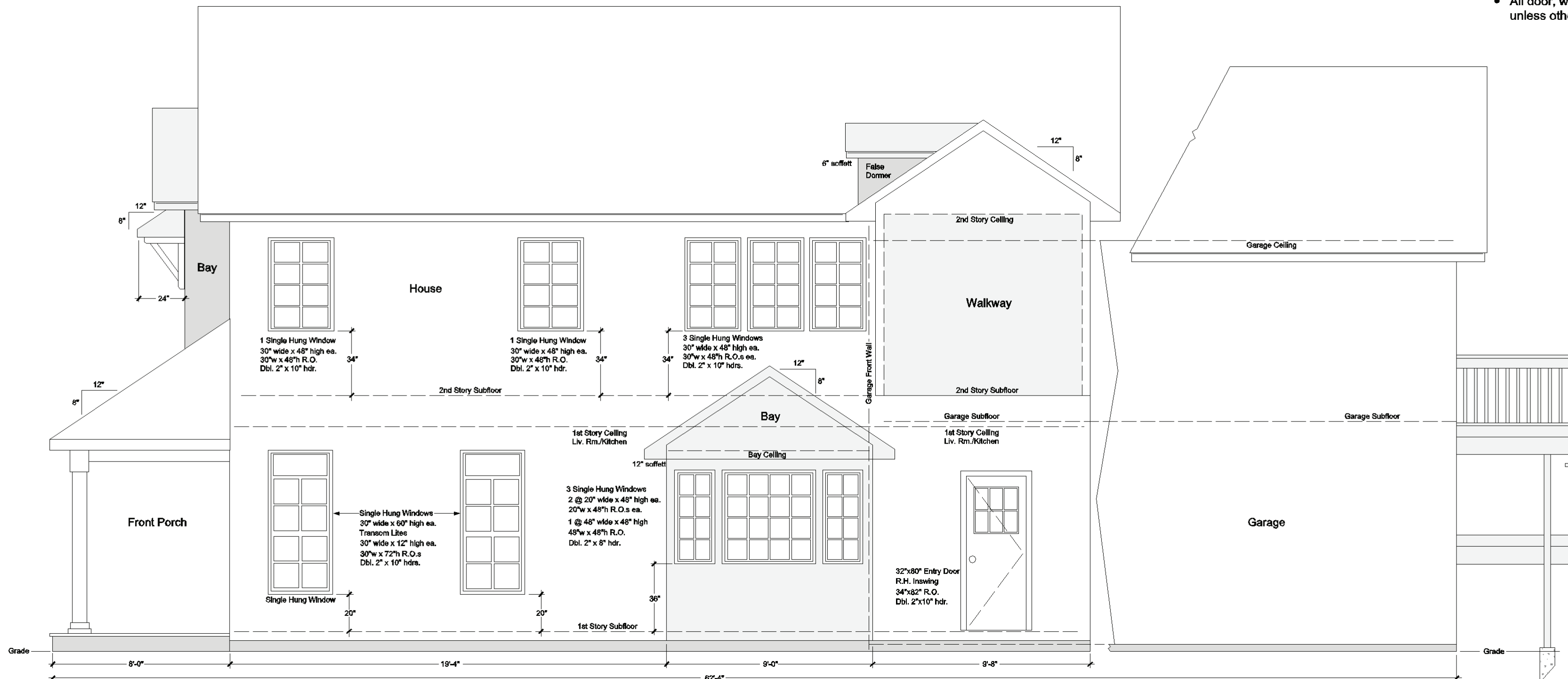
Drawn by Steven Hall 6/2017
 Residential Contractor
 1-248-982-5972



North Elevation
Scale: 1/4" = 1'- 0"

Notes:

- See Elevation Plans for door/window R.O. sizes
- All door, window, and beam headers from select structural fir unless otherwise noted

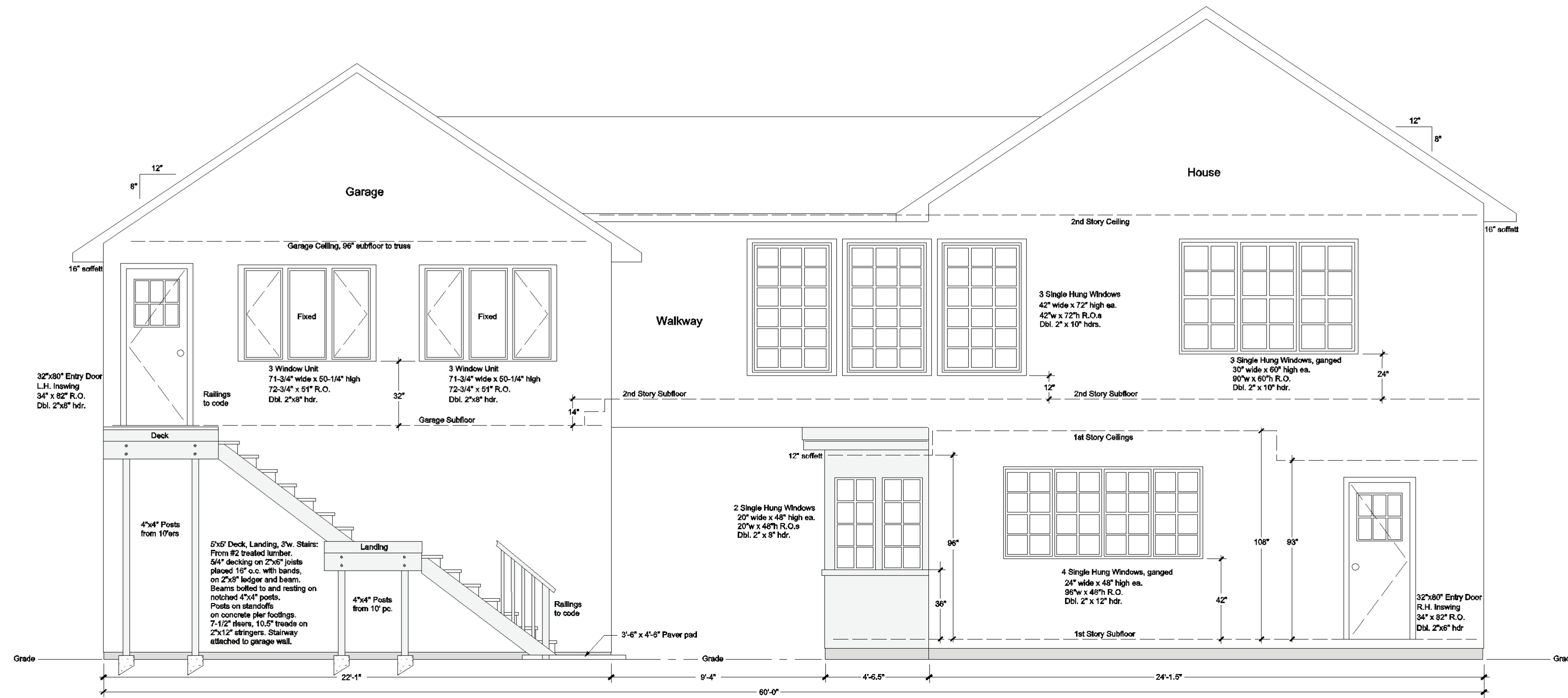


West Elevation
Scale: 1/4" = 1'- 0"

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Novi, MI.
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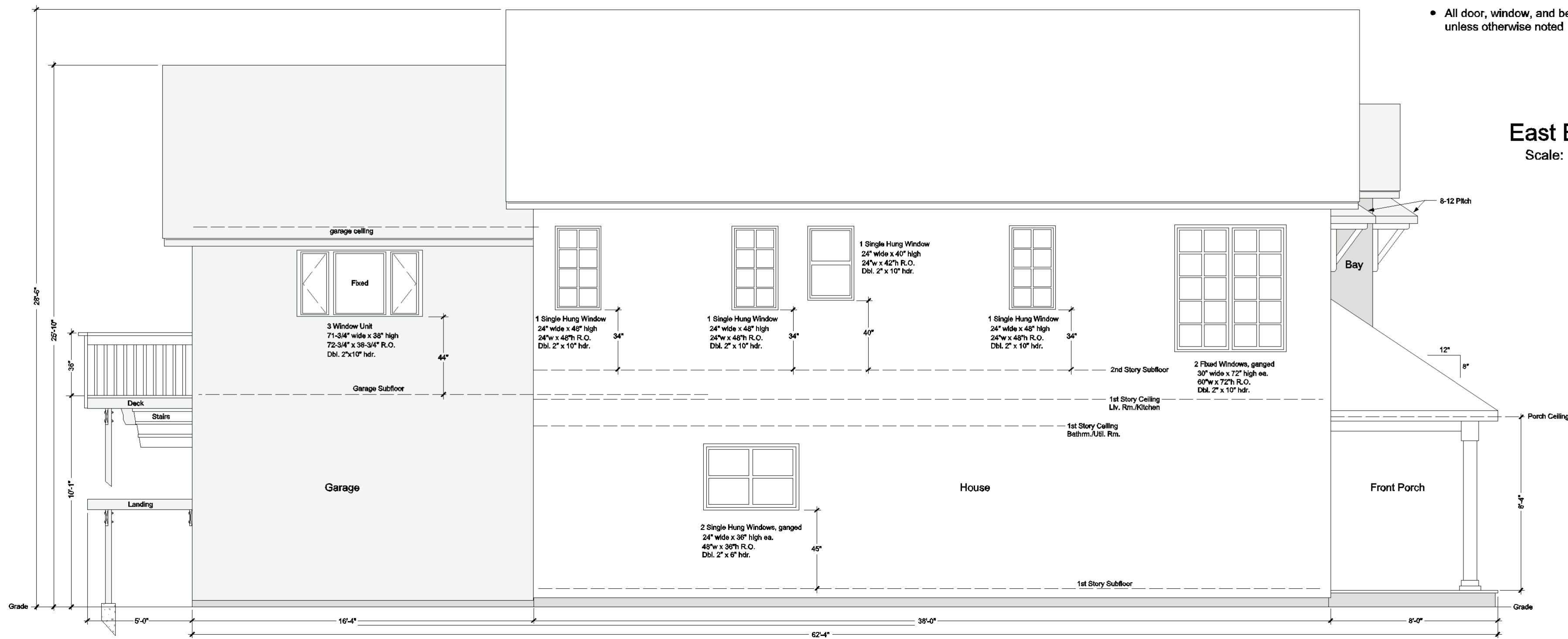
Drawn by Steven Hall 6/2017
Residential Contractor
1-248-962-5972



South Elevation
Scale: 1/4" = 1'- 0"

Notes:

- See Elevation Plans for door/window R.O. sizes
- All door, window, and beam headers from select structural fir unless otherwise noted

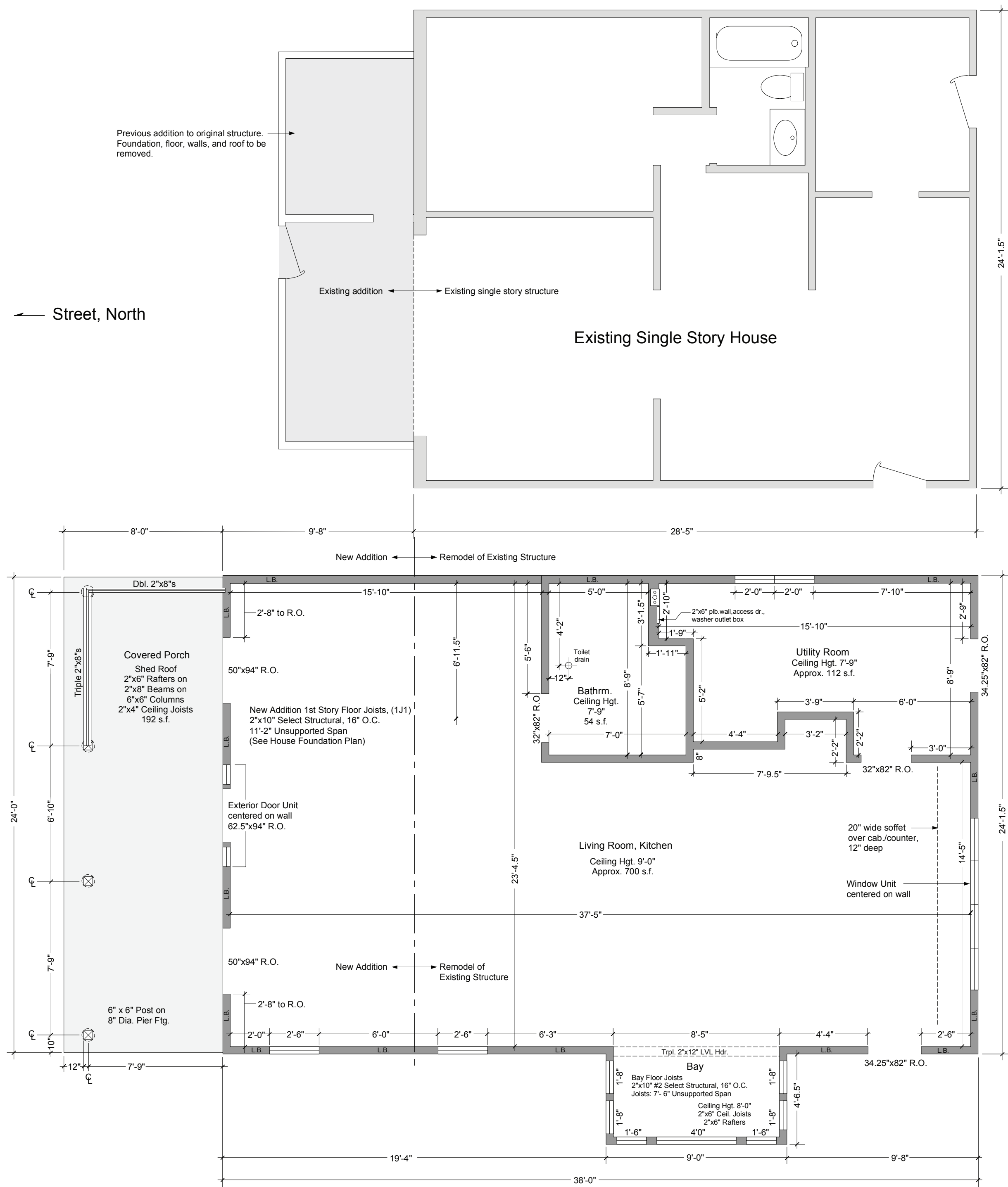


East Elevation
Scale: 1/4" = 1'- 0"

Plans for additions and remodels to residence at:

131 Rexton St.
Novi, MI.
For Ryan and Jennifer Cooper

Drawn by Steven Hall 6/2017
Residential Contractor
1-248-982-5972



← Street, North

Notes:

- Existing east, west, and south exterior walls of original house structure to remain
- Remove front porch and foundation
- Remove all interior partitions and walls
- Remove all house roof structures
- Remove breezeway roof structure
- Remove garage roof structure
- Remove masonry chimney
- Remove existing subfloor
- Remove existing subfloor

Notes:

- See Elevation Plans for door/window R.O. sizes
- All door, window, and beam headers and joist work from select structural hem fir unless otherwise noted
- Fire blocking to code
- Joist blocking/strapping to code
- Electrical and mechanical rough-ins installed to code

1st Story Rough In Plan

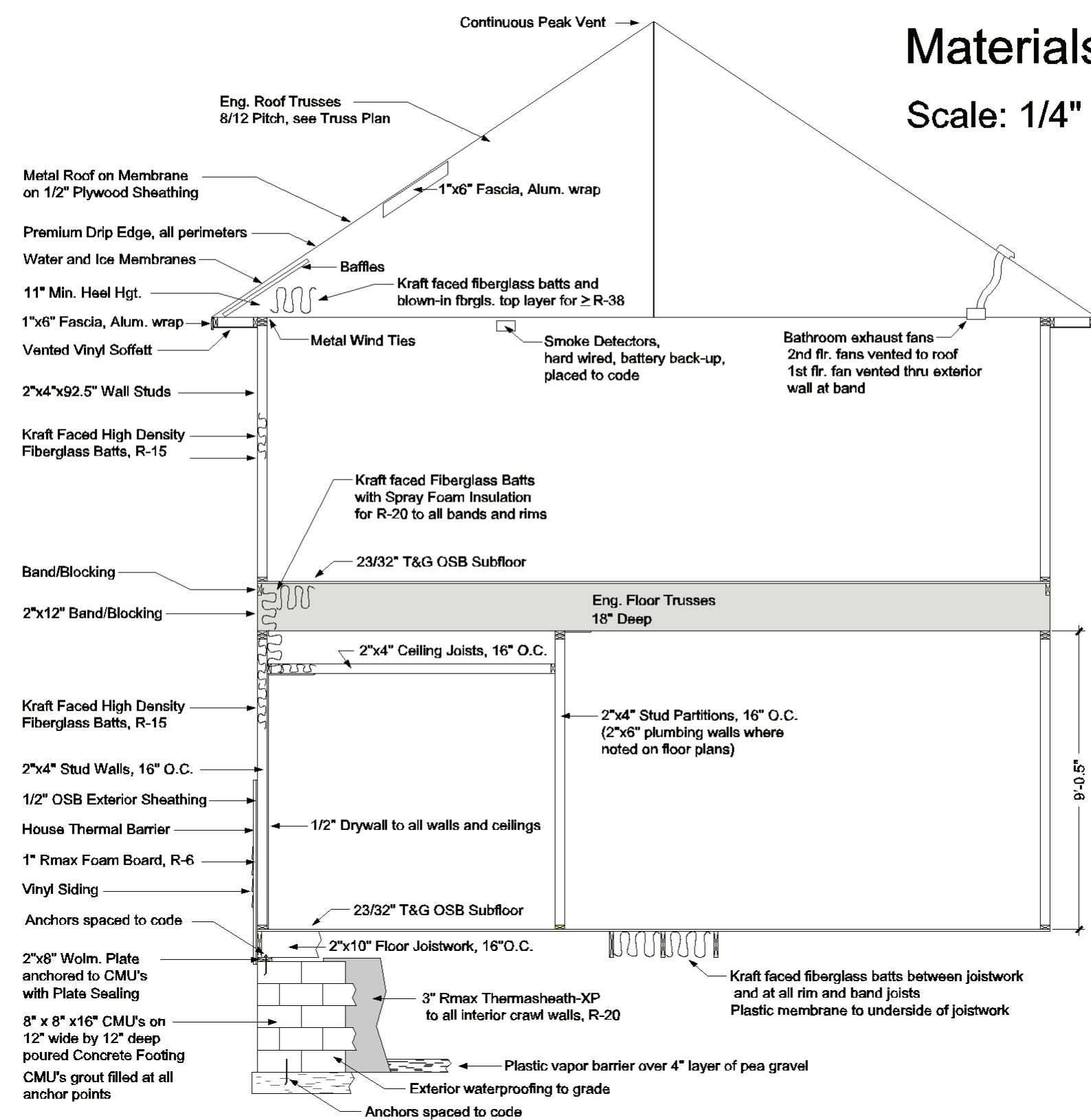
Scale: 1/4" = 1'- 0"

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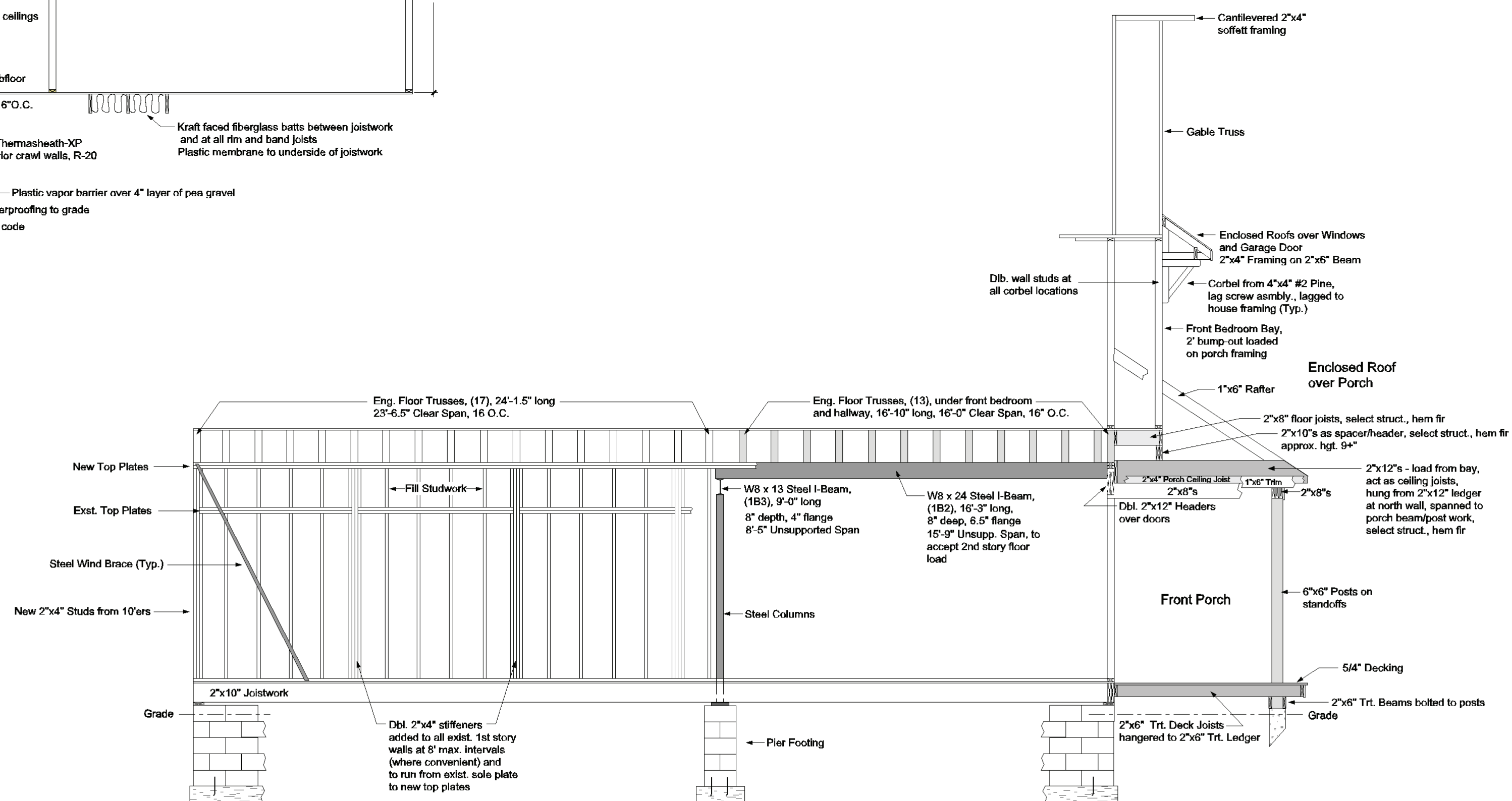
Materials List

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



Notes:

- Fenestrations: Andersen 100 Series Windows - Energy Star rated for Northern Climate Zone Low-E glass w/Heatlock, with or without grills, U-Factor = 0.26
- See Elevation Plans for door/window R.O. sizes
- All door, window, and beam headers from select structural hem fir unless otherwise noted



House Framing Detail

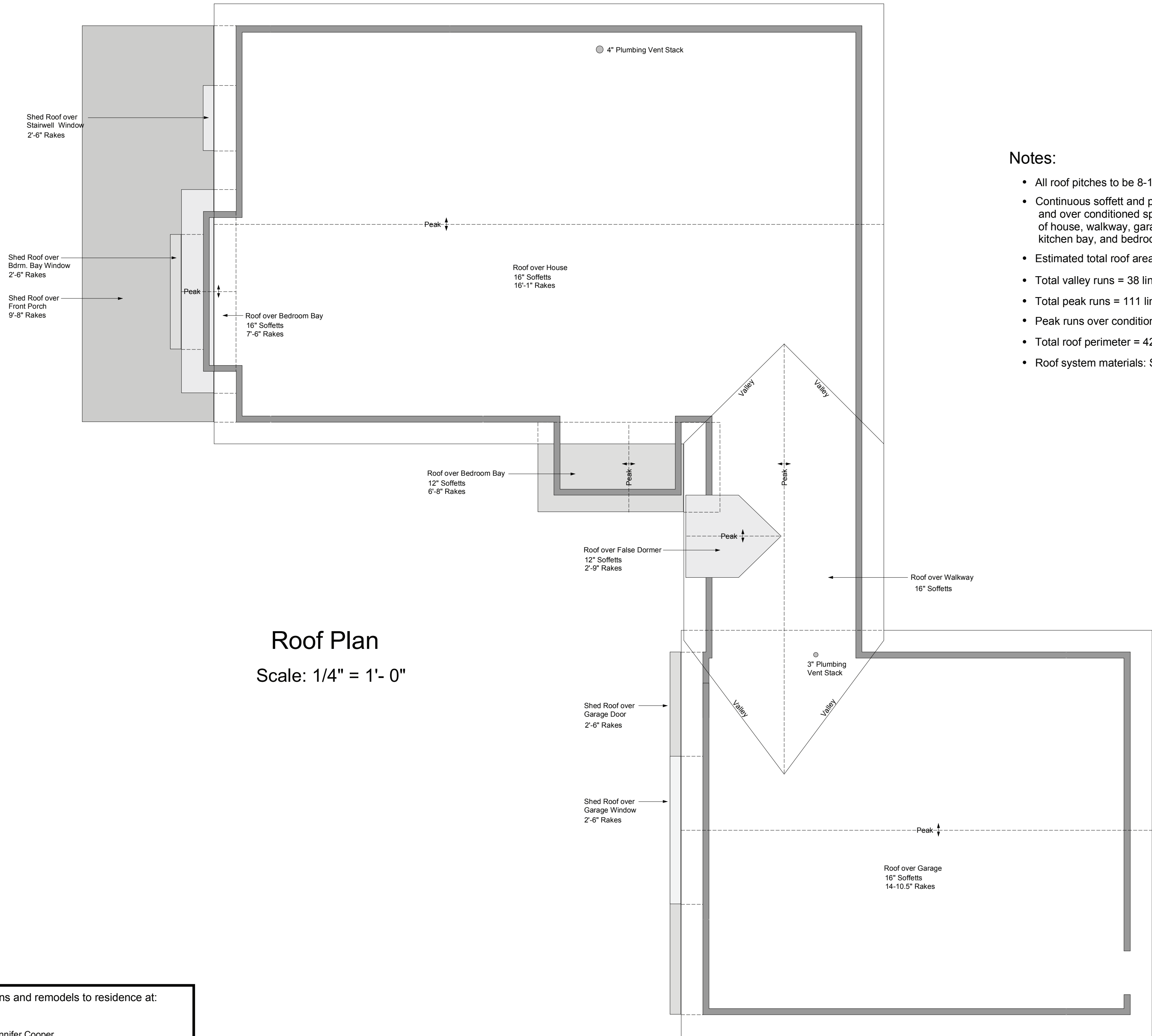
(East Elevation)

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

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Roof Plan
Scale: 1/4" = 1'- 0"

Notes:

- All roof pitches to be 8-12
- Continuous soffett and peak venting at and over conditioned spaces of house, walkway, garage, kitchen bay, and bedroom bay
- Estimated total roof area = 2890 s.f.
- Total valley runs = 38 lin. f.
- Total peak runs = 111 lin. f.
- Peak runs over conditioned spaces = 85 lin. f.
- Total roof perimeter = 428 lin. f.
- Roof system materials: See Materials List

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131 Rexton back yard



131 Rexton back yard



131 Rexton w/
street in view



131 Rexton street view



131 Rexton Street view



Directly across from 131 Rexton



East end of Rexton St



225

225 Faywood St

1 street south of Rexton

Street