

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

Case No. PZ14-0002

Location: 1319 East Lake Drive

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

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Section 2400 to allow construction of a one-story addition on an existing nonconforming lot with a minimum side setback of 3.44 ft, and a reduced aggregate side setback of 15.42 ft. The property is located east of West Lake Drive and north of South Lake Drive.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires that a structure within an R-4 zoning district have a minimum side setback of 10 ft., a minimum aggregate side setback of 25 ft.

City of Novi Staff Comments:

The applicant is proposing construction of an addition to the rear of the home to an existing single family residence located on a narrow nonconforming lot. The addition would match the existing side setback on the south side of the property and would reduce the setback on the north side to 3.44 ft. Staff supports the consideration of the variances provided substantial justice can be served for adjacent property owners.

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: P2140002 ZBA Date: February Payment Received: \$ 200 (Cash)

Check # 5975 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 Dennis Shrader Date 1-2-14

Company (if applicable) Wyse Designs & Remodeling LLC

Address* 30393 Balfour Dr. City Novi ST ST ZIP 48377
*Where all case correspondence is to be mailed.

Applicant's E-mail Address: Dmshrader@sbcglobal.net

Phone Number (248) -404-7177 FAX Number (248) -248-669-0400

Request is for:

Residential Construction (~~New~~ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 1319 East Lake Dr Novi ZIP 48377

2. Sidwell Number: 5022 - _____ 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

RECEIVED

JAN 2 2014

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

CITY OF NOVI
COMMUNITY DEVELOPMENT

1. Section _____ Variance requested _____
2. Section _____ Variance requested _____
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):

To keep the existing roof lines and maintain a rectangle configuration of this house, we would need to use part of the setback to the north. (Please see Survey)

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:

It appears that most of the houses in this area are on or encroaching on the property setbacks to the north.

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.

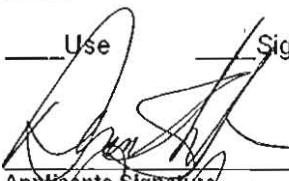
All property owners' within 300 feet of ZBA property address will be notified of the ZBA case and variance requests.

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

1-2-14
Date


Property Owners Signature

1-2-14
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



cityofnovi.org

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

For Official Use Only

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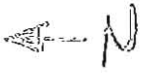
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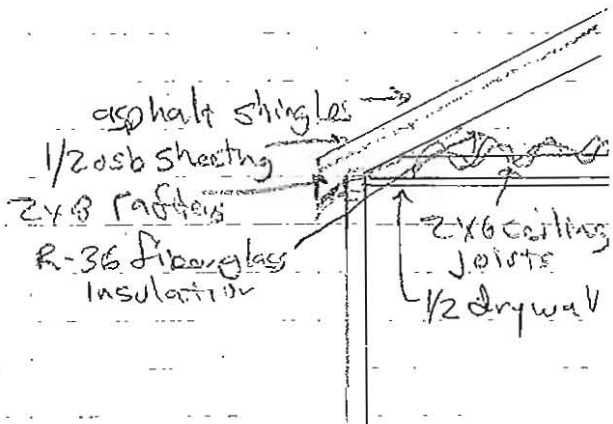
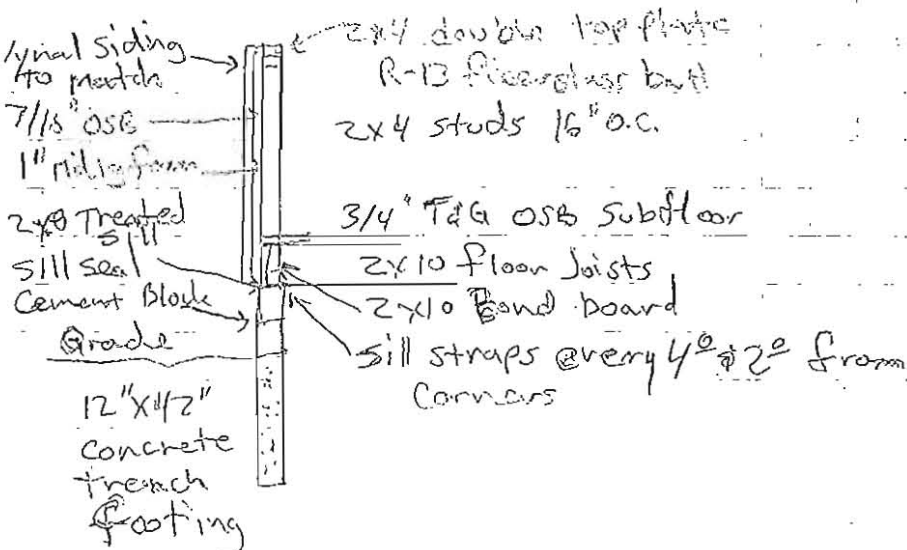
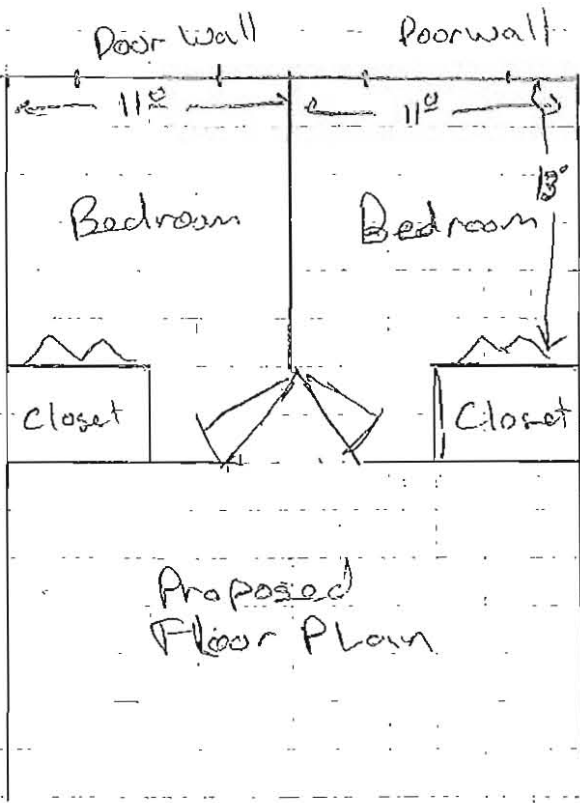
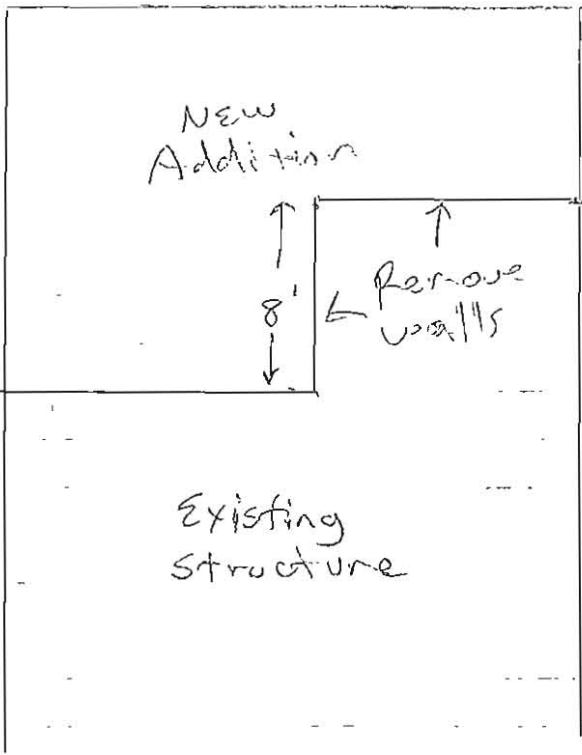
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- c. Any roads, easements, ditches, or waterways which traverse or abut the property and the lot area and setback.
- d. Dimensions necessary to show compliance with the regulations of this Ordinance.



24'



scale 1/8" = 1'

CERTIFICATE OF SURVEY

NOTES:
1. ZONING CLASSIFIED R-4 ONE-FAMILY RESIDENTIAL.

MIN. SETBACK REQUIREMENTS

DESCRIPTION	FEET
SIDE YARD (NORTH)	10.00
SIDE YARD (SOUTH)	15.00
FRONT YARD (WEST)	30.00
REAR YARD (EAST)	35.00

BEARINGS BASED ON THE EAST LINE OF
"SHORE ACRES SUBDIVISION AS PLATTED"

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

DESCRIPTION PARCEL #22-02-177-006

LOT 26 OF "SHORE ACRES SUBDIVISION" A SUBDIVISION
PART OF THE NW ¼ OF SECTION 2, T.1N., R.8E., NOVI
TOWNSHIP, OAKLAND COUNTY, MICHIGAN; AS RECORDED IN
LIBER 20 OF PLATS ON PAGE 2 OAKLAND COUNTY RECORDS.

LOT 27

CHAIN LK. FENCE (TYP)

N83°38'11"E
197.37' R-197.7'

LOT 26

109.85'
192.00' R-192.4'
N83°33'58"E

LOT 25

EAST LAKE ROAD
48 FEET WIDE

LEGEND

- FM - FOUND MONUMENT
- FP - FOUND PIPE
- FI - FOUND IRON
- SI - SET IRON
- POL - STAKE ON LINE

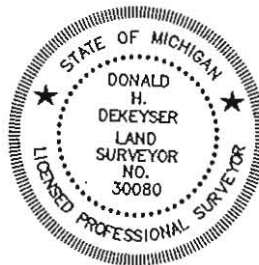
FOR: DENNIS & MARY SHRADER

I HEREBY CERTIFY that I have surveyed and mapped the above described land on the date stated below; that there are no encroachments except as shown; the error of closure is 1 in 5000 +, which is within the accuracy of survey as required in Act No. 288 of Public Acts of 1967.

This survey complies with the requirements of Sec. 3, Public Act 132 of 1970, as amended.

DEKEYSER SURVEYING

6038 NORTHRUP ST.
WATERFORD, MICHIGAN 48329
PHONE (248)623-1518 FAX (248)623-3078



JOB NO.:	SCALE:	DATE:
5435	1"=30'	12/31/13

Donald H. DeKeyser
DONALD H. DEKEYSER P.L.S. #30080

