

cityofnovi.org

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

Case No. PZ13-0027

Location: 23770 Meadowbrook Road

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

The applicant is requesting a variance from the CITY OF NOVI, CODE OF ORDINANCES, Section 2400 to allow construction of a new garage attached to an existing non-conforming single family home with an aggregate side setback of 16.5 feet (25 feet required) The property is located east of Meadowbrook Road and south of Ten Mile Road.

Ordinance Sections:

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

City of Novi Staff Comments:

The petitioner is proposing to construct a new attached garage addition to an existing non-conforming single family residence. The zoning Ordinance requires a minimum side setback of 10 feet and a minimum aggregate setback of 25 feet. The home is currently located 4.2 feet from the north property line and, with the addition of the proposed garage, 12.5 feet from the south property line for a total aggregate setback of about 16.5 feet.

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 because_____.
- The need is not self-created because_____.
- 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 because_____.
- 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 because_____.
- 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 because_____.



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RECEIVED

MAY 22 2013

CITY OF NOVI
 COMMUNITY DEVELOPMENT

For Official Use Only

ZBA Case No: P2130027 ZBA Date: 7/9/13 Payment Received: \$ 200 (Cash)

Check # 2387 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 DAVID HENGSTEBECK Date 5-21-2013

Company (if applicable) _____

Address* 23770 MEADOWBROOK City _____ ST MI ZIP 48375

*Where all case correspondence is to be mailed.

Applicant's E-mail Address: dhbeck99@ATT.NET

Phone Number 248-474-0764 FAX Number () _____

Request is for:

- Residential Construction (New/ Existing)
- Vacant Property
- Commercial
- Signage

1. Address of subject ZBA case: 23770 MEADOWBROOK RD. ZIP 48375

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

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

- 1. Section 2400 R Variance requested SETBACK VARIANCE
- 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):

- HOUSE IS NOT CURRENTLY COMPLIANT
WITH R4 ZONING REGULATIONS - NEED A
VARIANCE TO OBTAIN BUILDING PERMIT
TO CONSTRUCT A GARAGE.

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:

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

[Signature]
Applicants Signature

5-22-13
Date

[Signature]
Property Owners Signature

5-22-13
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:

anthen
Leather

Willowbrook Community Association

Date: 5-21-2013

Approval: YES NO

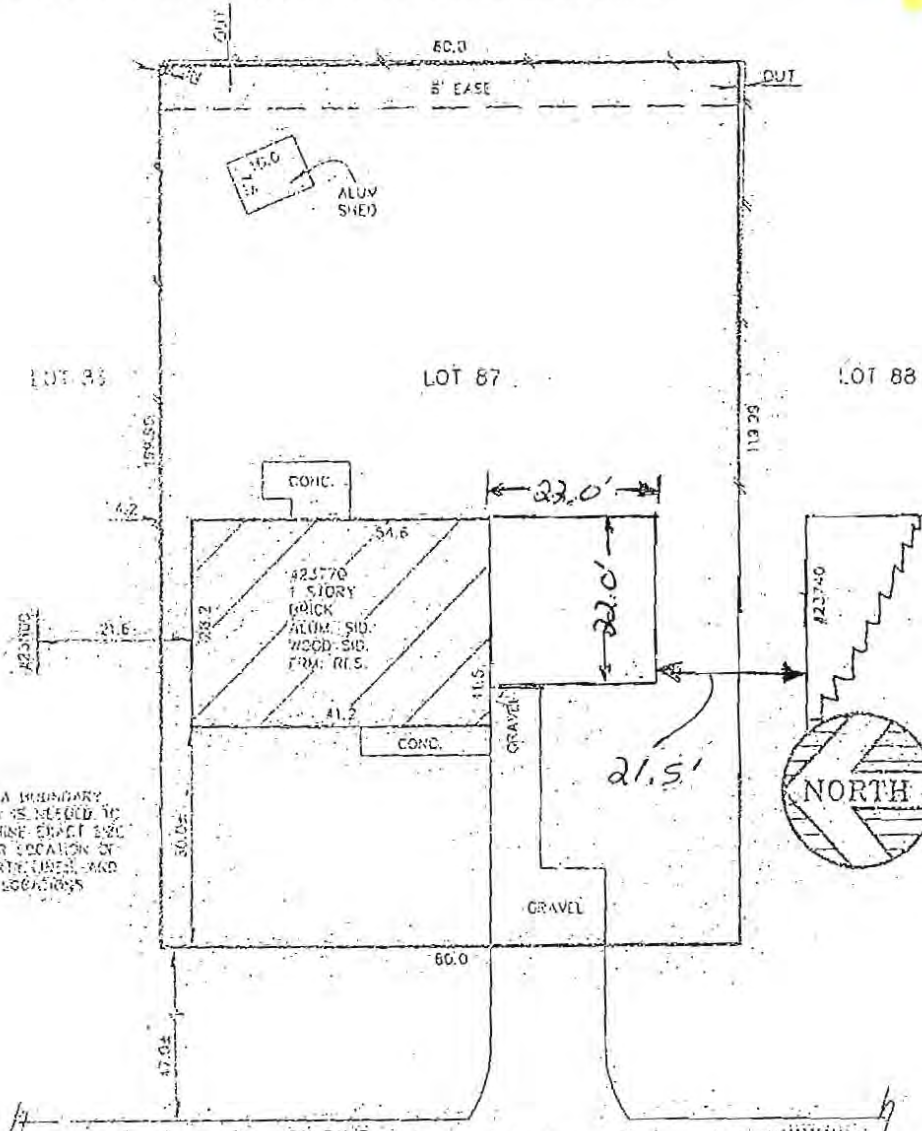
Reason:

Applicant: DAVID M. HENGSTEBECK

Property Description:

Lot 87, WILLOWBROOK (STAIN'S SUBDIVISION NO. 2, of part of the N.W. 1/4 of Section 23, T4 N., R.2 E., Novi Twp. (now City of Novi), Oakland County, Michigan, as recorded in Liber 77 of Plat, Pages 4 and 5 of Oakland County Records.

WCA President
248-444-9825



NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT E2C AND/OR LOCATION OF PROPERTY LINES AND FENCE LOCATIONS

MEADOWBROOK RD. 120' WD.

PROPOSED GARAGE ADDITION

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 forementioned 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.



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

Share P. Azbell

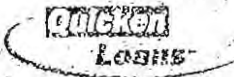
JOB NO: 05-06465 SCALE: 1"=20'
DATE: 07/11/05 DR BY: PM

KEM-TEC
LAND SURVEYORS
22558 Gresham Avenue
Eastpointe, MI 48071-2312
(414) 772-2222
FAX: (508) 772-4240

KEM-TEC WEST
LAND SURVEYORS
610 E. STADIUM
Ann Arbor, MI 48104-1412
(734) 964-0508 • (800) 433-6103
FAX: (734) 984-0587

MORTGAGE SURVEY

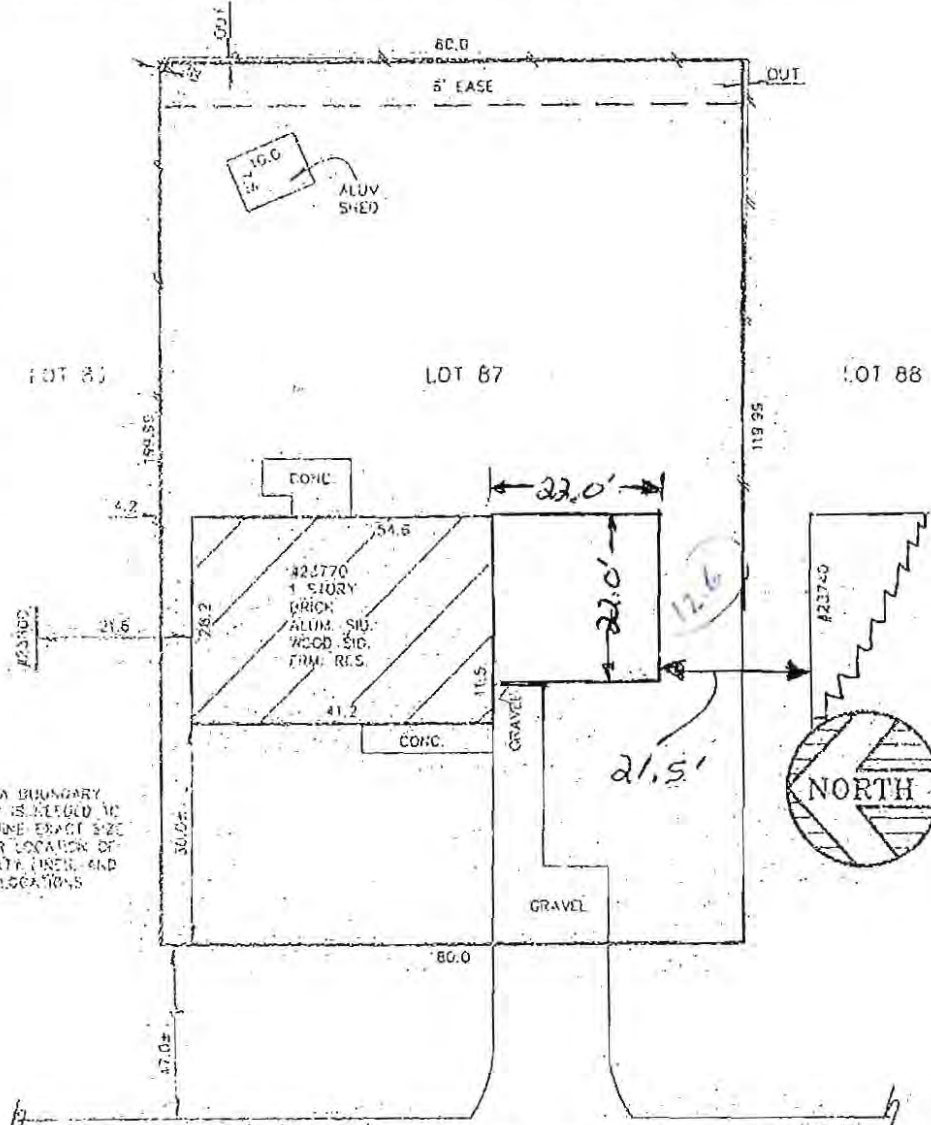
Certified to:



Applicant: DAVID M. HENSTLBECK

Property Description:

LOT 67, WILLOWBROOK ESTATES SUBDIVISION NO. 2, of part of the N.W. 1/4 of Section 25, T.1 N., R.8 E., Novi Twp. (now City of Novi), Oakland County, Michigan, as recorded in Lites 77 of Plat 2, Pages 4 and 5 of Oakland County Records.



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

MEADOWBROOK RD. 120' WD.

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 forementioned applicants, mortgagee, 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.



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

Shane P. Azbell

JOB NO: 25-03465 SCALE: 1"=20'
DATE: 07/11/05 DR BY: PM

KEM-TEC
LAND SURVEYORS
22538 Grand Avenue
Eastpointe, MI 48011-2312
(588) 772-2222
FAX: (588) 772-1040

KEM-TEC WEST
LAND SURVEYORS
600 E. STADIUM
Ann Arbor, MI 48104-1412
(734) 964-0809 • (300) 433-8103
FAX: (734) 964-0687

PROPOSED GARAGE ADDITION

12.6
+ 4.2

16.8

MORTGAGE SURVEY

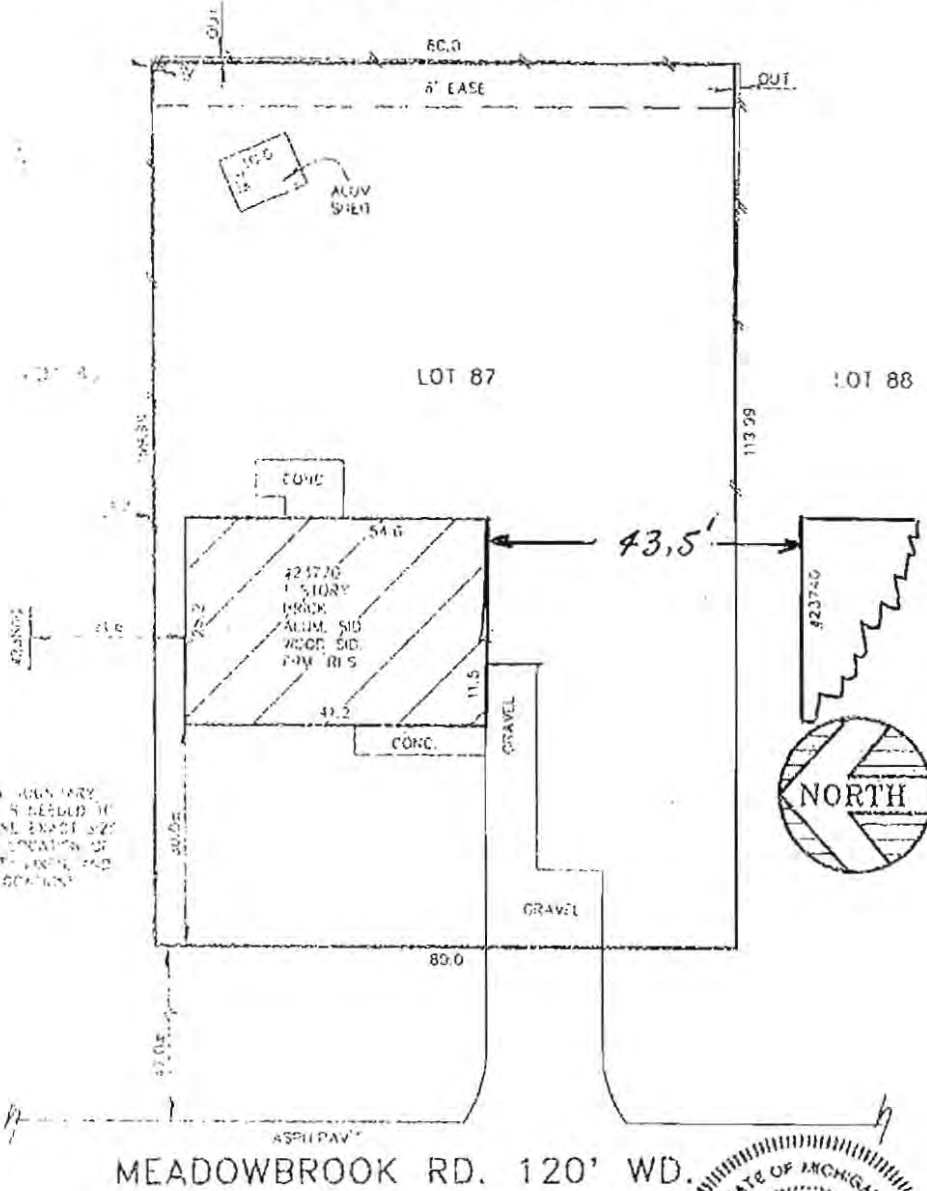
Certified to:



Applicant: DAWN M. HENSTEBLOCK

Property Description:

LOT 87 WILLOWBROOK ESTATES SUBDIVISION NO. 2, of part of the N.W. 1/4 of Section 25, T. 4 N., R. 2 E., N. 1/2 W. (now City of Novi), Oakland County, Michigan, as recorded in Liber 47 of Maps, Pages 4 and 5 of Oakland County Records.



CURRENT CONDITION

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 forementioned applicants, mortgagees, 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.



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

Shane P. A78ell

JOB NO: 16-11467 SCALE: 1"=20'
DATE: 03/11/16 DR BY: PM

KEM-TEC
LAND SURVEYORS

22558 Grand Avenue
Eastpointe, MI 48071-2312
(586) 772-7272
FAX: (586) 772-4048

KEM-TEC WEST
LAND SURVEYORS

803 E. STADIUM
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FAX: (734) 994-0887



