



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: July 14, 2020

REGARDING: 22430 Southwyck Court, Parcel # 50-22-28-351-007 (PZ20-0023)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

William DeCoste

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: Single Family Residential
Location: East of Beck Road and North of Nine Mile Road
Parcel #: 50-22-28-351-007

Request

The applicant is requesting variance from the Novi Zoning Ordinance Section 3.1.2 for a 5 foot variance for a proposed 30 foot rear yard setback, 35 feet required. This variance will accommodate the building of a proposed screened-in porch. This property is zoned Single Family Residential (R-1).

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. **PZ20-0023**, 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 if 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. **PZ20-0023**, 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 Petitioners 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
City of Novi



45175 Ten Mile Road
 Novi, MI 48375
 (248) 347-0415 Phone
 (248) 735-5600 Facsimile
 www.cityofnovi.org

ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

RECEIVED

MAY 29 2020

CITY OF NOVI
COMMUNITY DEVELOPMENT

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$200.00</u>	
PROJECT NAME / SUBDIVISION Freestanding Screened Porch / Southwyck of Novi Sub				Meeting Date: <u>July 14, 2020</u>	
ADDRESS 22430 Southwyck Court, Novi MI 48374		LOT/SIUTE/SPACE # Lot #7		ZBA Case #: <u>PZ 20-0023</u>	
SIDWELL # 50-22-28 .351 .007		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY near Nine Mile and Beck Roads, on the NE corner of Nine Mile and Southwyck Court					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" 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 WHYKNOTLF11@YAHOO.COM		CELL PHONE NO. 248 378 7891	
NAME William J De Coste				TELEPHONE NO. 248 378 7891	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS 22430 Southwyck Court		CITY Novi		STATE Mi	ZIP CODE 48374
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 Same As Above				TELEPHONE NO.	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS		CITY		STATE	ZIP CODE
III. ZONING INFORMATION					
A. ZONING DISTRICT					
<input type="checkbox"/> R-A <input checked="" type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input 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>3.1.2</u>		Variance requested <u>4' 6.5" variance to R-1 35' Rear Setback</u>			
2. Section _____		Variance requested _____			
3. Section _____		Variance requested _____			
4. Section _____		Variance requested _____			
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 ADJACENT BUT FREESTANDING STRUCTURE

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT


Applicant Signature

5/20/2020
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

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

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

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:

Our home sits only 36' from the rear property line, and the existing deck and patio already extend past the 35' setback line. The proposed freestanding screened porch structure is tucked into a corner of the house exterior on top of a portion of the existing patio and will extend 4' 6.5" past the 35' rear yard setback as currently designed. If we stay within the 35' setback, there is not enough room for a table and chairs. See attached photo showing the line of the 35' setback vs the proposed design with table and chairs in place.

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:

Our backyard faces the front of the homes on the next street and we would like our rear yard to be as attractive as possible. I believe the design proposed presents the best view to the nearby street to the east (Amberlund) and to our neighbors to the north. An alternative porch design, where the porch stays within the 35' backyard setback, but extends further to the north where we have room to the side yard setback, would present a much longer wall and a door to the Amberlund street view. It would also be visible from the front of our house and

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:

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).

I am aware the porch is a want, not a need. However, the proposed design that requires the variance presents a more attractive structure to the neighbors as a result of the location of our house and the nearby street behind our house.

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 porch design as proposed provides sufficient space for our table and chairs and provides a safe walkway/passthrough space for people passing the table while walking from the house to the deck or backyard through the porch structure. In year 2000, my neighbor 2 doors to the north at 22470 Southwyck Court was granted a variance for their screened porch of 4'2" into the same 35' setback where I am requesting 4'6.5". This property line is a continuous straight line across the back of our Southwyck lots.

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.

As can be seen in the attached photo, the proposed design allows just enough space for the table and chairs and room to pass through the structure between the deck stairs/backyard and the home. Less space would cause restricted and unsafe movement within the structure if simply shortened within the 35' setback. I believe the design as proposed presents an appealing view to the neighbors with the variance granted. The alternative design which does not encroach on any setback lines is not as appealing in appearance to the neighbors and less functional to us.

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.

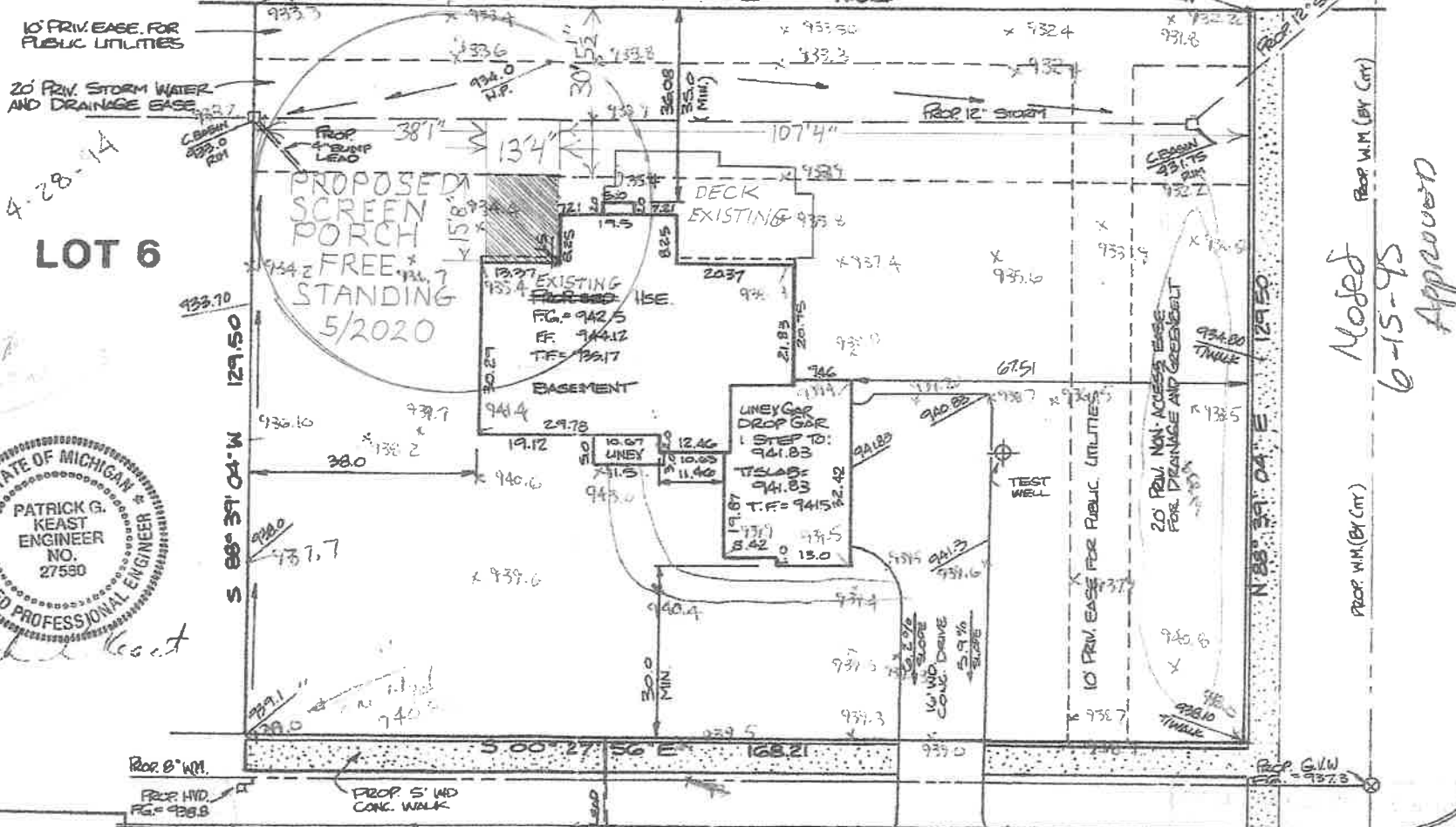
The porch design as proposed will not extend as far from the home as the existing paver patio, nor will it extend as far back as the existing deck by several feet. From the south (Nine Mile Road), the existing deck completely obscures the view of the proposed porch. From the east the design presents a shorter and uninterrupted (no Door) wall view than the alternative design which would be a much longer wall and include a door. Due to the trees and shrubs to the east of our property, the neighbors across Amberland Court barely see my house as it is. The neighbor's view from the north would not be impeded by the proposed structure as it will have a smaller elevation than the existing deck structure in their current view.

PLOT PLAN LOT 7 SOUTHWYCK OF NOVI

A PART OF THE S.W 1/4 OF SECTION 28, T1N., R8E.,
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN



4-28-14
940.83
30.2
85.1
4.34
412.2



IMPROVEMENT PLAN APPROVAL

JOHN A. ASSOCIATES, INC.
CONSULTING ENGINEERS
JAN 14 1994



Patrick G. Keast

ALL GRADES AND UTILITIES ARE PROPOSED TRADING PLAN DATED -93.

SIGNS	DATE	CLIENT
3M	11-9-93	PROGRESSIVE DEVELOPMENT
2	11-23-93	24467 NORTHWESTERN HWY. STE 1C. SOUTHFIELD, MI 48075
		TEL. NO 353-5900

SEIBER, KEAST & ASSOCIATES, INC. CONSULTING ENGINEERS 40000 GRAND RIVER AVE. STE 110 NOVI MI 48375 (313) 472-7880	MILLETTS AND ASSOCIATES LAND SURVEYORS NOVI MI 48375
---	--

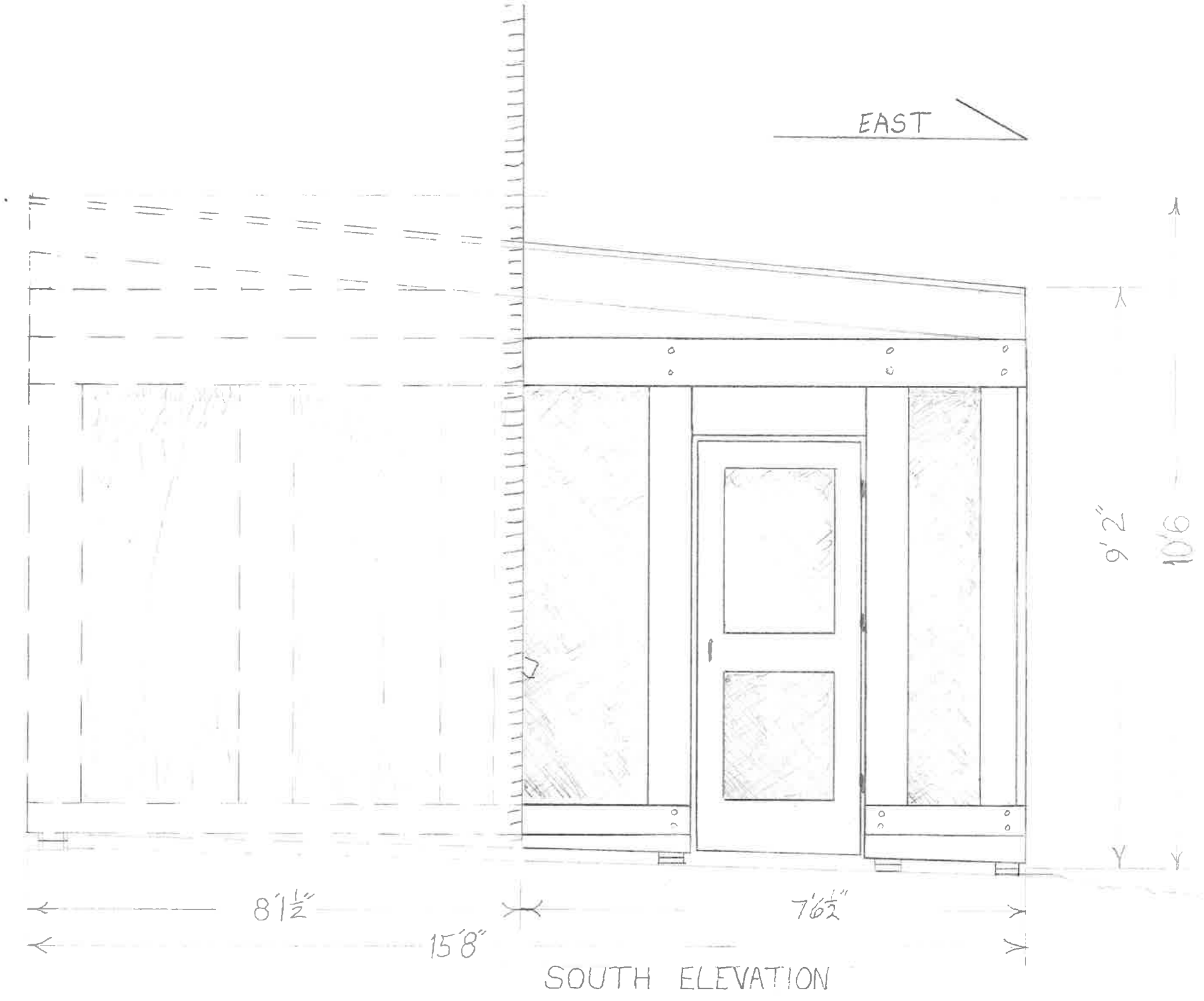
22430
SOUTHWYCK COURT

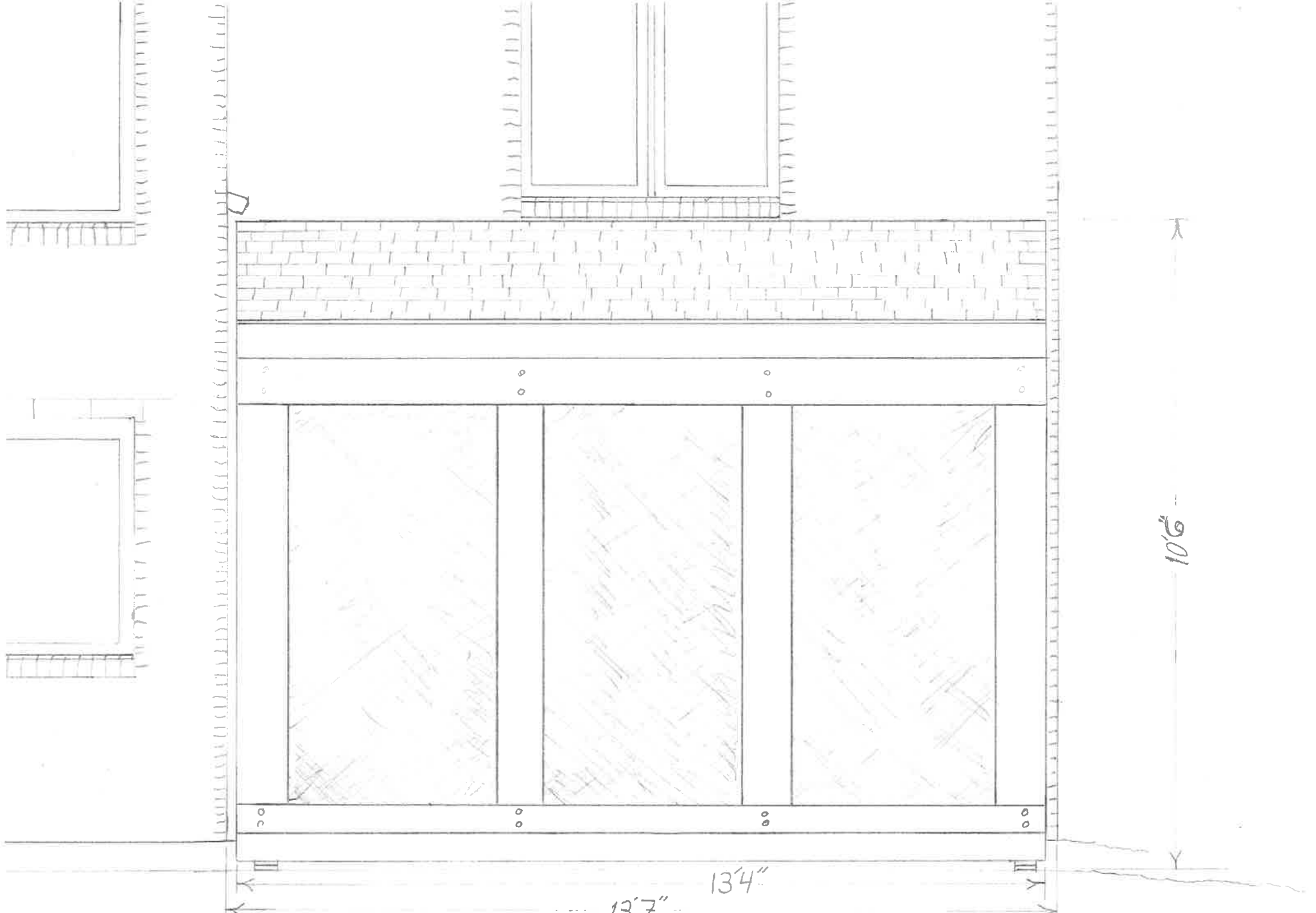
T.P. 936.91

Noted
6-15-95
Approved

6-23-95
Patrick G. Keast

①

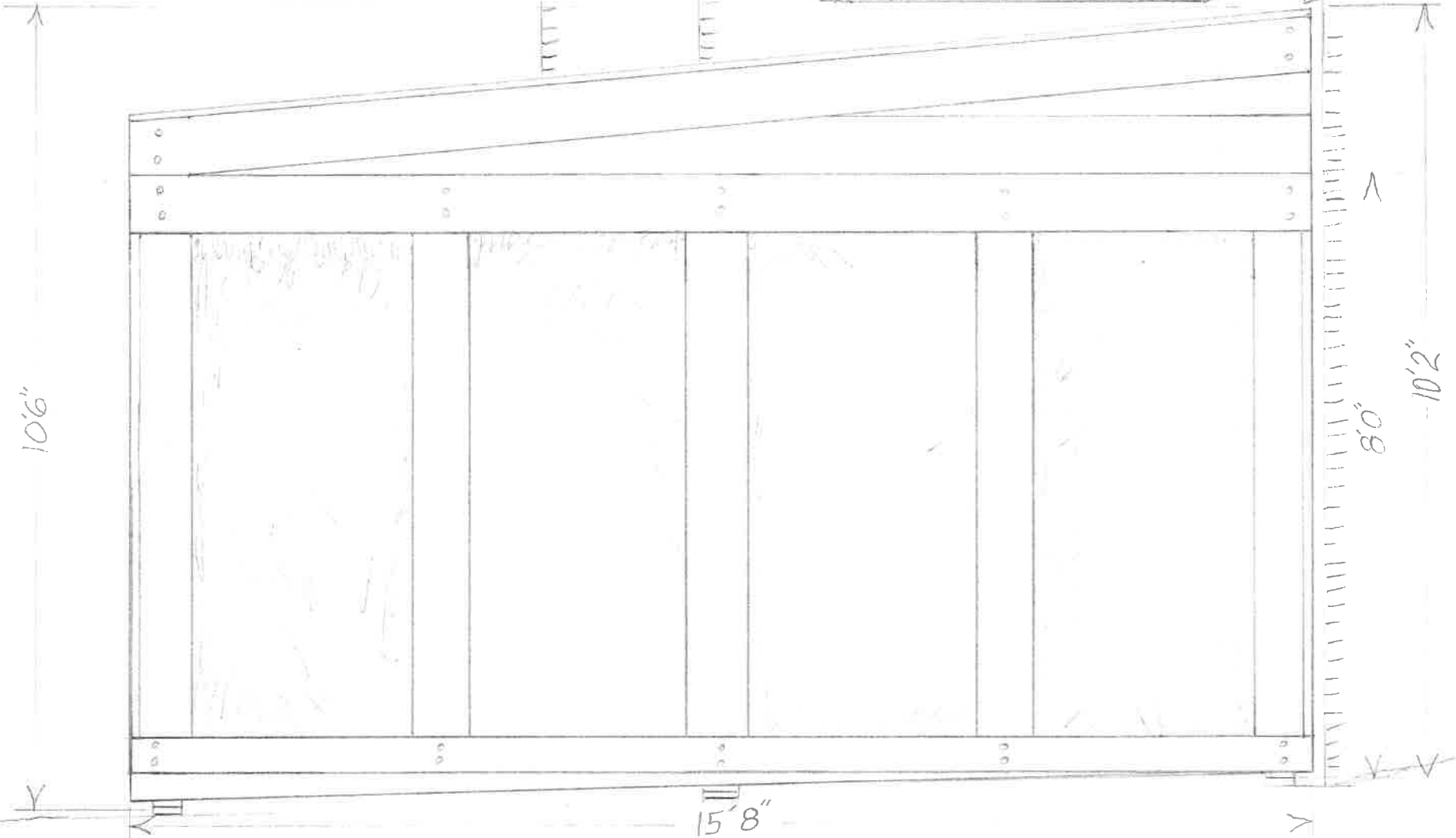




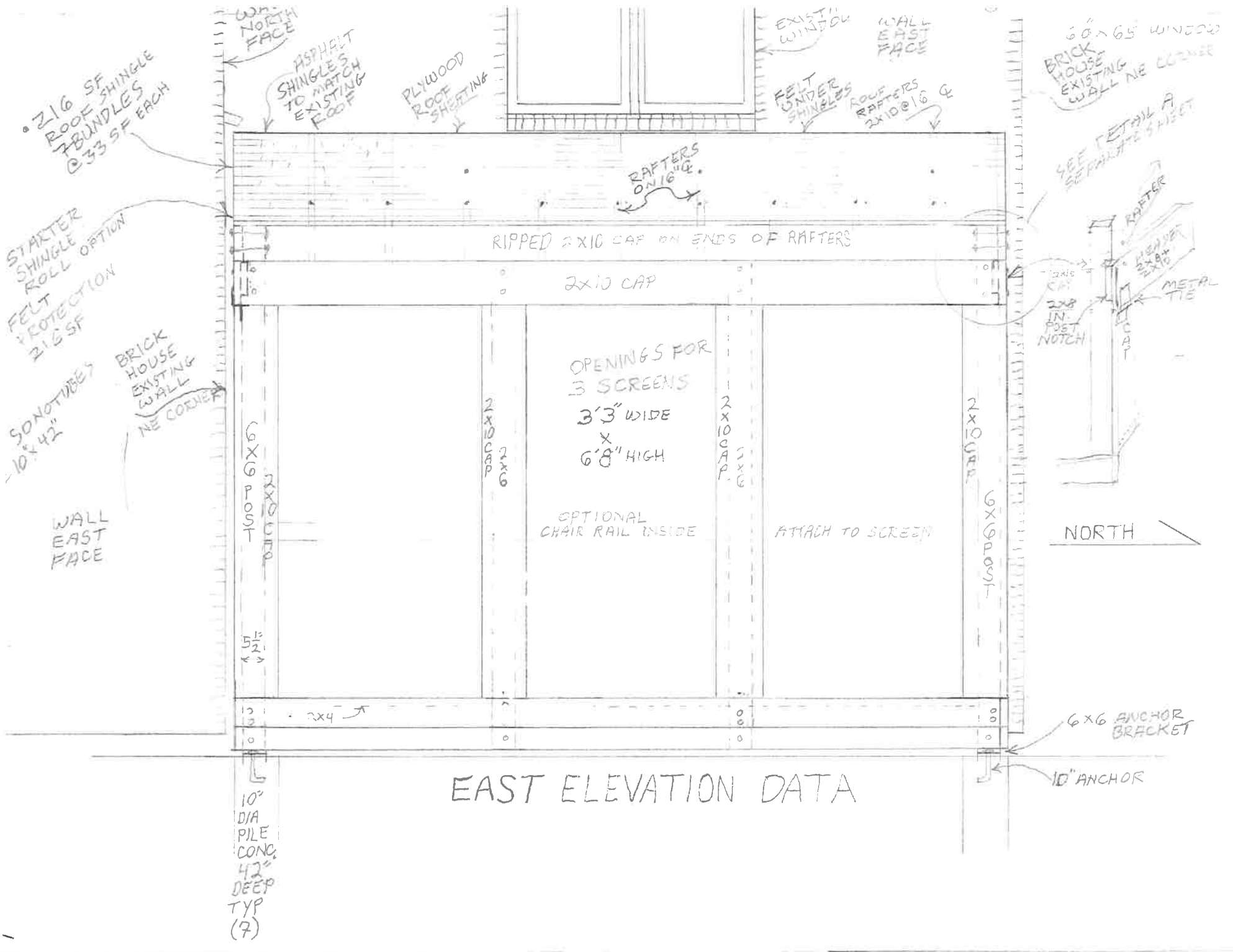
13'7" 13'4"
EAST ELEVATION

10'6"

EAST



NORTH ELEVATION



• 216 SF ROOF SHINGLE
7 BUNDLES @ 33 SF EACH

W/ NORTH FACE
ASPHALT SHINGLES TO MATCH EXISTING ROOF

PLYWOOD ROOF SHEETING

EXISTING WINDOW
WALL EAST FACE
FELT UNDER SHINGLES
ROOF RAFTERS 2X10 @ 16"

6'0" x 6'5" WINDOW
BRICK HOUSE EXISTING WALL NE CORNER

SEE DETAIL A SEPARATE SHEET

STARTER SHINGLE ROLL OPTION
FELT PROTECTION 216 SF

SOMETIME'S 10' x 42"

BRICK HOUSE EXISTING WALL NE CORNER

WALL EAST FACE

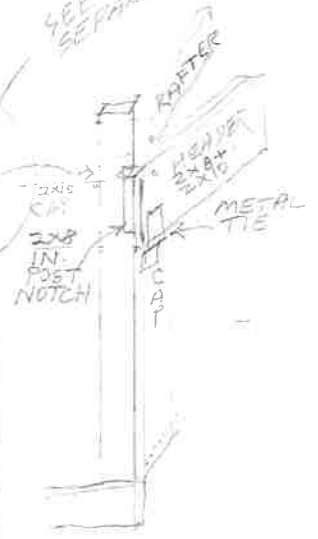
RAFTERS @ 16"
RIPPED 2X10 CAP ON ENDS OF RAFTERS

2X10 CAP

OPENINGS FOR 3 SCREENS
3'3" WIDE
x
6'8" HIGH

OPTIONAL CHAIR RAIL INSIDE

ATTACH TO SCREEN



NORTH

REQUIRED 6X6 POST

REQUIRED 2X10 CAP

2X10 CAP

REQUIRED 6X6 POST

5 1/2"

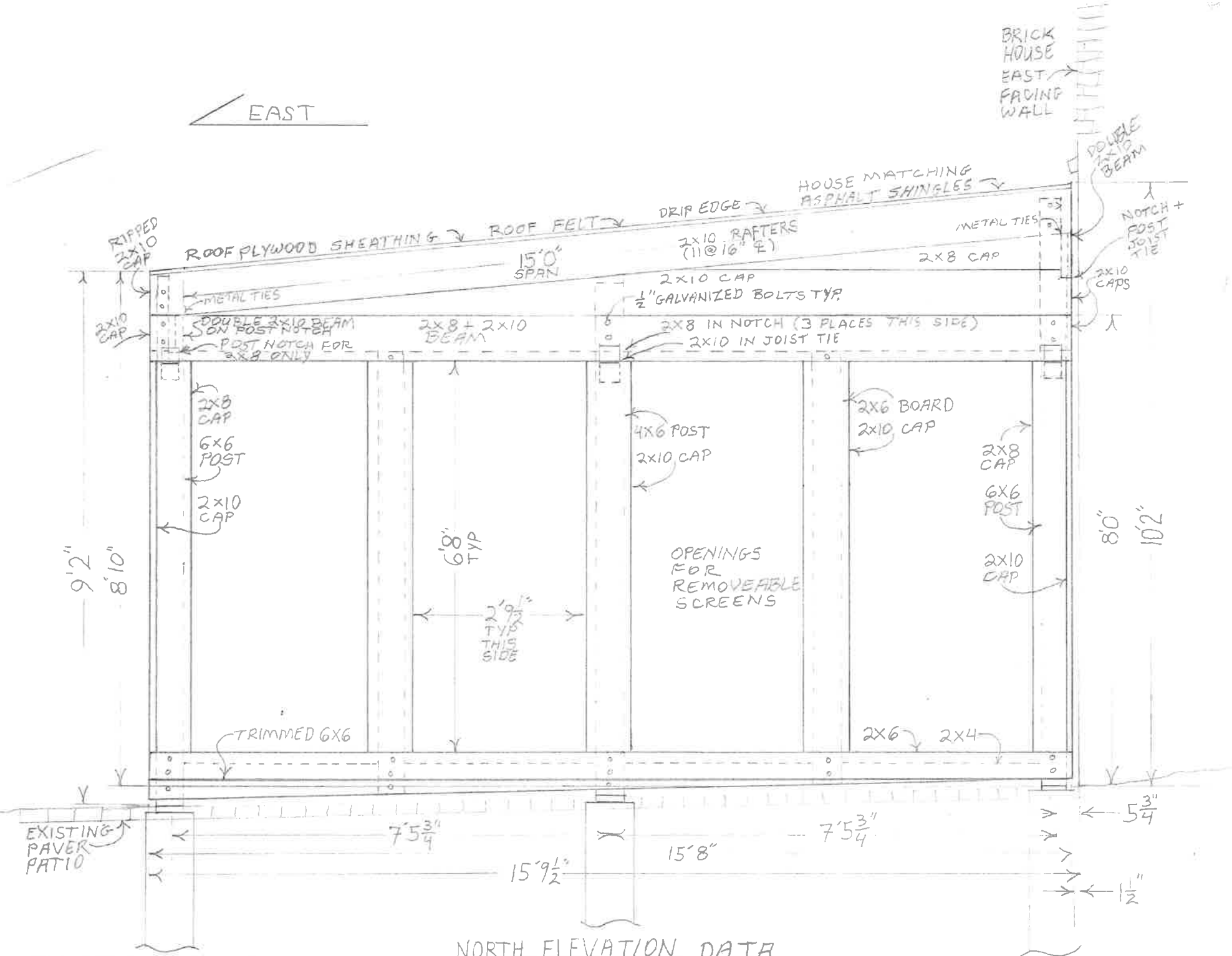
2x4

6X6 ANCHOR BRACKET

10" ANCHOR

10' DIA PILE CONC. 42" DEEP TYP (7)

EAST ELEVATION DATA



EAST

BRICK HOUSE EAST FACING WALL

HOUSE MATCHING ASPHALT SHINGLES

ROOF PLYWOOD SHEATHING

DRIP EDGE

2x10 RAFTERS (11 @ 16" E)

METAL TIES

DOUBLE 2x10 BEAM

NOTCH POST JOIST TIE

15'0" SPAN

2x8 CAP

METAL TIES

DOUBLE 2x10 BEAM ON POST NOTCH POST NOTCH FOR 2x8 ONLY

2x8 + 2x10 BEAM

2x10 CAP 1/2" GALVANIZED BOLTS TYP

2x8 IN NOTCH (3 PLACES THIS SIDE) 2x10 IN JOIST TIE

2x10 CAPS

2x8 CAP

6x6 POST

2x10 CAP

4x6 POST 2x10 CAP

2x6 BOARD 2x10 CAP

2x8 CAP

6x6 POST

2x10 CAP

8'0"

10'2"

OPENINGS FOR REMOVEABLE SCREENS

6'8" TYP

2'9 1/2" TYP THIS SIDE

TRIMMED 6x6

2x6

2x4

EXISTING PAVER PATIO

7'5 3/4"

15'9 1/2"

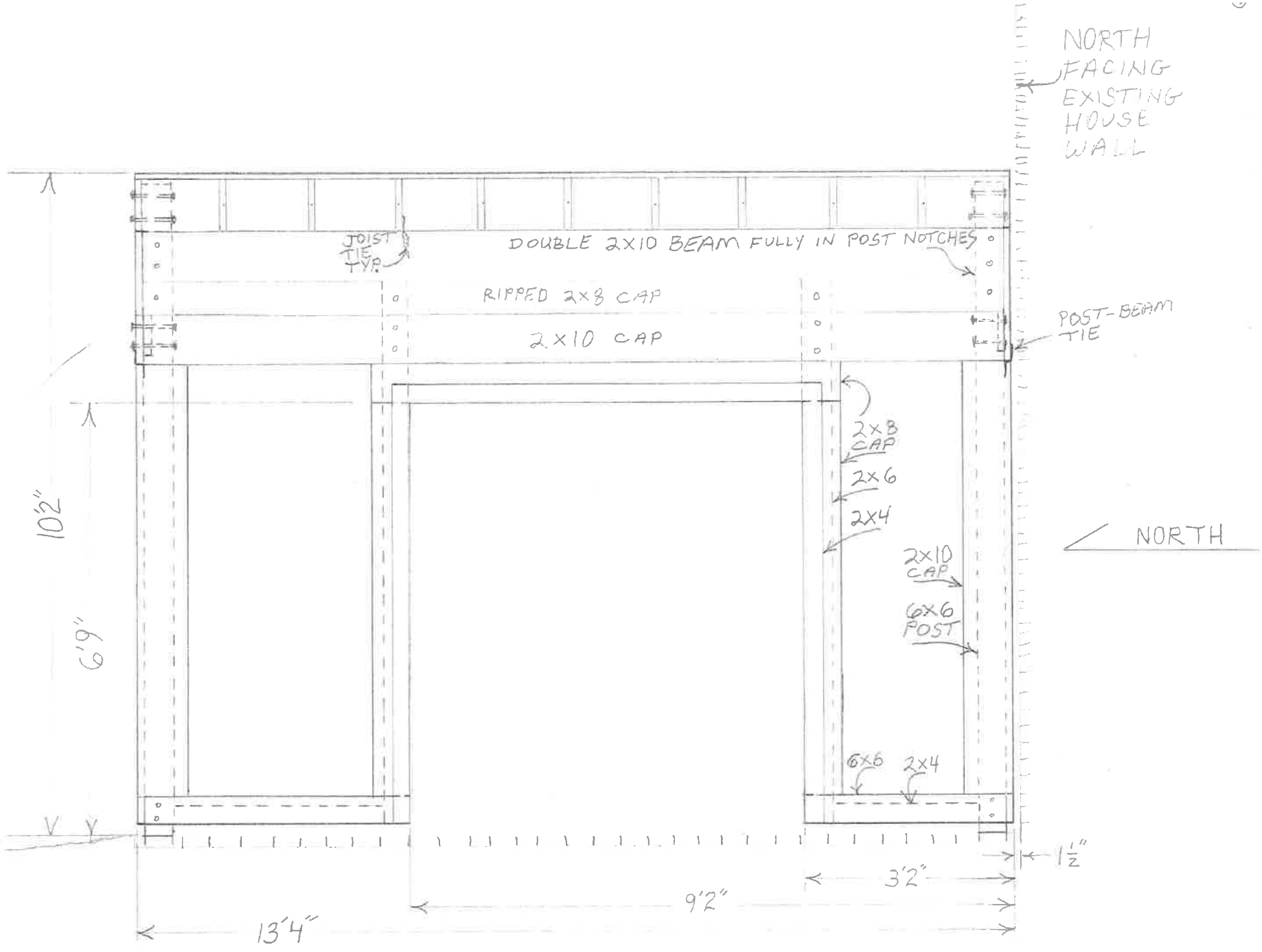
15'8"

7'5 3/4"

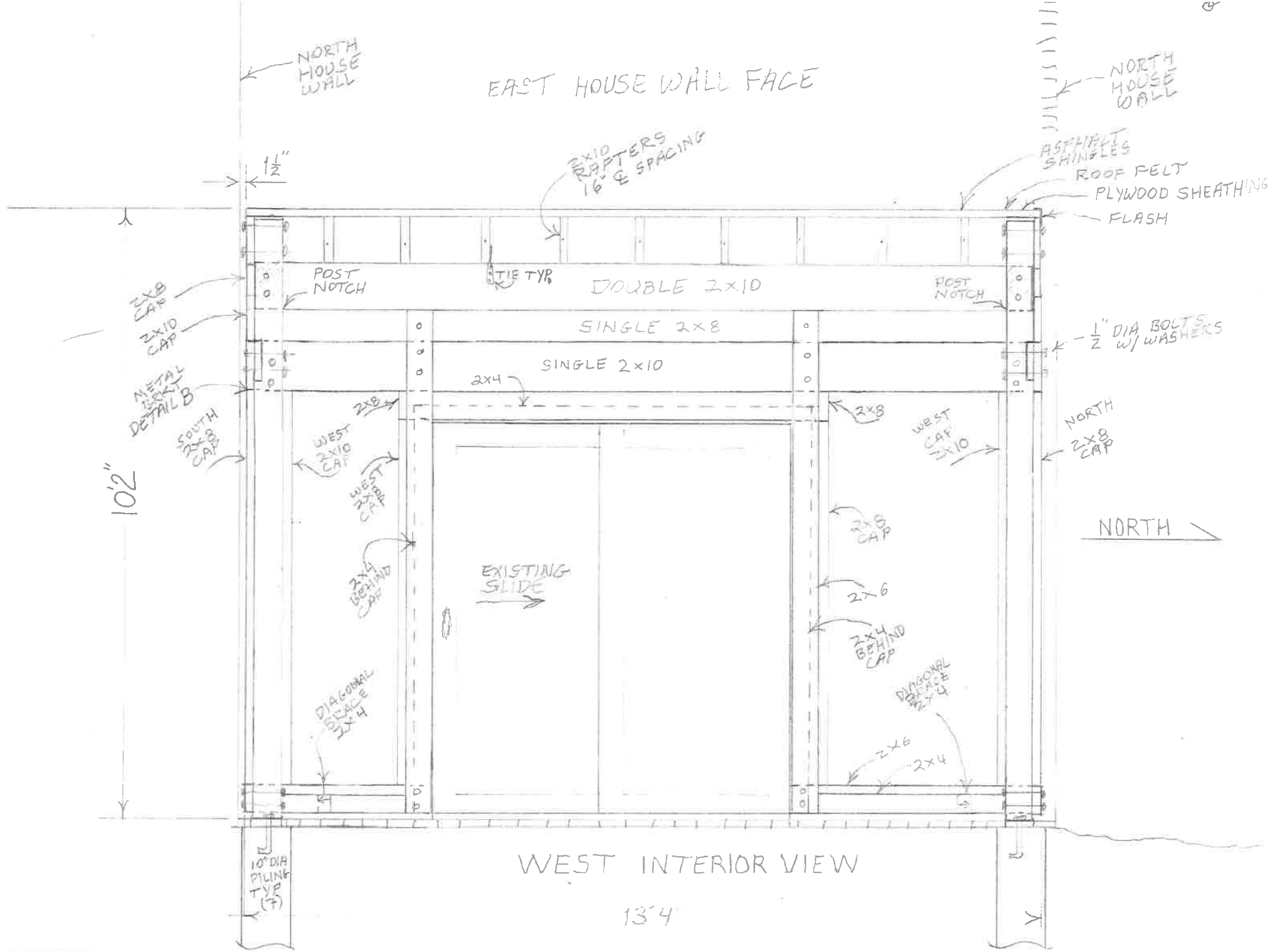
5'3/4"

1 1/2"

NORTH ELEVATION DATA



WEST ELEVATION



NORTH HOUSE WALL

EAST HOUSE WALL FACE

NORTH HOUSE WALL

2x10 RAPTERS
16" E SPACING

ASPHALT SHINGLES
ROOF FELT
PLYWOOD SHEATHING
FLASH

1 1/2"

POST NOTCH

TIE TYR

DOUBLE 2x10

POST NOTCH

2x8 CAP

2x10 CAP

METAL BRACKET
DETAIL B

SOUTH 2x8 CAP

SINGLE 2x8

1" DIA BOLTS
1/2" W/ WASHERS

SINGLE 2x10

2x4

10'2"

WEST 2x10 CAP

WEST 2x8 CAP

2x4 BEHIND CAP

DIAGONAL BRACE
2x4

WEST CAP 2x10

NORTH 2x8 CAP

NORTH

EXISTING SLIDE

2x6

2x4 BEHIND CAP

DIAGONAL BRACE
2x4

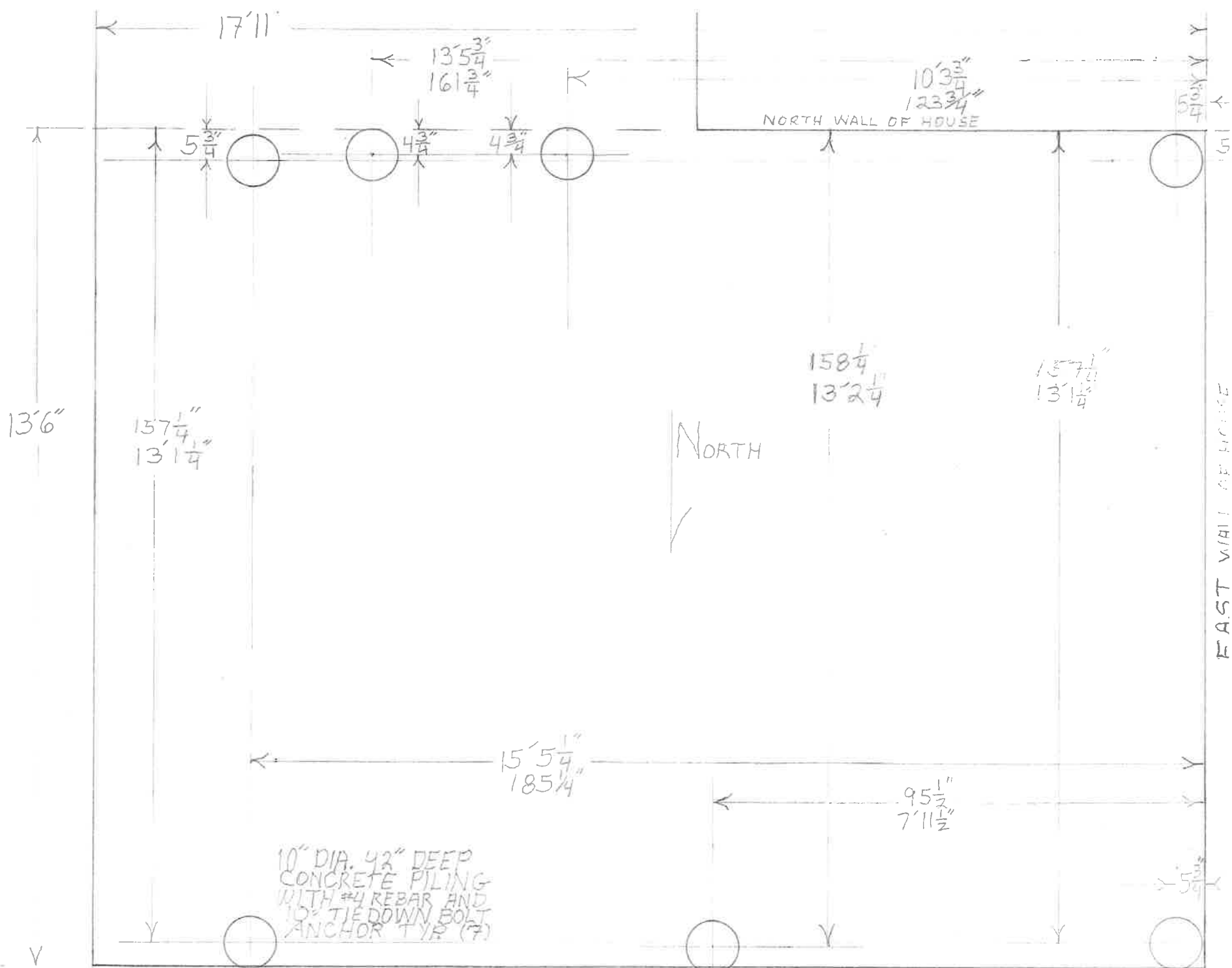
2x6

2x4

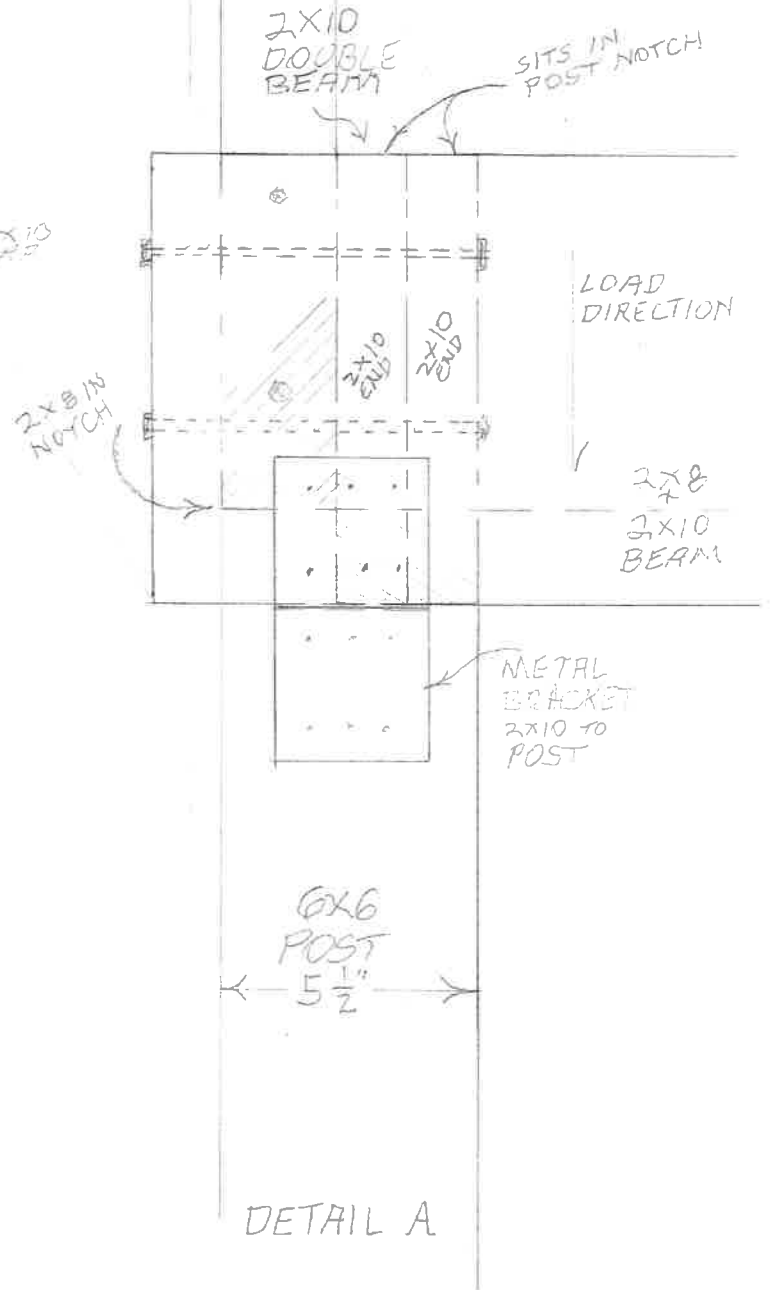
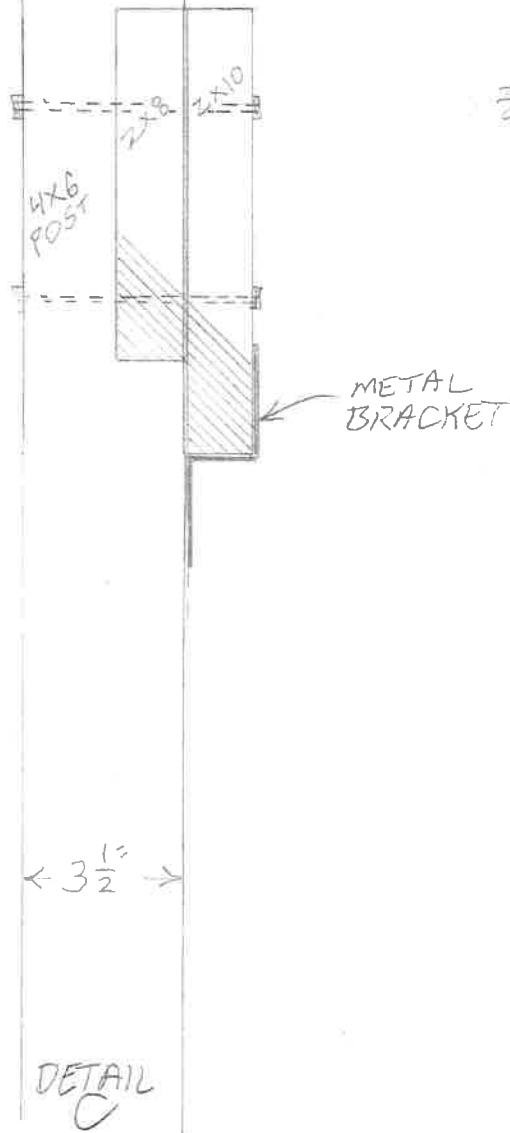
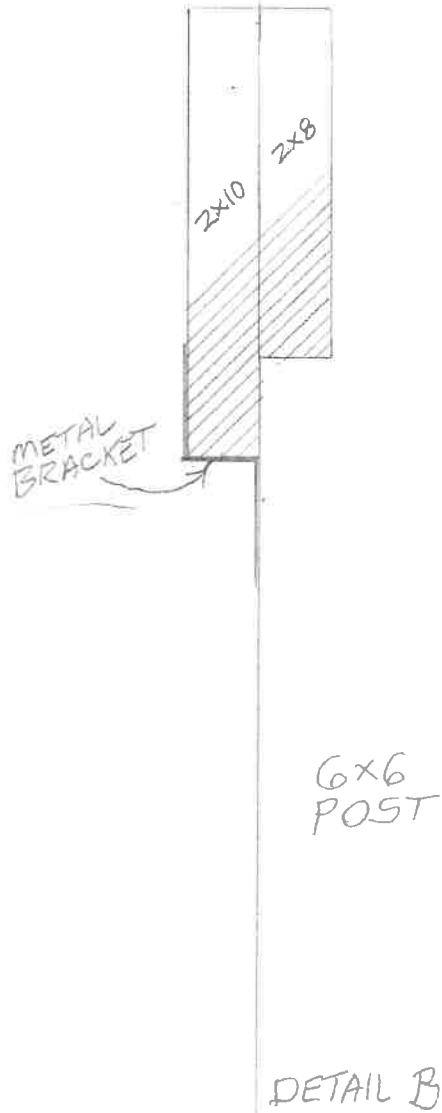
10" DIA PILING
TYR (7)

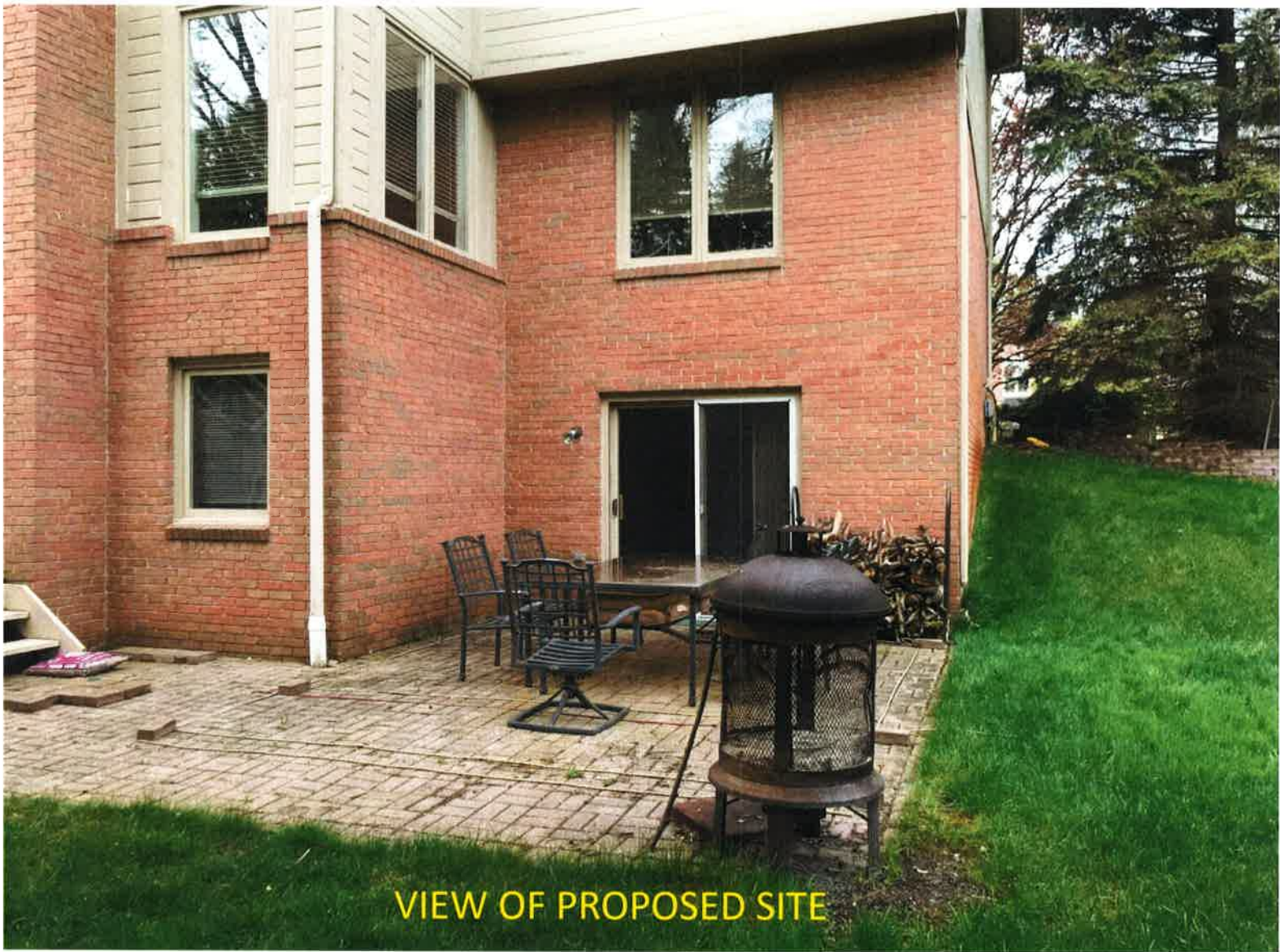
WEST INTERIOR VIEW

13'4"



FOUNDATION PLAN





VIEW OF PROPOSED SITE

4'6.5" VARIANCE REQUESTED

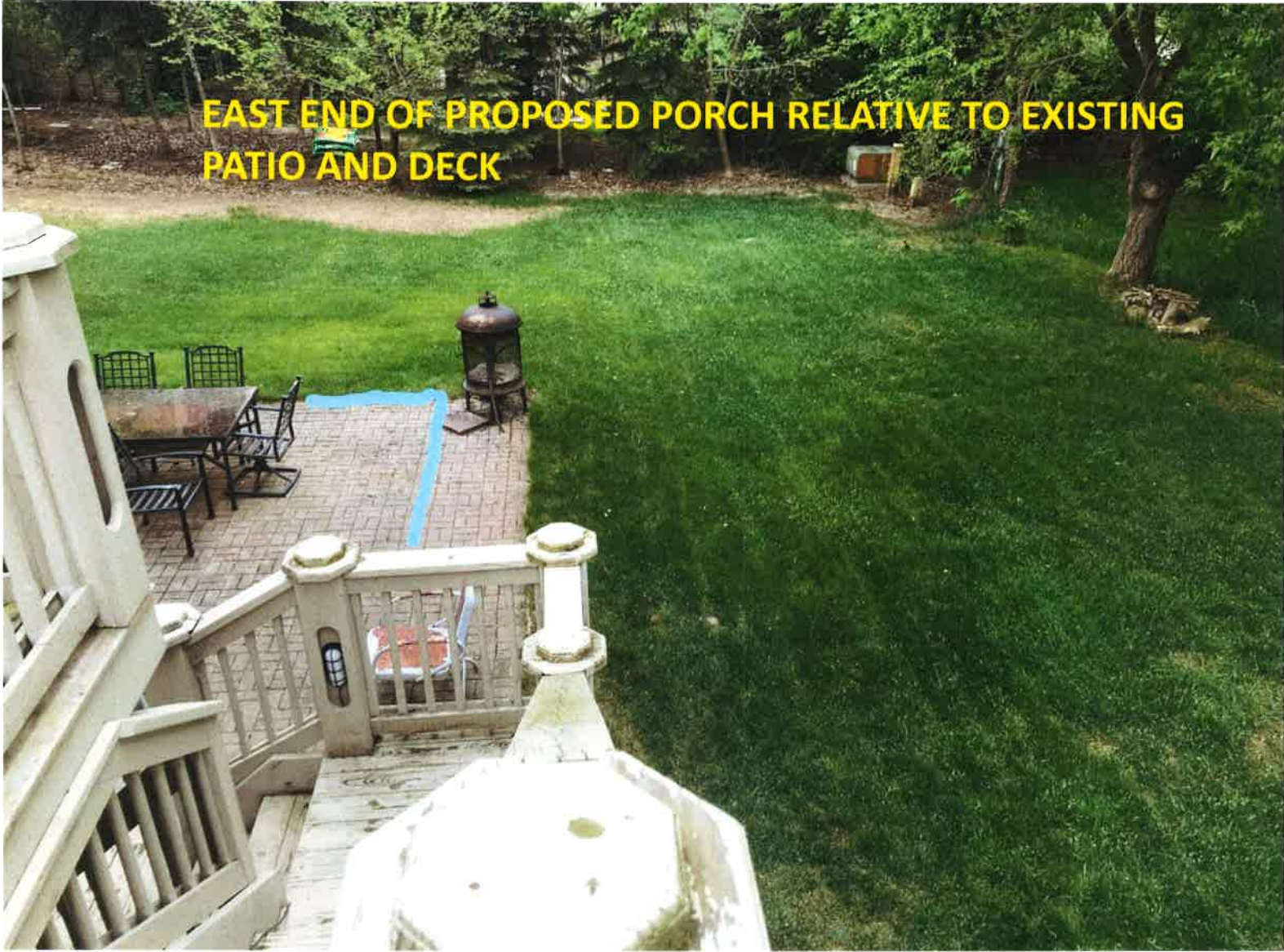
35' BACKYARD SETBACK LINE

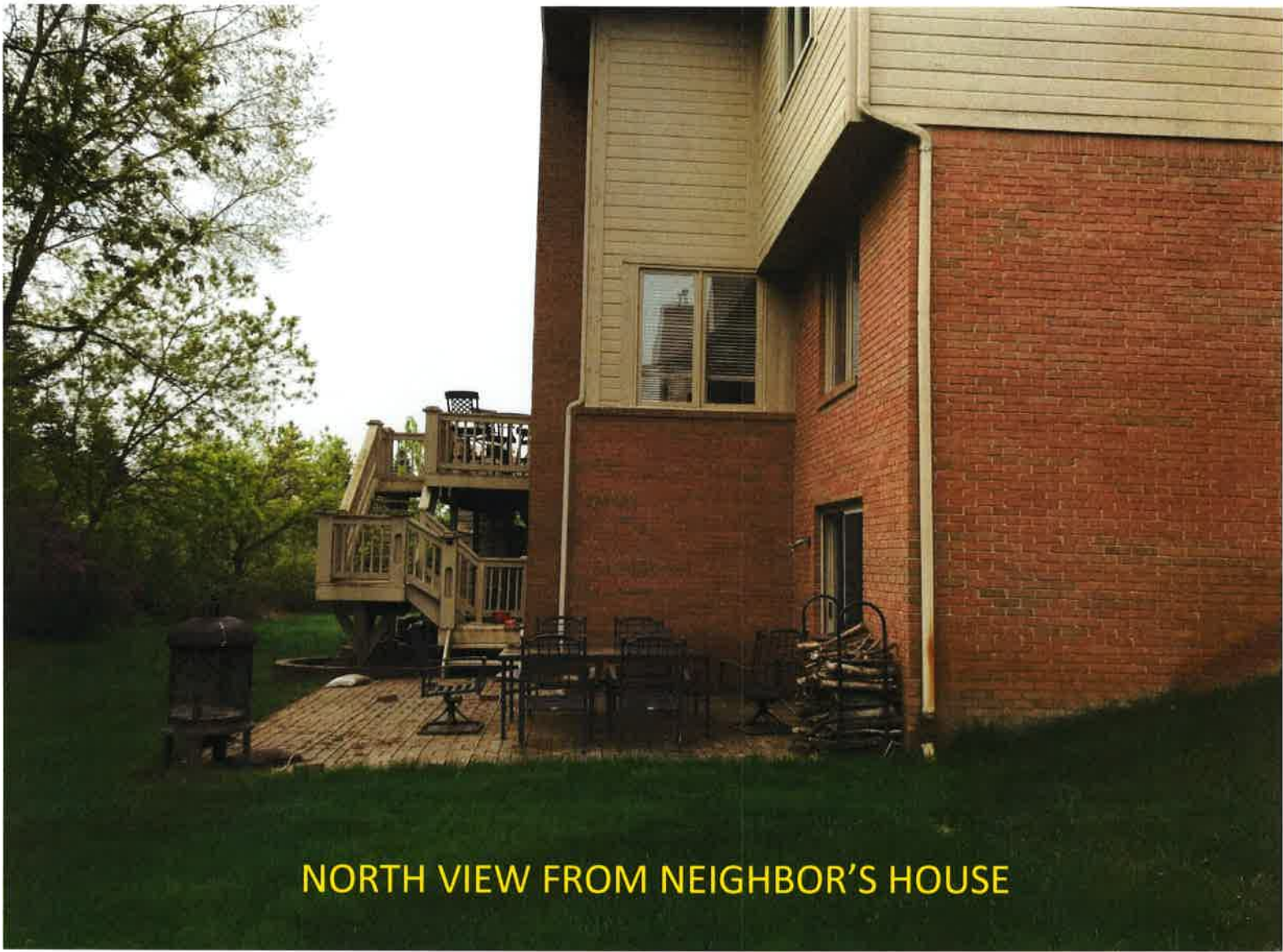




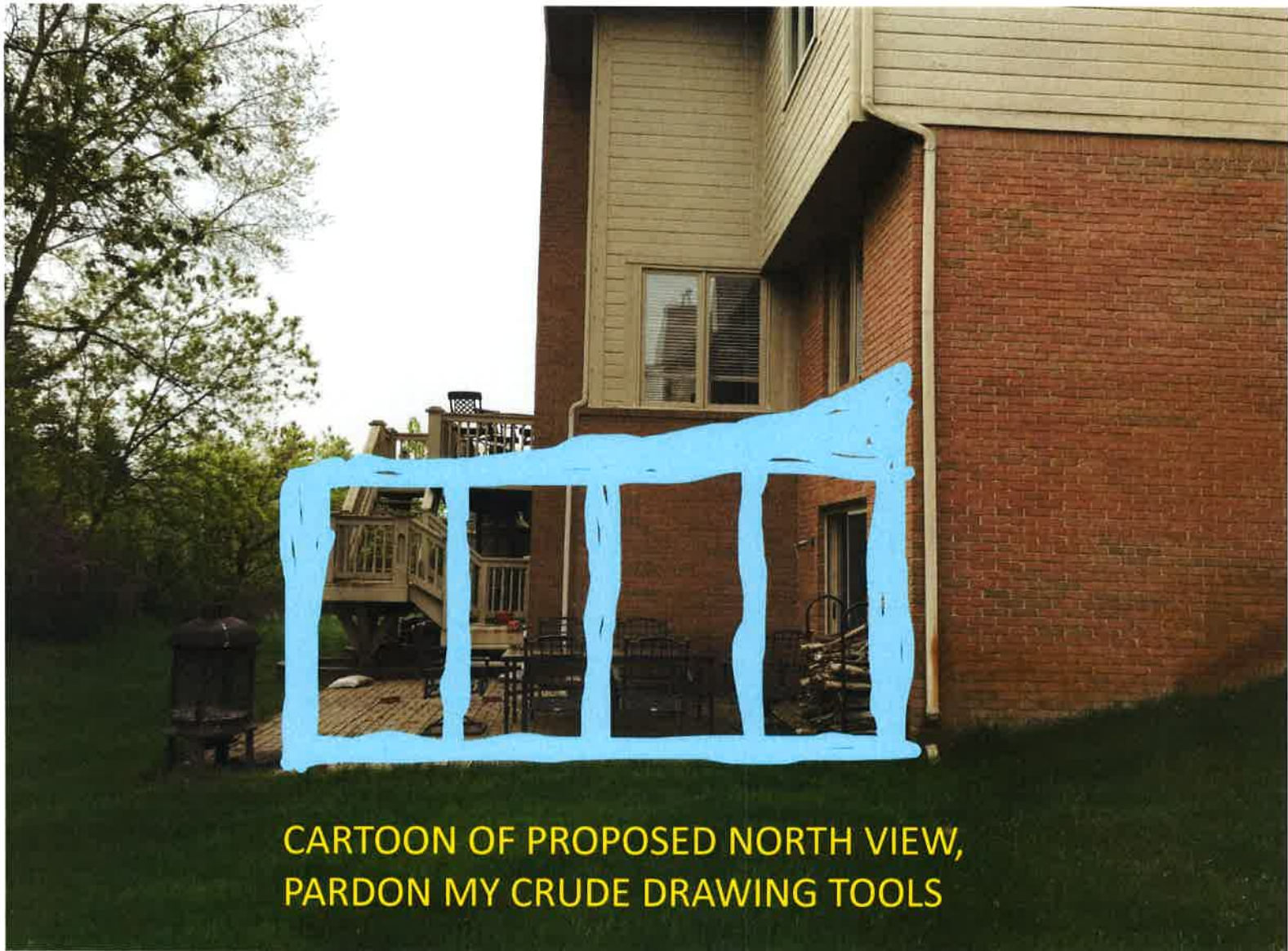
**VIEW FROM SOUTH WITHIN YARD. VIEW
FROM NINE MILE ROAD IS BLOCKED BY
TREES**

EAST END OF PROPOSED PORCH RELATIVE TO EXISTING PATIO AND DECK

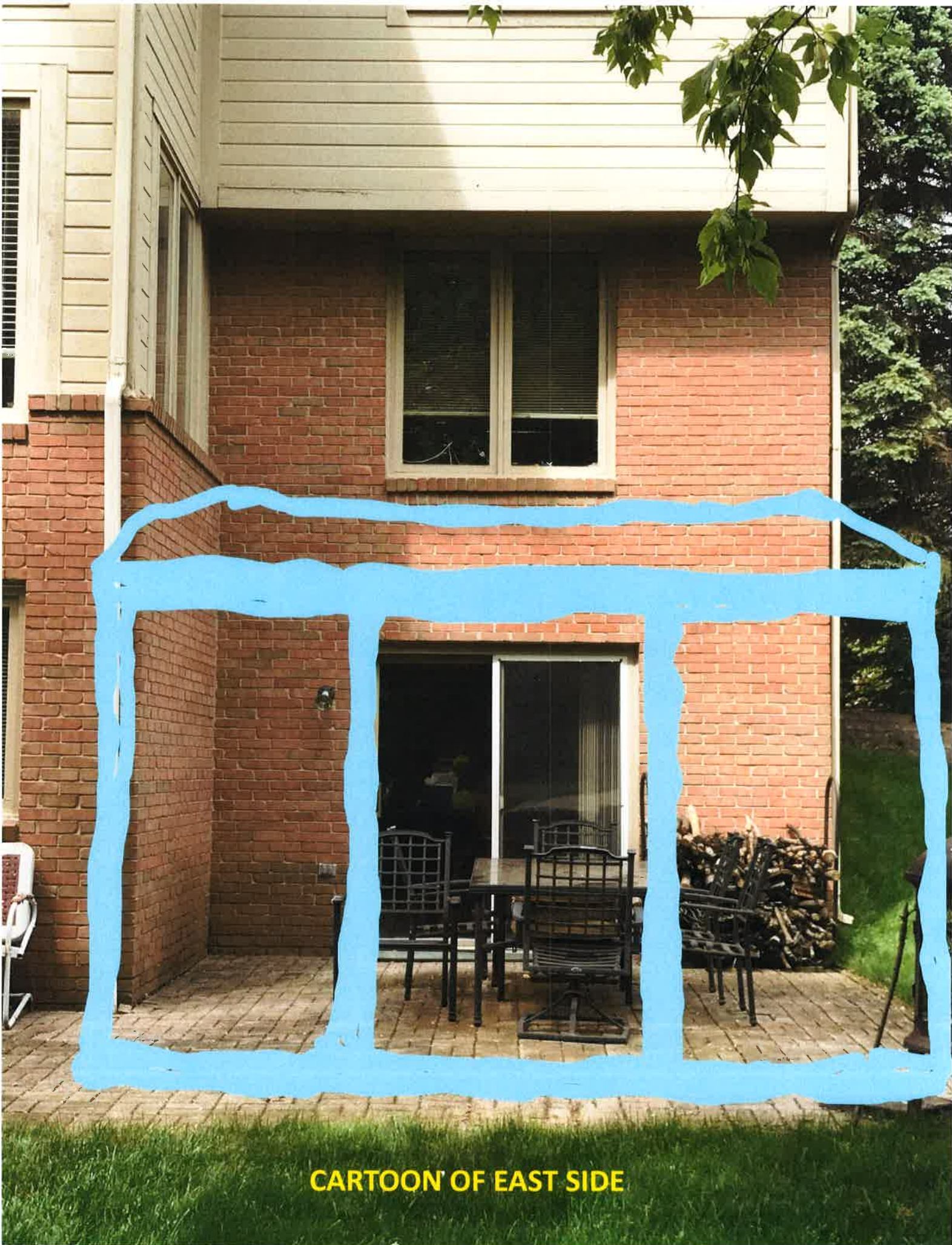




NORTH VIEW FROM NEIGHBOR'S HOUSE



CARTOON OF PROPOSED NORTH VIEW,
PARDON MY CRUDE DRAWING TOOLS



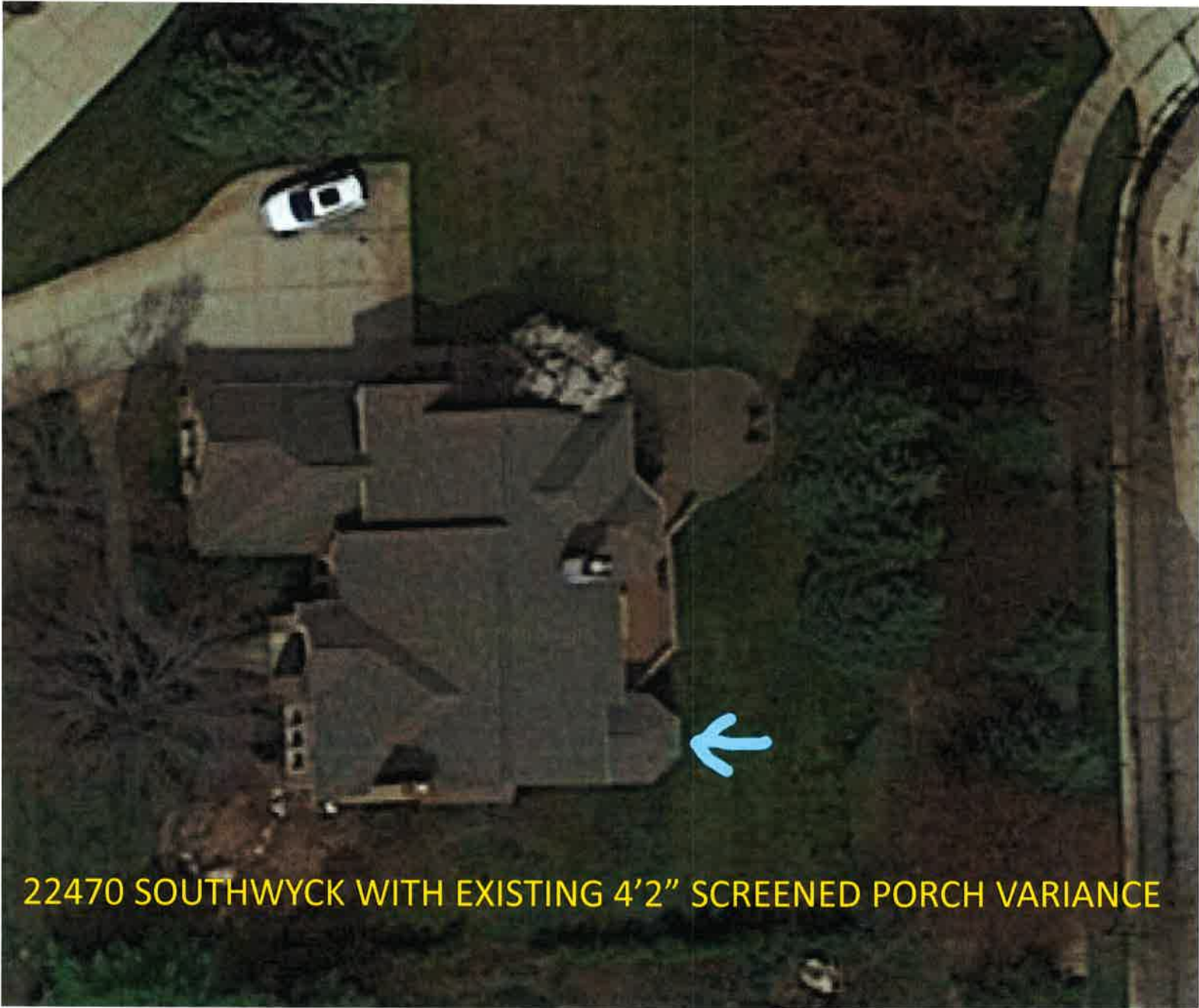
CARTOON OF EAST SIDE



VIEW FROM AMBERLUND COURT, CORNER HOUSE



VIEW FROM AMBERLUND COURT, SECOND HOUSE IN



22470 SOUTHWYCK WITH EXISTING 4'2" SCREENED PORCH VARIANCE



22470 SOUTHWYCK WITH EXISTING 4'2" VARIANCE



Amberlund Ct Amberlund Ct



Home

22430 SOUTHWYCK REQUESTING 4'6.5" VARIANCE



Southwyck Ct

Google



SCREEN PORCH AT
22470 SOUTHWYCK
WITH 4'2" VARIANCE



REFERENCED ALTERNATIVE FOOTPRINT

To: City of Novi Community Development Department
45175 Ten Mile Road
Novi, MI 48374

7 May, 2020

From: William and Melinda De Coste
22430 Southwyck Court
Novi, MI 48374

Subject: Homeowner Association Approval for Screened Porch Build

The homeowners in the neighborhood known as "Southwyck of Novi" did not implement an owners association. As it is a neighborhood of only 7 houses, the homeowners decided in the 1990s when assuming responsibility from the developer not to register as a neighborhood association. That situation remains today.



William J De Coste

Homeowner at 22430 Southwyck Court

TO: CITY OF NOVI
ZONING BOARD OF APPEALS
45175 TEN MILE ROAD
NOVI, MI 48375

Please note my comments to:

22430 Southwyck Court, Parcel # 50-22-28-351-007 (PZ20-0023)

Please note my: (Approval) (Objection) to the requested variance.

Comments:

(PLEASE PRINT CLEARLY)

Name: LAKSHMI CHUKALI JANARDHAN

Address: 22454 Autumn Park Blvd, Novi, MI 48374

Date: 7/3/2020

Zoning Board of Appeals meetings are broadcast live on Spectrum channel 13-1 channel 99. They are also streamed live on the City's website at cityofnovi.com