



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:** September 15, 2015

REGARDING: **METTE (CASE NO. PZ15-0030)**

BY: Thomas M. Walsh, Building Official

I. GENERAL INFORMATION:

Applicant

Bruce C. Mette

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: R-4, One Family Residential
Site Location: 1361 East Lake Drive, west of Novi Road and south of 14 Mile Road
Parcel #: 50-22-02-328-004

Request

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.5(d) to allow reconstruction of existing home with lower level addition over the existing foot and front yard deck on an existing nonconforming parcel: 1) a variance of 7.0 feet in the required south side yard setback (10.0 feet required, 3.0 feet proposed); 2) a variance of 15.6 feet in the required aggregate side yard setback (25.0 feet required, 9.4 feet proposed); 3) a variance of 11.8 feet in the required front yard setback (30.0 feet required, 18.2 feet proposed).



II. ZONING AND LAND USE:

The table below lists the zoning district, existing land use and future land use for the subject site and surrounding parcels.

Parcel	Zoning District	Existing Land Use	Future Land Use
Subject Property	R-4, One Family Residential	Chapman Walled Lake Subdivision	Single Residential
North	R-4, One Family Residential	Chapman Walled Lake Subdivision	Single Residential
South	R-4, One Family Residential	Chapman Walled Lake Subdivision	Single Residential
East	R-4, One Family Residential	Woods of Novi Subdivision	Single Residential
West	R-4, One Family Residential	Chapman Walled Lake Subdivision	Single Residential

III. STAFF COMMENTS:

Existing Condition

The subject property consists of one- (1) lot located on the east side of East Lake Drive within Chapman Walled Lake Subdivision. The parcel has approximately 30.0 feet of frontage on East Lake Drive and approximately 109.98 feet deep as measured along north side yard lot line. The total lot area of the parcel is approximately 3,299.4 square feet. The existing residence is located 21.2 feet from the front yard lot line, 6.4 feet from the north side yard lot line, 3.0 feet from the south side yard lot line, and 52.5 feet from the rear yard lot line.

Proposed Changes

The applicant is proposing to reconstruction of existing home with lower level addition over the existing foot and front yard deck on an existing nonconforming parcel. As proposed, the first and second floor (foot print) additions measure 20' x 36.3' for a total floor area of 726.0 square feet (each) with a front yard deck area of 140 square feet.

The addition would result in a setback of 6.4 feet from the north side yard lot line, 3.0 feet from the south side yard setback, 18.2 feet from the front (deck) yard lot line, and 48.5 feet from the front (yard lot line). ***This requires a variance of 7.0 feet in the required south side yard setback, a variance of 15.6 in the required aggregate side yard setback, and a variance of 11.8 feet in the required front yard setback.***

IV. DEVELOPMENT STANDARDS:

The table below summarizes the zoning district development standards for the subject parcels.

Lot Size		Minimum Setback			
Area	Width	Front	Sides	Aggregate Side	Rear
R-4 10,000 sq. ft.	80 ft.	30 ft.	10 ft. (one side)	25 ft. (total of two side)	35 ft.

1. Building Height (Section 3.1.5(d)). The maximum height of the building is 35 feet. The addition(s) is proposed to be 32 feet, two-story.
2. Lot Coverage (Section 3.1.5(d)). The percentage of lot coverage including the existing residence and the proposed addition would result in 21.8 percent.

V. RECOMMENDATION:

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

1. Grant I move that we **grant** the variance(s) in **Case No.PZ15-0030**, sought by _____, for _____ because the Petitioner has established that _____ causes a practical difficulty relating to the property, including some or all of the following criteria:

- (a) Petitioner has established that the property is unique because _____, or that the physical condition of the property creates the need for a variance because _____.

And, the condition is not a personal or economic hardship.

- (b) The need for the variance is not self-created, **because** _____.

- (c) Strict compliance with dimensional regulations of the Zoning Ordinance, including _____, will (either):

1. unreasonably prevent Petitioner from using the property for the permitted purpose as a _____, because _____, and/or,
2. will make it unnecessarily burdensome to comply with the regulation because _____.

- (d) Petitioner has established that variance is the minimum variance necessary because a lesser variance would not _____.

- (e) The requested variance will not cause adverse impact on surrounding property, property values, or the enjoyment of property in the neighborhood or zoning district, because _____.

- (f) The variance granted is subject to the conditions that:

1. _____,
2. _____,
3. _____,
4. _____.

2. Deny I move that we **deny** the variance in **Case No.PZ15-0030**, sought by _____, for _____ because the Petitioner has **not** established a practical difficulty because:

(a) Petitioner has shown no unique circumstance or physical condition of the property because petitioner can reasonably comply with the ordinance by_____.

(b) The difficulty described by the Petitioner is a personal or economic difficulty only in that Petitioner stated _____.

(c) The need for the variance is self-created because Petitioner _____.

(d) Conforming to the ordinance would not (either):

1. be unnecessarily burdensome because _____, or,

2. unreasonably prevent petitioner from using the property for _____, because_____.

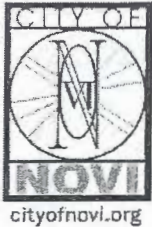
(e) A lesser variance consisting of _____would do substantial justice to Petitioner and surrounding property owner's because_____.

(f) The proposed variance would have adverse impact on surrounding property because _____.

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



Thomas M. Walsh
Building Official
City of Novi



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Novi, MI 48375
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www.cityofnovi.org

ZONING BOARD OF APPEALS APPLICATION

RECEIVED

AUG 03 2015

CITY OF NOVI
COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$200

Meeting Date: SEPTEMBER 15

ZBA Case #: PZ 15-0030

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION <u>METTE HOUSE - CHAPMAN WALLED LAKE SUBDIVISION</u>			
ADDRESS <u>1361 EAST LAKE DRIVE</u>		LOT/SIUTE/SPACE #	
SIDWELL # <u>50-22-02-328-004</u>	May be obtain from Assessing Department (248) 347-0485		
CROSS ROADS OF PROPERTY			
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 type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS <u>BRUCE@METTESPRINTING.COM</u>	CELL PHONE NO. <u>734-776-5790</u>
NAME <u>BRUCE C. METTE</u>		TELEPHONE NO. <u>734-261-6262</u>	
ORGANIZATION/COMPANY		FAX NO. <u>734-261-9312</u>	
ADDRESS <u>40052 MILLPOND CT.</u>	CITY <u>NORTHVILLE</u>	STATE <u>MICHIGAN</u>	ZIP CODE <u>48168</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 <u>BRUCE@METTESPRINTING.COM</u>	CELL PHONE NO. <u>734-776-5790</u>
NAME <u>BRUCE AND TONI METTE</u>		TELEPHONE NO. <u>734-261-6262</u>	
ORGANIZATION/COMPANY		FAX NO. <u>734-261-9312</u>	
ADDRESS <u>40052 MILLPOND CT.</u>	CITY <u>NORTHVILLE</u>	STATE <u>MICHIGAN</u>	ZIP CODE <u>48168</u>
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>2400</u> Variance requested <u>REQUIRED 30FT PURPOSED 18.2 FT VARIANCE 11.83 FT FRONT</u>			
2. Section <u>2400</u> Variance requested <u>REQUIRED 10FT PURPOSED 3 FT SIDE VARIANCE 7FT</u>			
3. Section <u>2400</u> Variance requested <u>AGG TOTAL BOTH SIDES REQUIRED 25 FT REQUEST VARIANCE 15.67 FT</u>			
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 • 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

Bruce C. Mettler

Applicant Signature

7-31-15

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:

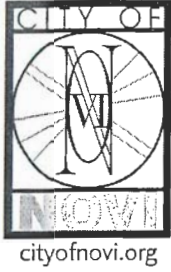
GRANTED

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



**REVIEW STANDARDS
DIMENSIONAL VARIANCE
CITY OF NOVI
Community Development Department
(248) 347-0415**

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 how the circumstances or physical conditions applying to the property that do not apply generally to other properties in the same Zone 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:

CAN NOT MEET SET BACKS IN THAT ZONING DISTRICT.

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:

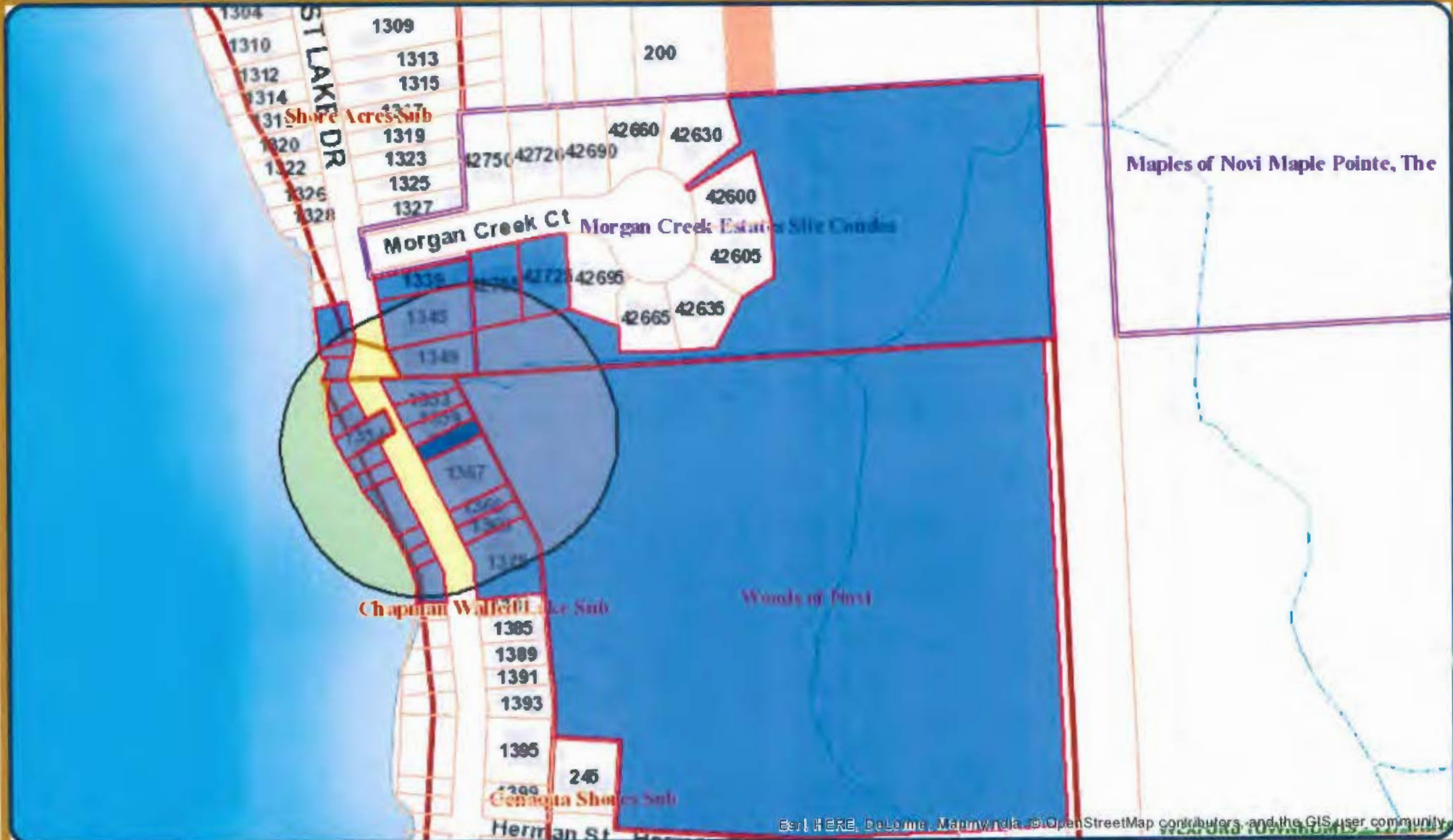
and/or

- 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:

1361 East Lake Drive

PZ15-0030



Maples of Novi Maple Pointe, The

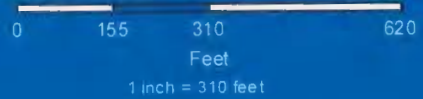
Esri, HERE, DeLorme, Mapbox, and OpenStreetMap contributors, and the GIS user community



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



Author:
Date: 8/27/2015



MAP INTERPRETATION NOTICE

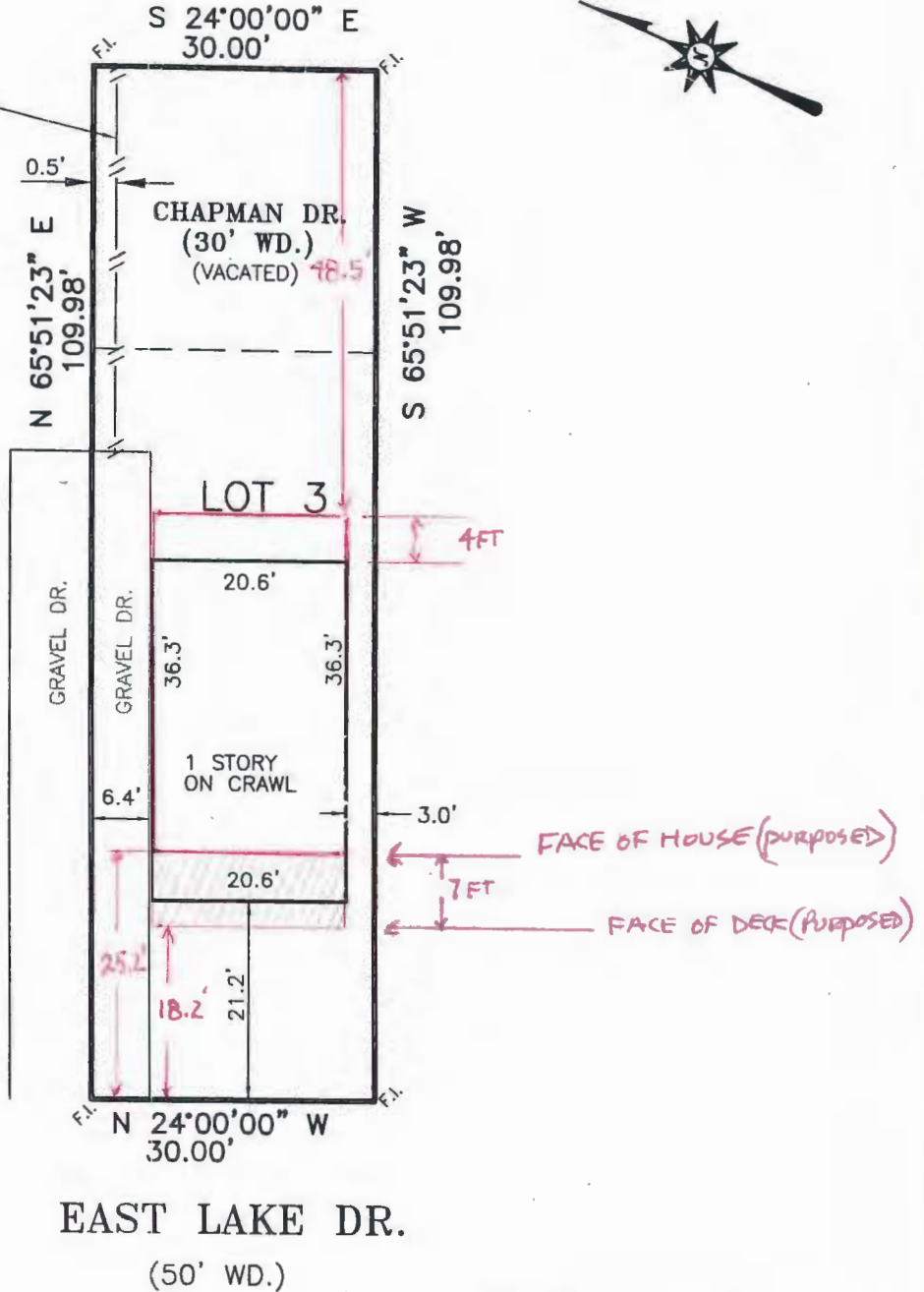
Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate 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>

HOUSE LOCATION



NOTE

FENCE HAS BEEN EXAGGERATED FOR DEMONSTRATION PURPOSES.

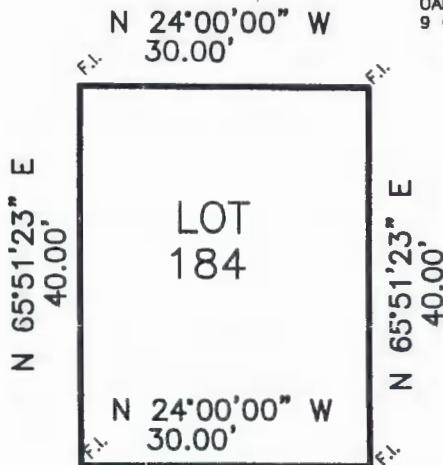


LEGEND

RECORDED	R.
MEASURED	M.
SET IRON	S.I.
FOUND IRON	F.I.
FOUND CONC. MON.	F.C.M.

LEGAL DESCRIPTION

LOT 3, ALL OF VACATED CHAPMAN DRIVE ADJACENT TO LOT 3 AND LOT 184 OF "CHAPMAN WALLED LAKE SUBDIVISION" BEING PART OF SOUTHWEST FRACTIONAL 1/4 SECTION 2, T. 1 N., R. 8 E., TOWNSHIP OF NOVI (NOW THE CITY OF NOVI), OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 9 OF PLATS, PAGE 13, OAKLAND COUNTY RECORDS.



GLA SURVEYORS & ENGINEERS

8495 NORTH TERRITORIAL
PLYMOUTH, MI 48170
PHONE: (734) 416-9650
FAX: (734) 416-9657
www.glasurveyor.com

CLIENT:
BRUCE METTE
40052 MILL POND COURT
NORTHVILLE, MI 48168

DATE: 04/02/14
JOB NO.: 821-003
FILE NO.: 821-003

SCALE: 0' 20' 40'
1" = 20'

SHEET:
1 OF 1

DRAWN BY:
G.L.A.

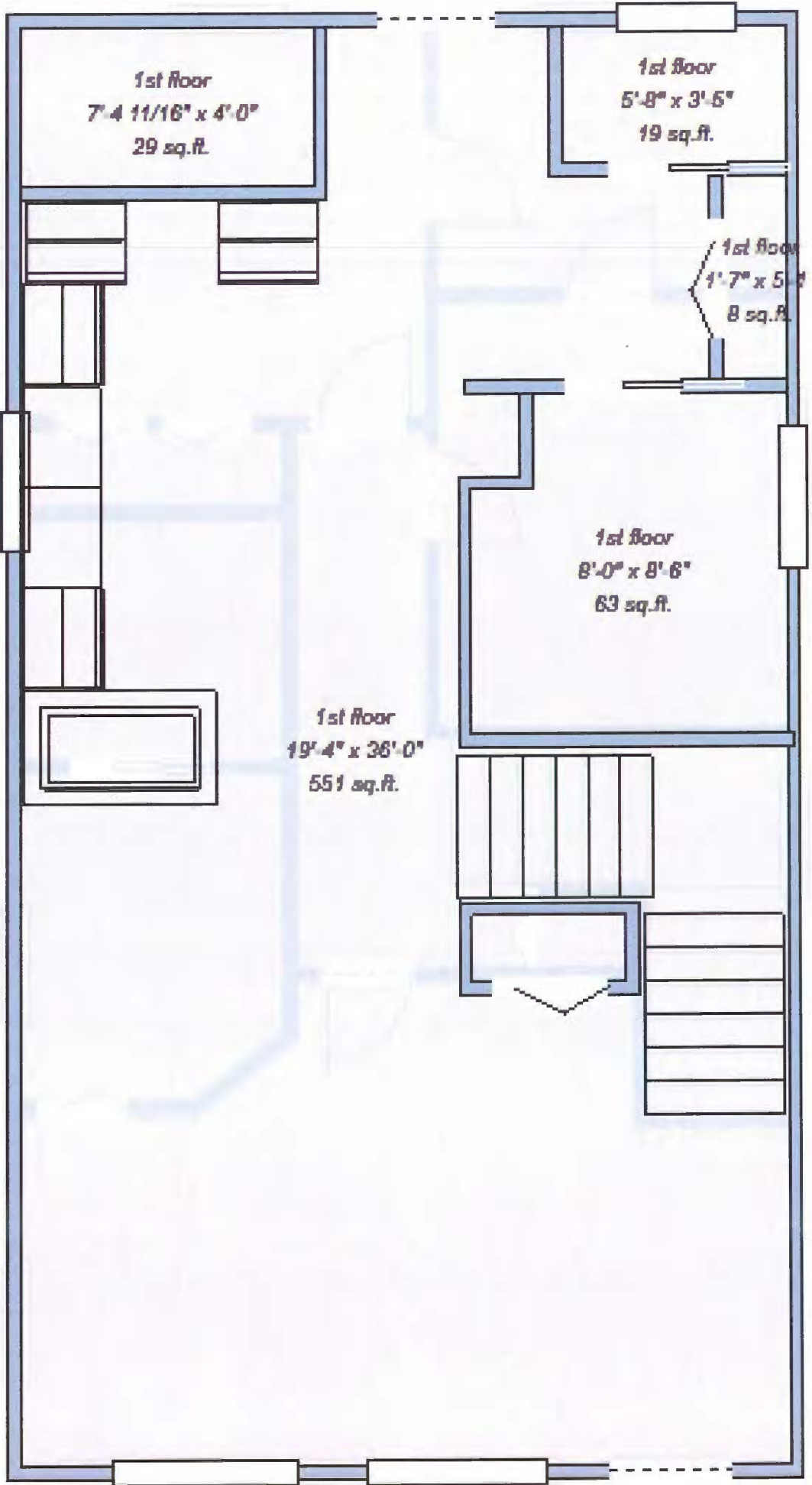
1361 EAST LAKE DRIVE

- WE ARE PURF SING LIFTING THE EXISTING HOUSE,
- REMOVE AND REPLACE CRAWL SPACE TO NEW POSITION ON LOT.
- BUILD NEW LOWER^{1ST}FLOOR (9 FT CEILING)
(LEVEL)
- PUT EXISTING HOUSE ON NEW 1ST FLOOR (TO CREATE 2 STORY HOUSE)
- ADD DECK IN FRONT OF HOUSE.

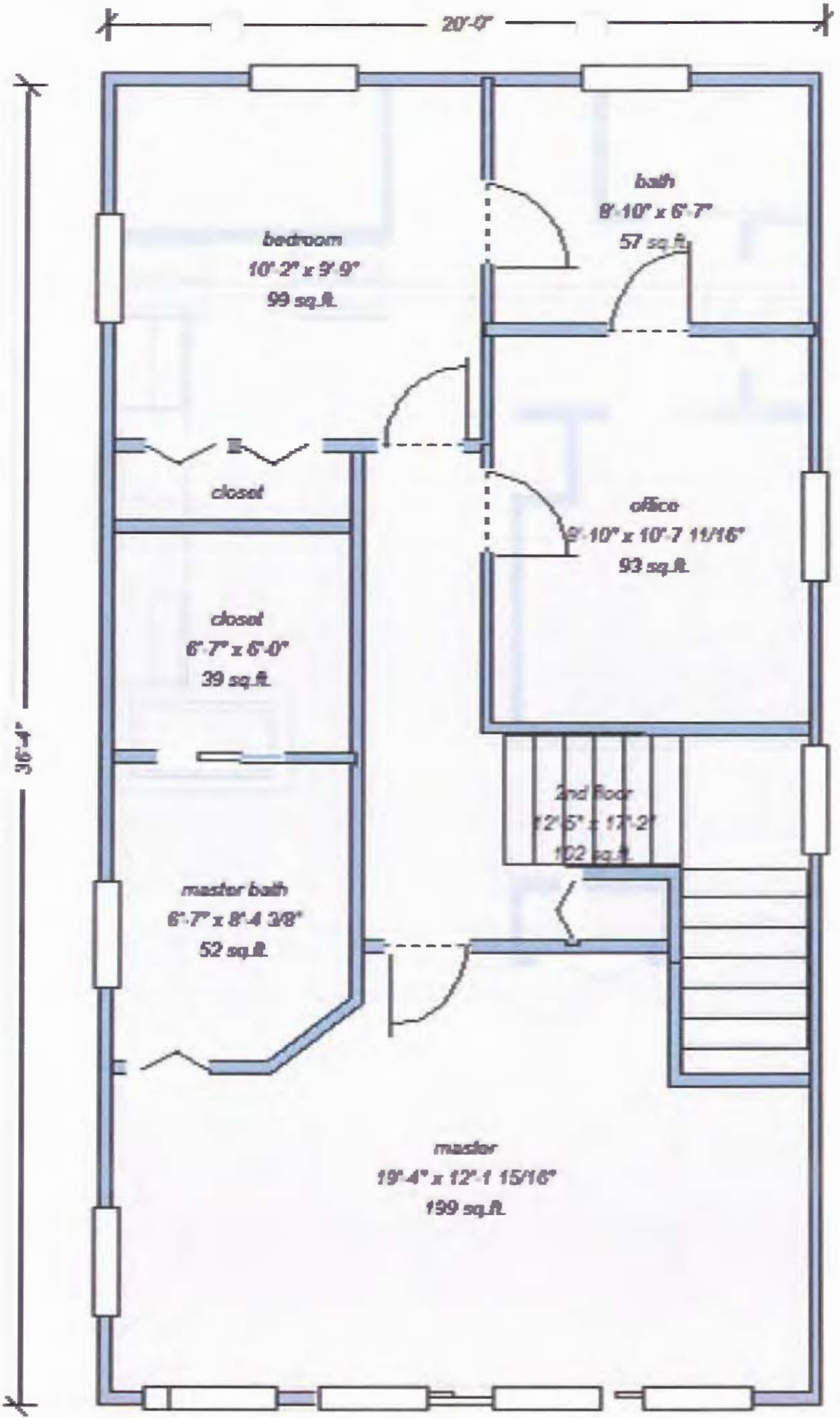
1st Floor

20'-0"

36'-4"



2ND.
FLOOR



FRONT
FACES (WEST)



SIDE (SOUTH)



REAR
FACES (EAST)



SIDE
FACES(NORTH)

