



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

Case No. PZ13-0020 25843 STRATH HAVEN

Location: 25843 STRATH HAVEN

Zoning District: RA, Residential Acreage District

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Section 2400 to allow construction of a new single family home with a reduced front setback of 40 ft. (45 ft. required), reduced rear setback of 40 ft. (50 ft. required) and reduced aggregate side yard setback of 41 ft. (50 ft. required) on an existing non-conforming lot. The property is located east of Beck Road and north of 10 Mile Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires that structures constructed within the RA zoning district have a minimum front yard setback of 45 ft., a minimum rear setback of 50 ft. and an aggregate side yard setback of 50 ft.

City of Novi Staff Comments:

The petitioner is proposing to construct a new single family detached home on an existing non-conforming lot with the RA zoning district. The lot area is significantly less than the current minimum of 1 acre at just over .27 acres. Staff supports consideration of the request provided that substantial justice can be provided to the other property owners in the district.

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_____.
- 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_____.

PIONEER MEADOWS ASSOCIATION

Architectural Committee

May 7, 2013

Ms. Angela Pawlowski
City of Novi Zoning Board of Appeals
45175 W. Ten Mile Road
Novi, MI 48375

RE: Zoning Board of Appeals Case No. PZ13-0020 – 25843 Strain Haven Drive
Canzano Building Company, 32233 Schoolcraft Rd., Livonia MI 48150

Dear Ms. Pawlowski,

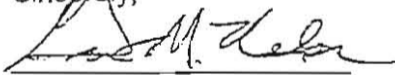
The Architectural Control Committee, Pioneer Meadows Association has reviewed the plot plan for the subject build.

Please accept this letter as our approval for the following setbacks:

<u>Location</u>	<u>Setback</u>	<u>Assoc. Variance</u>
Front yard:	40 feet	None (Meets 40' min.)
Rear yard:	40 feet	None (Meets 40' min.)
Side, North	20.5 feet	None (Meets 15' min.)
Side, South:	20.5 feet	None (Meets 15' min.)
Side, combined:	41.0 feet	None (No requirement)

This letter is intended for use by the applicant to proceed through the ZBA process. It is requested that the applicant provide (2) copies of the final plans (plot plan - with elevations and foundation/floor plan) for review and approval by the Architectural committee. Upon approval, both copies will be signed by the committee, with one being returned to the applicant, and the second set being retained by the committee until project completion.

Sincerely,



Gregory M. Nelson



Ron Odenwald

.cc Diana Canup (President), Shannon Tierney (Secretary)



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

For Official Use Only

ZBA Case No: _____ ZBA Date: _____ Payment Received: \$ _____ (Cash)

Check # _____ 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 ROBERT CANZANO Date 4/7/2013

Company (if applicable) CANZANO BUILDING CO.

Address* 32233 SCHOOLCRAFT RD City LIVONIA ST MI ZIP 48150
*Where all case correspondence is to be mailed

Applicant's E-mail Address: RC@canzanobuilding.com

Phone Number (734) 632-1180 FAX Number (734) 632-1179

Request is for:

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

1. Address of subject ZBA case: 25843 STRATH HAVEN DR ZIP _____

2. Sidwell Number: 5022 - 21-101-020 may be obtained from Assessing Department (248) 347-0485

3. Is the property within a Homeowner's Association jurisdiction? Yes No _____

4. Zoning: 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) THOMAS ZIELINSKI

6. Does your appeal result from a Notice of Violation or Citation Issued? Yes No

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

- 1. Section 2400 Variance requested FRONT YARD 40' (IN LIEU OF 45')
- 2. Section 2400(r) Variance requested SIDE YARD 41' AGGREGATE (I.L.O. 50')
- 3. Section 2400 Variance requested REAR YARD 40' (IN LIEU OF 50')
- 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):

(SEE ATTACHMENT)

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:

(SEE ATTACHMENT)

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

Robert M. Conway
Applicants Signature

4/7/13
Date

[Signature]
Property Owners Signature

4/7/2013
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 terms and conditions

Chairperson, Zoning Board of Appeals

Date

Attachment Zoning Board of Appeals Lot #59 Pioneer Meadows Subdivision

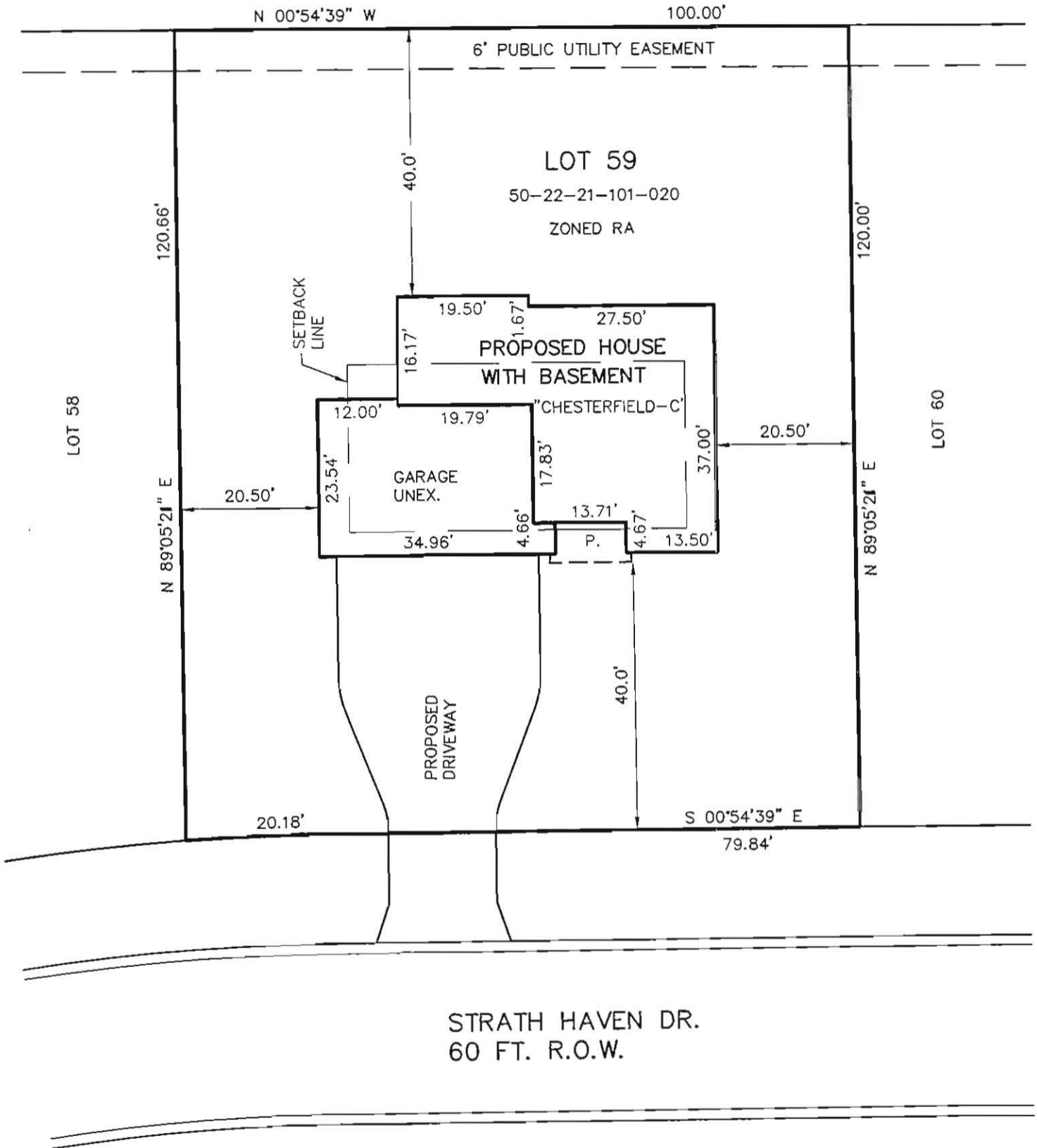
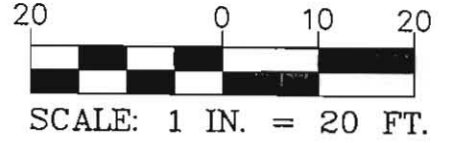
(Item #9)

- The subject lot is of non-conforming use. The current RA zoning has set backs more typical of 1 acre parcels not .25 acre as currently exists.
- Variances were granted to other property owners on Strath Haven Dr. , thereby establishing precedence for other similar requests.
- The current RA zoning is not sufficient of what is necessary to construct a dwelling typical of other homes built on Strath Haven Dr.
- The proposed new home structure has a footprint similar in size of new homes built on Strath Haven Dr.
- The proposed new home structure is not of exorbitant size but more closely resembles newer homes built on Strath Haven Dr.

(Item #10)

- The subject Lot is wooded in the front and and it is the Applicants desire to protect as many trees as possible to allow a "natural park like setting at front elevation.

PRELIMINARY SITE PLAN



PROPERTY DESCRIPTION

LOT 59 OF "PIONEER MEADOWS No. 1" A
 SUBDIVISION OF PART OF THE NW 1/4
 SECTION 21, T. 1 N., R. 8 E. CITY OF NOVI,
 OAKLAND COUNTY, MICHIGAN
 CONTAINING 12,004 SQ. FT.

EXISTING ZONING = RA
 REQUIRED BUILDING SETBACK
 FRONT: 45 FT.
 REAR: 50 FT.
 SIDE: MINIMUM = 20 FT, TOTAL = 50 FT.

ARPEE/DONNAN, INC.
 LAND SURVEYING • ENGINEERING • MAPPING
 32233 SCHOOLCRAFT, SUITE 103 (734) 953-3335
 LIVONIA, MICHIGAN 48150 FAX (734) 953-3324

PREPARED FOR
CANZANO CONTRACTING CORP.
 32233 SCHOOLCRAFT, SUITE 110
 LIVONIA, MICHIGAN 48150
 (734) 632-1180

DATE: 05/02/13
 FB: DRAWN:
 PROJ. NO: 13008
 SHEET 1 OF 1

RIGHT SIDE ELEVATION

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

