



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: May 9, 2017

REGARDING: **25687 GLAMORGAN DR (PZ17-0010)**

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Spencer & Sons Construction, Inc.

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Single Family Residential
Location:	East of Beck Road, South of Eleven Mile
Parcel #:	50-22-21-152-006

Request

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.5 to allow for a side yard variance of 3.25 feet to achieve a 16.9 foot setback, 20 foot minimum is required, and a rear yard variance of 8 feet to achieve a 42 foot setback, 50 foot minimum required, setbacks are for the construction of an addition to the existing structure. This property is zoned Single Family Residential (R-A).

II. STAFF COMMENTS:

The applicant request is for side yard variance for 16.9, minimum is 20 feet and a rear yard variance for 42 feet, minimum is 50 feet max lot coverage is 25%.

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. **PZ17-0010**, 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 is 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. **PZ17-0010**, 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 Petitioner's 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



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ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$ 200
 Meeting Date: 5/9/2017
 ZBA Case #: PZ 17-0010

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION Sobotta Addition			
ADDRESS 25687 Glamorgan		LOT/SIUTE/SPACE # 51	
SIDWELL # 50-22-21 -152 -006		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY East of Beck Road, South of Sanford			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input checked="" type="checkbox"/> YES <input 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 jspencer89@sbcglobal.net	CELL PHONE NO. 517-404-9996
NAME John Spencer		TELEPHONE NO. 517-404-9996	
ORGANIZATION/COMPANY Spencer & Sons Construction, Inc.		FAX NO. n/a	
ADDRESS 4030 Crooked Lake Road	CITY Howell	STATE MI	ZIP CODE 48843
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS glsobotta@gmail.com	CELL PHONE NO. 248-767-1123
NAME Gary & Barbara Sobotta		TELEPHONE NO. 248-767-1123	
ORGANIZATION/COMPANY n/a		FAX NO. n/a	
ADDRESS 25687 Glamorgan	CITY Novi	STATE MI	ZIP CODE 48374
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<input checked="" type="checkbox"/> R-A <input 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>3.1.5</u>		Variance requested <u>3.25' Side Variance Requested (South Side)</u>	
2. Section <u>3.1.5</u>		Variance requested <u>8.0' Rear Variance Requested (West Side)</u>	
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 _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT


Applicant Signature

3/24/17
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

3/26/2017
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



cityofnovi.org

Community Development Department

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

Describe below: *CURRENT ZONING ALONG WITH THE
SHAPE & SIZE OF THE EXISTING PROPERTY AND/OR
LOT SET BACKS DOES NOT ALLOW FOR REASONABLE
DEVELOPMENT TO ACCOMMODATE NATURAL GROWTH.*

OR

- b) **Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. **Describe below:**

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. **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).

CHANGES IN ZONING AND/OR CURRENT ZONING ALONG WITH SHAPE & SIZE OF THE EXIST LOT AND/OR LOT SETBACKS DOES NOT ALLOW FOR REASONABLE DEVELOPMENT.

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 CURRENT FOOTPRINT OF HOUSE AND DECK STRUCTURE DOES NOT CONFORM TO TODAY'S ZONING WHILE FOOTPRINT WILL NOT CHANGE/INCREASE THE LOT SETBACKS DO NOT ALLOW REASONABLE DEVELOPMENT TO ACCOMMODATE NATURAL & REASONABLE GROWTH.

Standard #4. Minimum Variance Necessary.

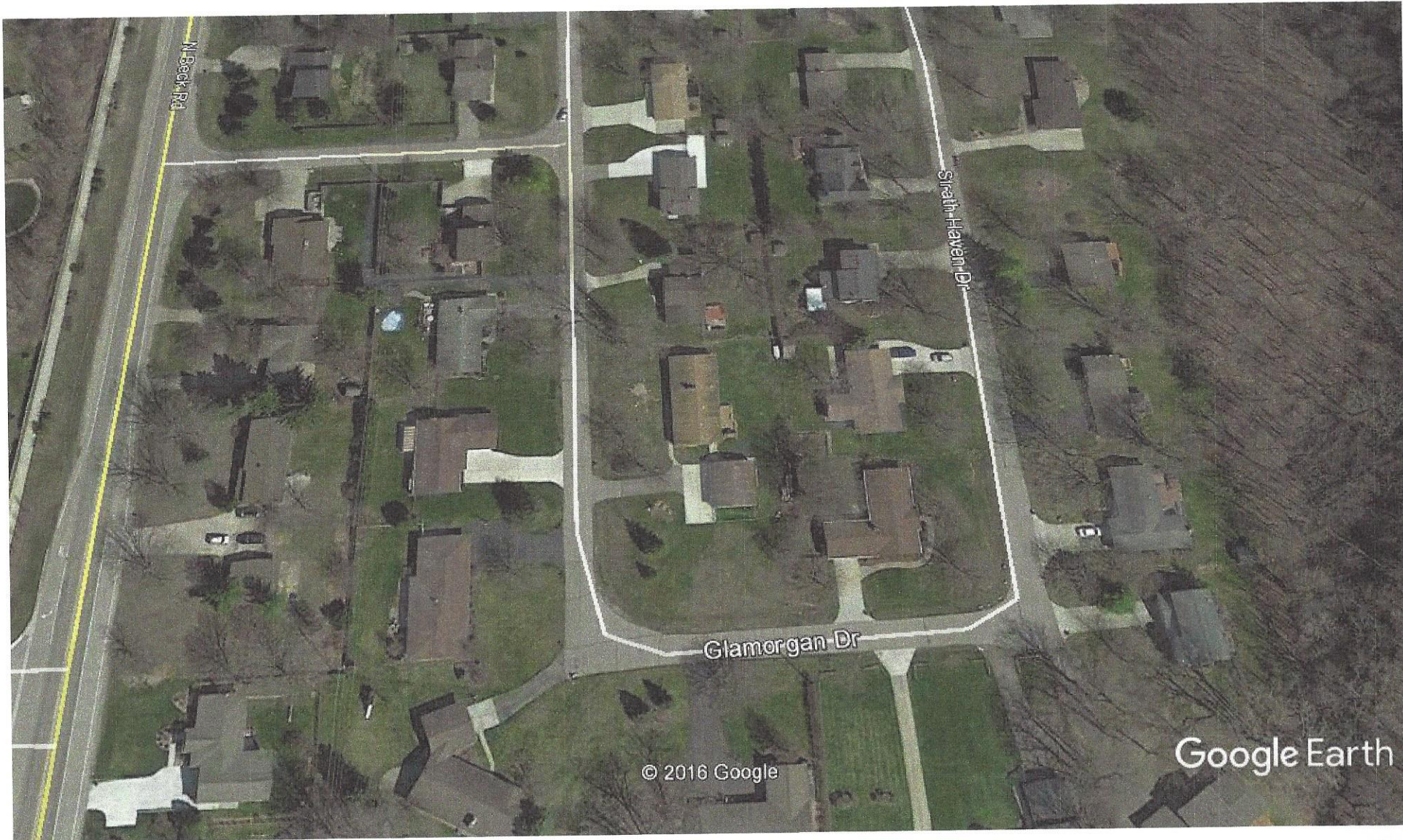
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

AN APPROXIMATE 5' SIDE VARIANCE AND APPROXIMATE 10' VARIANCE TO THE REAR SETBACK WILL ALLOW FOR THE EXISTING HOUSE (AS IS W/DECK) TO FALL WITHIN ZONING REGULATIONS. PROPOSED ADDITION FOOTPRINT WILL REPLACE EXISTING DECK FOOTPRINT.

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.

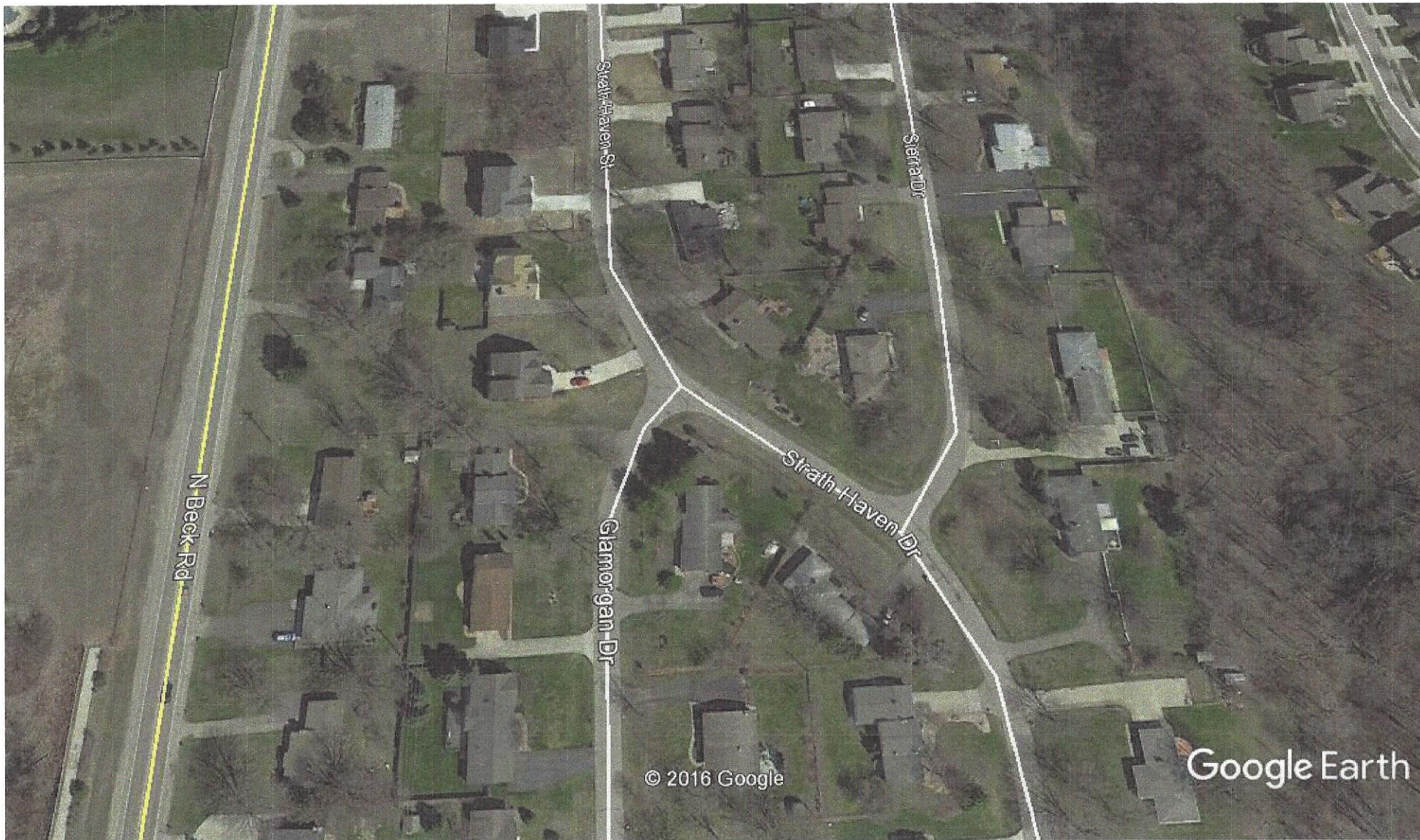
A DIMENSIONAL VARIANCE WILL HAVE NO NEGATIVE IMPACT ON SURROUNDING PROPERTY. THE PROPOSED ADDITION REPLACING THE EXISTING DECK WILL INCREASE PROPERTY VALUES.



Google Earth

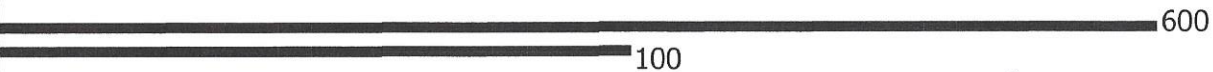


SITES WITHIN PIONEER MEADOWS
THAT POTENTIALLY DON'T MEET
CURRENT ZONING

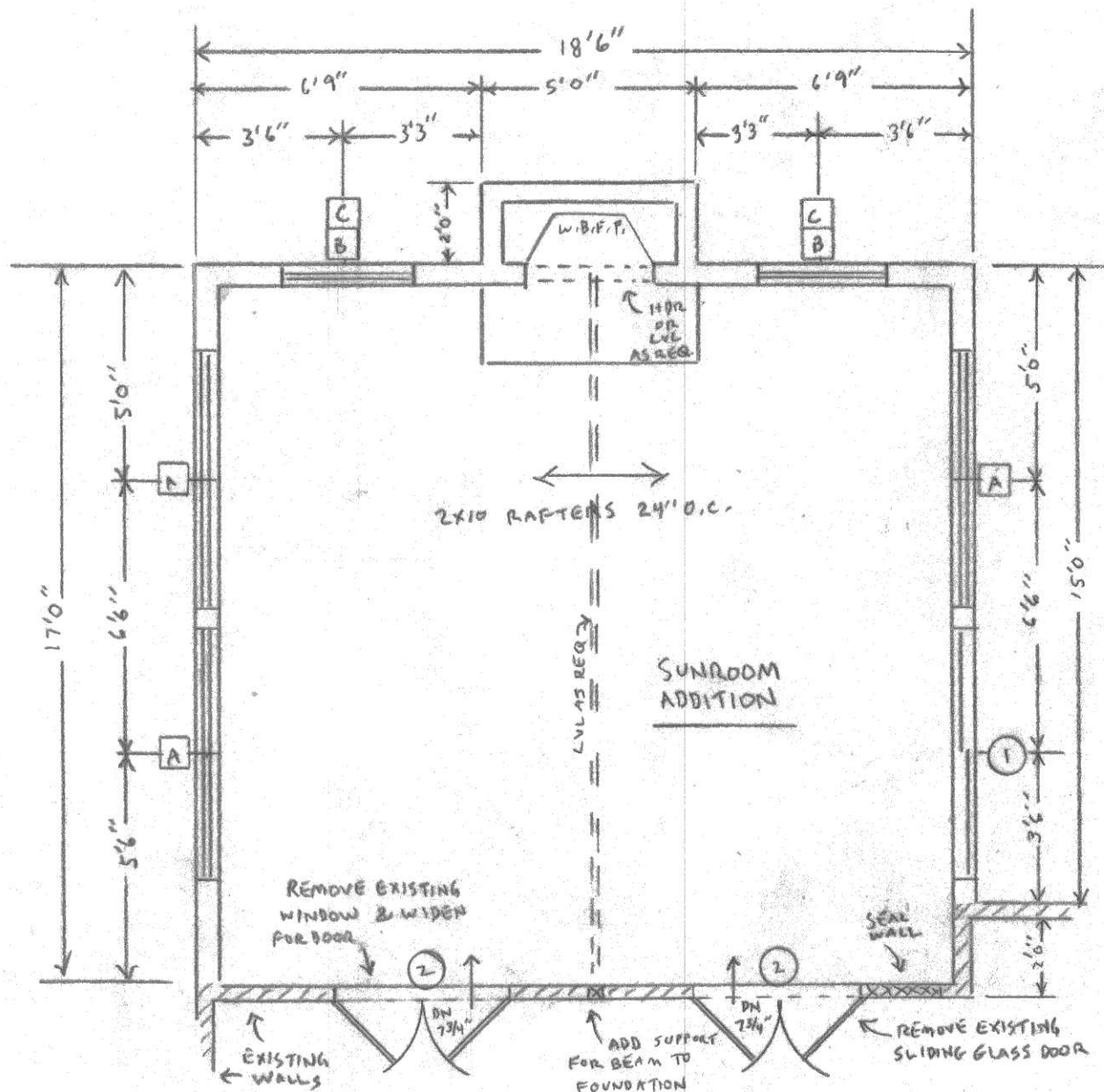


Google Earth

feet
meters



*SOME SITES WITHIN PIONEER MEADOWS
THAT POTENTIALLY DON'T MEET
CURRENT ZONING*



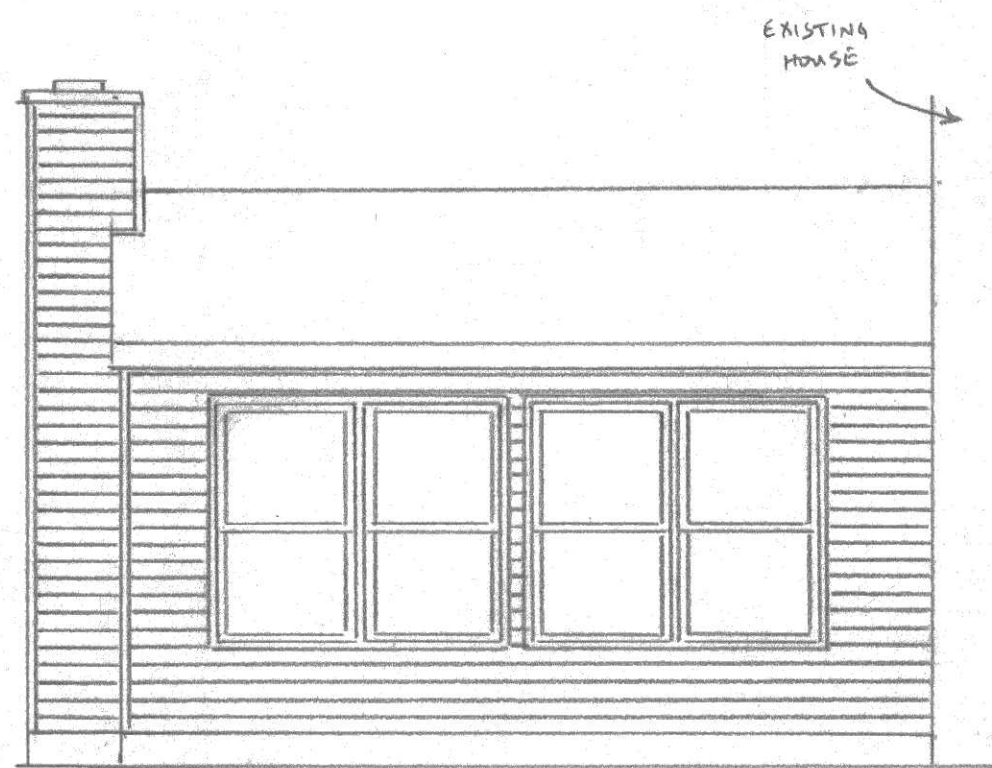
FLOOR PLAN
SCALE: 1/4" = 1'0"

KEY	SIZE	QTY	DESC
1	6'0"	1	SLIDING GLASS
2	4'0"	2	INT. FRENCH

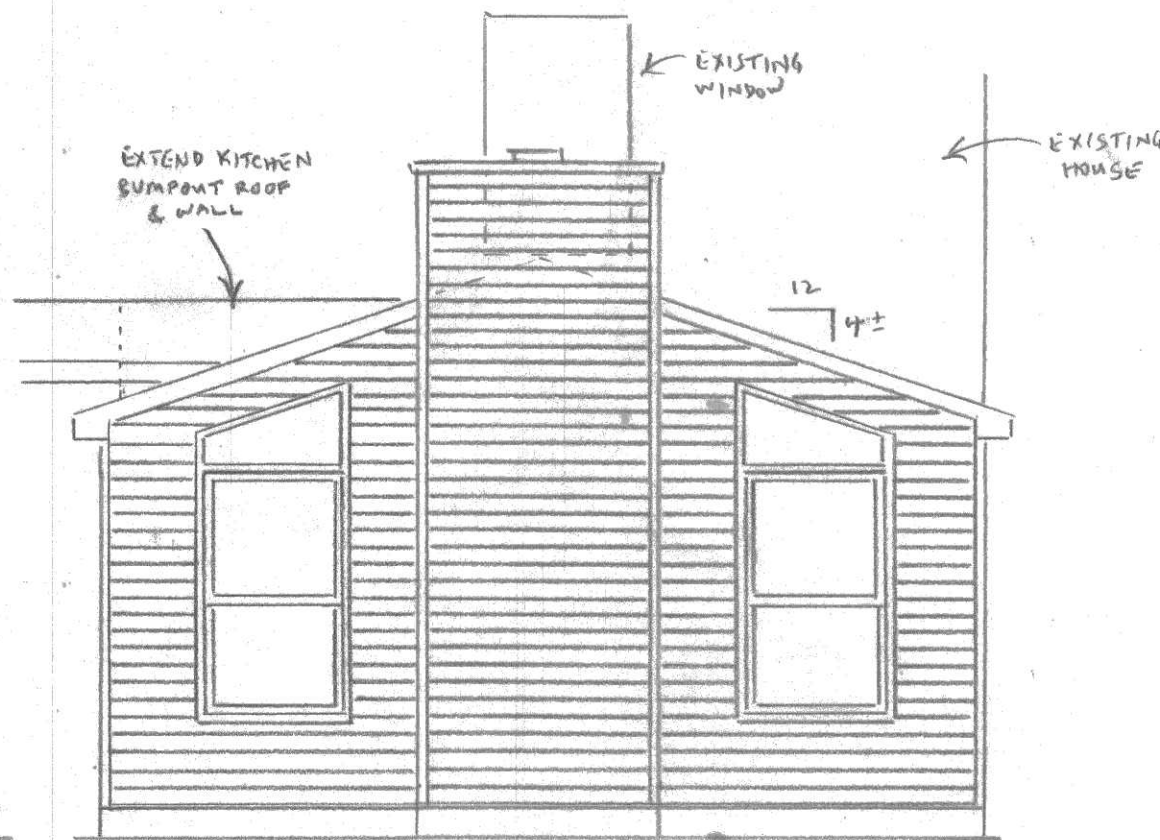
KEY	SIZE	QTY	DESC
A	6'0"	3	6x3'5" OH MULLED
B	3'0"	2	D.H.
C	3'0"	2	L&R FIXED TRANSPARENT

NOTE: VERIFY DIMENSIONS WITH FIELD MEASUREMENTS

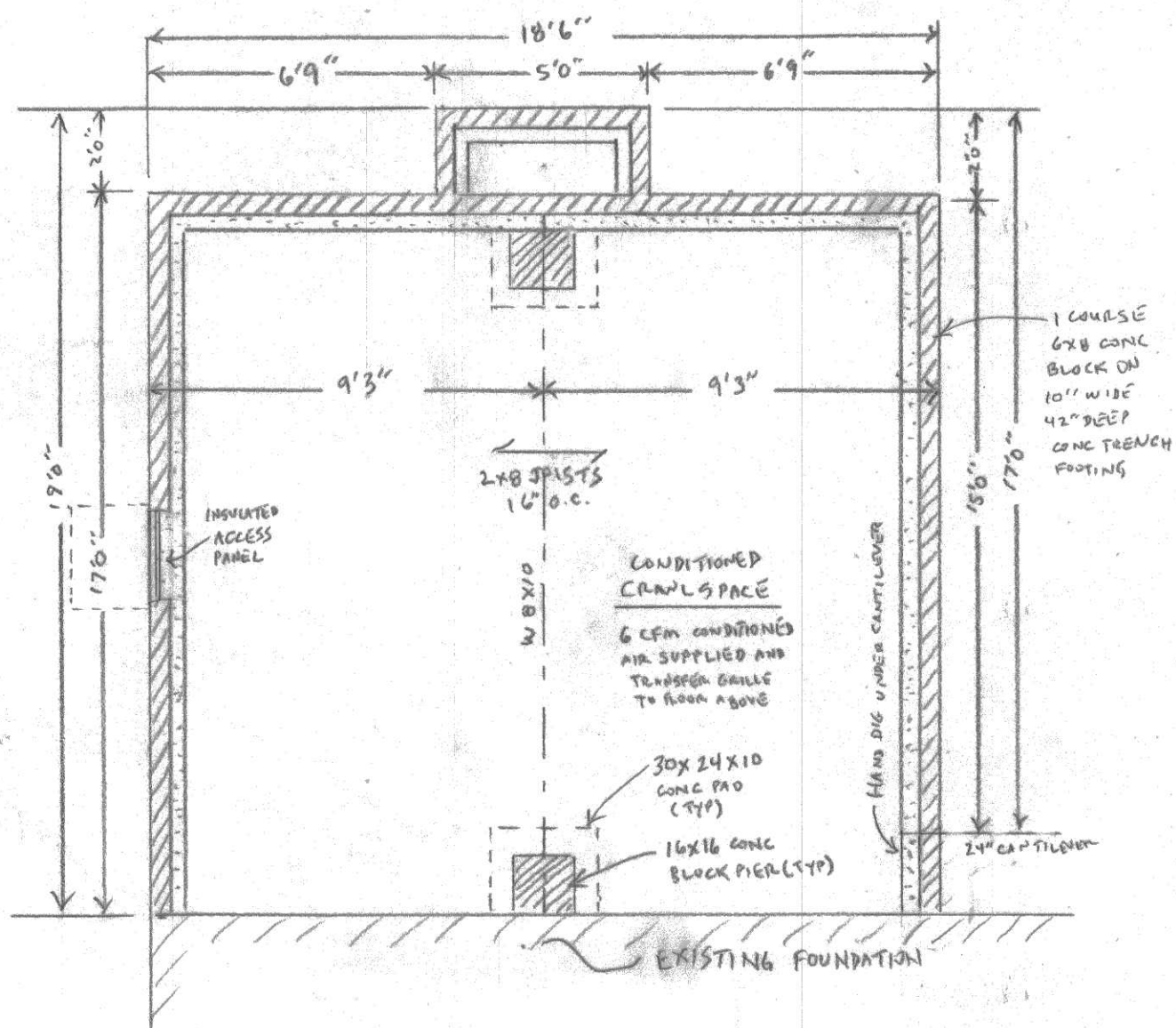
NOTE: SIZES VARY BY MFR



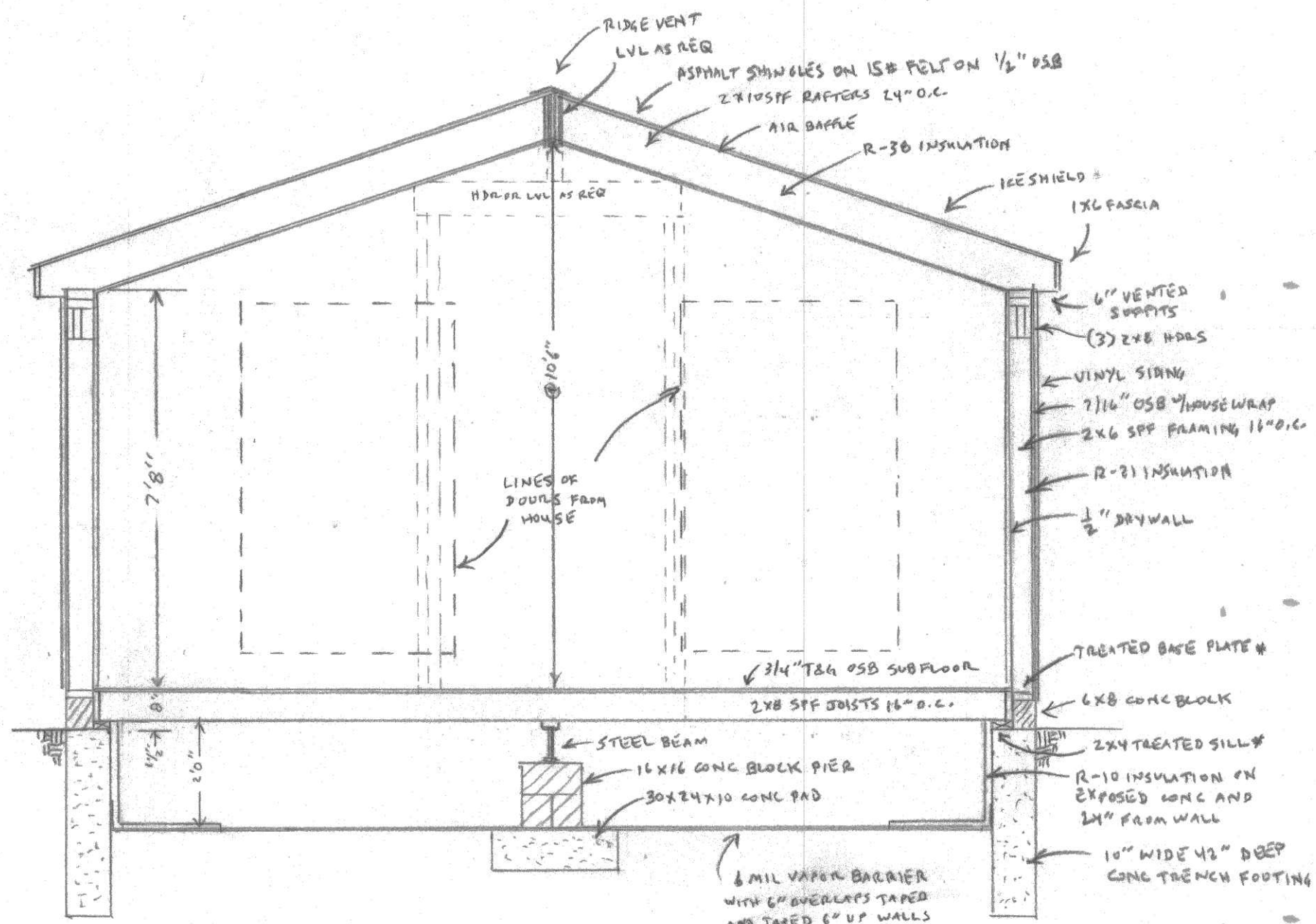
LEFT ELEVATION
SCALE: 1/4" = 1'0"



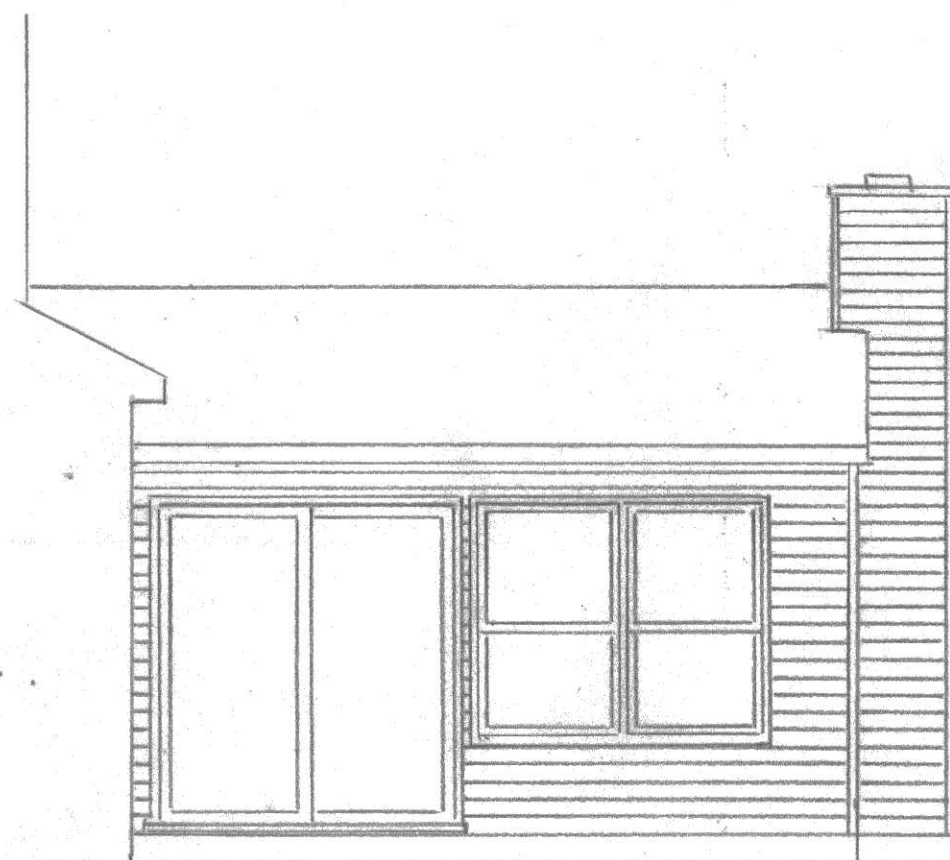
REAR ELEVATION
SCALE: 1/4" = 1'0"



FOUNDATION PLAN
SCALE: 1/4" = 1'0"



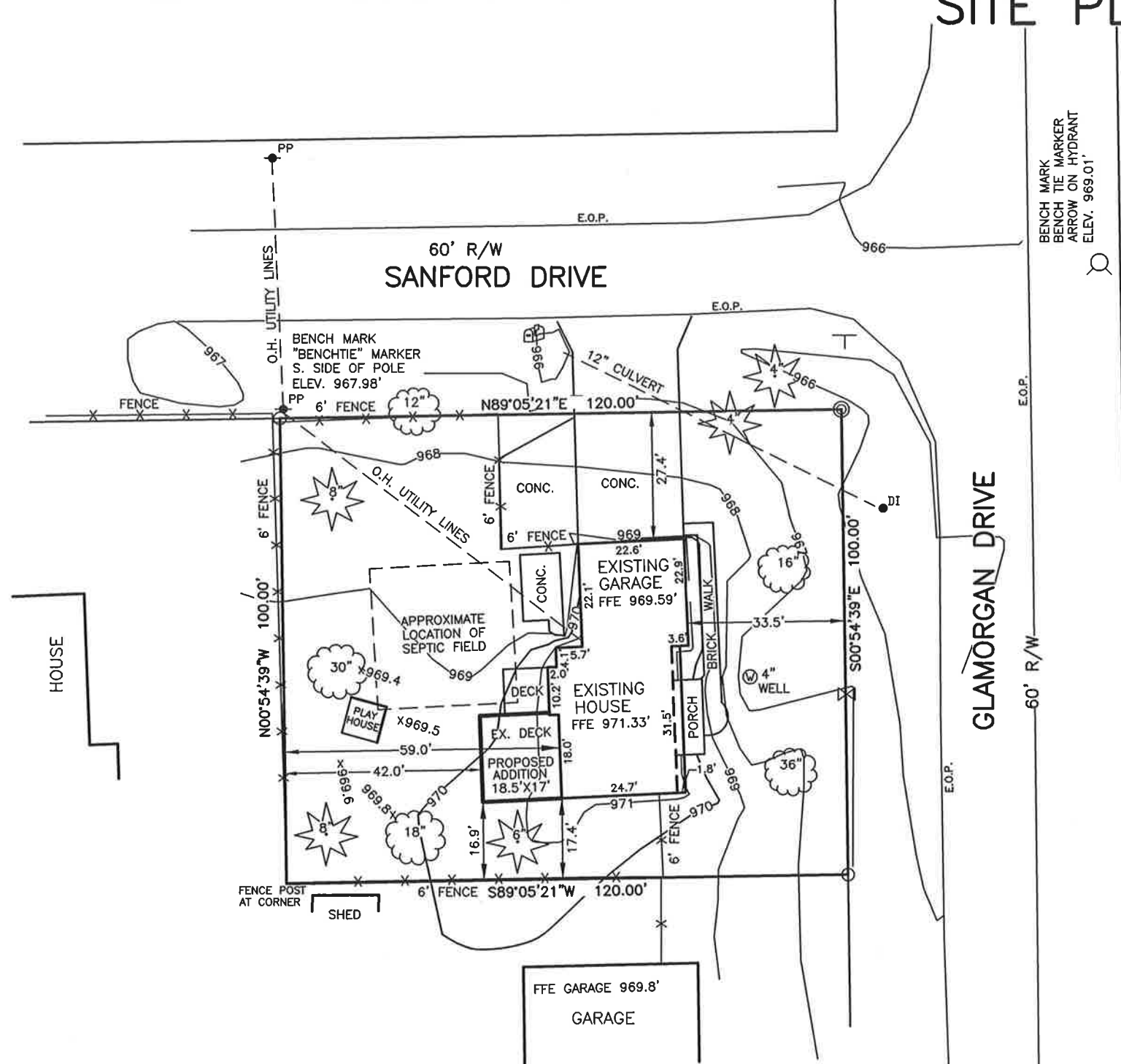
CROSS SECTION
SCALE: 3/8" = 1'0"



RIGHT ELEVATION
SCALE: 1/4" = 1'0"

CERTIFICATE OF SURVEY SITE PLAN

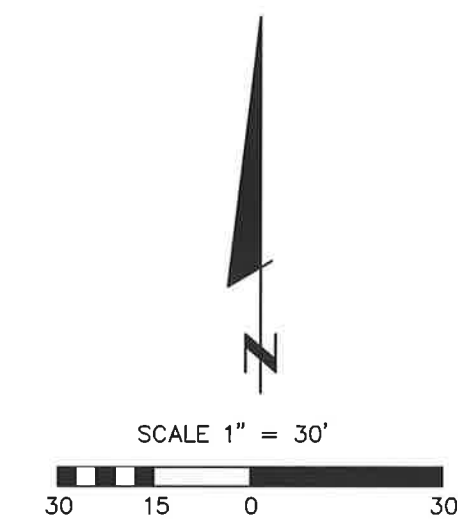
LOT 51
PIONEER MEADOWS No. 1
 SECTION 21, T1N, R8E
 CITY OF NOVI, OAKLAND COUNTY, MI
 TAX ID.: 50-22-21-152-006 ADDRESS: 25687 GLAMORGAN DR.



- DECIDUOUS TREE
- CONIFEROUS TREE
- HYDRANT
- UTILITY POLE
- BEEHIVE CATCH BASIN
- MAILBOX
- STREET SIGN
- WATER VALVE
- SET T-IRON
- FOUND CONCRETE MONUMENT

ELEVATIONS ARE RELATIVE TO NAVD 88.

ZONED: RESIDENTIAL ACREAGE:
 FRONT YARD 45'
 REAR YARD 50'
 SIDE YARD 20' - TOTAL OF 50'
 SEE ZONING ORDINANCE FOR MORE DETAILS.



Lawrence R. Feindt
 Professional Surveyor No. 21566

I HEREBY CERTIFY THAT THE SURVEY HEREON
 DELINEATED IS TRUE AND CORRECT, THAT THE
 ACCURACY IS WITHIN 1:5000.

CLIENT: GARY & BARBARA SOBOTTA	
FIELDWORK ^{DI} CLF/JHF	COMPUTED BY: LRF
COMPUTER #: 16133.DWG	CHECKED BY: LRF & JHF
DRAWN BY: FAF	REV.
DATE: FEBRUARY 20, 2017	JOB #: 16133



48800 W. 10 MILE RD.
 NOVI, MICHIGAN 48374-2708
 (248) 344-2077 FAX: (248) 305-8030

6121 MAPLE GROVE RD.
 CHARLEVOIX, MICHIGAN 49720
 (231) 547-9901

PIONEER MEADOWS ASSOCIATION

Architectural Committee

March 25, 2017

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

RE: Zoning Board of Appeals Case for Pioneer Meadows Lot #51 – Sun Room Addition
Gary and Barbara Sobotta
25687 Glamorgan Dr
Novi, Michigan 48374

Dear Sir or Madam,

Over the past ten plus years, the Pioneer Meadows committee has worked successfully with applicants to construct new homes and modifications, which are a good 'fit' in the neighborhood. The association by-laws define requirements based on the lot size of 100' x 120' which are the standard for our neighborhood.

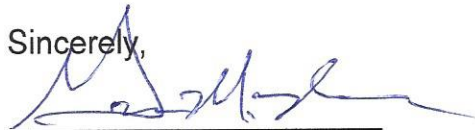
The below setbacks (By-laws) were derived by analyzing the many homes that exist in the neighborhood, yet allowing for a somewhat larger home that is desired by today's standard.

The Architectural Control Committee, Pioneer Meadows Association has reviewed the subject request for the following setbacks, with the outcome noted on each setback as follows:

<u>Location</u>	<u>By-law</u>	<u>Applicant</u>	<u>Outcome</u>
Front:	40.00 feet (min.)	33.50 feet	Acceptable (Grandfathered)
Rear:	40.00 feet (min.)	42.00 feet	Acceptable ✓
Sides:	15.00 feet (min.)	27.4ft / 16.9 ft	Acceptable ✓
Sides, combined:	40.00 feet (min.)	44.30 feet	Acceptable ✓

Please **approve this request** and thank the applicant for working cooperatively with the association.

Sincerely,



Gregory M. Nelson

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

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

Please note my comments to **25687 GLAMORGAN, PARCEL # 50-22-21-152-006 (PZ17-0010)**

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

Comments:

I spoke to the neighbors about their plans.
I have no problem with what they are doing.
They are good neighbors who take great care of
their home and property.

(PLEASE PRINT CLEARLY)

Name: Travis Malott

Address: 25731 Glamorgan

Date: 5/1/17

Zoning Board of Appeals meetings are broadcast live on Bright House channel 13-1 and AT&T U-verse channel 99. They are also streamed live on the City's website at cityofnovi.org.