



# COMMUNITY DEVELOPMENT DEPARTMENT

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

## ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals

ZONING BOARD APPEALS DATE: June 13, 2017

REGARDING: 22420 HAVERGALE STREET (PZ17-0016)

BY: Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

#### Applicant

Adam Czap

#### Variance Type

Dimensional Variance

#### Property Characteristics

Zoning District:	Single Family Residential
Location:	East of Beck Road, North of 9 Mile Road
Parcel #:	50-22-28-451-034

#### Request

The applicant is requesting a variance from the City of Novi Ordinance Section 3.1.4 for a rear yard setback of 25 feet to build above existing structure, 35 feet minimum setback required.

This property is zoned Single Family Residential (R-3).

### II. STAFF COMMENTS:

*Lower part structure is pre-existing. Ten foot reduction of setback requested.*

### 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. **PZ17-0016**, 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. **PZ17-0016**, 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



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ZONING BOARD OF APPEALS
APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)
PROJECT NAME / SUBDIVISION: Adam Czop - Royal Crown
ADDRESS: 22420 Havergale
LOT/SIUTE/SPACE #:
SIDWELL #: 50-22-
CROSS ROADS OF PROPERTY: 9 + Taft
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? [X] YES [ ] NO
REQUEST IS FOR: [X] RESIDENTIAL [ ] COMMERCIAL [ ] VACANT PROPERTY [ ] SIGNAGE
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? [ ] YES [ ] NO
II. APPLICANT INFORMATION
A. APPLICANT
NAME: Adam Czop
EMAIL ADDRESS: adamczop@gmail.com
CELL PHONE NO.: 248 767 6296
TELEPHONE NO.:
ORGANIZATION/COMPANY:
FAX NO.:
ADDRESS: 22420 Havergale
CITY: Novi
STATE: MI
ZIP CODE: 48374
B. PROPERTY OWNER [X] CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER
Identify the person or organization that owns the subject property:
NAME:
EMAIL ADDRESS:
CELL PHONE NO.:
TELEPHONE NO.:
ORGANIZATION/COMPANY:
FAX NO.:
ADDRESS:
CITY:
STATE:
ZIP CODE:
III. ZONING INFORMATION
A. ZONING DISTRICT
[ ] R-A [ ] R-1 [ ] R-2 [X] R-3 [ ] R-4 [ ] RM-1 [ ] RM-2 [ ] MH
[ ] I-1 [ ] I-2 [ ] RC [ ] TC [ ] TC-1 [ ] OTHER
B. VARIANCE REQUESTED
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:
1. Section 3.1.4 Variance requested rear yard variance of ten feet.
2. Section Variance requested
3. Section Variance requested
4. Section Variance requested
IV. FEES AND DRAWINGS
A. FEES
[X] Single Family Residential (Existing) \$200 [ ] (With Violation) \$250 [ ] Single Family Residential (New) \$250
[ ] Multiple/Commercial/Industrial \$300 [ ] (With Violation) \$400 [ ] Signs \$300 [ ] (With Violation) \$400
[ ] House Moves \$300 [ ] Special Meetings (At discretion of Board) \$600
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF
• 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

Application Fee: \$200

Meeting Date: June 13 2017

ZBA Case #: PZ17-0016



# 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 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 schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be an 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 established within such a period; provided, however, where such use permitted is dependent upon the erection or alteration of 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 setback for deck room.

## VI. APPLICANT & PROPERTY SIGNATURES

### A. APPLICANT

Adam Gop  
Applicant Signature

4-26-17  
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.

[Signature]  
Property Owner Signature

[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 conditions:

\_\_\_\_\_  
Chairperson, Zoning Board of Appeals

\_\_\_\_\_  
Date



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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:**

*we are building on top of existing deck, which is 25 ft. The required setback is 35 ft., thus requiring a variance.*

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).

## **Standard #3. Strict Compliance.**

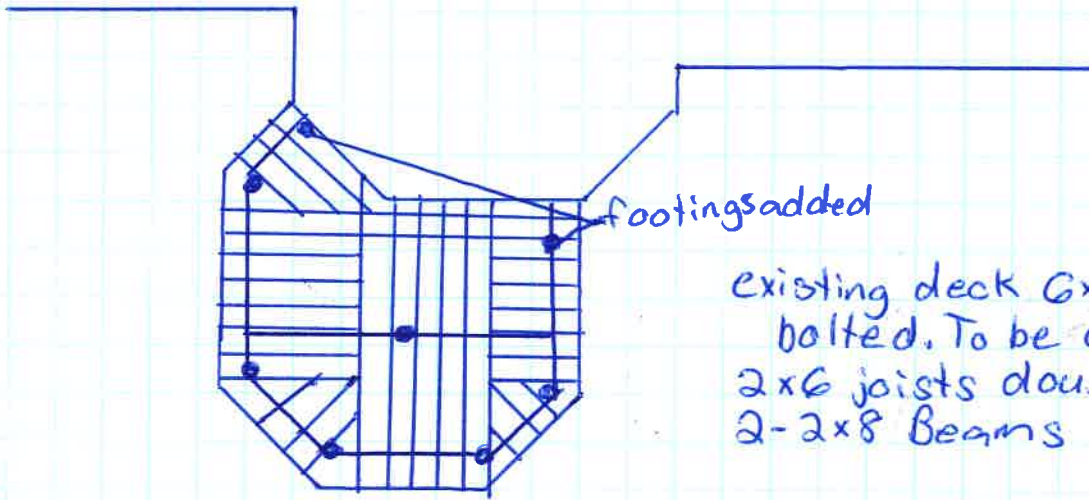
Explain how the Dimensional Variance in strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

## **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.

## **Standard #5. Adverse Impact on Surrounding Area.**

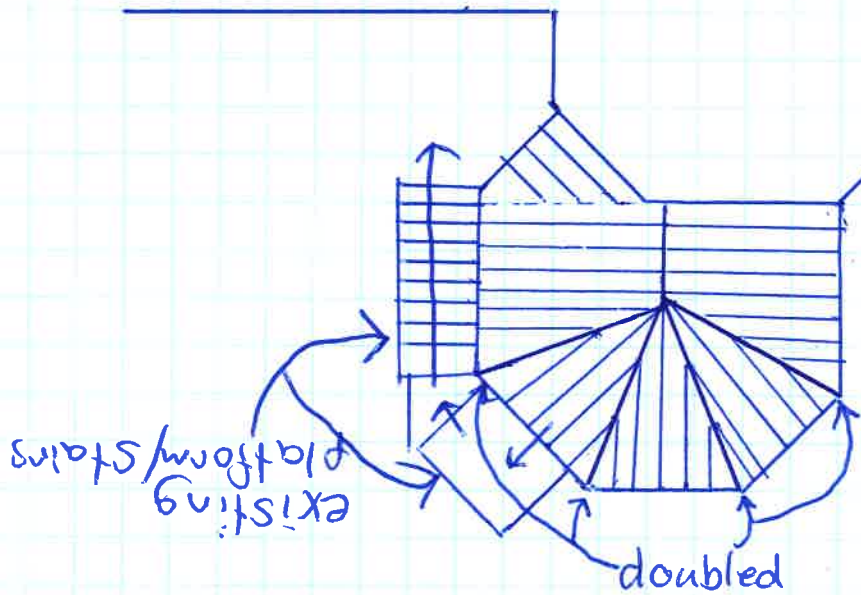
Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.



footings added

existing deck 6x6 footings notched currently lag bolted. To be carriage bolted  
2x6 joists doubled/hangered 16 o.c. 15" cantilever  
2-2x8 Beams





conventional frame  
 2x8 rafters 16 o.c. 8' max span w/insulation  
 12" overhang on roof  
 36" window sill height  
 2x12 Headers w/double jack stud  
 5' max span  
 2x4 exterior walls w/insulation  
 beadboard/t/g interior finish  
 8' ceiling height  
 lap siding to match house  
 3/2 pitch on roof/ice guard on entire roof  
 due to low pitch  
 4'-5' window on every wall except 1 wall  
 with 36" exterior wall

INTERIOR FINISHED W/ LAMINATE FLOORS  
 AND BEADBOARD TRIM. ONLY EXISTING  
 ELECTRICAL WILL BE USED.

DECK DOES NOT PROTRUDE FROM THE  
 SIDE OF THE HOUSE OR INTERFERE  
 W/ NEIGHBORS.



TO: CITY OF NOVI  
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Please note my comments to **22420 HAVERGALE STREET, PARCEL # 50-22-28-451-034 (PZ17-0016)**

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

Comments:

*We don't have any problem as long as it  
doesn't extend from current extension (Deed)*

**(PLEASE PRINT CLEARLY)**

Name: Javed & Nancy Siddiqui

Address: 22456 Haverdale St

Date: 5/23/17

**RECEIVED**

**MAY 23 2017**

**CITY OF NOVI  
COMMUNITY DEVELOPMENT**

**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](http://cityofnovi.org).**