

## 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: SCHROEDER (CASE NO. PZ15-0028)

**BY:** Thomas M. Walsh, Building Official

#### I. GENERAL INFORMATION:

## **Applicant**

David Schroeder

#### Variance Type

Dimensional Variance

## **Property Characteristics**

Zoning District: R-1, One Family Residential

Site Location: 23750 Heartwood, south of 10 Mile Road and west of Beck Road

Parcel #: 50-22-29-203-009

#### **Request**

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 4.19(1)(E)(iii) to allow construction of an 944.0 square foot detached garage in the rear of the property, a variance of 468.3 feet in the required aggregate area of all accessory buildings (1,000 sq. ft. maximum, 1,412.3 sq. ft. proposed).



## **Zoning Board Of Appeals**

Page 2 of 4 Case # PZ15-0028

#### 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-1, One Family Residential	Echo Valley Estates Colony Subdivision	Single Residential
North	R-1, One Family Residential	Echo Valley Estates Colony Subdivision	Single Residential
South	R-1, One Family Residential	Echo Valley Estates Colony Subdivision	Single Residential
East	R-1, One Family Residential	Echo Valley Estates Colony Subdivision	Single Residential
West	R-1, One Family Residential	Echo Valley Estates Colony Subdivision	Single Residential

## **III. STAFF COMMENTS:**

## **Existing Condition**

The subject property consists of one- (1) lot located on the east side of Heartwood Drive within Echo Valley Estates Colony Subdivision. The parcel has approximately 133.23 feet of frontage on Heartwood Drive and approximately 145.62 feet deep as measured along north side yard lot line. The total lot area of the parcel is approximately 20,905.80 square feet. The existing residence is located 45.0 feet from the front yard lot line, 32.4 feet from the north side yard lot line, 15.0 feet from the south side yard lot line, and 62.0 feet from the rear yard lot line.

#### **Proposed Changes**

The applicant is proposing to construct a new detached garage in the rear of the property. As proposed, the overall dimension measure 24' x 34' + 8' x 16' for a total floor area of 944.0 square feet.

The detached garage would result in a setback of 7.0 feet from the north side yard lot line and 15.5 feet from the rear yard lot line.

## **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-1 21,780 sq. ft.	120 ft.	30 ft.	15 ft. (one side)	40 ft. (total of two side)	35 ft.			

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## V. USE STANDARDS:

- Accessory Buildings within R-1 Zoning District (Section 4.19(1)(E)(iii). The aggregate of all accessory buildings on the property shall not exceed the following square footage of eight hundred fifty (1,000) square feet. As proposed, the aggregate of all accessory buildings measures 1,412.3 square feet (existing attached garage 468.3 sq. ft. + 944 sq. ft. proposed).
   This requires a variance of 468.3 feet in the required aggregate area of all accessory buildings.
- 2. <u>Building Height (Section 4.19(1) (I).</u> The maximum height of the detached accessory building is 14 feet. The accessory building is proposed to be 14.0 feet, one-story.

## VI. RECOMMENDATION:

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

1. Grant														_	_		
		relo	relating to the property, including some or all of the following criteria:														
		(a)	Petit bec	ause				ablished				, or	that	the	phys	ical	
									roperty			the	need	for	а	varia	nce
		An	because And, the condition is not a personal or economic hardship.														
		(b)	The	need	l for	the var		e is not s								_	
		(c)						dimensi								ıce,	
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		(e)	prop	erty,	pro	perty v	alues	e will n	enjoyr	ment	t of pro	perty ir	the n	eighb	orhoo	d or	
		(f)	The v	ariar	nce (	granted	d is su	bject to	the c	ondi	tions th	at:					
			1.														
				2. 3.													
				3. 4.											′ •		

Page 4 of 4 Case # PZ15-0028

2.	Deny	I move that we <u>deny</u> the variance in <b>Case No.PZ15-0028</b> , sought by, for because the Petitioner
	has <b>not</b> 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 ofwould 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



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

# ZONING BOARD OF APPEALS APPLICATION

RECEIVED

AUG 0 7 2015
CITY OF NOVI
COMMUNITY DEVELOPMENT

## APPLICATION MUST BE FILLED OUT COMPLETELY

ADDRESS  LOT/SIUTE/SPACE #  TBA Case  SIDWELL # 50-22-29 - 203 - 009	Application Fee: \$200				
ADDRESS  SIDWELL #  50-22-29 - 203 - 009					
CROSS ROADS OF PROPERTY  IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?  DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED?  II. APPLICANT INFORMATION  A. APPLICANT  PANIL ADDRESS  CELL PHONE  ORGANIZATION/COMPANY  B. PROPERTY OWNER  CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER  CELL PHONE  CITY  STATE  CELL PHONE  CITY  STATE  CELL PHONE  CITY  STATE  CELL PHONE  CITY  COMMERCIAL  CELL PHONE  CITY  STATE  CELL PHONE  CITY  COMMERCIAL  CELL PHONE  CITY  STATE  CELL PHONE  CITY  COMMERCIAL  CELL PHONE  CELL PHONE  CITY  CIT	ate:				
SID-22-29 - 203 - 009 Department (248) 347-0485  CROSS ROADS OF PROPERTY  IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?  REQUEST IS FOR:  REQU	#: PZ 15-0028				
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?  REQUEST IS FOR:  RESIDENTIAL COMMERCIAL DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED?  II. APPLICANT INFORMATION  A. APPLICANT  PAND  SCHROEDEL  ORGANIZATION/COMPANY  ADDRESS  CITY  STATE  B. PROPERTY OWNER CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER  IS THE PROPERTY OWNER  CELL PHONE  CELL PHONE  COMMERCIAL DORSON  CELL PHONE  CHAPTION OF COMPANY  ADDRESS  CITY  CELL PHONE	12100000				
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A. APPLICANT  NAME  AVID  SCHROEDEL  ORGANIZATION/COMPANY  ADDRESS  B. PROPERTY OWNER  CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER  LIGHTIFF THE PROPERTY OWNER  CELL PHONE  248  TELEPHONE  CITY  NOVI  STATE  CELL PHONE	0				
A. APPLICANT  NAME  AVID  SCHROEDEL  ORGANIZATION/COMPANY  FAX NO.  ADDRESS  23750  HEARTWOOD  CITY  NOVI  STATE  HOPPTITY OWNER  CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER  HOPPTITY TO PROPERTY OF A CONCENTRATION that I EMAIL ADDRESS  CELL PHONE  CELL PHONE  CELL PHONE	110				
ORGANIZATION/COMPANY  ADDRESS  23750  HEARTWOOD  CITY  NOV  STATE  CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER  Identify the person of organization that   EMAIL ADDRESS  CELL PHONE	248-962-5429				
ADDRESS  ADDRESS  B. PROPERTY OWNER CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER  CELL PHONE  CELL PHONE	NO. 347-6827				
ADDRESS  23750  HEARTWOOD  CITY  NOVI  STATE  STATE  STATE  ADDRESS  B. PROPERTY OWNER  CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER  CELL PHONE  CELL PHONE  CELL PHONE	-041 0001				
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identify the person of engantament man	NO				
	962-3429				
NAME DAVID SCHROEDER 248	347-6827				
ORGANIZATION/COMPANY FAX NO.					
ADDRESS CITY STATE	ZIP GODE				
23750 HEARTWOOD NOVI	48374				
III. ZONING INFORMATION					
A. ZONING DISTRICT  R-A ZR-1 R-2 R-3 R-4 RM-1 RM-2 MH					
	Trul				
☐ I-1 ☐ I-2 ☐ RC ☐ TC ☐ TC-1 ☐ OTHER B. VARIANCE REQUESTED	1.412.				
	1100				
1. Section 4. 19(1) F. Wilance requested Sa FT OF GAR	AGE (1,384 50 F)				
2. Section	se FT.				
3. Section Variance requested VARIANCE REQUES	T or 384 50 F				
4. Section Variance requested	(4.4.0)				
4. Section valiance requested	100.3				
V. FEES AND DRAWNINGS	M				
A. FEES	- (Nov.) \$250				
Single Family Residential (Existing) \$200 (With Violation) \$250 Single Family Resident					
☐ Multiple/Commercial/Industrial \$300 ☐ (With Violation) \$400 ☐ Signs \$300 ☐ (With V	iolation) \$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  • Existing & proposed distance t	o adjacent property lines				
Site/Plot Plan     Location of existing & propose					
<ul> <li>Existing or proposed buildings or addition on the property</li> <li>Number &amp; location of all on-site parking, if applicable</li> <li>Any other information relevant</li> </ul>					



# **ZONING BOARD OF APPEALS APPLICATION**

V. VARIANCE						
A. VARIANCE (S) REQUESTED						
M 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						
Accessory Bolesino 2 of 2 onex						
VI. APPLICANT & PROPERTY SIGNATURES  A. APPLICANT  Applicant Signature  Date						
A. APPLICANT  Applicant Signature  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.						
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## **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:	,
R-1 DISTRICT REQUIRES 21,780 SQ FT TO HAS GARAGE SPACE LARGER THAN 1,000 SQ FT. SQ FT OF MY LOT IS 20,765. and/or	VE
b. Environmental Conditions. Exceptional topographic or environmental conditions other extraordinary situations on the land, building or structure.  Not Applicable	5 01
c. Abutting Property. The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirement of the Zoning Ordinance of 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).

LOT SIZE IS UNDER 21,780 SQ FT.

# 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.

GARAGE WOULD BE IN COMPLIANCE WITH ALL REGULATIONS EXCEPT SQ FT. SQ FT NEEDED TO PARK VEHICLES INSIDE FOR PROTECTION FROM ELEMENTS & VANDALISM. IT ALSO HELPS IN THE APPEARANCE & SAFETY OF THE NEIBORHOOD REQUESTING 384 SQ. FT VARIANCE

# Standard #4. Minimum Variance Necessary.

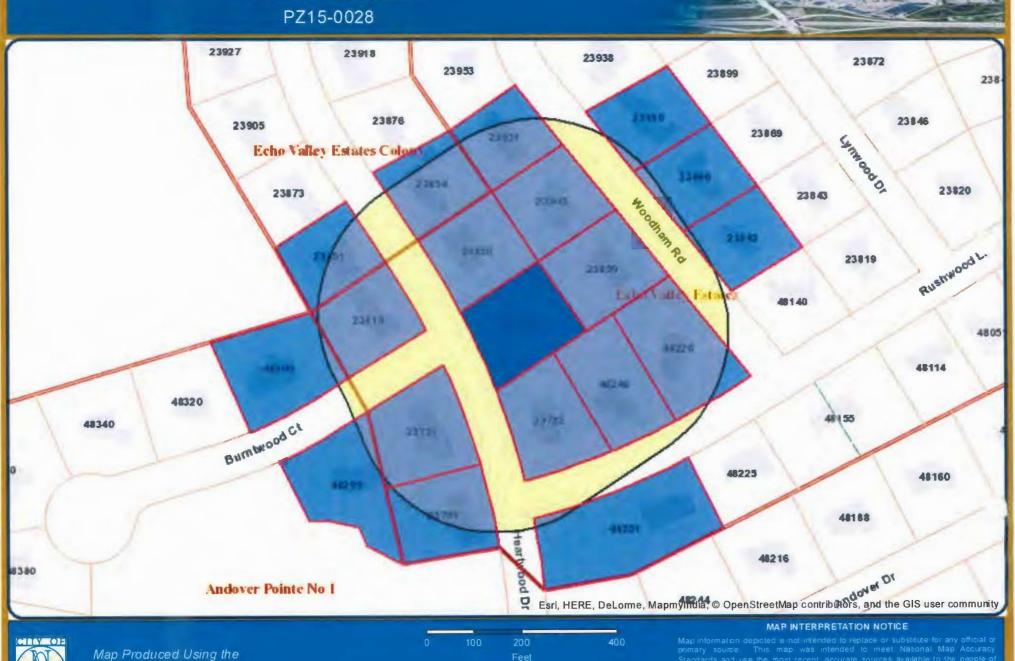
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

HOUSE MAS NO BASEMENT - STORAGE YEHICLES - PROTECTION FROM ELEMENTS +VAHDALISM HELPS APPEARANCE, SAFETY + PROPERTY VALUES

# 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.

CARRER TO LOOK ARCHITECTURALLY THE SAME AS THE HOUSE. SAME ROOF LINES, HIP ROOF, SIDING TO LOOK LIKE IT WAS DESIGNED WITH THE HOME, IT WILL HAVE NO ADVERSE IMPACT ON PROPERTY VALUES OR USE + ENJOYMENT OF PROPERTY IN THE NEIBORHOOD OR ZONING DISTRICT.



1 inch = 202 feet

NOVI Cityofnovi.og

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

Author:

23750 Heartwood

Author: Date: 8/27/2015 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. Pleased 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

Dave Schroeder 23750 Heartwood Novi, MI 48374 AUG 0 7 2015
CITY OF NO.

Dear Mr. Schroeder,

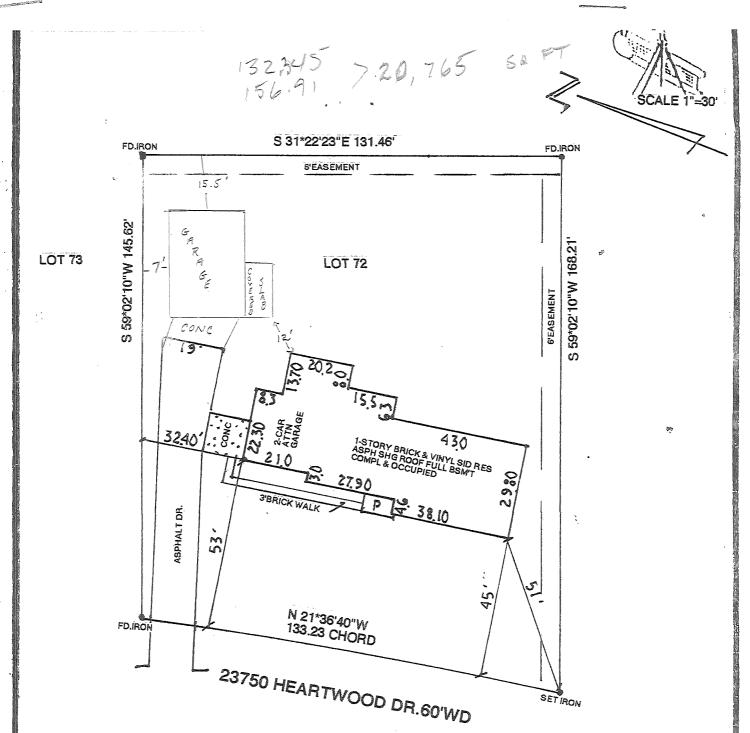
The following members of the Echo Valley Civic Association Board of Directors: Gordon Melms, John Kuenzel, Stacey Rose and Gina Van Horn have reviewed your plans for a garage which you wish to construct on your property at 23750 Heartwood, Novi Michigan in the Echo Valley subdivision. We approve your plans if the following conditions are met:

- 1. At least a half permanent wall is added on the West side of the slab proposed for the East side of the building. Such wall can have a 6" space at the bottom to avoid mold and wood rot. Car ports are not permitted in Echo Valley.
- 2. The garage must be architecturally compatible with your house on the same property. (Similar brick, siding, roofing.)
- 3. All City of Novi Codes and Ordinances are complied with.

Sincerely yours,

John A. Kuenzel

President



# LEGAL DESCRIPTION:

LOT 72 – ECHO VALLEY ESTATES SUBDIVISION, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 92, PAGES 11 & 12, OAKLAND COUNTY RECORDS.

PED LAND

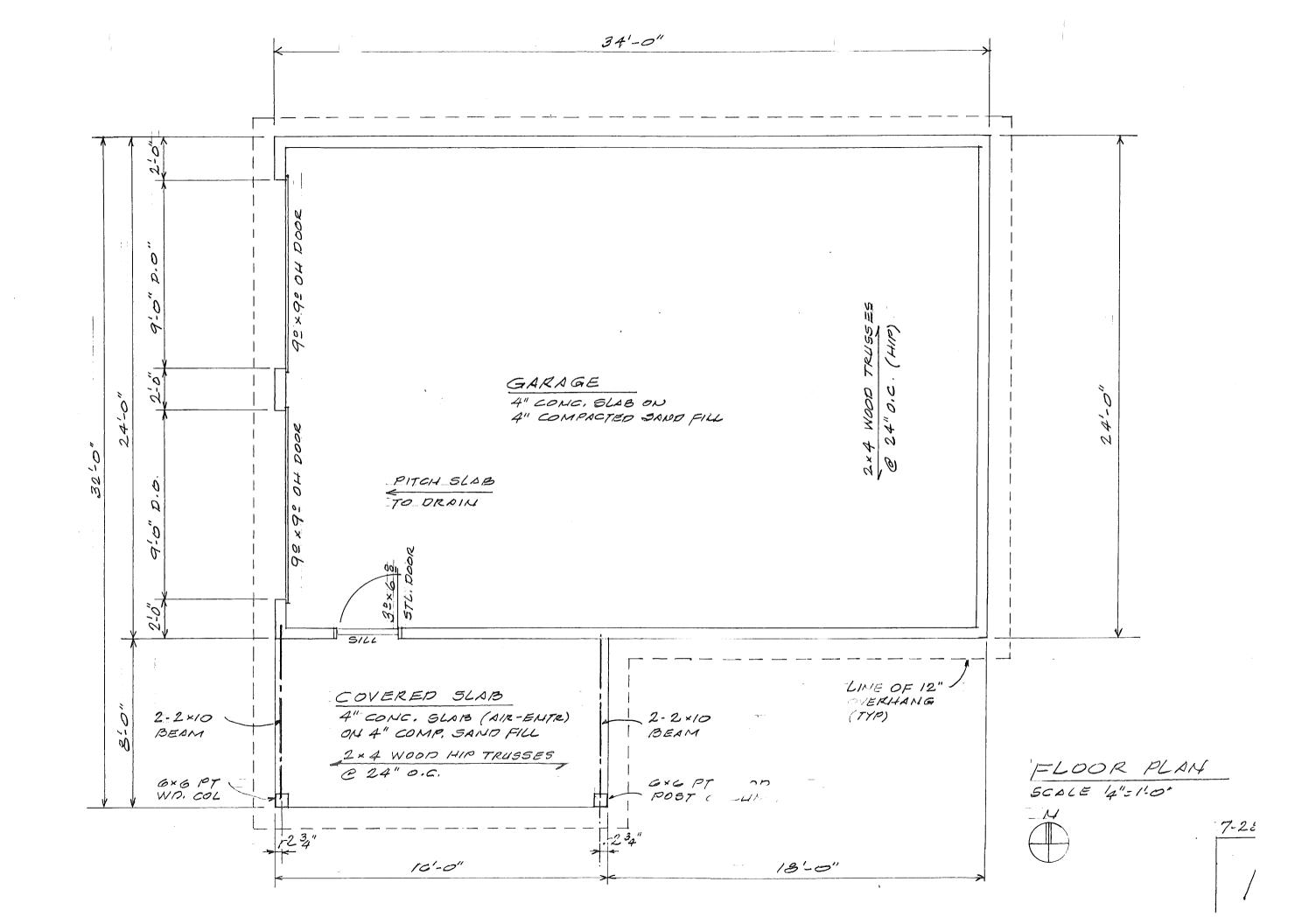
DAVE SCHROEDER

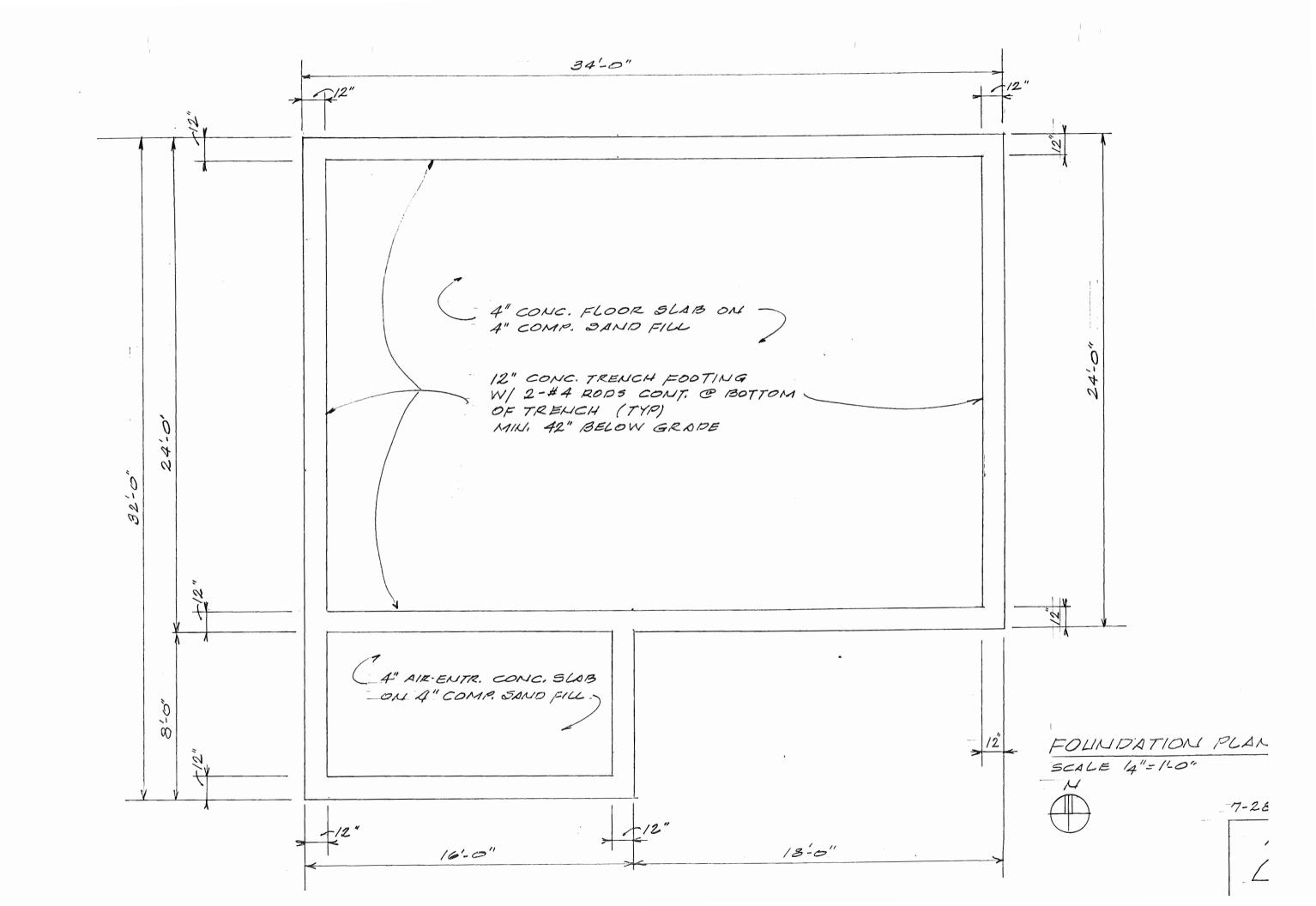
**SURVEY #35-49** 

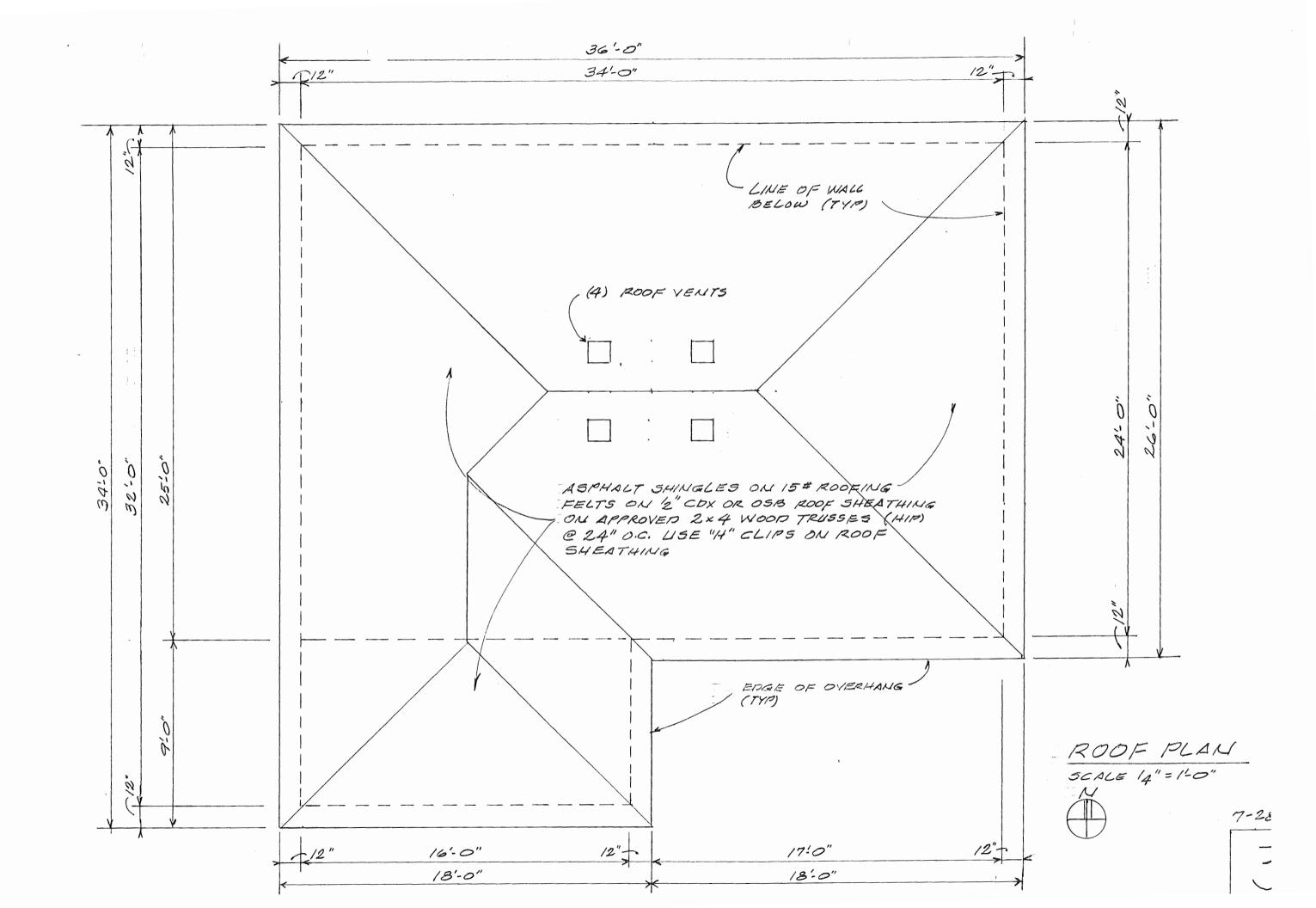
JULY 6, 2015

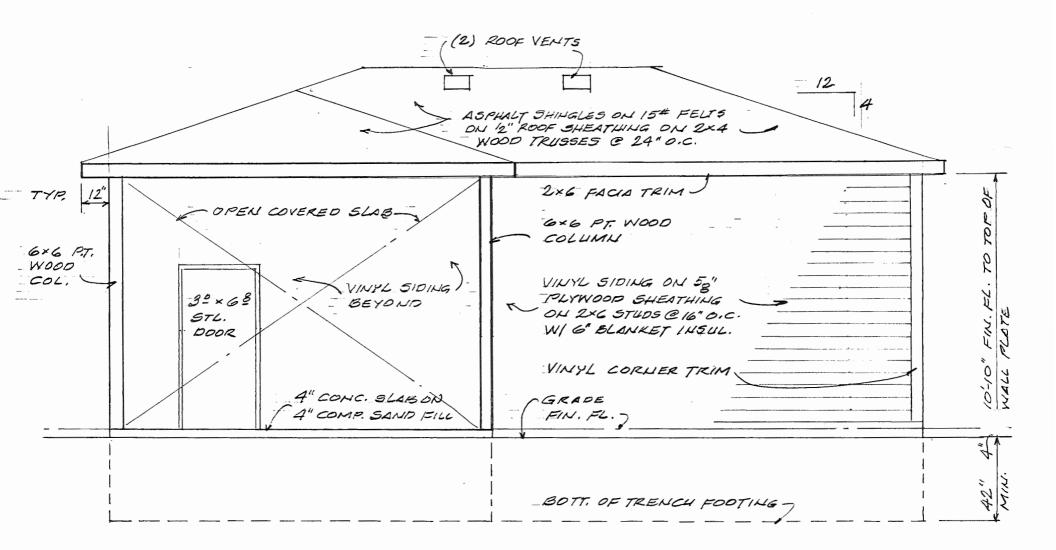
We hereby certify that we have surveyed the parcel thereon delineated in accordance with the legal description as furnished by you and the boundaries and confiers of said parcel are as indicated hereinfand that their exists op encroachments upon said parcel bexcept as otherwise noted.

LOUIS CANTOR COMPANY 17600 NORTHLAND PARK COURT SUITE 201 SOUTHFIELD, MICHIGAN 48075

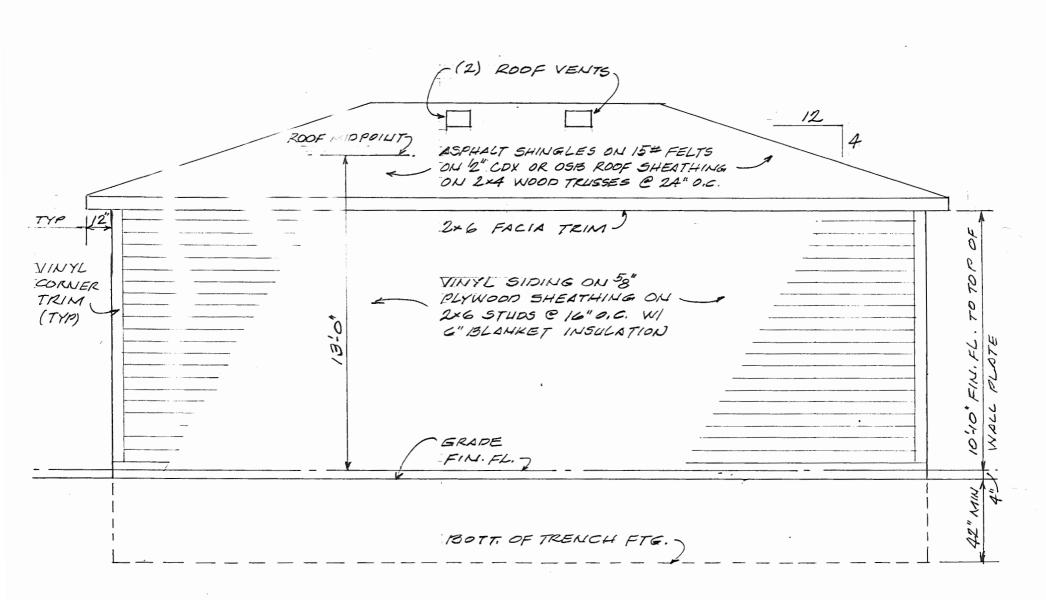








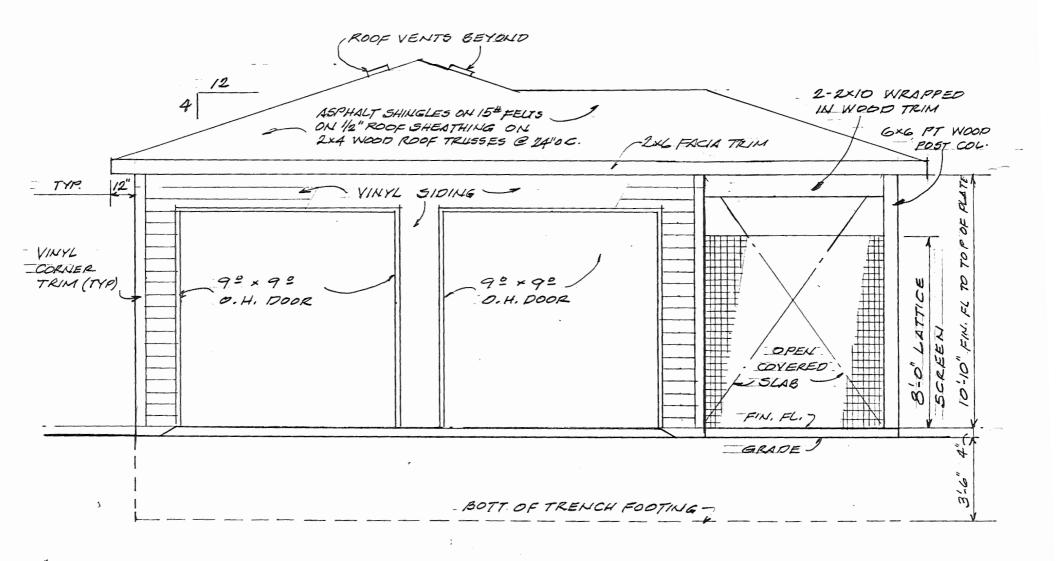
SOUTH ELEVATION



NORTH ELEVATION

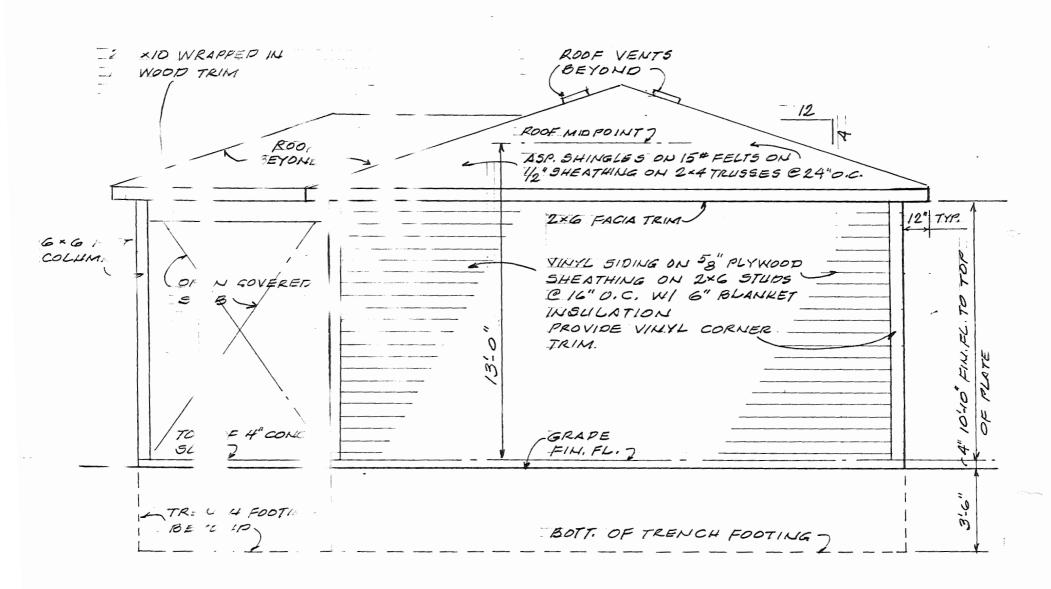
SCALE 1/4" = 1'-0"

7.20



WEST ELEVATION

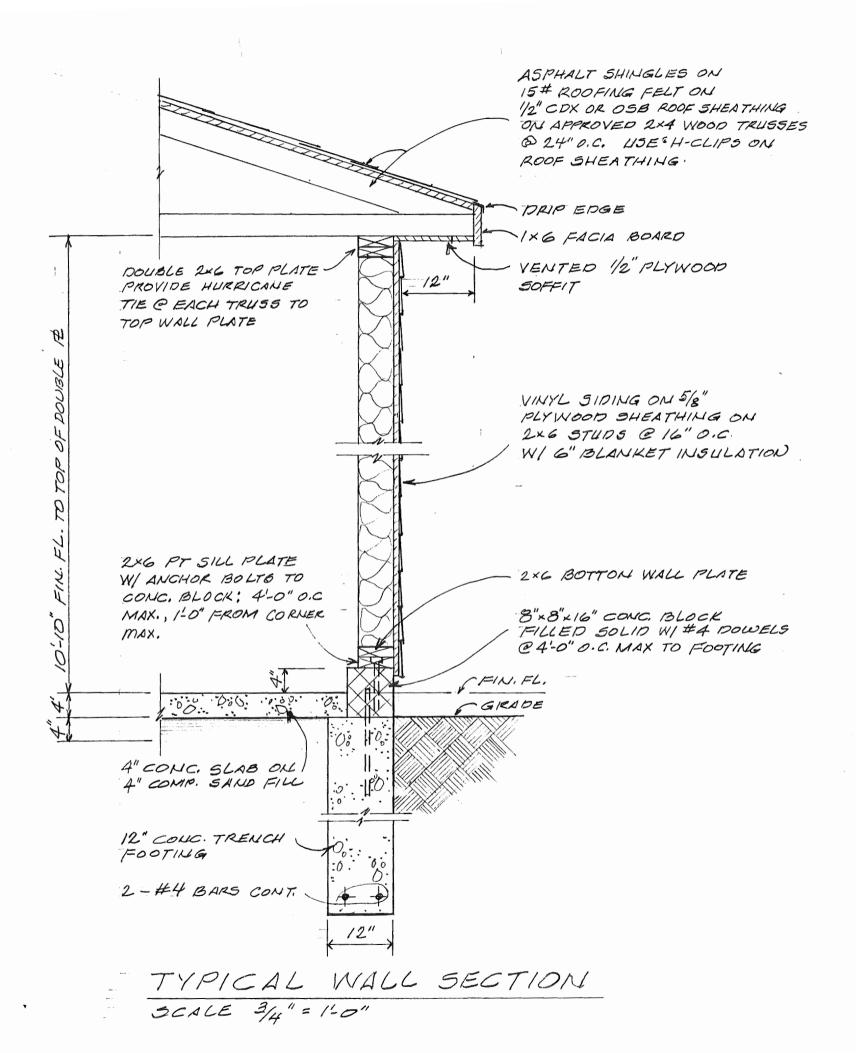
5CALE 14"= 1-0"

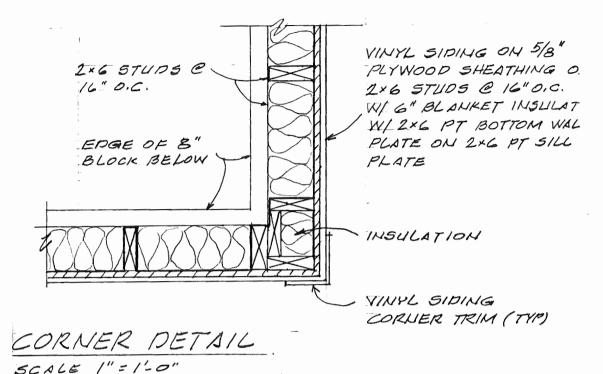


EAST ELEVATION

SCALE 1/4"=1:0"

1 7.10





# GENERAL NOTES

- DESIGN LOAD CRITERIA:
  - TOTAL ROOF LOAD: 40 P.S.F.
- 2. SOIL BEARING CAPACITY: 2000 PSF
- 3. CONCRETE: 3000 PSI, AIR ENTRAINED FOR SLAB
- 4. LUMBER:
  - A. PRESSURE TREATED LUMBER
    - 1. 6×6 POST COLUMNS
    - 2, GROUND CONTACT
    - 3. BOTTOM AND SILL PLATES
  - B. KD WHITE WOOD
    - 1. ALL OTHER APPLICATIONS
- 5. PREFABRICATED WOOD ROOF TRUSSES (HIP)
  - A. SUBMIT DETAILED SHOP DRAWINGS FOR WOOD

    ROOF TRUSSES DESIGNED & SEALED BY A

    SFESSIONAL ENGINEER REGISTED TO PRACTICE

    II MICHIGAN
  - B. INSTALL ROOF TRUSSES IN ACCORDANCE WITH MANUFACTURER INSTRUCTIONS FOR INSTALLATION AND RECOMMENDED BRACING & BRACING REQUIREMENTS.
- G. ROOF SHEATHERS USE "H" CLIPS BETWEEN PANELS.