

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

**Case No. PZ14-0023**

**Location: 23363 Mystic Forest Drive**

**Zoning District: R-4, One Family Residential District**

The applicant is requesting a variance from the CITY OF NOVI, CODE OF ORDINANCES, 2400 to allow construction of a new screen-in-porch extending 3.46 ft. into the required 35 ft. rear setback of an existing home and maximum lot coverage of 26.3% . The property is located west of Novi Road and south of Ten Mile Road.

**Ordinance Sections:**

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires a minimum 35 ft. rear yard setback in the R-4 Zoning District and maximum 25% lot coverage.

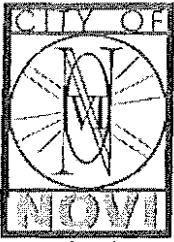
**City of Novi Staff Comments:**

The petitioner is proposing to add a new screen-in-porch to a single family detached home on an existing lot with an R-4 zoning designation. The Zoning Ordinance requires a 35 ft. rear yard setback. The proposed porch would extend 3.46 ft. into the setback and with maximum lot coverage of 26.3%. Staff supports the variances provided substantial justice can be provided for neighboring property owners.

**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\_\_\_\_\_.
- 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 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\_\_\_\_\_.



cityofnovi.org  
ZBA Case No.

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

RECEIVED

MAY 27 2014

CITY OF NOVI  
COMMUNITY DEVELOPMENT

For Official Use Only

P214-0023

ZBA meeting date

Check# \_\_\_\_\_ Include payment with cash or check written to "City of Novi"

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

\*\*\*Please submit one original full set of all documentation relevant to the appeal plus 14 additional complete sets.

Applicant's Name Randy Holloway Date 5-21-14

Company (if applicable) \_\_\_\_\_

Address\* 23363 Mystic Forest Dr City Novi

State MI Zip code 48375 \*Where all case correspondence is to be mailed

Applicant's E-mail address Randy@Securitycorp.com

Phone number 248-374-0633 Fax number \_\_\_\_\_

Request is for:

Residential  Vacant property  Commercial  Signage

Address of subject ZBA case 23363 Mystic Forest Dr Zip code 48375

Cross roads of property Off Novi Rd Between 9 & 10 mile

Sidwell number 50-22-27-428-024 May be obtained from Assessing Department (248) 347-0485

is the property within a Homeowner's Association jurisdiction?  Yes  No

Zoning (Please circle one) MH R-A R-1 R-2 R-3 R-4 RM-1 RM-2  
I-1 I-2 RC TC TC-1 Other

Property owner name (if other than applicant) \_\_\_\_\_

Does your appeal result from a Notice of Violation or Citation issued?  Yes  No

Indicate Ordinance section(s) and variances requested:

- 1. Section 2400/R Variance requested
- 2. Section 2400/R Variance requested
- 3. Section \_\_\_\_\_ Variance requested
- 4. Section \_\_\_\_\_ Variance requested

Lot coverage  
Required 25% Proposed 26.3%  
Yard Set back required 35'  
Proposed 31.54'

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.

State the practical difficulties which prevent conformance with the Zoning Ordinance requirements (attach separate sheet if necessary):

The house and garage when built maximized building lot coverage. Looking to screen in current Deck due to insects from 3 acres of common area behind house.

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:

our lot backs up to 3 acres of common area we makes it not as deep as other lots in the Sub.

There is a five (5) day hold period before work/action can be taken on variance approvals.

**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.

**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.

**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
- Accessory building
- Use
- Signage
- Other

  
Applicant's Signature

5-21-13  
Date

  
Property Owners Signature

5-21-13  
Date

**DECISION ON APPEAL**

\_\_\_\_\_ Granted \_\_\_\_\_ Denied

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following items and conditions:

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
Date

**Mystic Forest Homeowners Association  
23365 Winnsborough Lane  
Novi, MI 48375**

May 25, 2014

City of Novi  
Novi, MI 48375

To Whom it May Concern,

The Mystic Forest Homeowners Association approves of a screened in porch at the Holloway Residence, 23363 Mystic Forest Drive, Novi MI 48375.

Please advise if you need anything else.

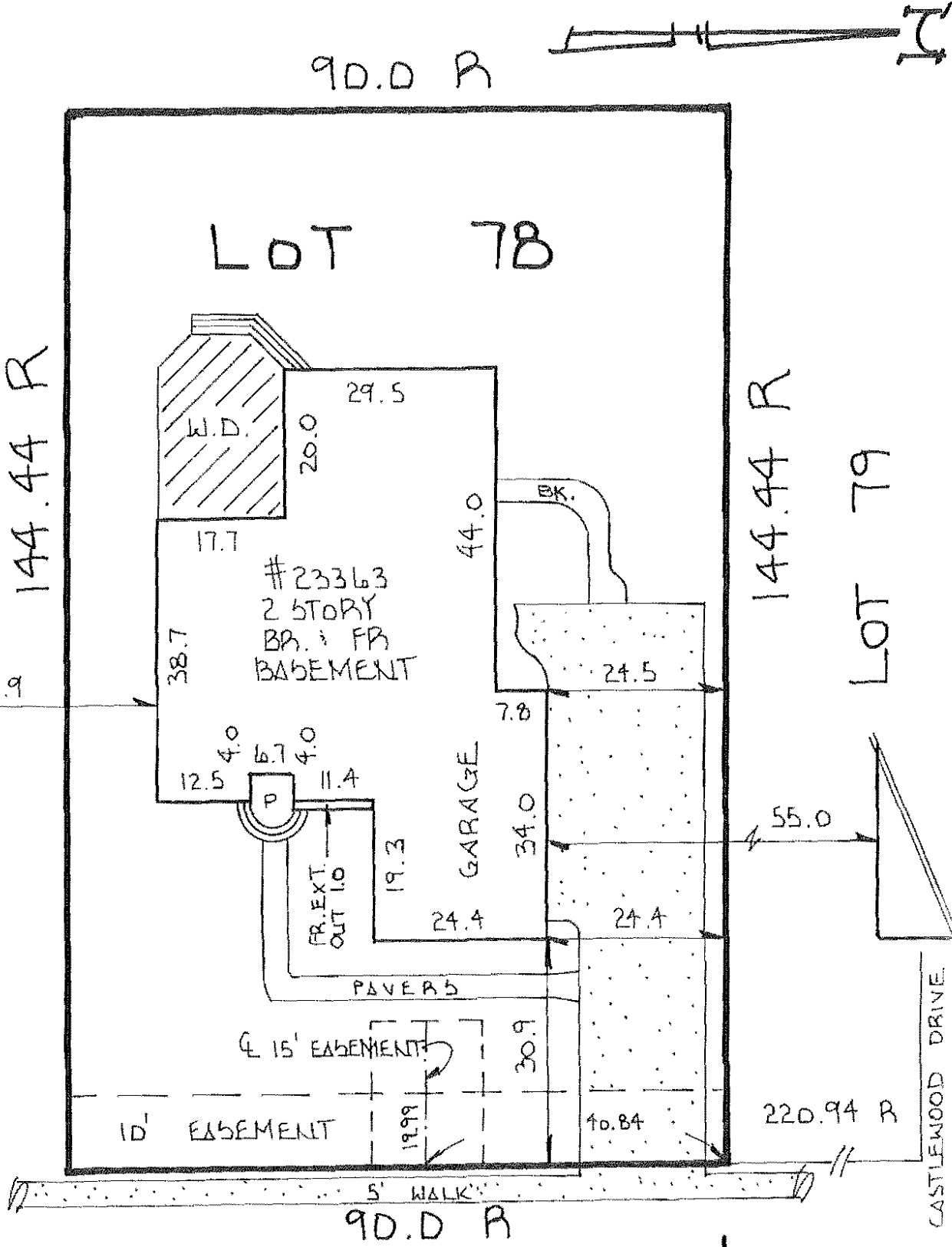
Regards,

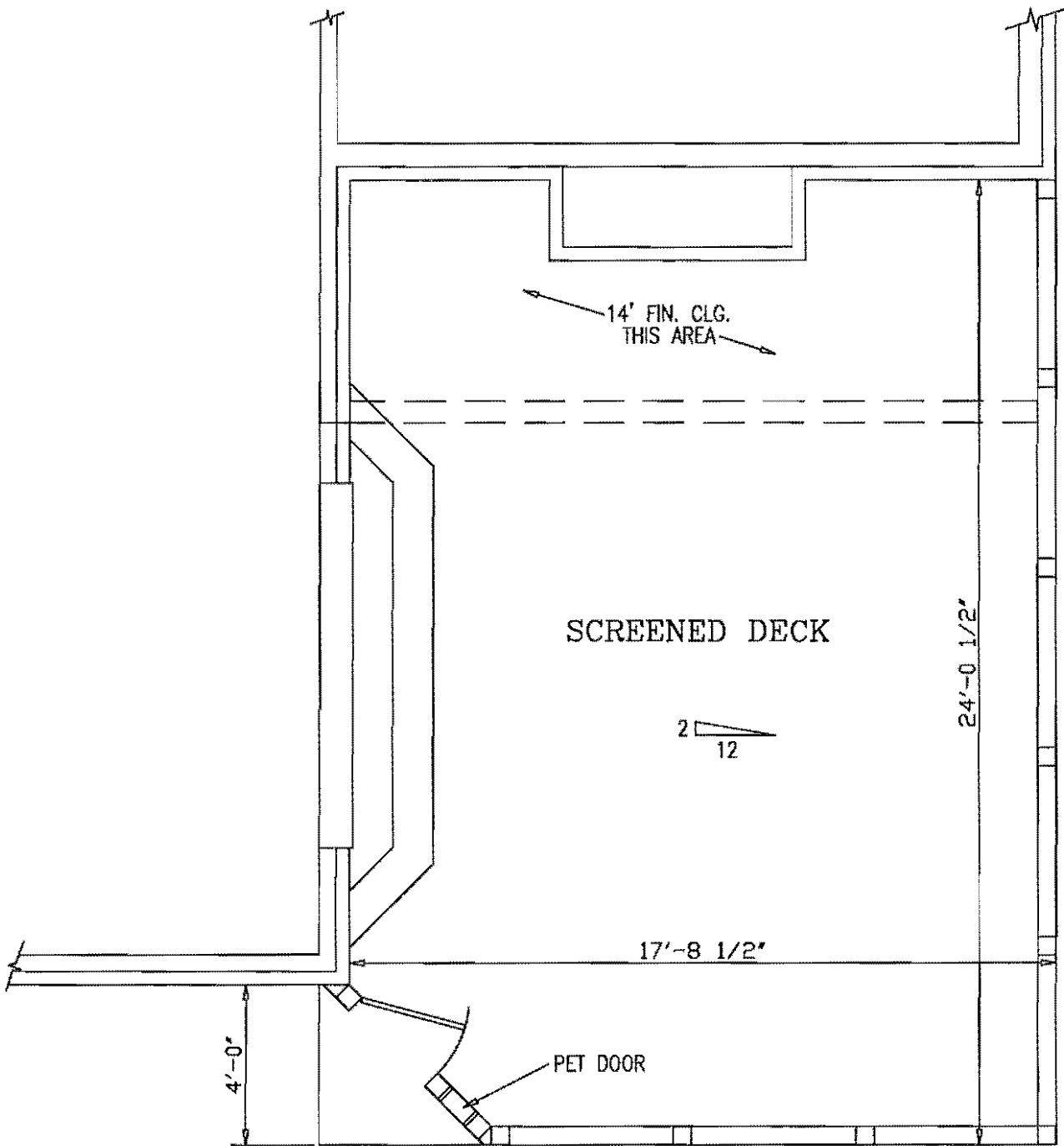
Joe Lennex  
Mystic Forest Homeowners Association President  
248-761-8567

Description Lot 78, MYSTIC FOREST a part of the Northeast  $\frac{1}{4}$  and the South-east  $\frac{1}{4}$  of Section 27, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan. Rec'd Liber 230 Pages 1 through 9 Plats, O.C.R.

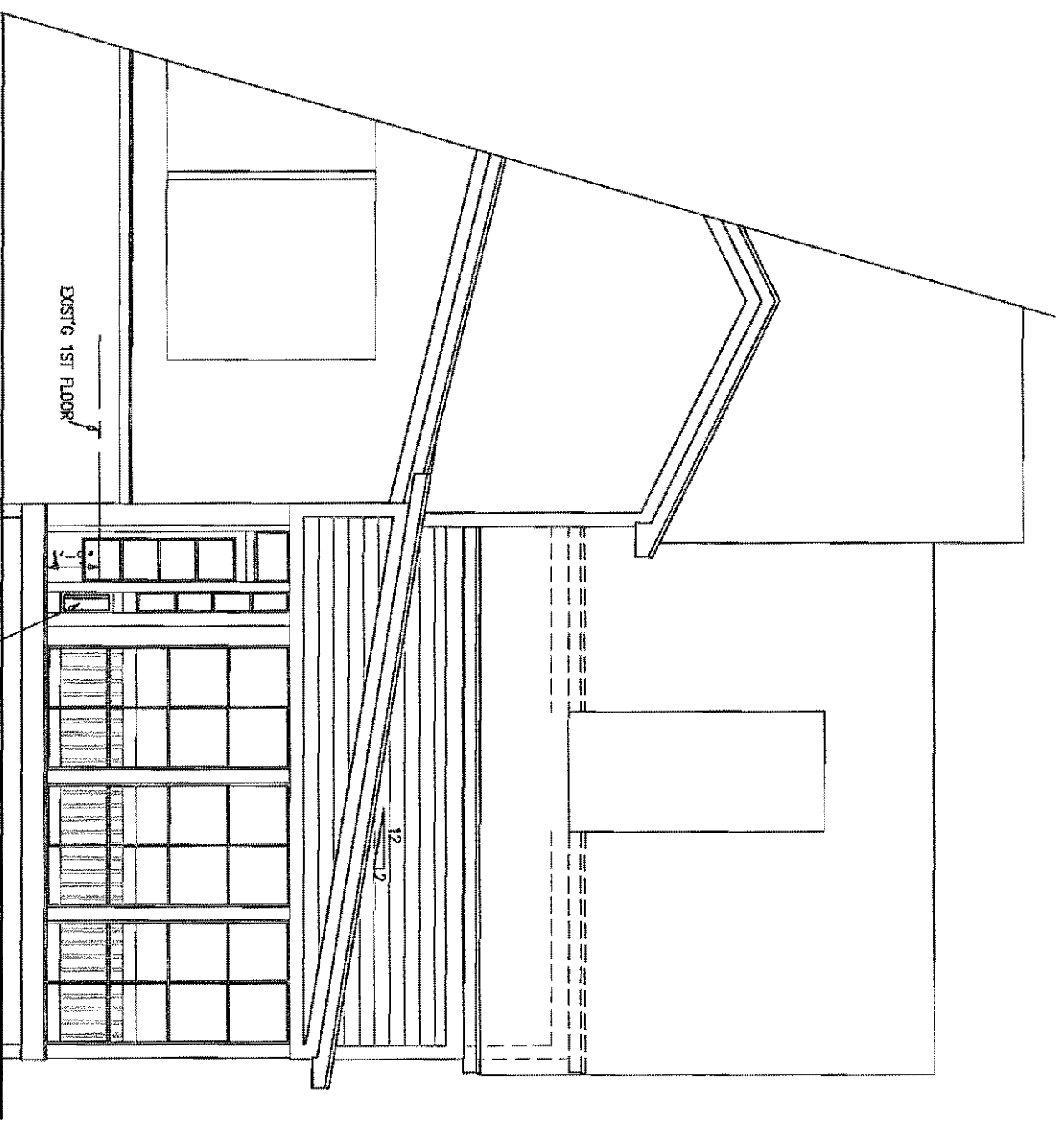
& LINCOLN ASSOCIATES, INC. 37741 Pembroke, Livonia, MI 48152 (734)432-9777 Fax: (734)432-9786

LOT 77





PROPOSED FLOOR PLAN



PROPOSED REAR ELEVATION