



# 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:** May 10, 2016

**Floor Addition (PZ16-0014), Parcel 50-22-03-332-003**

**BY:** Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**

Marc Kennedy

**Variance Type**

Dimensional Variances

**Property Characteristics**

Zoning District:	R-4 (Single Family Residential)
Site Location:	1201 South Lake Drive, south of fourteen mile and west of Novi Road
Parcel #:	50-22-03-332-003

**Request**

The applicant is requesting variances from the City of Novi Zoning Ordinance Section 3.1.5.d to allow construction of a second story addition to an existing nonconforming residence with reduced side yard setbacks (10 feet required, 2.3 feet proposed) , exterior side setback (8.5 feet proposed, 30 feet required)and aggregate side yard setback (40 feet required, 10.8 feet proposed). The property is zoned R-4

### II. STAFF COMMENTS:

**Proposed Changes**

The applicant is requesting approval to construct a second floor addition to an existing residence. The addition would not extend beyond the footprint of the existing non-compliant building but would add to the volume of the building within the required side and aggregate side setbacks. The property is a particularly narrow corner lot.

### 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. **PZ16-0014**, 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. **PZ16-0014**, 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) 347-0423

Larry Butler  
Deputy Director Community Development

**Zoning Board Of Appeals**

Marc Kennedy  
Case # PZ16-0014  
City of Novi

May 10, 2016

Page 3 of 3



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## ZONING BOARD OF APPEALS APPLICATION

# RECEIVED

MAR 28 2016

CITY OF NOVI  
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$200.00

Meeting Date: May 10, 2016

ZBA Case #: PZ 16-0014

### I. PROPERTY INFORMATION (Address of subject ZBA Case)

PROJECT NAME / SUBDIVISION

ADDRESS 1201 South Lake dr LOT/SIUTE/SPACE #

SIDWELL # 50-22-03-332-003 May be obtain from Assessing Department (248) 347-0485

CROSS ROADS OF PROPERTY Hennings / South Lake dr

IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?  
 YES  NO

REQUEST IS FOR:  
 RESIDENTIAL  COMMERCIAL  VACANT PROPERTY  SIGNAGE

DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED?  YES  NO

### II. APPLICANT INFORMATION

#### A. APPLICANT

EMAIL ADDRESS Marc.Kennedy45@yahoo.com

CELL PHONE NO. 810-955-5659

NAME MARC Kennedy

TELEPHONE NO.

ORGANIZATION/COMPANY

FAX NO.

ADDRESS 1201 South Lake dr CITY Novi

STATE MI ZIP CODE 48377

#### B. PROPERTY OWNER CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER

Identify the person or organization that owns the subject property: EMAIL ADDRESS

CELL PHONE NO.

NAME

TELEPHONE NO.

ORGANIZATION/COMPANY

FAX NO.

ADDRESS

CITY

STATE

ZIP CODE

### III. ZONING INFORMATION

#### A. ZONING DISTRICT

- R-A  R-1  R-2  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 3.1.5 (D) Variance requested Setbacks 2<sup>nd</sup> floor addition - Min side 10'  
 2. Section 3.1.5 (D) Variance requested proposed @ 2.3' vacancy needed of 7.7'  
 3. Section \_\_\_\_\_ Variance requested -Aggregate lot area Required 40'  
 4. Section \_\_\_\_\_ Variance requested proposed @ 8'6"

Variance 31.4

### IV. FEES AND DRAWINGS

#### A. FEES

- 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





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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.  
 Not Applicable     Applicable    If applicable, describe below:

*Not enough room for setbacks - pre existing condition*

*and/or*

- b. Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.  
 Not Applicable     Applicable    If applicable, describe below:

*and/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.  
 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).

## **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.**

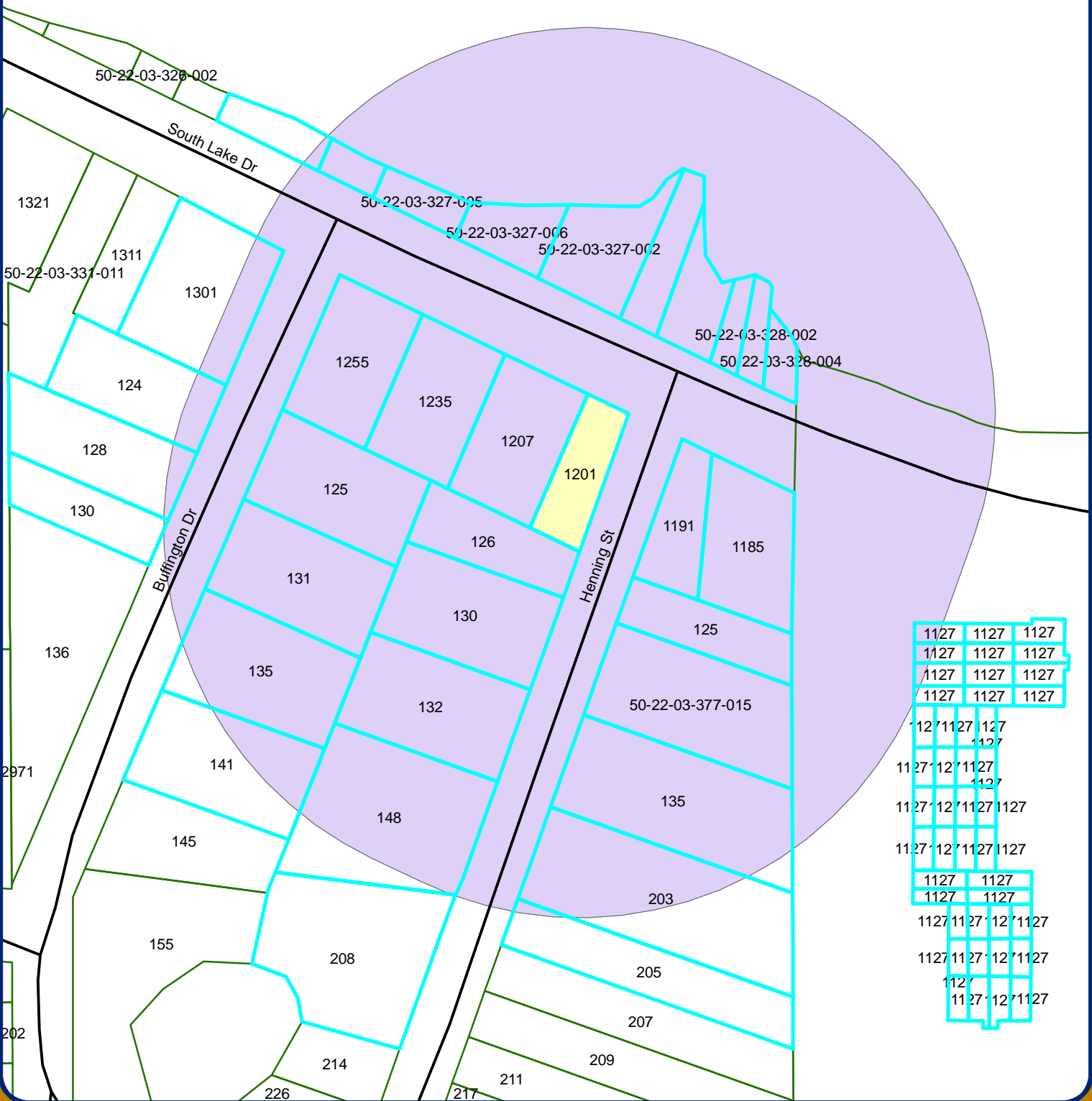
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

## **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.

# Parcels within 300' of 1201 South Lake Drive

## 22-03-332-003



Map Author: Jon Gartha  
 Date: March 31, 2016  
 Project: Address List for 22-03-332-003  
 Version #: 1.0

Amended By:  
 Date:  
 Department:

**MAP INTERPRETATION NOTICE**  
 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. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

**Map Legend**

- 300' Buffer
- Subject Property
- Tax Parcel

**Municipality**

- Novi
- Novi Twp.

**City of Novi**

IT Department  
 GIS Division  
 45175 Ten Mile Rd  
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Feet

0 20 40 80 120

1 inch = 113 feet

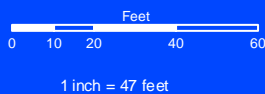


# City of Novi



**MAP INTERPRETATION NOTICE**

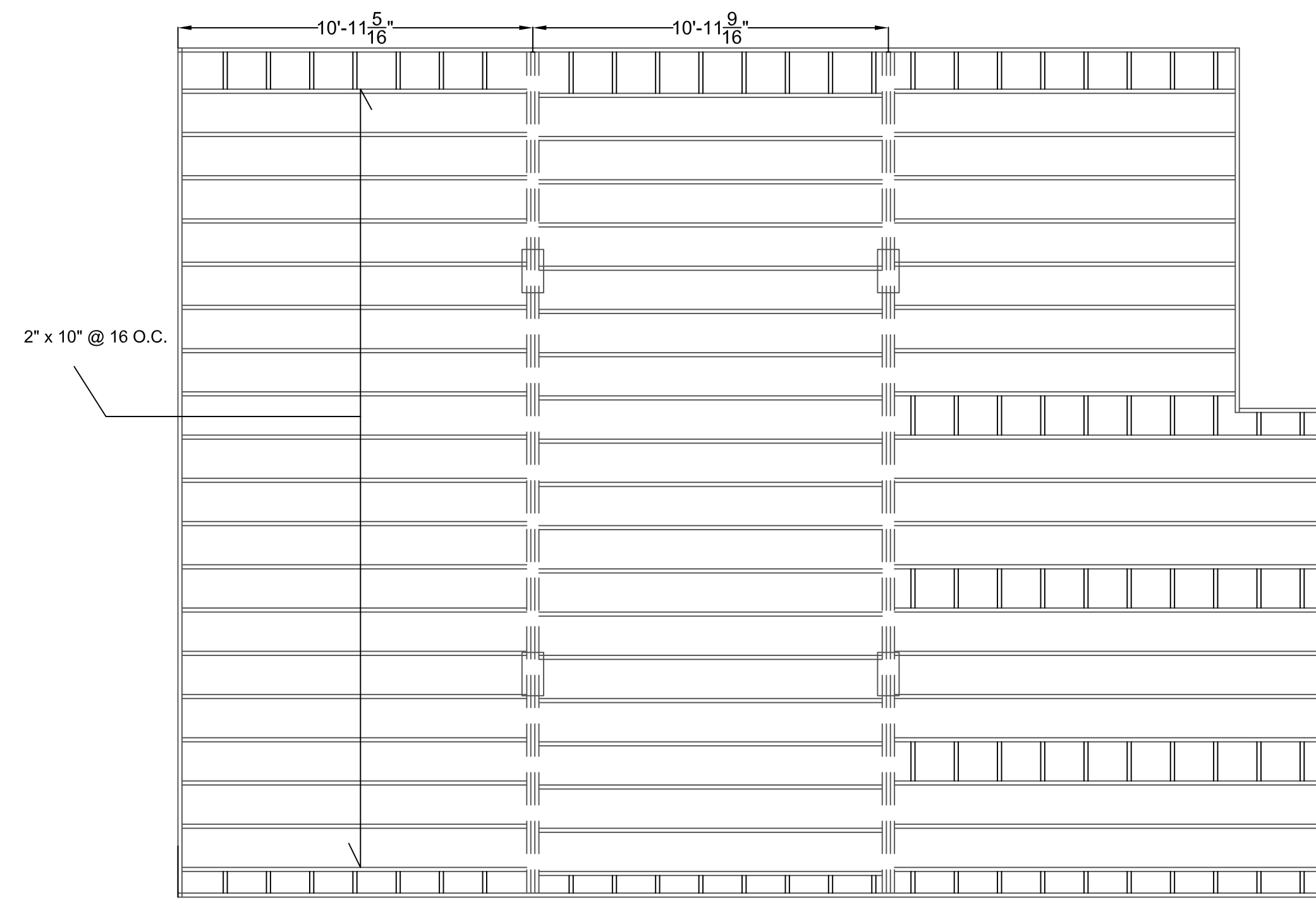
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Map Print Date:  
5/2/2016



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**FIRST FLOOR FRAMING PLANS**

# NOTES

All joist shall be 2" x 10".

Ladder blocks shall be installed between joist under all walls that run parallel to the joist.

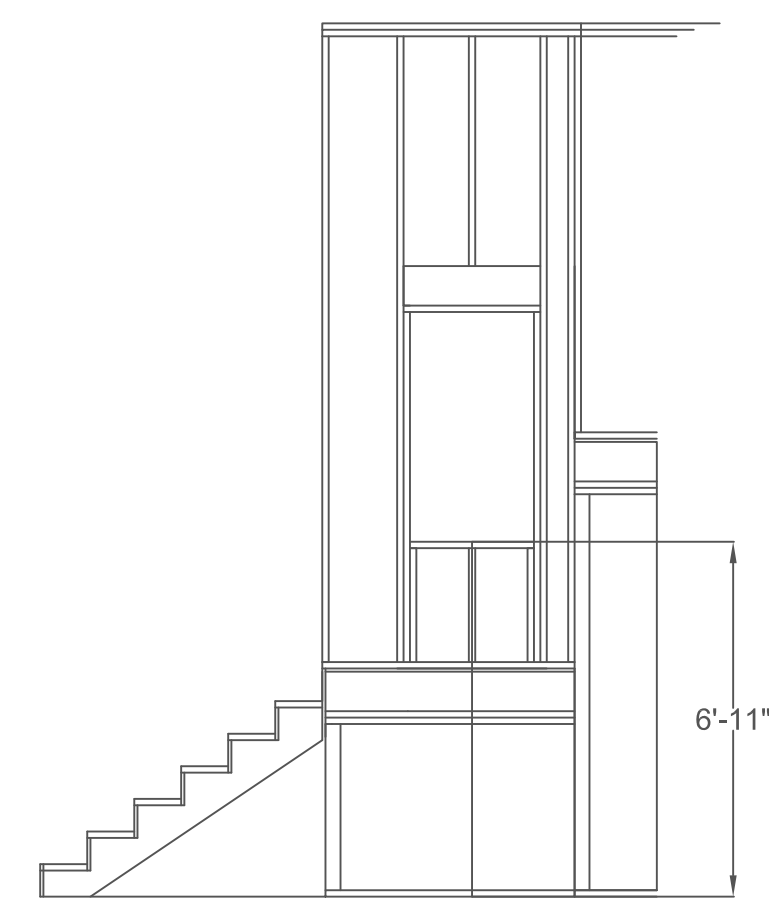
Lookout blocks shall be installed in the last span of joist on each end of the framed deck.

Squash blocks shall be installed under all window and door doublers and under any bearing point.

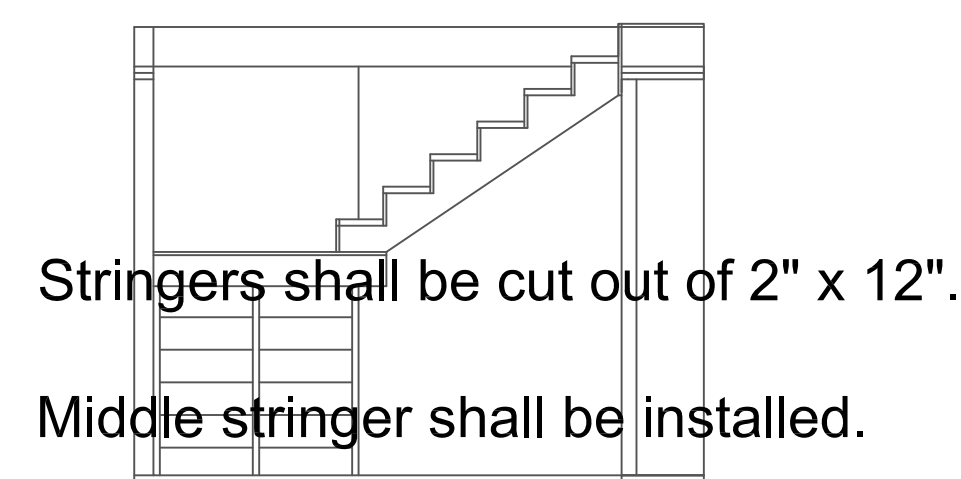
All interior doors are to be 2" X 8" doors.  
R.O. 34 1/2" X 83"

R.O. for all standard window openings will be 29" X 53 3/4".

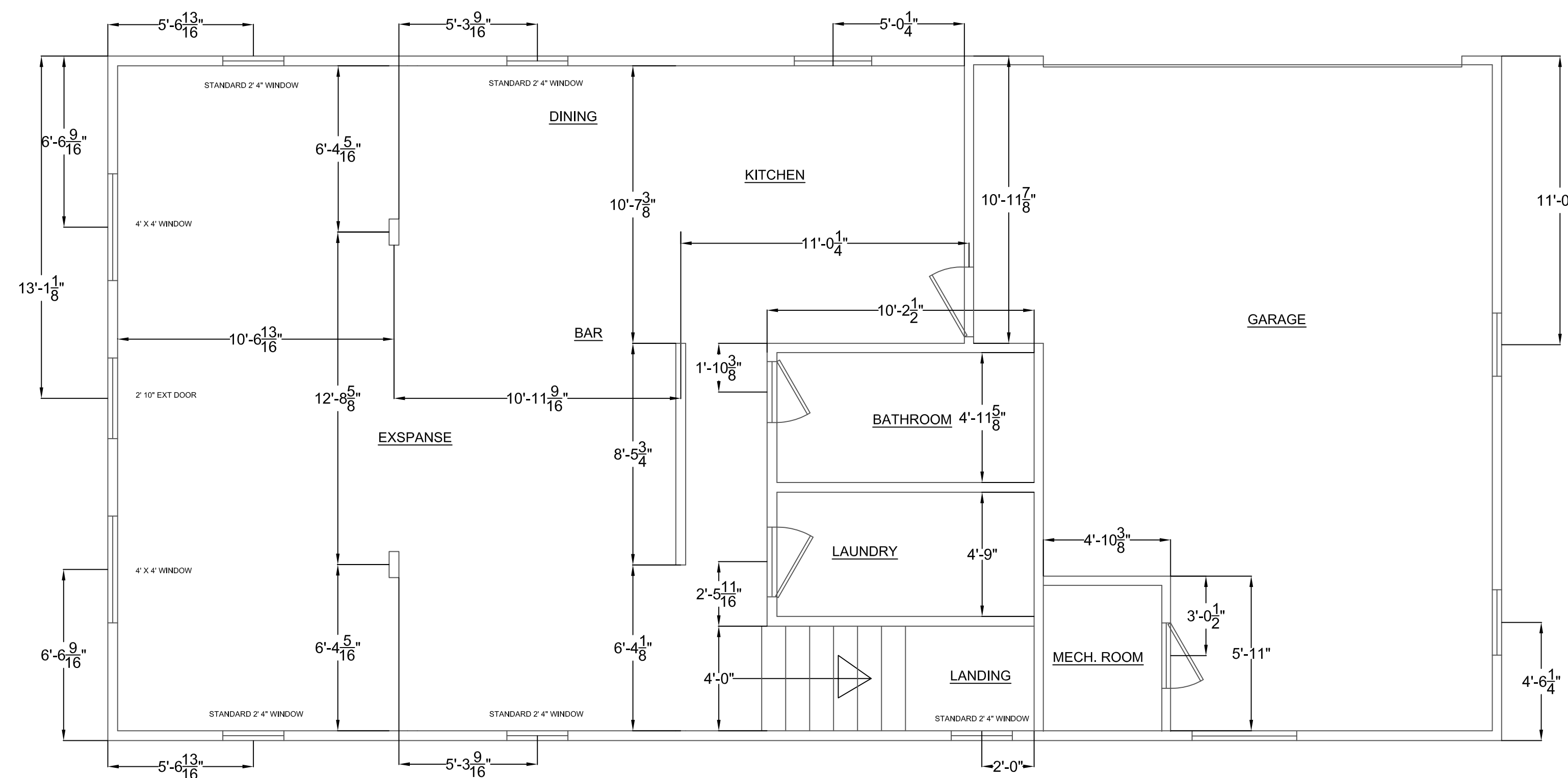
All bearing headers shall be 2" X 10" with a 2" X 4" sleeper on the bottom side of header.



**STAIR LANDING WINDOW DETAIL**



**STAIR DETAIL**

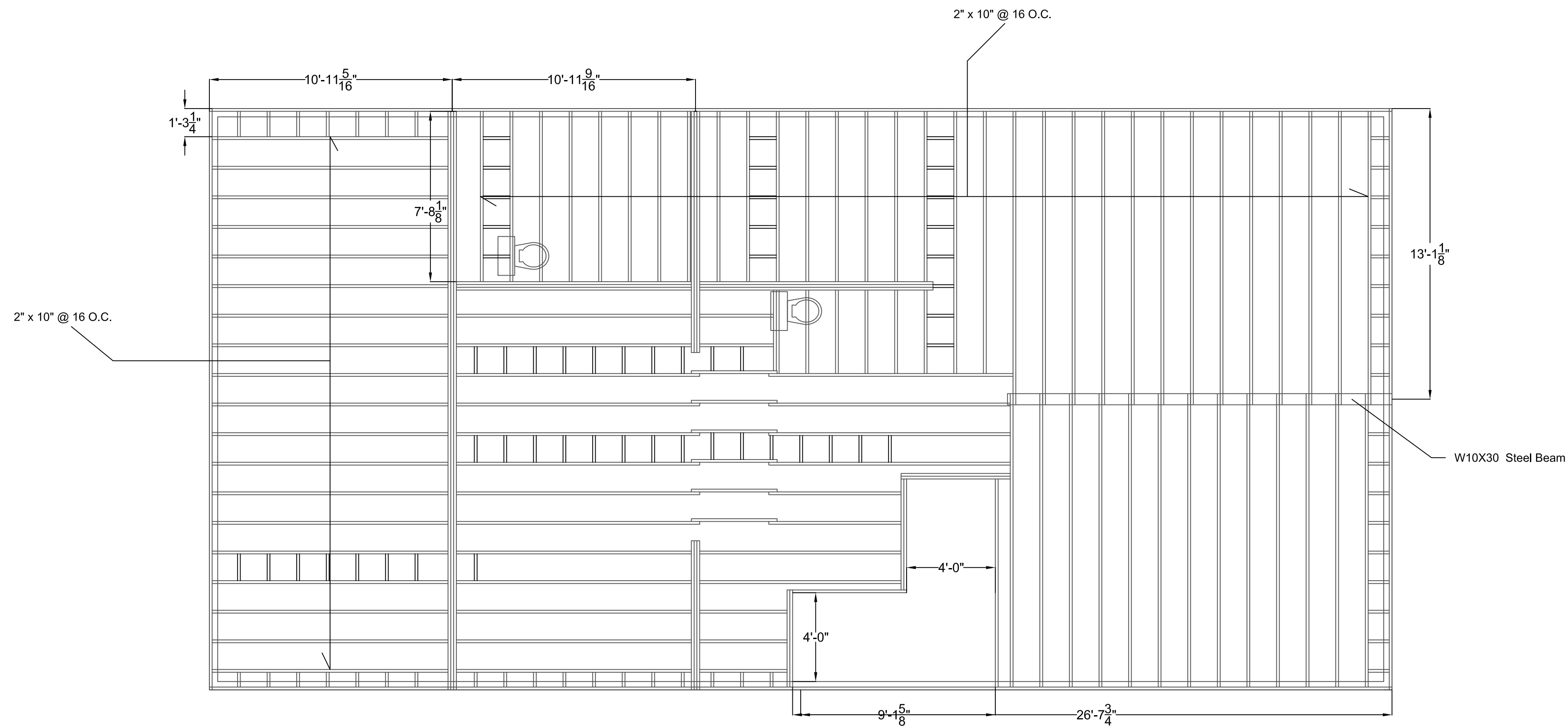


**FIRST FLOOR PLANS**

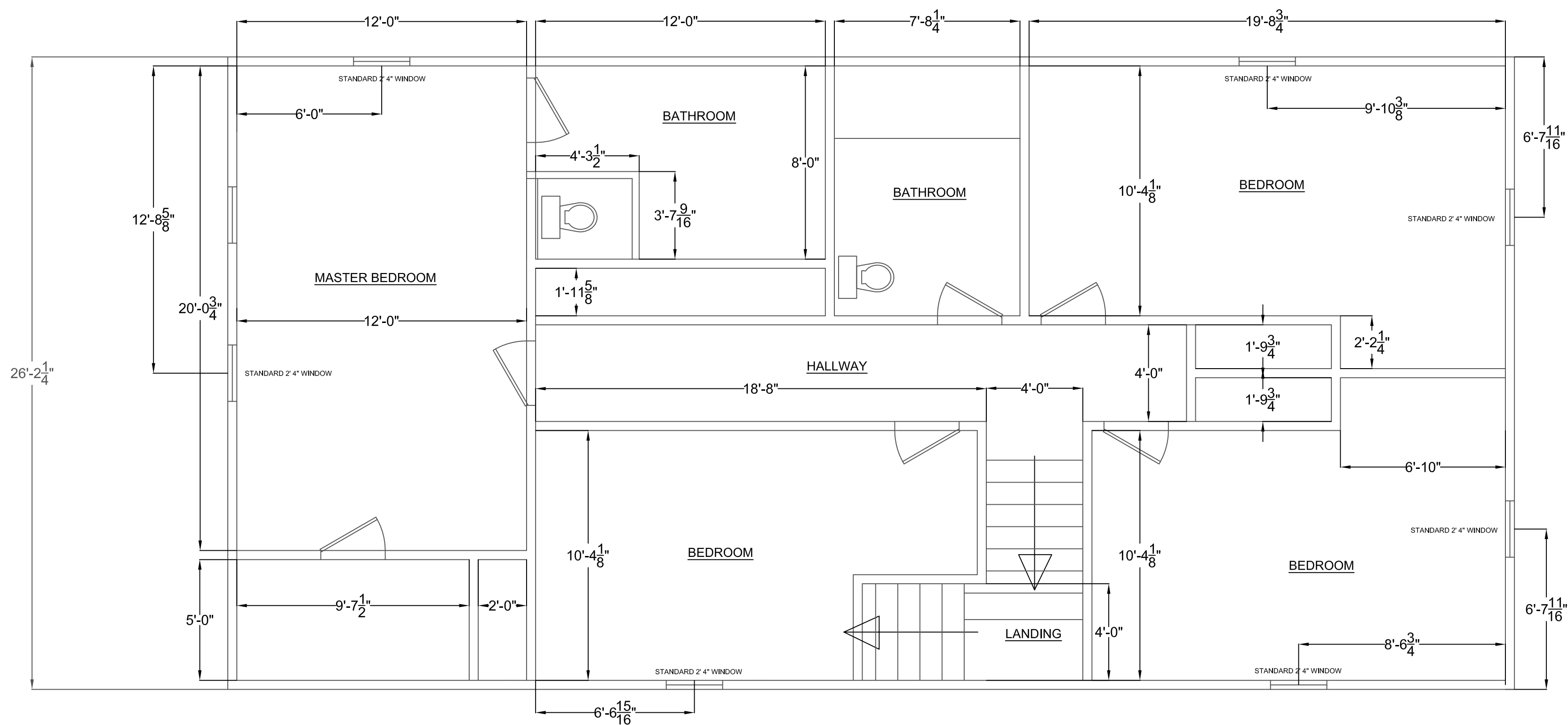
Stringers shall be cut out of 2" x 12".  
Middle stringer shall be installed.



Designed by	Approved by - date	Filename	Article No./Reference
Jason C. Pietka		marchHouse	Date 15FEB16 Scale 1/4" = 1'
1st Floor Plan			Sheet 1



**SECOND FLOOR FRAMING PLAN**



**SECOND FLOOR PLANS**

# NOTES

All joist shall be 2" x 10".

Ladder blocks shall be installed between joist under all walls that run parallel to the joist.

Lookout blocks shall be installed in the last span of joist on each end of the framed deck.

Squash blocks shall be installed under all window and door doublers and under any bearing point.

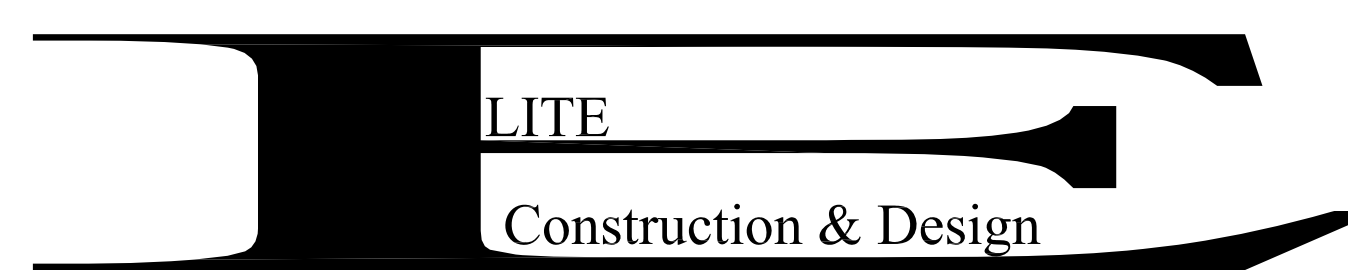
Steel beam in garage to carry second floor shall have steel stanchions on each end of the beam, placed in the walls. Straps shall be used to secure the wall plates.

All interior doors are to be 2" X 8" doors.  
R.O. 34 1/2" X 83"

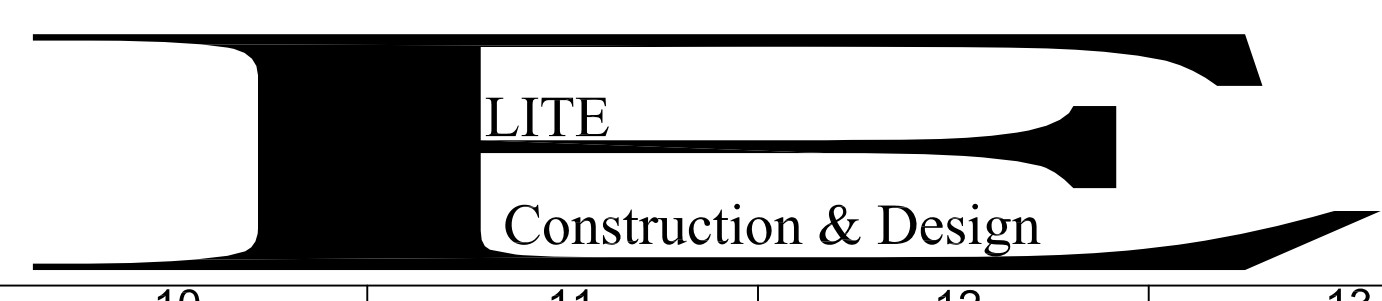
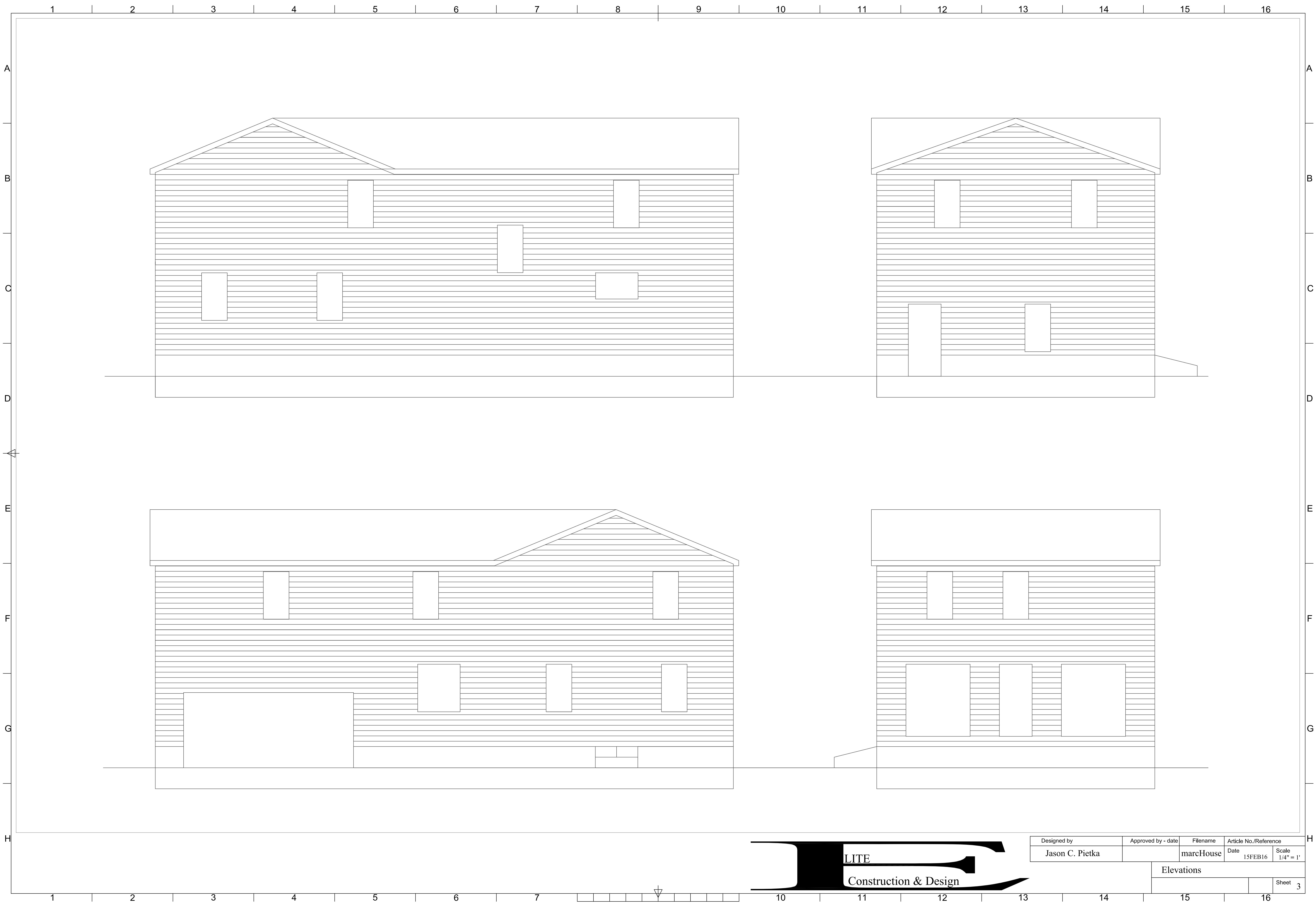
R.O. for all standard window openings will be 29" X 53 3/4".

All bearing headers shall be 2" X 10" with a 2" X 4" sleeper on the bottom side of header.

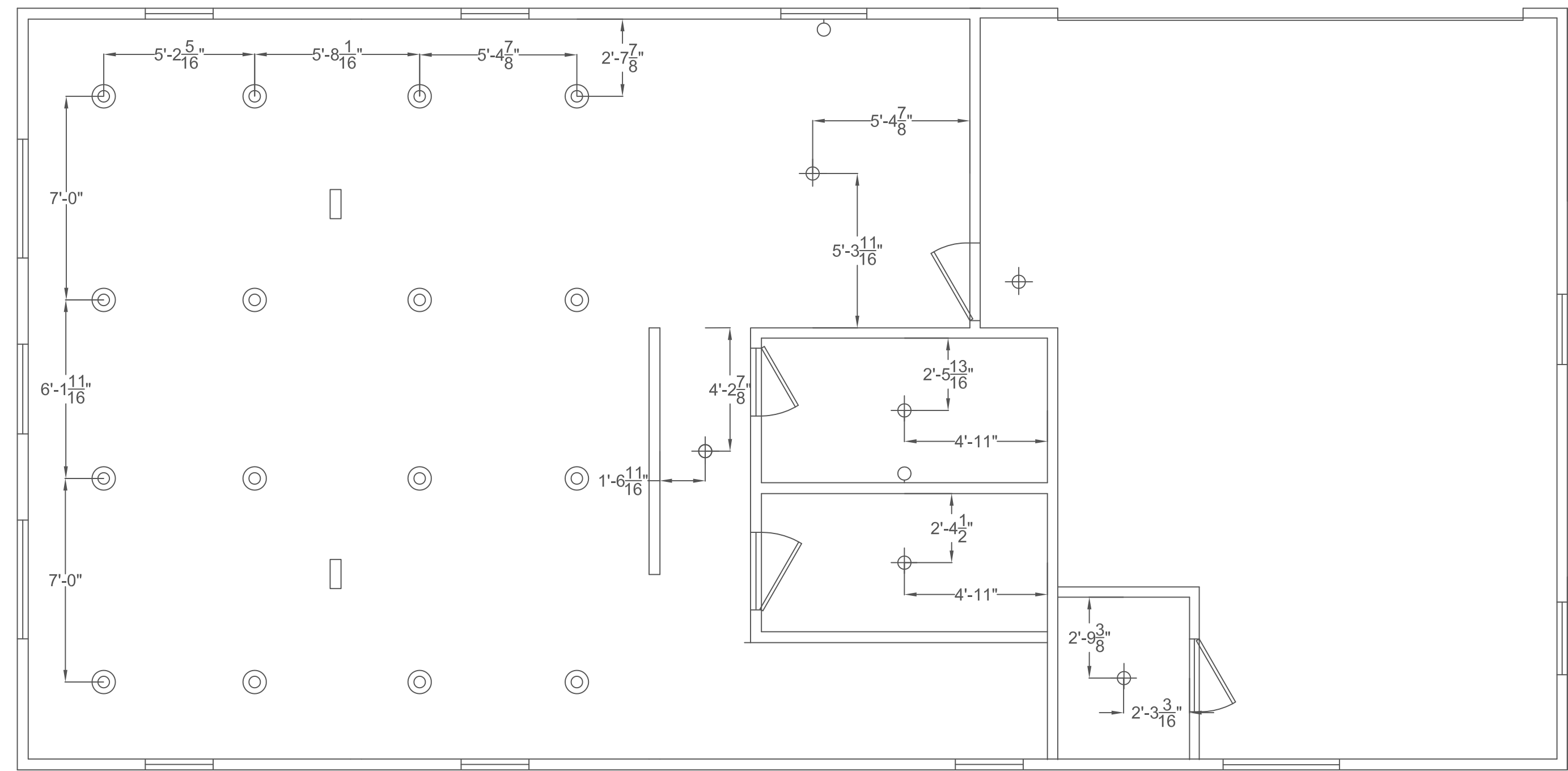
Bedroom closets are to be 4' 1" bi-fold doors.



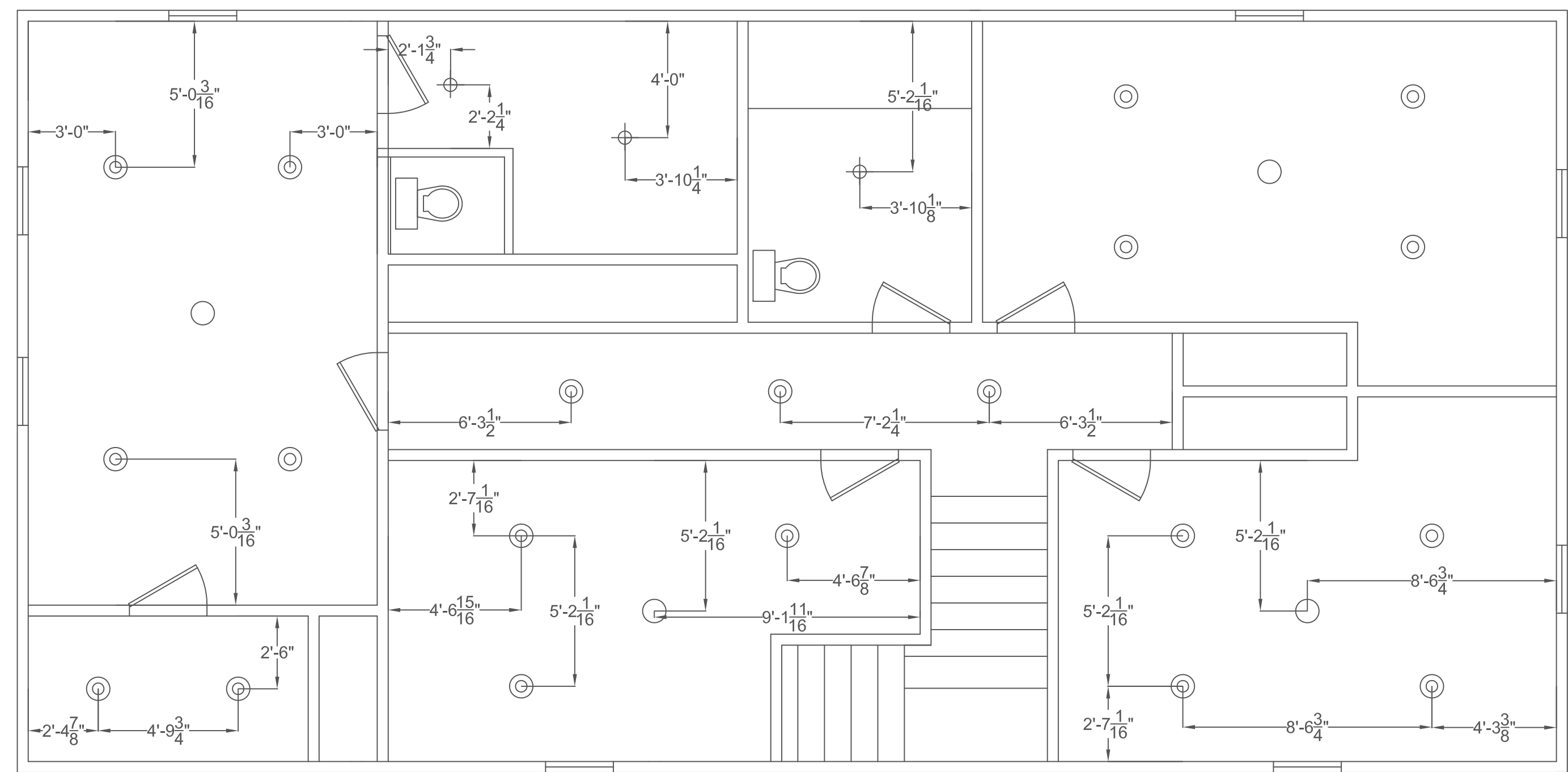
Designed by	Approved by - date	Filename	Article No./Reference
Jason C. Pietka		marchHouse	Date 15FEB16 Scale 1/4" = 1'
2nd Floor Plan			Sheet 2



Designed by Jason C. Pietka	Approved by - date	Filename marchHouse	Article No./Reference Date 15FEB16	Scale 1/4" = 1'
Elevations			Sheet	3



**FIRST FLOOR ELECTRICAL & LIGHTING PLANS**



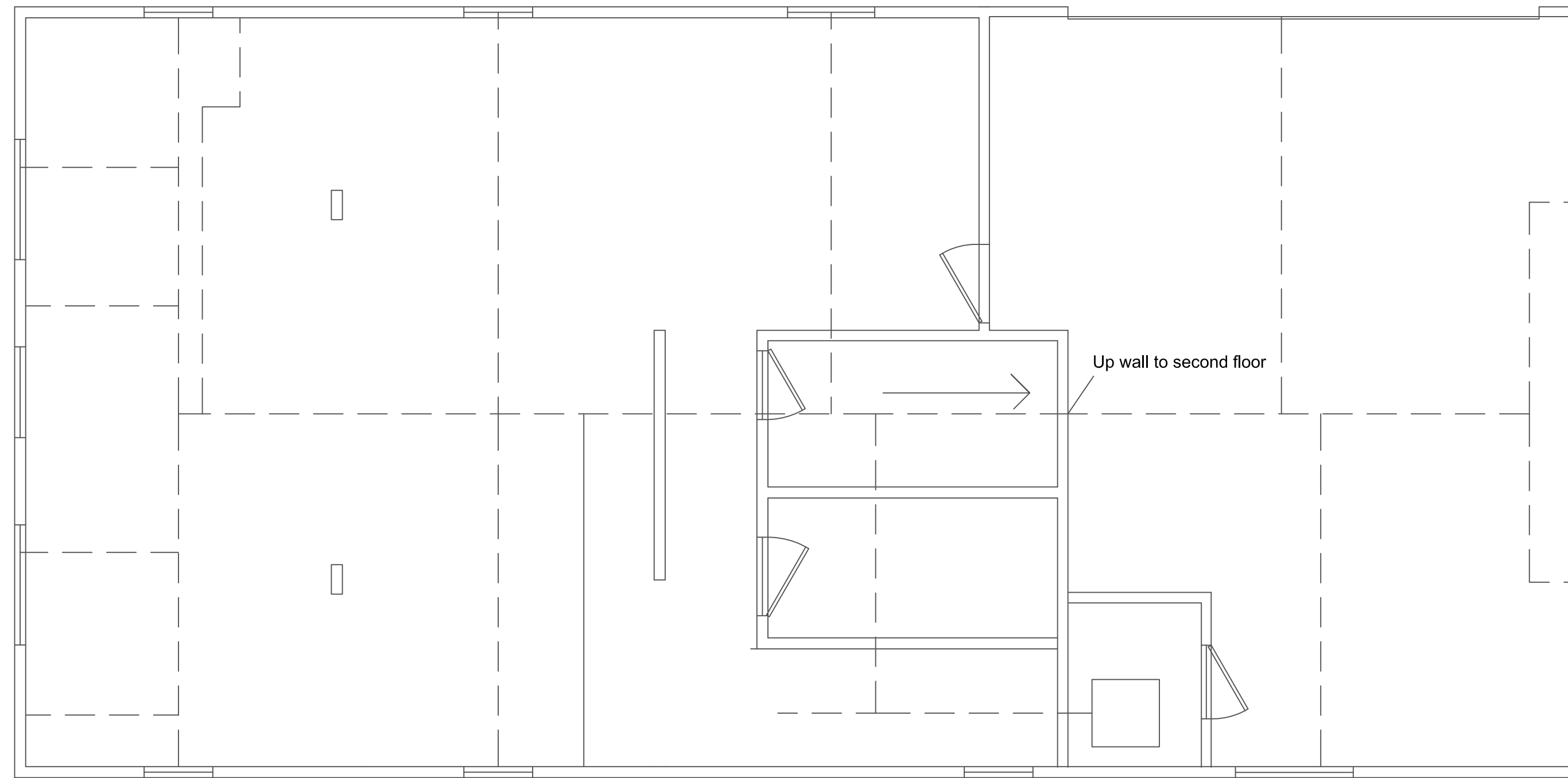
**SECOND FLOOR ELECTRICAL & LIGHTING PLANS**



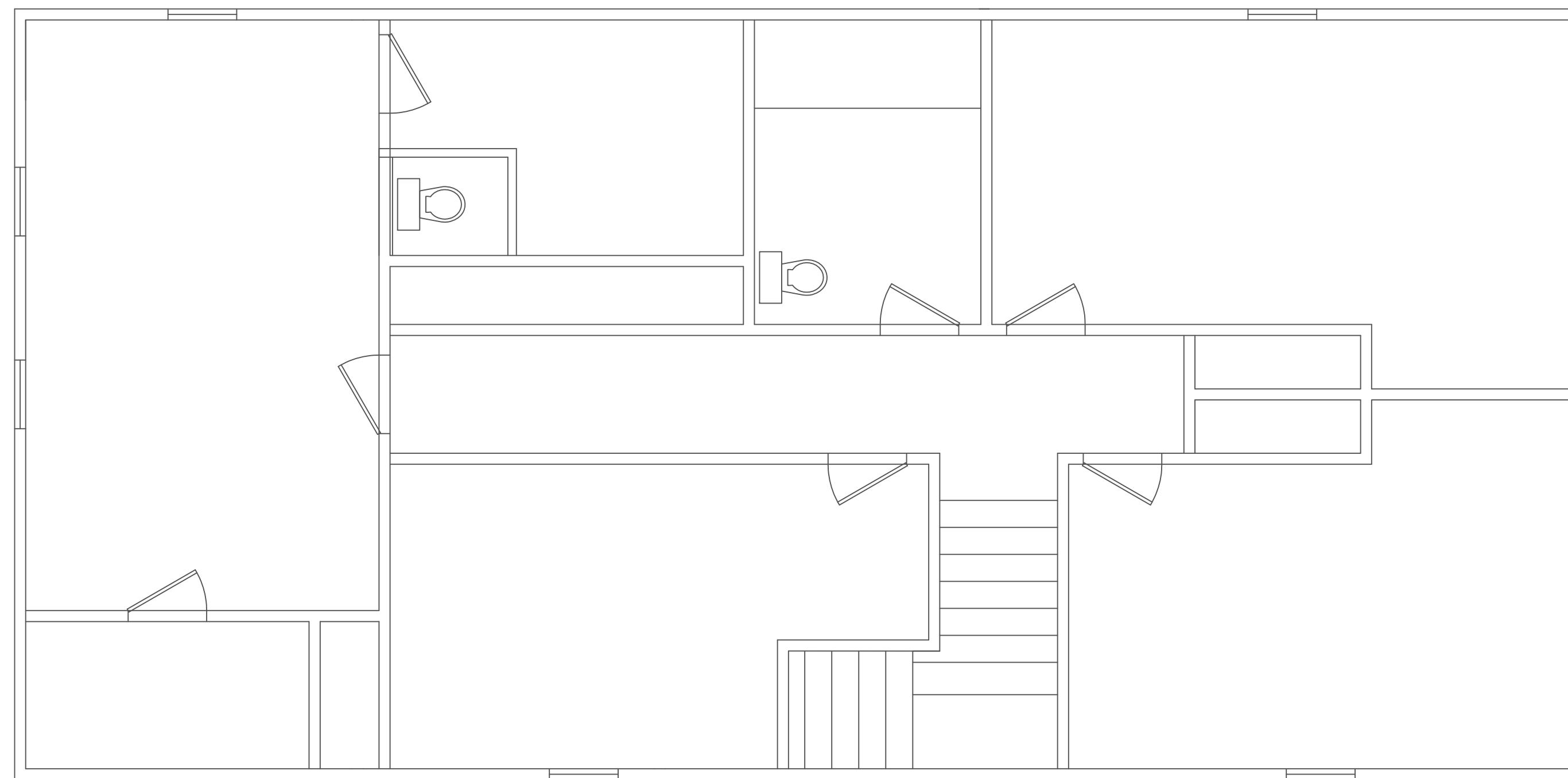
Designed by	Approved by - date	Filename	Article No./Reference
Jason C. Pietka		marchHouse	Date 15FEB16 Scale 1/4" = 1'
HVAC Plans			Sheet 4

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

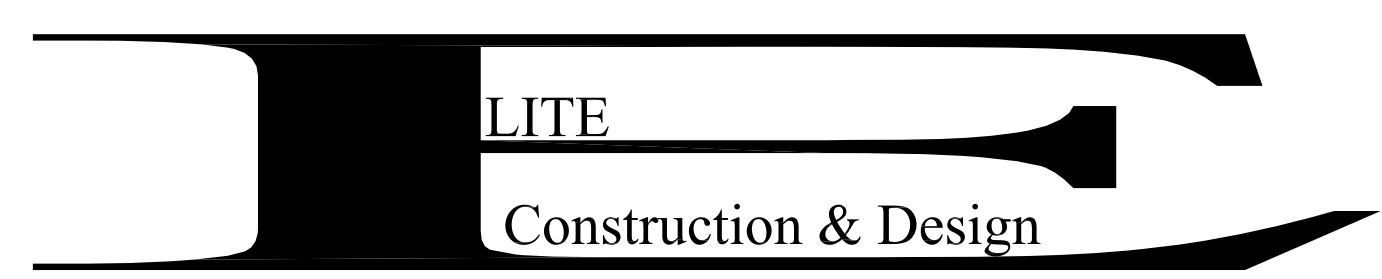
A  
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**HVAC PLANS conceptual**



1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16



Designed by	Approved by - date	Filename	Article No./Reference
Jason C. Pietka		marchHouse	Date 15FEB16 Scale 1/4" = 1'
HVAC Plans			Sheet 4