



ZONING BOARD OF APPEALS
CITY OF NOVI
Community Development Department

Case No. PZ14-0062

Location: 1705 East Lake Drive

Zoning District: R-4, One Family Residential

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Sections 2400 and 2503.1 (g) to allow construction of a new second floor addition over existing first floor footprint on an existing lot with a reduced northwest (west) side yard setback of 4.0 ft., a reduced aggregate side setback of 12.0 ft., a reduce rear yard setback of 28 ft., and a separation distance of 0 ft. from the existing detached accessory (shed) building. The property is located west of Novi Road and south of 14 Mile Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires minimum side yard setbacks of 10 ft. and a minimum aggregate of 25 ft. respectively, and a front yard setback of 30 ft. Section 2503.1 (g) requires all detached accessory building shall not be located closer than ten (10) feet to any main building.

City of Novi Staff Comments:

The applicant is proposing to construct a second floor living area addition (180 sf) over the existing first floor on an existing narrow lot. The proposed addition will increase the nonconformity with regard to the rear and side yard setbacks and separation distance of the existing detached accessory (shed) building. 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_____.



COMMUNITY DEVELOPMENT DEPARTMENT

PZ140026 - ACTION SUMMARY

PROJECT SUMMARY:

FRONT AND SIDE YARD SETBACKS VARIANCE FOR DECK

APPLICANT/OWNER INFORMATION:

APPLICANT

EHLERS, GARY L.
1705 EASTLAKE
NOVI MI 48377

OWNER

EHLERS, GARY L.
1705 EASTLAKE
NOVI MI 48377

PROPERTY INFORMATION:

LOCATION/ADDRESS: 1705 EAST LAKE DR

PARCEL NUMBER: 50-22-02-357-015

ZONING DISTRICT: R-4

SUBDIVISION: CHAPMAN WALLED LAKE

LOT/UNIT #: 59

ACTION SUMMARY:

ZBA MEETING DATE: 07/08/2014

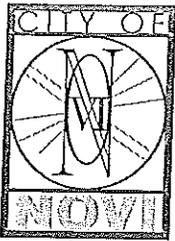
The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Sections 2400 to allow construction of a new wood deck over existing first floor footprint on an existing lot with a reduced east side yard setback of 7.0 ft., a reduced aggregate side setback of 12.0 ft., a reduce front yard setback of 10.3 ft. The property is located west of Novi Road and south of 14 Mile Road.

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires minimum and aggregate side yard setbacks of 10 ft. and 25 ft. respectively, a front yard setback of 30 ft.

In CASE No. PZ14-0026 Motion to approve the variance as requested. There are unique circumstances or physical conditions of the property such as narrowness, shallowness, shape, water, topography or similar physical conditions. The need is not self-created. 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 requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district. 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.

Motion carried: 6-0

Motion maker: lbe



cityofnovi.org
ZBA Case No.

ZONING BOARD OF APPEALS APPLICATION

CITY OF NOVI
Community Development Department
(248) 347-0415

For Official Use Only

P2140062

ZBA meeting date

Jan 13

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 and one CD with a pdf version of same.

Applicant's Name GARY L. EHLERS Date 12/2/14

Company (if applicable) _____

Address* 1705 E. LAKE DR. City NOVI

State MI. Zip code 48377 *Where all case correspondence is to be mailed

Applicant's E-mail address GEHLERS@MI.RR.COM

Phone number (C) 734-536-1811 Fax number (W) 734-522-8385

Request is for:

- Residential
- Vacant property
- Commercial
- Signage

Address of subject ZBA case 1705 E. LAKE DR. Zip code 48377

Cross roads of property BETWEEN ENDWELL & MONTICELLO

Sidwell number 50-22- 02-357-015 May be obtained from Assessing Department (248) 347-0485

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

Zoning (Please circle one)

	R-A	R-1	R-2	R-3	<u>R-4</u>	RM-1	RM-2
	MH	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: R-4 ZONING

1. Section 2400 Variance requested + MIN Side Req. 10' - Prop. 4' - VARIANCE (6')
2. Section _____ Variance requested + Req BOTH Sides 25' - Prop 12' - VARIANCE (13')
3. Section _____ Variance requested _____
4. Section _____ Variance requested + MIN. BACK YARD 35' - Prop. 30' - VARIANCE (5')

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):

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:

NONE COMPARED TO OTHER NEARBY LOTS.

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
- Accessory building
- Addition to existing home/building
- Use
- Signage
- Other

Gary J. Ohlen

Applicants Signature

12/2/14

Date

Gary J. Ohlen

Property Owners Signature

12/2/14

Date

DECISION ON APPEAL

_____ Granted

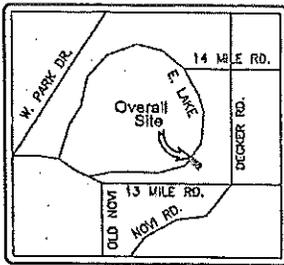
_____ Denied

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

Chairperson, Zoning Board of Appeals

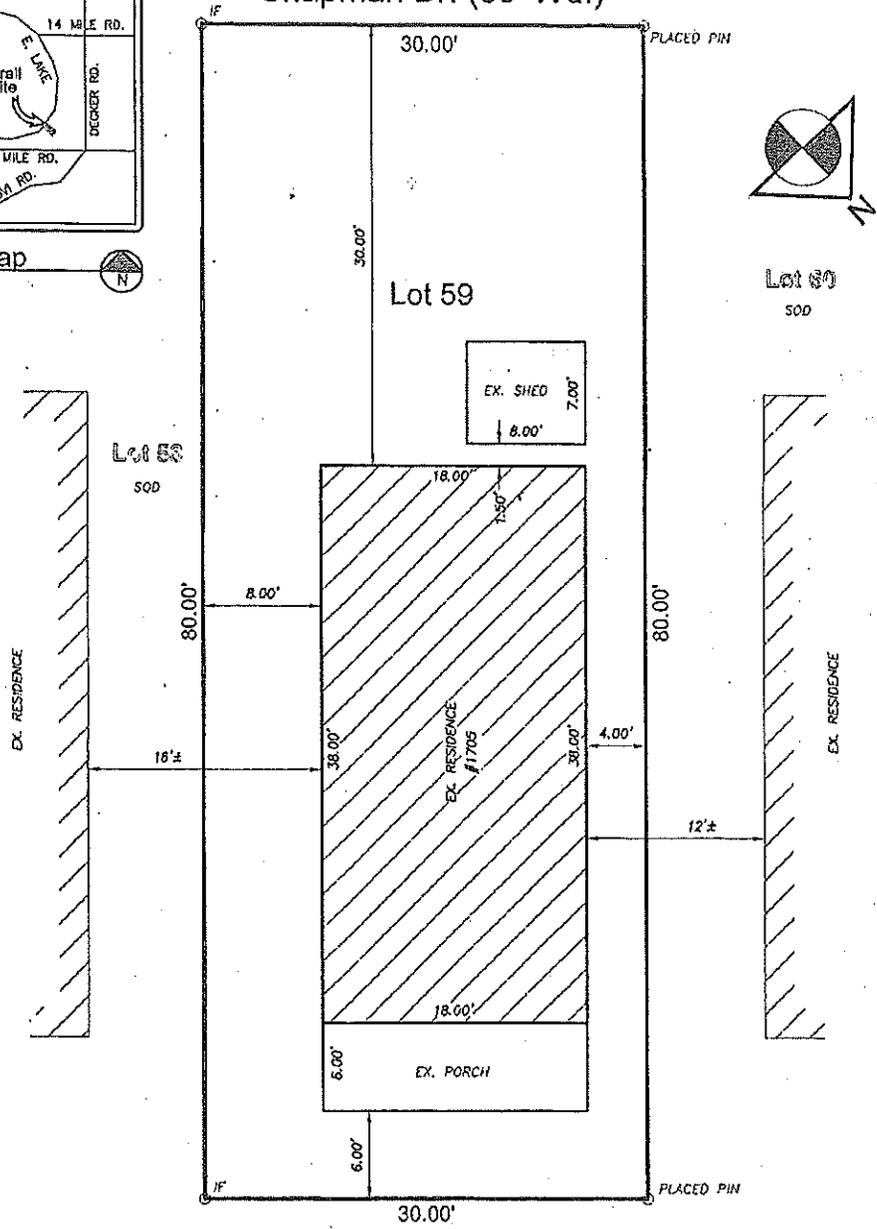
Date

As-Built Plan Chapman Dr. (30' Wd.)



Location map

NOT TO SCALE



Parcel ID #55-22-02-357-015

Legend:

000.00	PROP. GRADES
000.00 *	MAURO ENG. PROP. GRADES
M.E.	MATCH EXISTING GRADES
X (000.00)	AS BUILT GRADES/DIM.



3 WORKING DAYS
BEFORE YOU DIG
CALL MISS DIG
1-800-482-7171
TOL. FREE FOR THE LOCATION
OF UNDERGROUND FACILITIES



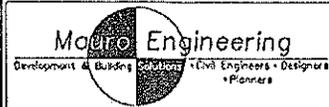
Notes:

- 1.) AT AREAS WHERE ANY TYPE OF BACKFILL IS UNDER CONCRETE, PROVIDE 95% COMP. SAND
- 2.) BUILDER OR CONTRACTOR TO VERIFY WALL/POUR HEIGHT PRIOR TO ANY CONSTRUCTION

LEGAL DESCRIPTION:
LOT 59 OF CHAPMAN WALLED LAKE SUB. PART OF S.W. FRAC. 1 SEC. 2, T.1N., R.8E., CITY OF NOVI, OAKLAND COUNTY, MICHIGAN

REVISIONS:	BY:

CLIENT:
GARY EHLERS
TEL. NO.:
734-536-1811
REF. NO.:

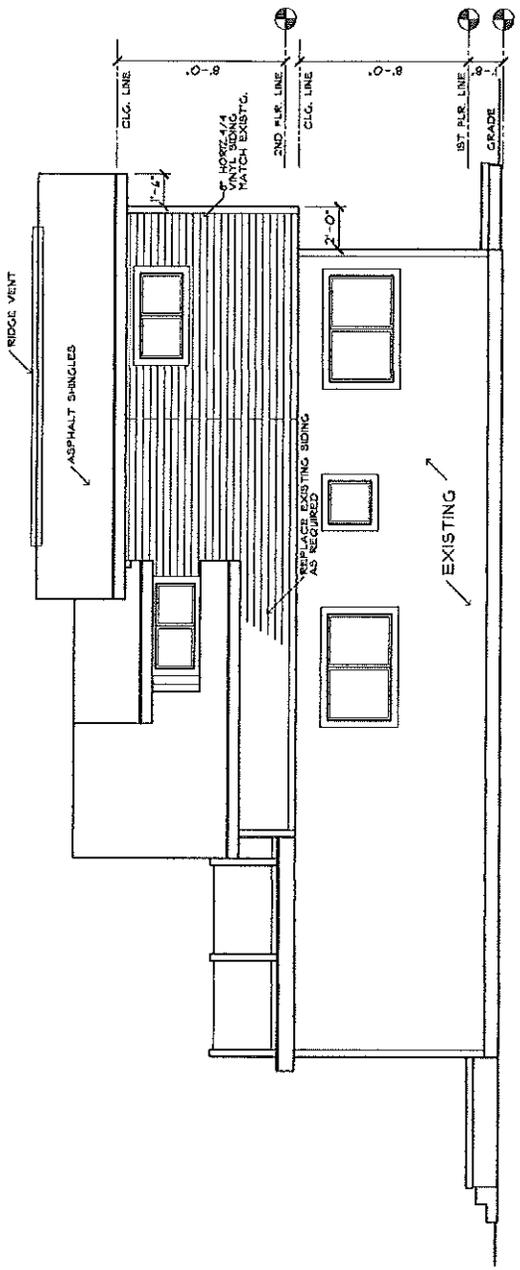


Mauro Engineering
48657 Hoyes Road
Shelby Twp. MI 48315
p: 586-247-2800 f: 586-247-2811
visit us at: www.mauroeng.com

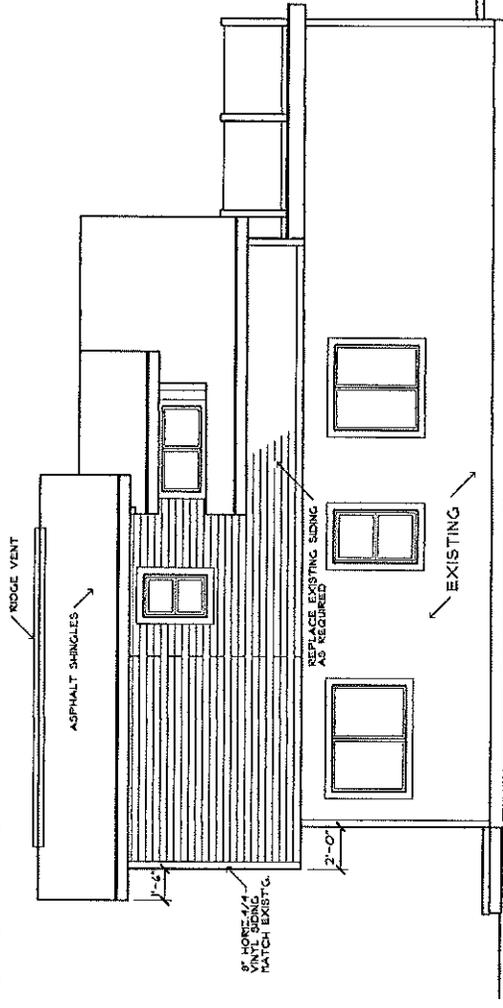
DATE:
05-27-14
SCALE:
1" = 10'
DRAWN BY:
A.S.
CHECKED BY:
G.M.

- Mauro Engineering
- 1.) Assumes no responsibility for given house dimensions. Client must verify dimensions prior to const.
 - 2.) This plan shall not be used to set foundations.
 - 3.) Setbacks shown on this plot plan were obtained from the municipality. Since deed restrictions are not supplied by the municipality, the client must verify any special subdivision restrictions.
 - 4.) Lead locations shown on plan are approx. from approved plans. Contractor to field verify all lead locations.
 - 5.) Assumes no responsibility for house placement designed within 0.5' of approved setbacks.

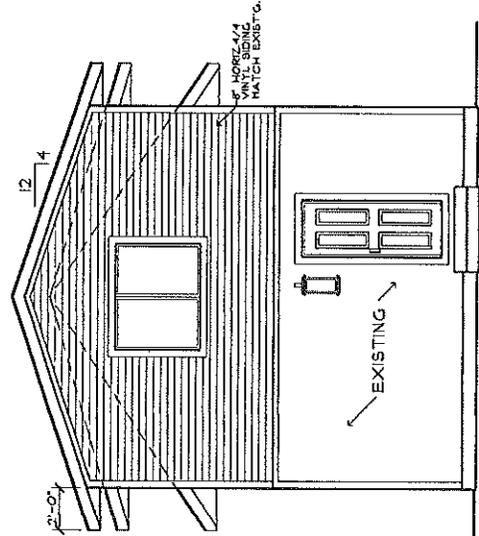
FILE: C:\PLOTPLAN\NOVI\Chapman Walled Lake 59 150.DWG



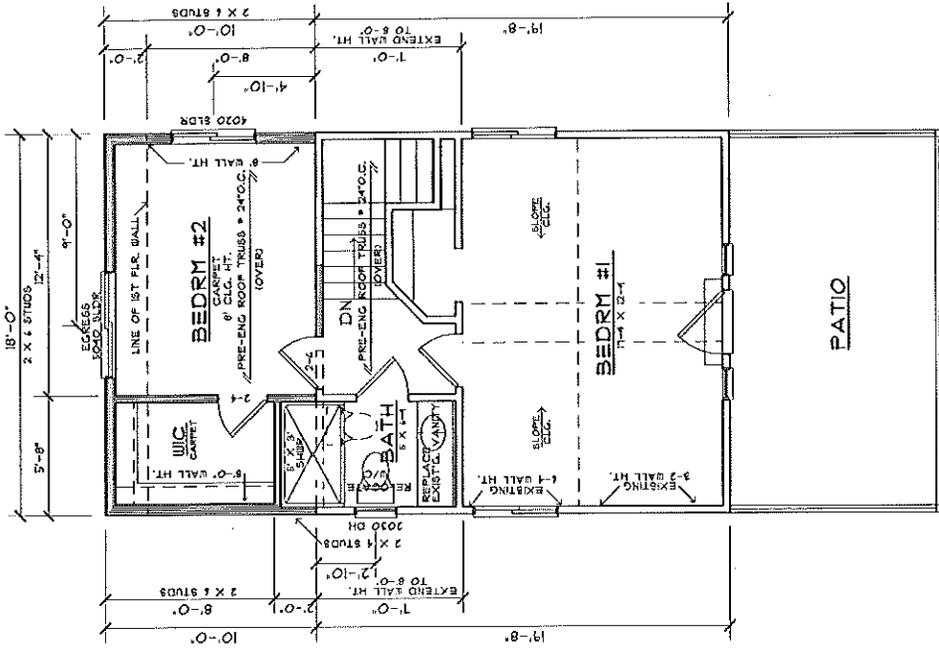
RIGHT SIDE
 SCALE: 1/4" = 1'-0"



LEFT SIDE
 SCALE: 1/4" = 1'-0"



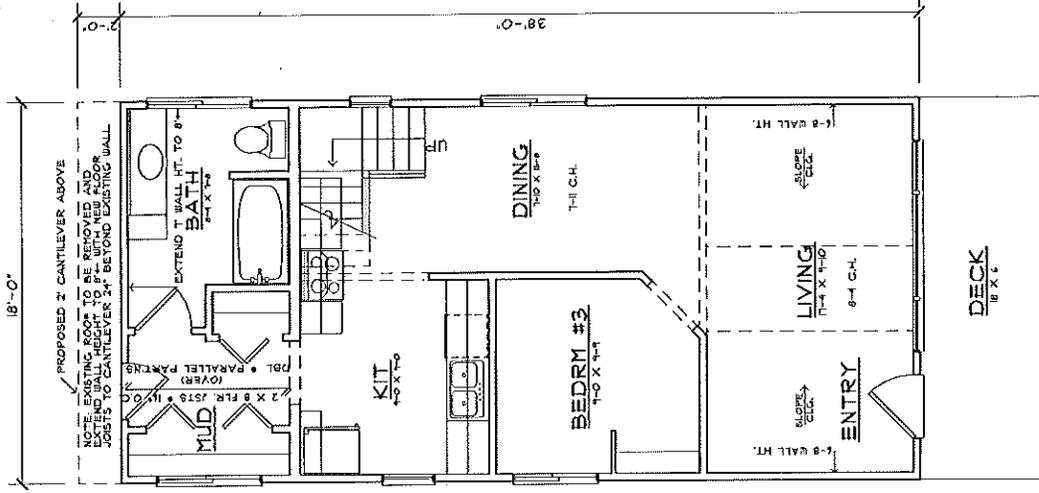
REAR ELEVATION
 SCALE: 1/4" = 1'-0"



SECOND FLOOR
 SCALE: 1/4" = 1'-0" EXISTING LIVING AREA: 354 SQ. FT.
 NEW LIVING AREA: 180 SQ. FT.

NOTE: DIMENSION WITNESS LINE INDICATES FINISH SIDE OF SHEATHING OR DRYWALL.
 DOTTED WALLS INDICATE EXISTING TO BE REMOVED.
 SHADED WALLS INDICATE NEW.

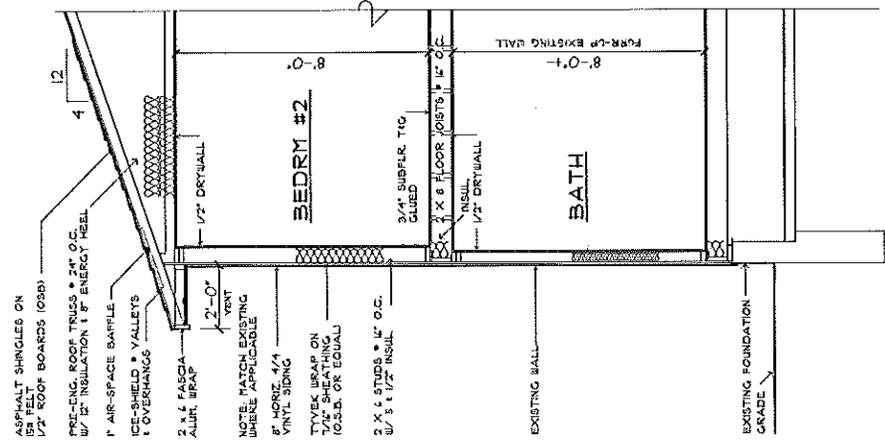
WINDOW NOTE:
 WINDOW SIZES ARE APPROXIMATE. A WINDOW SCHEDULE MUST BE OBTAINED FROM THE WINDOW MANUFACTURER FOR R.O. SIZES. 3048 INDICATES A 3'-0" X 4'-8" WINDOW.



FIRST FLOOR
 SCALE: 1/4" = 1'-0" LIVING AREA: 484 SQ. FT.

NOTE: DIMENSION WITNESS LINE INDICATES FINISH SIDE OF SHEATHING OR DRYWALL.
 FIRST FLOOR WALL HT. = 8'-0" UNLESS OTHERWISE NOTED.

BUILDER/CONTRACTOR NOTE:
 PLANS SHOWN ARE A CONCEPT DERIVED FROM MEETINGS WITH BUILDER AND/OR OWNER AND ARE TO BE USED AS A REFERENCE FOR CONSTRUCTION PURPOSES ONLY AND MAY NOT BE BOLD TO OTHERS.
 BUILDER/CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL CURRENT BUILDING CODES PERTAINING TO THE PROJECT AND FOR OBTAINING ALL NECESSARY PERMITS.
 BUILDER/CONTRACTOR IS ALSO RESPONSIBLE FOR ADDRESSING ANY REQUIREMENTS SUCH AS BUT NOT LIMITED TO FOOTING, FOUNDATION, HEADERS, BEAMS, FLOOR JOISTS, PARTIAL, TRUSSES, ETC.
 ALL SIZES AND DIMENSIONS SHOWN FOR FOOTING, FOUNDATIONS, FLOOR PLANS, BEAMS, FLOOR JOISTS, TRUSSES, PARTIALS, ETC. MUST BE VERIFIED BY A QUALIFIED BUILDER, ENGINEER AND/OR SUPPLIER.
 CURRENT BUILDING CODES AND THE AREA IN WHICH THIS STRUCTURE IS TO BE BUILT IN SUPERSEDE ANYTHING SHOWN ON THESE PLANS.
 THE BUILDER ASSUMES NO RESPONSIBILITY FOR ANY CONSTRUCTION PROJECT INCLUDING BUT NOT LIMITED TO ANY, BROKER AND/OR OTHERS TO THESE PLANS PROVIDED.



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