

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

Case No. PZ13-0074

Location: 1316 East Lake Drive

Zoning District: R-4, One Family Residential

The applicant is requesting variances to allow reduced south side yard setback of 6.01 ft., respectively to allow construction of a deck on the rear of an existing home. The property is located east of West Lake Drive and north of South Lake Drive.

Ordinance Sections:

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

City of Novi Staff Comments:

The applicant is proposing construction of a deck on a recently constructed single family home on an existing narrow lakefront lot. Variances were approved under ZBA PZ12-0050 for construction of the home, but the proposed deck will increase the nonconformity with regard to the side yard setbacks. The deck projection into the rear yard setback is allowed in the Zoning Ordinance. 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

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DATE RECEIVED
FEB 11 2013

For Official Use Only

ZBA Case No: PZ136074 ZBA Date: FEB 11th Payment Received: \$ 250 (Cash)

Check # 5303 Include payment with cash or check written to "City of Novi."

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

Please submit one original signed application and 13 copies of all supporting documentation relevant to the appeal,

Applicant's Name Joel Lerman Date 11.19.2013

Company (if applicable) Lerman Corporation

Address* 6905 Telegraph Road Suite 100 City Bloomfield Hills ST MI ZIP 48301

*Where all case correspondence is to be mailed.

Applicant's E-mail Address: jlerman@lermancorp.com

Phone Number (248) 752-8110 FAX Number (248) 258-9963

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 1316 East Lake Drive ZIP 48377

2. Sidwell Number: 5022 - 02-151-036 may be obtained from Assessing Department (248) 347-0485

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

4. Zoning: RA R-1 R-2 R-3 R-4 RT RM-1 RM-2 MH OS-1 OS-2 OSC OST OTHER

5. Property Owner Name (if other than applicant) Mark Rubinstein

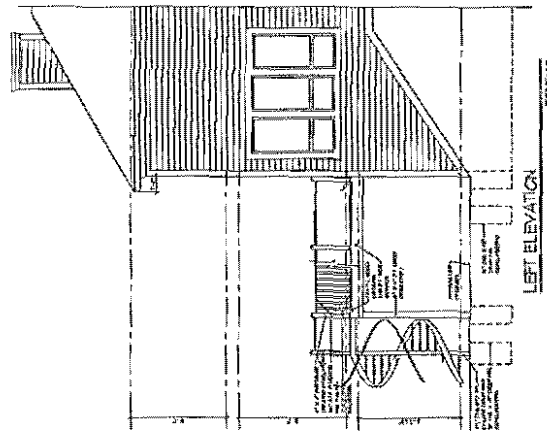
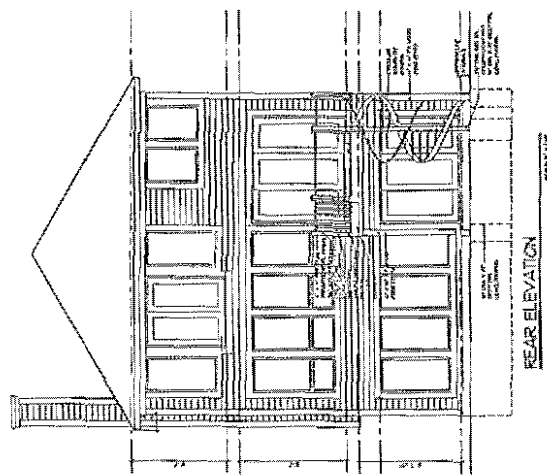
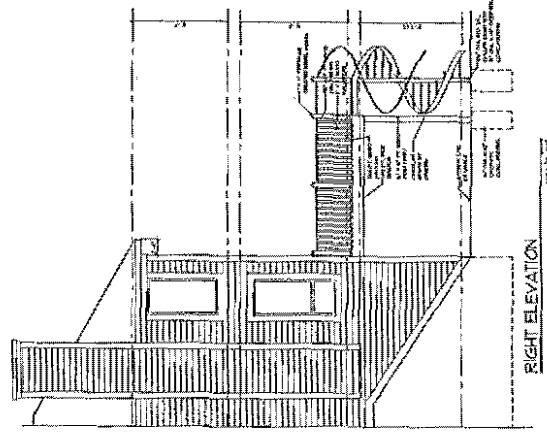
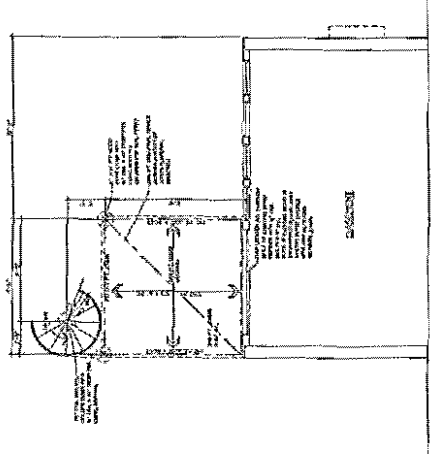
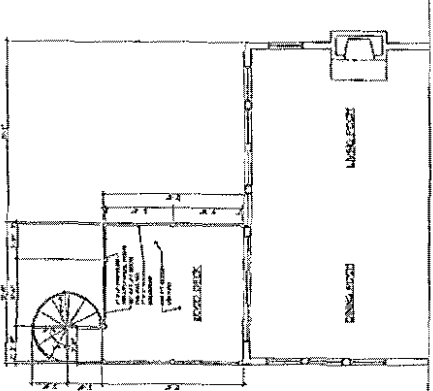
6. Does your appeal result from a Notice of Violation or Citation Issued? Yes No

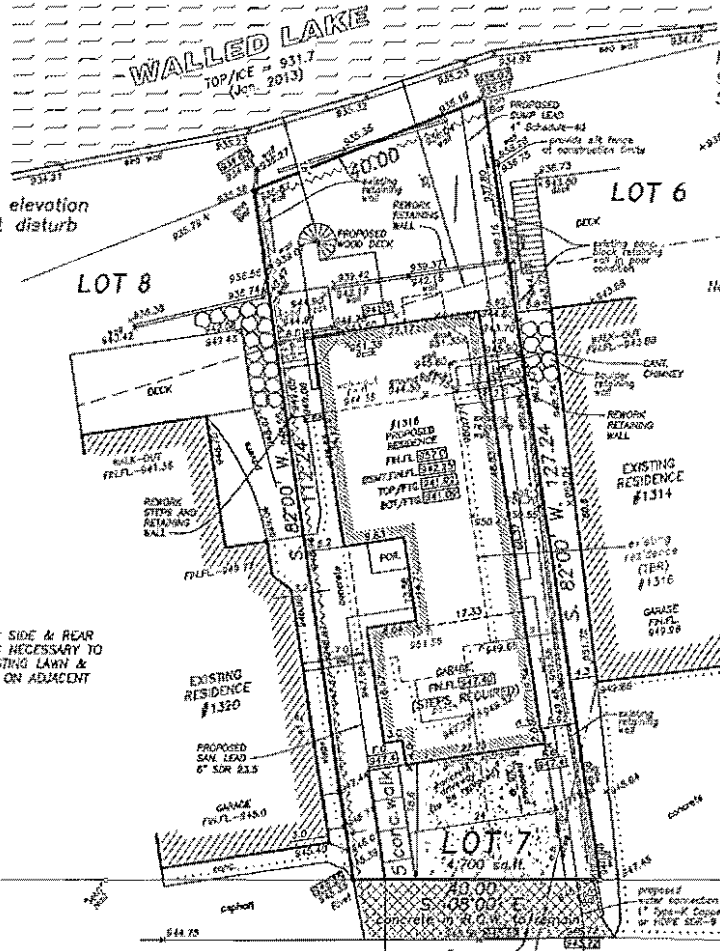
7. Indicate ordinance section(s) and variances requested:

- 1. Section 2400 Variance requested side yard set back
- 2. Section _____ Variance requested _____
- 3. Section _____ Variance requested _____
- 4. Section _____ Variance requested _____

8. 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.





Note: Floodplain elevation 933.8 - Do not disturb Sea Wall.

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Note: Property is located in "Zone X", an area determined to be outside of the 0.2% annual chance floodplain, according to "Flood Insurance Rate Map - Map Number 26125C0482F - Effective Date: Sept. 29, 2006"

NOTE: INSTALL & MAINTAIN INLET FILTER & SALT FENCE THROUGHOUT CONSTRUCTION

NOTE: FENCE ALONG SIDE & REAR LOT LINES AS NECESSARY TO PROTECT EXISTING LAWN & LANDSCAPING ON ADJACENT PROPERTY.

NAVD88 BENCH MARK
NORTH RIM OF
SANITARY M.H.
ELEVATION = 945.46

EAST LAKE DRIVE (PUBLIC 50' R.O.W.)

LEGAL DESCRIPTION
LOT 7 OF, "SHORE ACRES SUB-DIVISION", PART OF THE NORTHWEST 1/4 OF SECTION 2, T.1N., R.8E., TOWNSHIP OF NOVI (NOW CITY OF NOVI), OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 20 OF PLATS ON PAGE 2, G.C.R. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

Note: A "Right-of-Way Permit" is required from the City of Novi Engineering Department must be issued prior to issuance of Building Permit.

LEGEND
000.00 = EXISTING ELEV.
000.00 = PROPOSED ELEV.
--- = DRAINAGE COURSE
--- = SALT FENCE
--- = BRICK LEDGE
--- = EXISTING CONTOUR (TER) = TO BE REPLACED

000.00 = EXISTING ELEV.
000.00 = PROPOSED ELEV.
--- = DRAINAGE COURSE



DECK PLAN

prepared for: LERMAN CORPORATION
6905 TELEGRAPH RD., SUITE 100
BLOOMFIELD HILLS, MI 48301
(248) 258-9960
(248) 258-9963 fax

JEKABSON & ASSOCIATES, P.C.
Professional Land Surveyors
1320 Goldsmith, Plymouth, MI 48170
(734) 414-7200 (734) 414-7272 fax

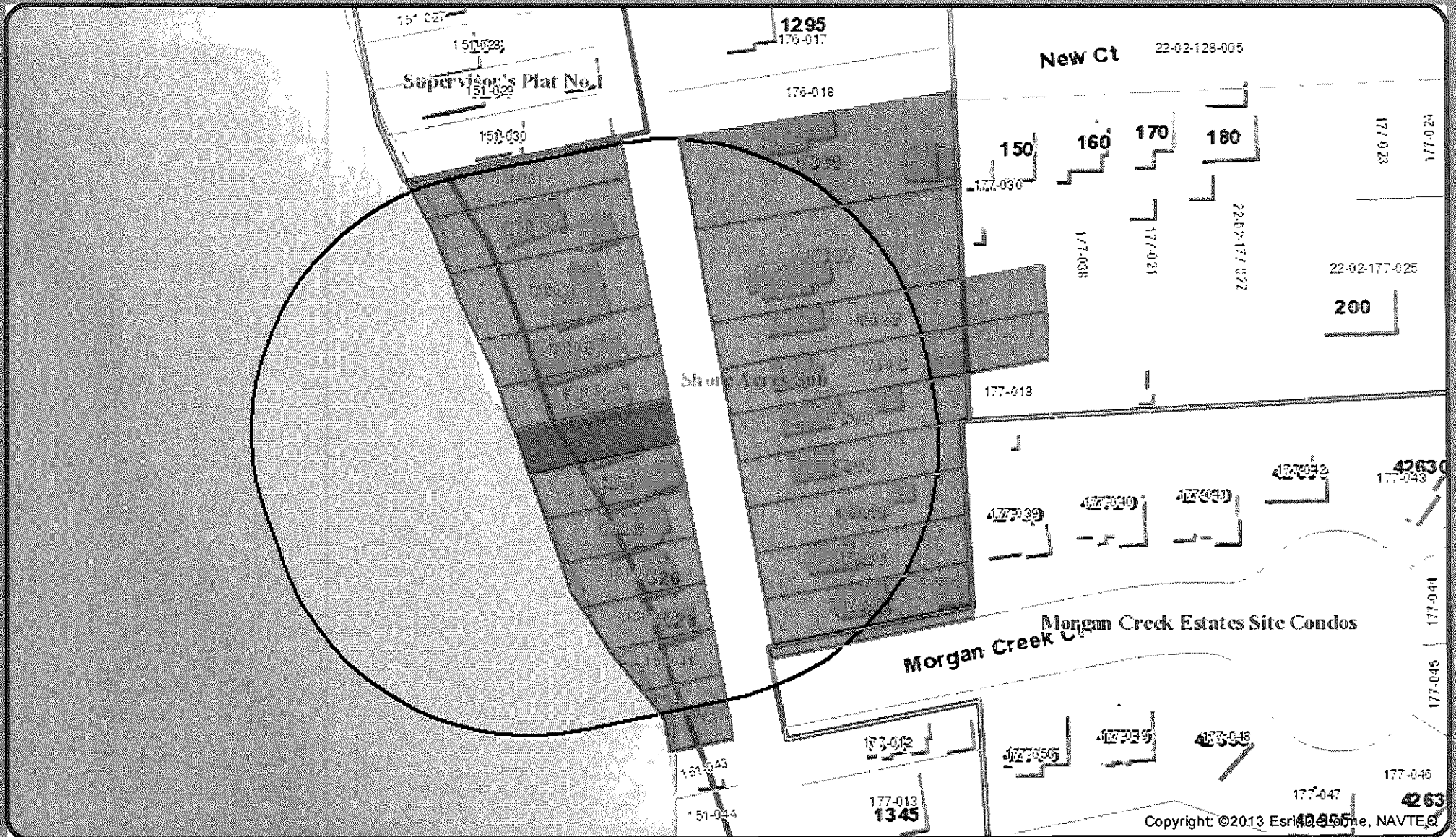
by: *[Signature]*

PLAN
Custom
DATE
2 Dec. 13
JOB NO.
12-10-002
SCALE
1" = 20'
DRAWN
JRN
CHECKED
JGE
SHEET
1 OF 1

3 WORKING DAYS
BEFORE YOU DIG
CALL MISS DIG
1-800-482-7171
(TOLL FREE)

P2130074

Novi, MI
1316 East Lake



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



Author:
Date: 1/23/2014



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 122 of 1979 as amended. Please 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>