



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: March 12, 2019

REGARDING: 25814 Beck Rd, Parcel # 50-22-21-101-003 (PZ19-0004)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

J+W Properties LTD

Variance Type

Dimensional

Property Characteristics

Zoning District: Residential Acreage
Location: East of Beck Road and South of Eleven Mile Road
Parcel #: 50-22-21-101-003

Request

The applicant is requesting variances from the Novi Code of Ordinances Section 3.1.5 a 3 foot front yard variance for a proposed 42 foot setback, a 10 foot rear yard variance for a proposed 40 foot setback and a 5 foot side yard variance for a 15 foot proposed set back, for a proposed and garage. This property is zoned Residential Acreage (R-A).

II. STAFF COMMENTS:

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. **PZ19-0004**, 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. **PZ19-0004**, 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) 347-0417.

Larry Butler
Deputy Director Community Development
City of Novi



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE

A. VARIANCE (S) REQUESTED

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 _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

[Signature]
Applicant Signature

1/22/19
Date

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.

[Signature]
Property Owner Signature

1/22/2019
Date

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

GRANTED

DENIED

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

Chairperson, Zoning Board of Appeals

Date



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:

THE SIZE OF OUR LOT IS TOO SMALL TO MEET THE REQUIREMENT

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:

THE ABUTTING LOT IS ALSO TOO SMALL TO MEET THE REQUIREMENT

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).

THE SITE WAS SPLIT OFF A LARGER PIECE OF PROPERTY; HOWEVER, EVEN BEFORE THE "APPROVED SPLIT" THE OVERALL PROPERTIES STILL DID NOT MEET THE REQUIREMENT.

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.

THE SETBACK REQUIREMENTS CAN NOT BE MET AND STILL HAVE ROOM TO CONSTRUCT ANY KIND OF RESIDENTIAL STRUCTURE.

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.

BY OBTAINING THE REQUESTED VARIANCES A SINGLE FAMILY STRUCTURE CAN BE CONSTRUCTED THAT MEETS THE "SUBDIVISION REQUIREMENTS".

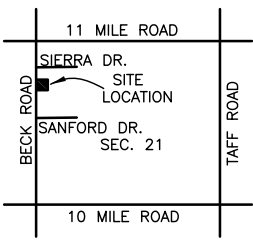
Standard #5. Adverse Impact on Surrounding Area.

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.

THE PROPOSED STRUCTURE WILL MEET ALL THE PIONEER MEADOWS ASSOCIATION REQUIREMENTS AND WILL CONFORM WITH THE OTHER STRUCTURES IN THE SUBDIVISION.

PLOT PLAN

LOT 13
PIONEER MEADOWS
LI 90, PG 12
PART OF NW 1/4
SECTION 21, T1N, R8E
CITY OF NOVI, OAKLAND COUNTY, MI
PID 22-21-101-003

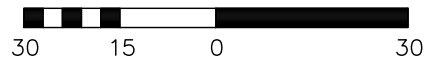


LEGEND

- FOUND IRON CAP #24598
- ⊕ ELECTRIC MH
- ⊕ CATCH BASIN
- ⊕ STORM SEWER
- ⊕ UTILITY POLE
- ↓ GUY ANCHOR
- ✕ UNDER GROUND UTILITY MARKER
- 🌲 CONIFER TREE
- 🌳 DECIDUOUS TREE
- WG WATER GATE
- ⊕ HYDRANT
- TJ COM. JUNCTION BOX
- FENCE
- ~ BUSH LINE



SCALE 1" = 30'



NOTES:

- 1.) ELEVATIONS ARE RELATIVE TO NAVD88 ESTABLISH FROM THE CITY OF NOVI BENCH MARK #2112 - FOUND "X" ON THE NORTH-NORTHEAST FLANGE BOLT OF FIRE HYDRANT LOCATED 9' S. OF DRIVE TO #25872 BECK RD AND 27' E. OF BECK RD. EL = 964.61.
- 2.) OWNER: KENNETH NUEMANZE & IBIWAR TETENTA, 1635 WIMBLEDON DR., WALLED LAKE, MI 48390 PHONE: 313 687 5237.
- 3.) LEGAL DESCRIPTION: LOT 13 OF "PIONEER MEADOWS" SUBDIVISION, LIBER 90, PAGE 12 - PART OF THE NW 1/4 OF SECTION 21, T1N, R8E, IN THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN.
- 4.) EXISTING ZONING IS RESIDENTIAL ACREAGE (RA).
- 5.) EXISTING SET BACKS ARE: MINIMUM FRONT YARD SETBACK 45 FT, MINIMUM REAR YARD SETBACK 50 FT, MINIMUM SIDE YARD SETBACK 20 FT ONE SIDE, TOTAL OF TWO SIDES 50 FT.
- 6.) PROPOSED SET BACKS ARE: MINIMUM FRONT YARD SETBACK 40 FT, MINIMUM REAR YARD SETBACK 42 FT, MINIMUM SIDE YARD SETBACK 15 AND 39 FT ONE SIDE, TOTAL OF TWO SIDES 54 FT.
- 7.) THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE APPROXIMATE AND ARE LIMITED TO OBSERVABLE FIELD EVIDENCES AND RECORDS PROVIDED BY THE CITY OF NOVI AND HAVE NOT BEEN FIELD VERIFIED. NO GUARANTEE IS EXPRESSED/IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF.
- 8.) CONTRACTOR/BUILDER SHOULD VERIFY LOCATIONS OF ALL EXISTING UNDERGROUND SERVICE LEAD PRIOR TO THE START OF CONSTRUCTION.
- 9.) CALL MISS DIG 811 BEFORE YOU DIG.

Amy C. Feindt
Professional Surveyor No. 51474

CLIENT: J & W PROPERTIES

FIELDWORK: IJK

COMPUTED BY: ACF

COMPUTER #: 16238.DWG

CHECKED BY: ACF

DRAWN BY: FAF

REV.

DATE: JANUARY 9, 2018

JOB #: 16242



48800 W. 10 MILE RD.
NOVI, MICHIGAN 48374-2708
(248) 344-2077
advancedgeomatics.com

ROOF VENTILATION

BASED ON 2015 MRC 806.1
 1217 SF. FT. TO BE VENTILATED
 PLUS 30% = 1582 SF
 1582 SF + 1/1000 = 53.00 FT
 5.3 SF X 144" PER FT = 763.20 IN. REQUIRED
 FOR VENTILATION

SUPPLIED VENTILATION

CONT. RIDGE VENT 45' X 15" FREE AREA = 675.0 IN.
 SOFFIT VENT 78' X 9" FREE AREA = 702.0 IN.

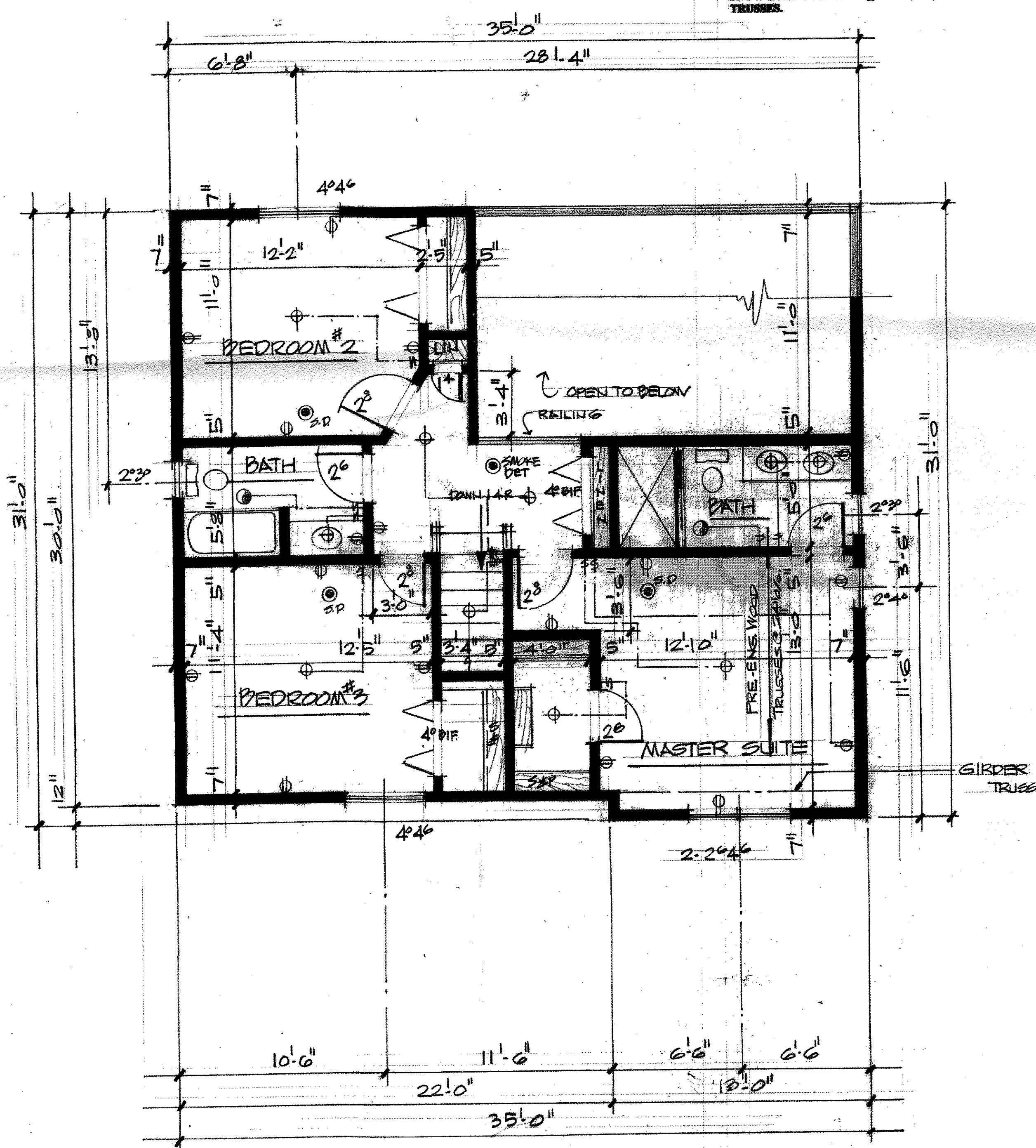
REQUIRED 763.20 IN.
 SUPPLIED 1465.0 IN.

50% - 30% IN SOFFIT AREA
 VAPOR BARRIER & CEILING INSULATION

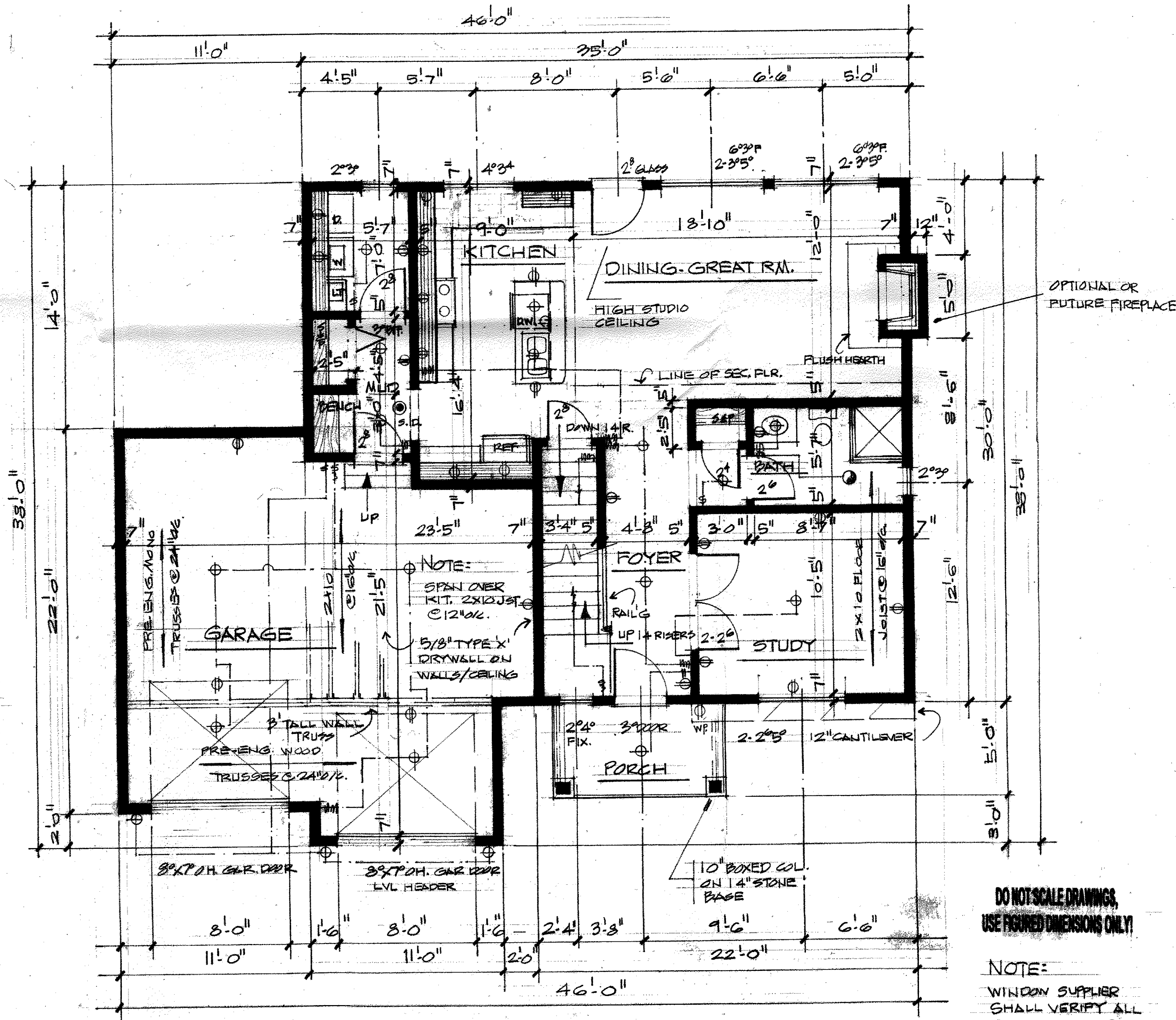
NOTES:

- WOOD FLOOR JOISTS SHALL MEET REQUIREMENTS SET BY CHAPTER 5 OF CODE.
- DRAFTSTOPPING AS R-502.1.2 CONCEALED SPACE OF APPROX. EQUAL AREA NOT TO EXCEED 1000 S.F. FOR CEILING AND FLOOR SYSTEM.
- STEEL BEAMS & COLUMNS BASED ON ENGINEERING CHARTS FOR SPANS & LOADS.
- ATTIC VENTILATION AS CODE 906 BASED ON 1/150 OF AREA. 50% MAXIMUM UPPER AREA.
- UNDERLAYMENT OF ROOF DECK AS R 905.2.7.
- ICE PROTECTION OF ROOF DECK AS R 905.2.7.
- GAS SHUTOFF VALVE SHALL BE PROVIDED AS CODE G 241.9 (409).
- ALL EGRESS AREAS SHALL MEET REQUIREMENTS CODE R 313.
- SMOKE DETECTOR/ALARM AS CODE 310. AS SMOKE DETECTOR ON EACH FLOOR LEVEL AND IN EACH BEDROOM/INTERCONNECTED AND BATTERY BACK-UP.
- SOLID FIRE DOOR (RATED 1/2 HR.) BETWEEN GARAGE AND HOUSE R 309.1.
- FIRE-CODE DRYWALL (5/8" TYPE X) BETWEEN HOUSE AND GARAGE R 309.2.
- GLAZING AS R 308 (TEMPERED AND ETCHING LD).
- FLOOR SYSTEM SHALL BE DESIGNED W/400 LB. LIVE LOAD. SLEEPING AREA 50 LB. LIVE LOAD (PSF).
- SNOW LOAD FOR ROOF @ 30 LB (PSF), ALL RAFTERS AND TRUSSES.

- High-efficiency furnace and HWH to be installed.
- All fan motors to be in compliance with 2015 Michigan Energy Code.
- Ductwork to be sealed in compliance with 2015 Michigan Energy Code.
- Duct insulation, where required, to be in compliance with 2015 Michigan Energy Code.
- Air sealing of building envelope to be in compliance with 2015 Michigan Energy Code.
- A minimum of 50% of all lightbulbs shall be high efficiency.
- Smoke detectors to be installed in compliance with 2015 Michigan Residential Code.
- Carbon Monoxide detectors to be installed in compliance with 2015 Michigan Residential Code.



SECOND FLOOR PLAN 1/4"=1'-0"



FIRST FLOOR PLAN 1/4"=1'-0"

DO NOT SCALE DRAWINGS,
 USE FIGURED DIMENSIONS ONLY!

NOTE:
 WINDOW SUPPLIER
 SHALL VERIFY ALL
 WINDOWS FOR EGRESS
 AND WINDOWS THAT
 HAVE TO BE TEMPER.

REVISIONS	BY
1-11-19	

FOR: NJEMANZE FAMILY
 JW PROPERTIES, LTD. WENDELL ALLEN
 248-760-0043 ALLEN_C.WENDELL@YAHOO.COM

7471 HITCHCOCK RD.
 WHITE LAKE, MICH. 48383
 248-887-2424 C
 248-885-1586 C

Architectural Designs by
DAVE DOBRIN ASSOCIATES LLC.

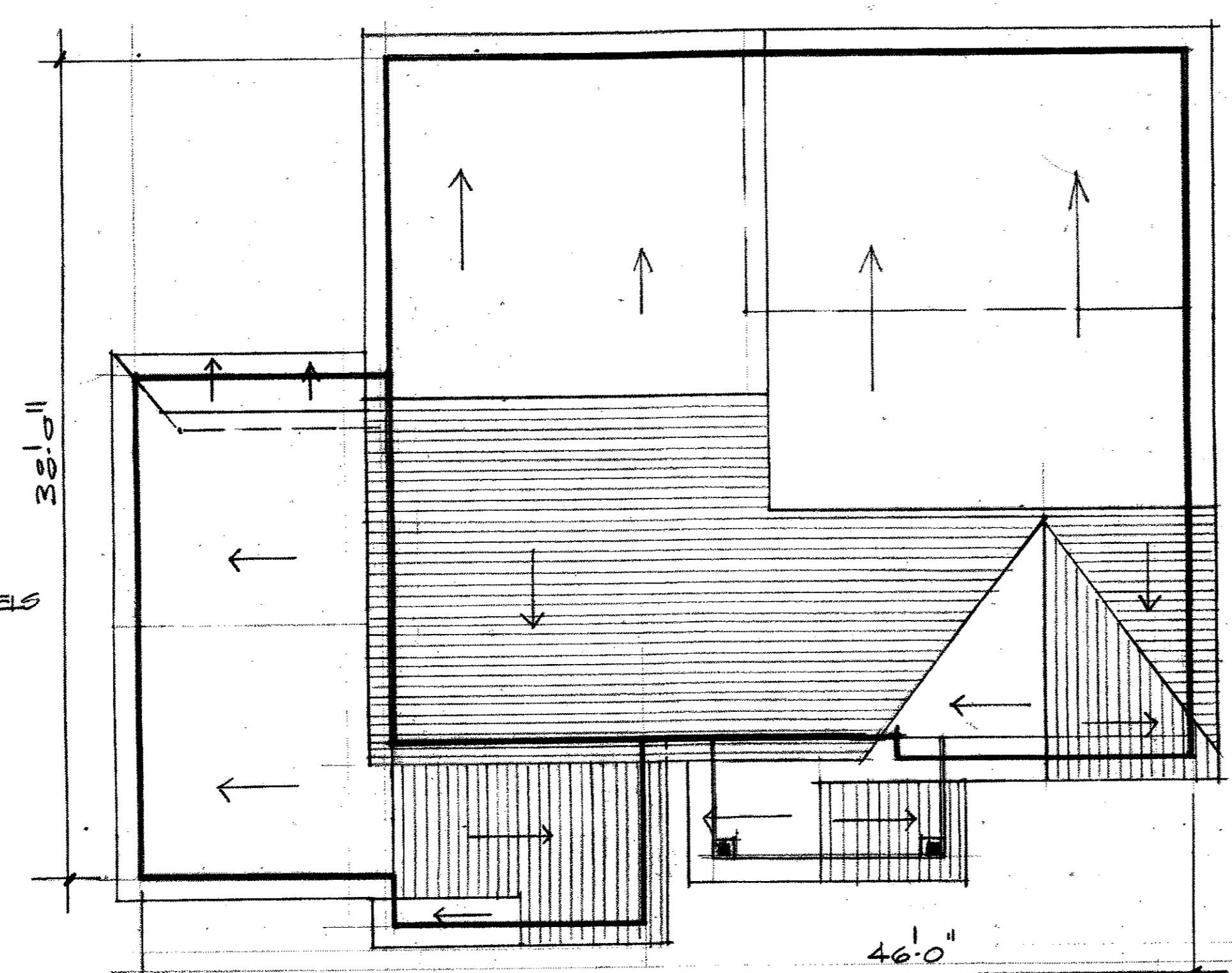
Date 1-4-19
 Scale
 Drawn
 Job 18-270
 Sheet
 Of 3 Sheets

REVISIONS	BY
1-11-19	

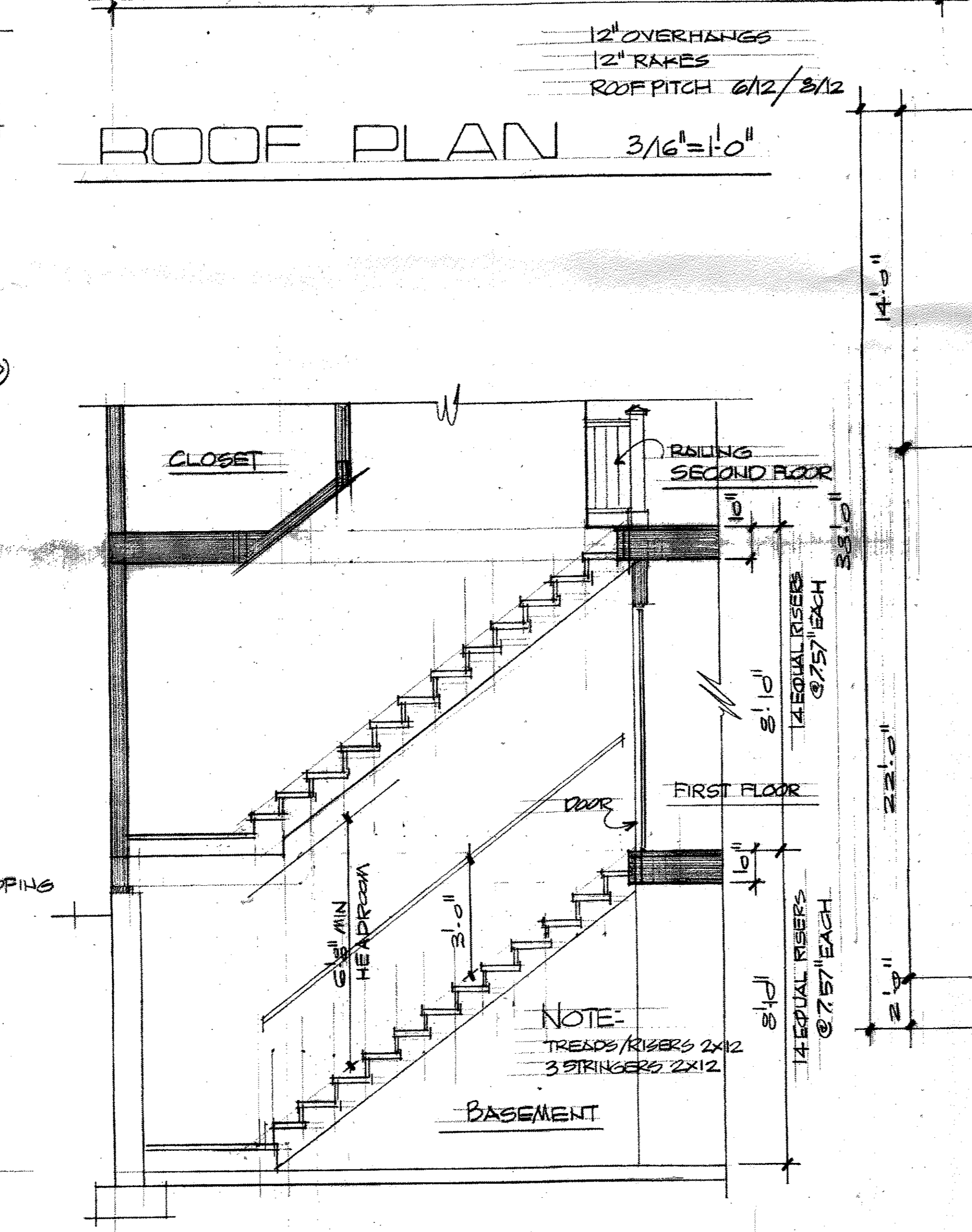
- RUBBERIZED MEMBRANE 6" UP FROM EAVE
 - ASPHALT SHINGLES
 - 15# FELT
 - 7/16" OSB DECKING OPT. 1/2" ZIP PANELS
 - PRE-FINS WOOD TRUSSES @ 24" O.C.
 - INSULATION R-49
 - 1/2" DRY WALL
 - DRIP EDGE
 - GUTTERS
 - 1X8 PASCIA BOARD
 - VINYL PERFORATED SOFFIT
 - 1X6 FRIEZE PD.
- NOTE:
OPTIONAL AZEK OR EQUAL TRIM BOARDS

- VINYL LAP SIDING
- HOUSE WRAP OR OPT. 1/2" ZIP PANELS
- 7/16" OSB SHEATHING (STANDARD)
- 2X6 STUDS @ 16" O.C.
- INSULATION R-19
- 1/2" DRY WALL
- 3/4" T&G OSB OR OPT. ADVENTECH DECKING

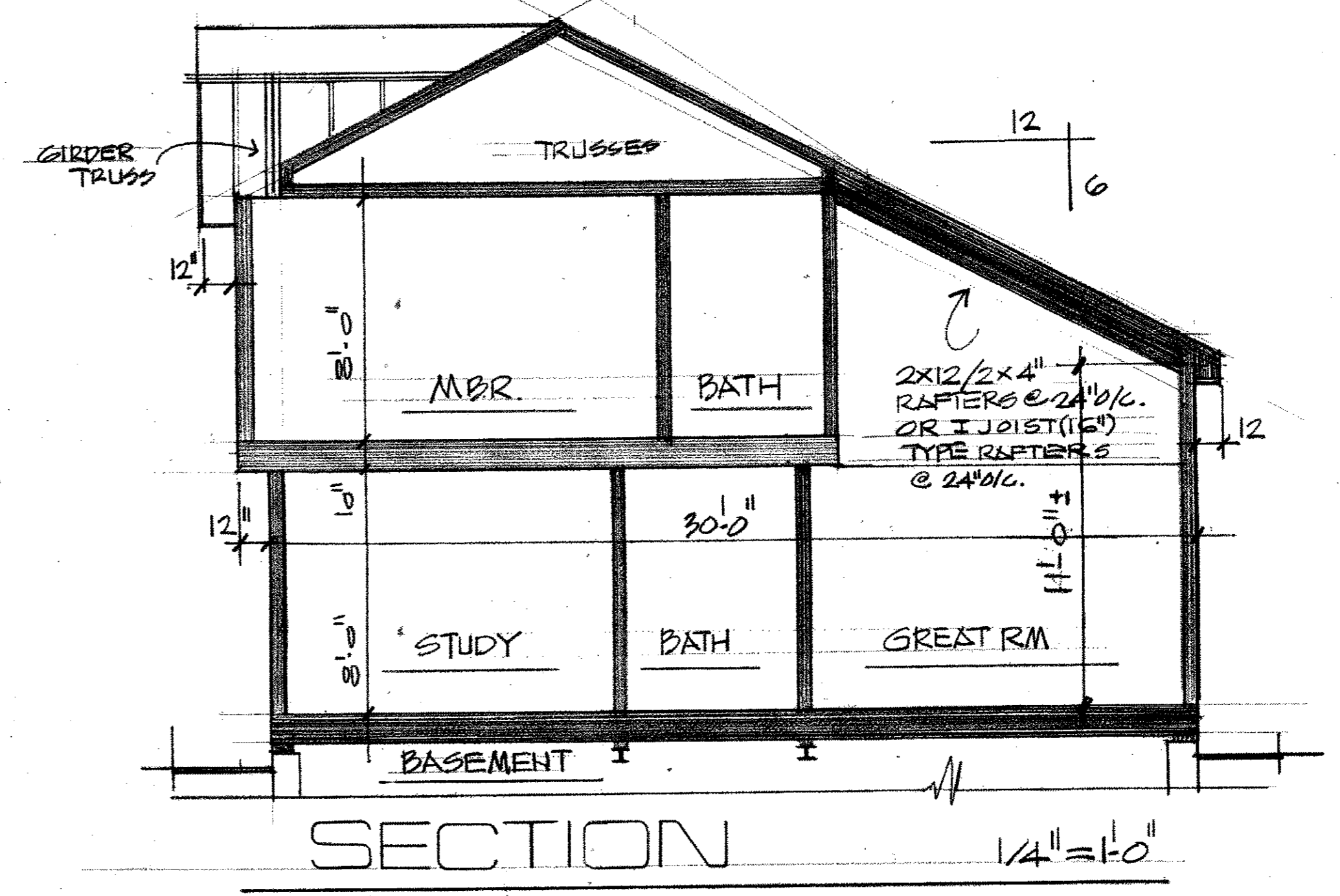
- PT. 2X6 SILL PLATE STRAPPED TO WALL
- FINISHED GRADE
- EXCAVATION
- R-10 INSULATION
- CONC. WALL 10" W/ WATERPROOFING
- NO. 4 BARS VERT/HORIZ.
- 4" CONC. SLAB
- 6 MIL. PLASTIC V.B.
- 4" COMP. SAND BASE
- 20" X 10" CONC. FOOTING
- N/2 NO. 4 BARS
- KEYWAY CUT
- 4" DRAIN PIPE SET IN PER 2" PEA GRAVEL W/ 500 TFC FABRIC



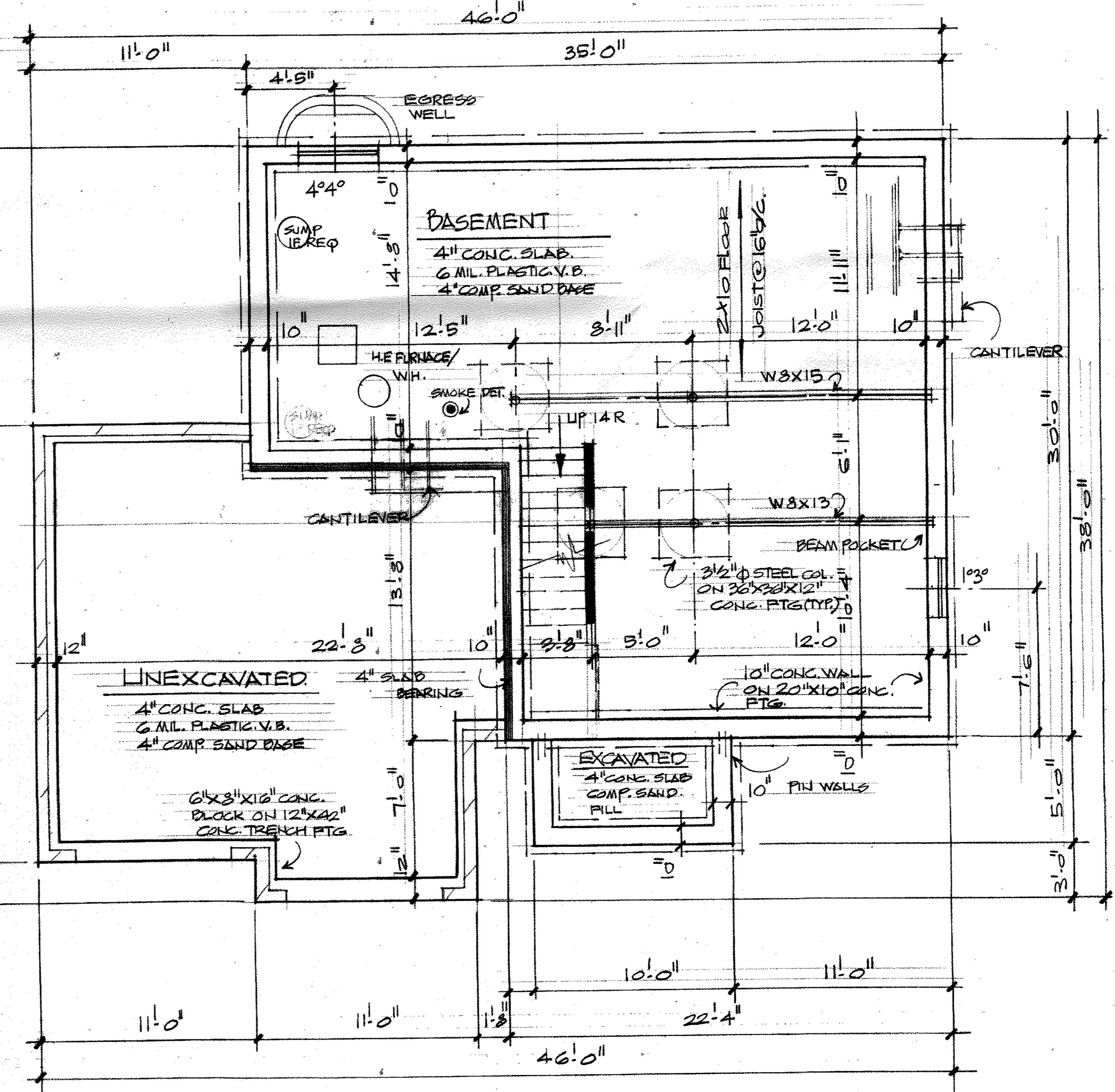
ROOF PLAN 3/16" = 1'-0"



STAIRS 3/8" = 1'-0"



SECTION 1/4" = 1'-0"



FOUNDATION PLAN 1/4" = 1'-0"

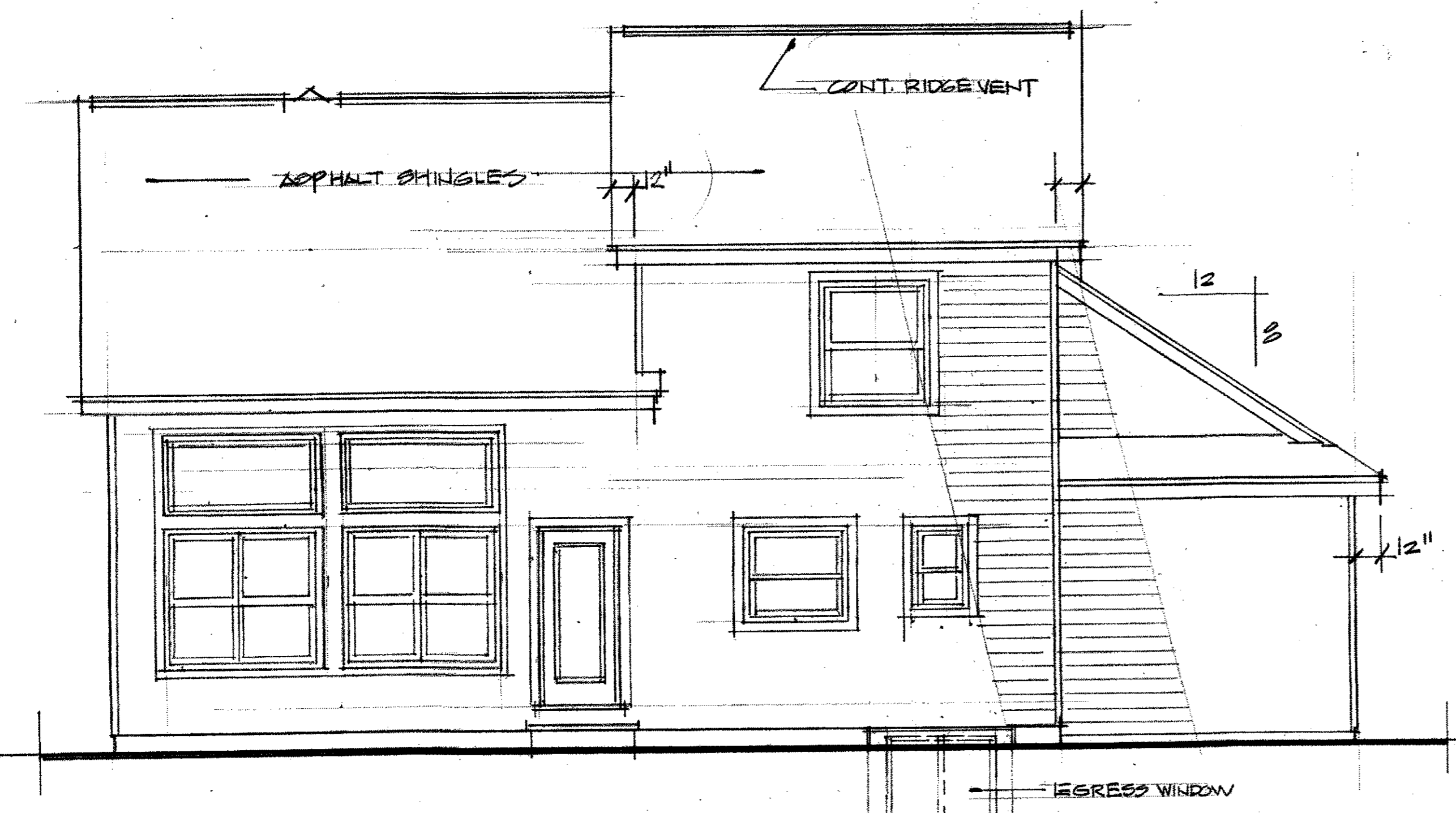
WALL SECTION 1/2" = 1'-0"

FOR: JEW PROPERTIES, LTD.
7471 HITCHCOCK RD.
WHITE LAKE, MICH. 48383
248-887-2424 C
248-885-1585 C

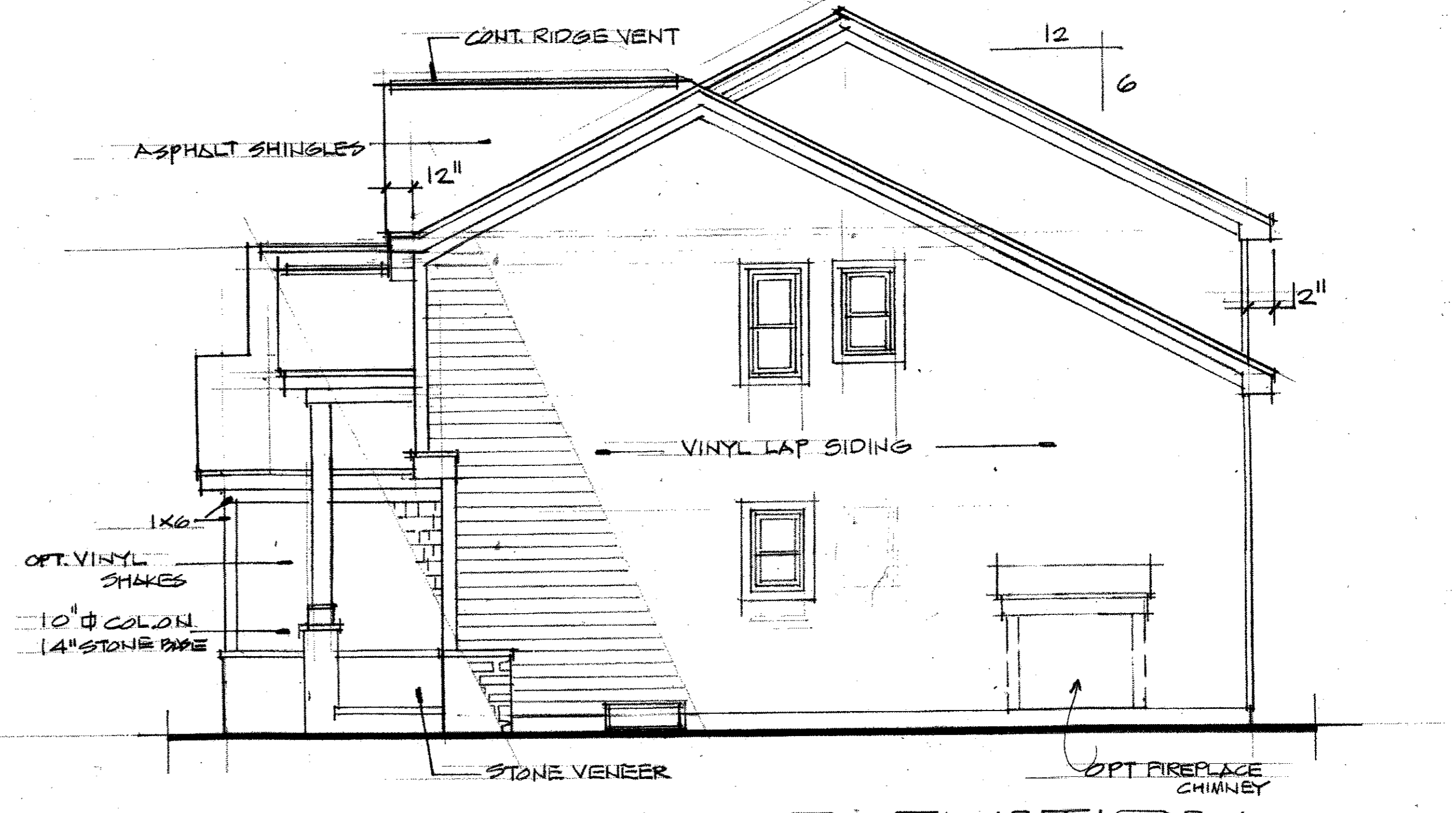
Architectural Designs by
DAVE DOBRIN ASSOCIATES LLC.

Date: 1-4-19
Scale:
Drawn:
Job: 18-270
Sheet:
Of 32 Sheets

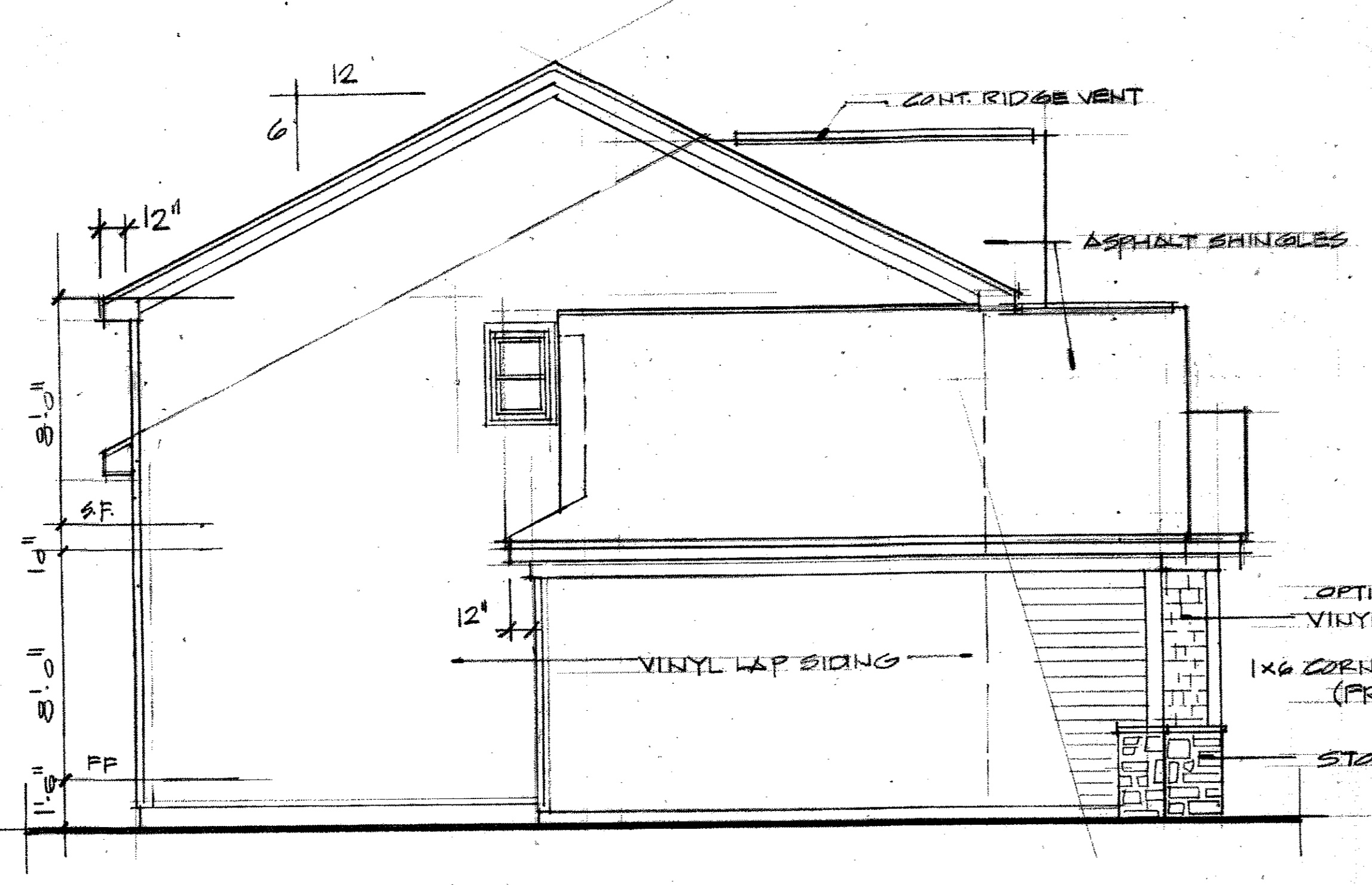
REVISIONS	BY
1-11-19	



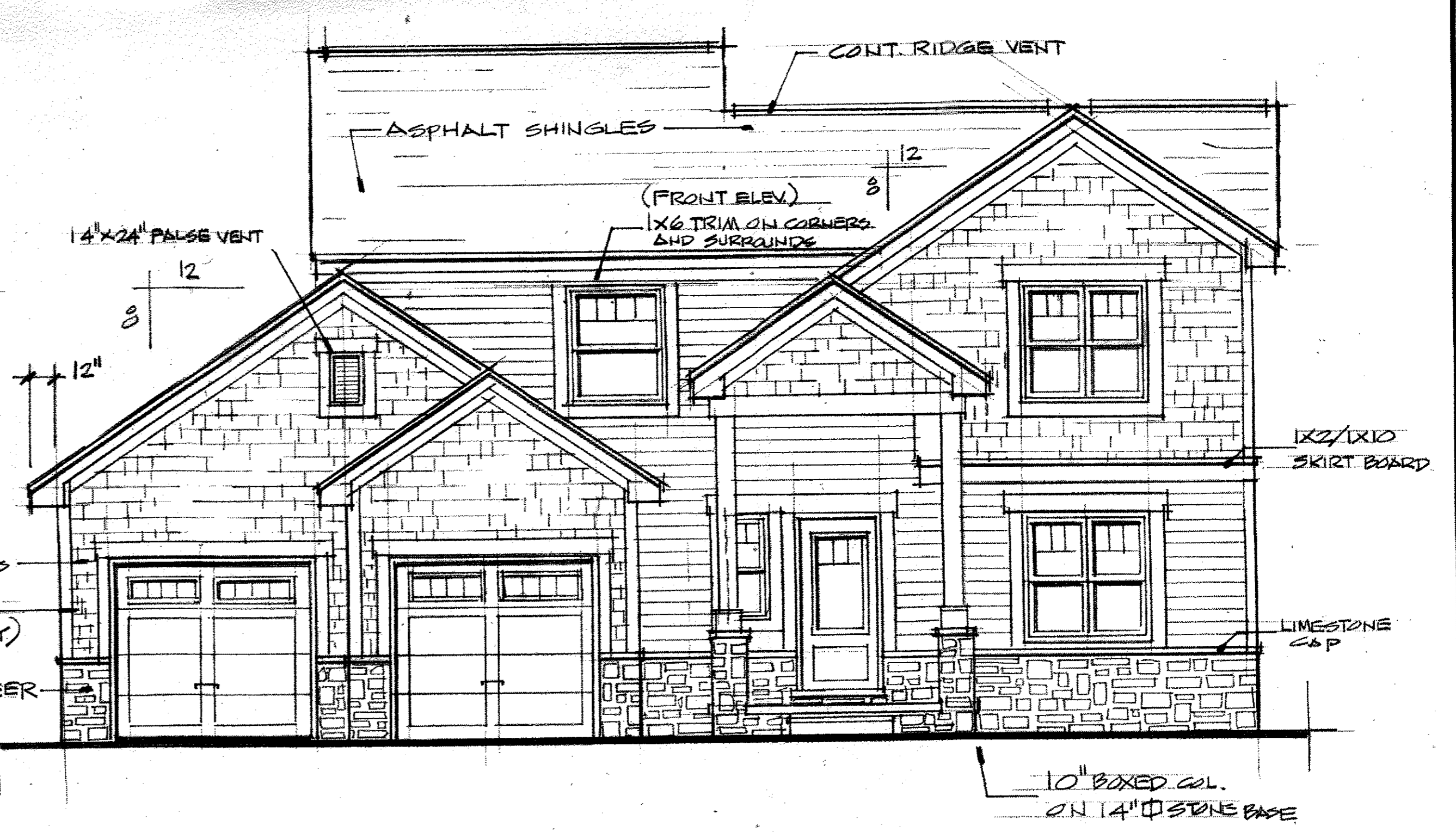
REAR ELEVATION



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



FRONT ELEVATION

J&W PROPERTIES, LTD

FOR:
7471 HITCHCOCK RD.
WHITE LAKE, MICH. 48383
248-887-2424 C
248-885-1696 C

Architectural Designs by
DAVE DOBRIN ASSOCIATES L.L.C.

Date 1-4-19
Scale
Drawn
Job 18-270
Sheet
Of 3 Sheets