



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

Case No. 12-006 2105 West Lake Drive

Location: 2105 West Lake Drive

Zoning District: R-4, One Family Residential

The applicant is requesting variances from Section 2400 of the Novi Zoning Ordinance to allow addition of a new attached garage and partial second floor area within the required side yards of a parcel with an existing home, and to allow the structure to exceed the allowable lot coverage. 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 a minimum side yard setback of 10 feet and a minimum aggregate of side yard setbacks of at least 25 feet. The same section of the Ordinance allows a maximum of 25% lot coverage.

Required north side yard setback:	10 feet
Proposed north side yard setback:	1.38 feet
Variance required:	8.62 feet
Required south side yard setback:	15 feet
Proposed south side yard setback:	4.32 feet
Variance required:	10.68 feet
Maximum allowable lot coverage:	25 %
Proposed lot coverage:	32%
Variance required:	7%

City of Novi Staff Comments:

The applicant desires to purchase the existing home at 2105 West Lake Drive and then add a new attached garage with a partial second floor living space above. Prior to construction of the current residence the ZBA (case 03-057) granted approval for side yard variances of 8.62 ft and 10.68 ft respectively for reduction of the side setbacks. The proposed addition would not further reduce the side yard setback allowances granted previously, but would result in additional building volume at the reduced setbacks. The proposed addition would also result in an increase of the lot coverage to 32%; requiring a variance to exceed the 25% maximum lot coverage allowed in the R-4 Zoning District.

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.
- 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.

Overview

Valerie and Kevin Byrd wish to purchase the lake front home on 2105 West Lake Dr. in Novi. We currently have an offer on the house pending approval of a lot coverage variance to improve the living and usage space of the house.

Due to the narrow 31.38 ft wide lot, space for the home and usage of the yard is very limited. We would like to propose an addition to the front of the house, staying within the standard 30' FRONT SETBACK and approved SIDE VARIANCE of: Case No. 03-057.

In question is a lot usage variance. Included is a proposal for upwards to 18' of home to be added to the current house. This space would be approximately 414 sq ft of garage/storage and 138 sq ft of living space on the second floor.

Reason/Hardship

With a very narrow lot, no basement, and only one main living space, storage and living space is limited. A home addition is proposed to allow for storage of water sports equipment, a classic car, and personal belongings so as to minimize clutter in the yard. Living space will also be added to accommodate a growing family. An emphasis on improving the architectural features of the home and curb appeal will be incorporated into the new design (similar to several of the newer homes in the area).

Benefits to the City of Novi

- Reduction in unsold real estate in Novi
- Reduced chance of foreclosure, abandonment, or lack of property maintenance
- Increased revenue to the area for construction
- Improved design for better curb appeal
- Improvement on usable square footage, more inline with a family home. The current design has only one main living space (no spare rooms, or basement)
- This property is unique in that is adjacent to a city easement. A minor increase in footprint will not feel crowded due to the appearance of a "double lot".
- Additional living space would make the home more appealing to family buyers.

Thank you for your time and consideration,

Kevin and Valerie Byrd



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For Official Use Only

ZBA Case No: 12-006 ZBA Date: 3/10/12 Payment Received: \$ _____ (Cash)
Check # _____ 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 KEVIN BYRD & VALERIE FELKO BYRD Date 1/23/2012

Company (if applicable) _____

Address: 926 E. SUNNYBROOK DR City ROYAL OAK ST W ZIP 48073
*Where all case correspondence is to be mailed.

Applicant's E-mail Address: speedbyrd@comcast.net

Phone Number (248) 535-2102 FAX Number () _____

Request is for:

Residential Construction (New/ Existing) _____ Vacant Property _____ Commercial _____ Signage

1. Address of subject ZBA case: 2105 WEST LAKE DR ZIP 48377

2. Sidwell Number: 5022-03-155-014 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) CARINA & ANDREAS STEINER

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

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

- Section 2400 Variance requested MAXIMUM LOT COVERAGE > 39% / 12%
- Section 2406 Variance requested MIN 10' variance 8.62 North side
- Section 2400 Variance requested MIN 15' variance of 10.68 South side
- Section _____ Variance requested _____

8. Please submit an accurate, scaled drawing of the property showing:

- All property lines and dimensions correlated with the legal description.
- The location and dimensions of all existing and proposed structures and uses on property.
- Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
- Dimensions necessary to show compliance with the regulations of this Ordinance.

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

SEE ATTACHED

10. 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:

SEE ATTACHED

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.

Variance approval is void if permit not obtained within one hundred eighty (180) days of date of decision. There is a five (5) day hold period before work/action can be taken on variance approvals. All property owners' within 300 feet of ZBA property address will be notified of the ZBA case and variance requests.

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official/ Inspector or Ordinance Officer made

Construct New Home/Building Addition to Existing Home/Building Accessory Building
 Use Signage Other


Applicants Signature

1-23-12
Date

Property Owners Signature

Date

DECISION ON APPEAL

Granted Denied Postponed by Request of Applicant Board

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

Attachments:

9. Practical Difficulties which prevent conformance with the Zoning Ordinance requirements are as follows:

- Lot size of 31.38 x 125ft leaves little room for lake accessory storage (boat trailer, boat, kayaks, etc) without cluttering the front driveway as there is no room for storage on the sides of the home.
- The current garage is only a two car space. Since the home does not have a basement, much of the garage would be used for storage and a classic car and would leave little room for another vehicle and/or lake accessories.
- The proposed extension of the garage and living space above the garage would exceed maximum lot coverage variance but would remain within the 30 ft setback from the road
- Proposed garage addition is an approximately 414sq ft and extended living space 138 sq ft above garage.

10. Unique circumstances regarding the property which are not common to other properties in the area that would prevent strict compliance with the Zoning Ordinance are

- The lot width is extremely small (less than 32 ft wide). Extension of the garage and living space above the garage provides the home with more storage space (home is currently 1914 sq ft) and reduction of clutter in the front yard due to boat, trailer, other vehicles and lake accessories. The goal is to keep all personal effects in the garage and keep the front yard uncluttered and well-maintained
- Addition would improve the street view of the home and add architectural detail that would be consistent with the upgrades of neighboring homes.

9) Case No. 03-057 filed by Debra Blashfield, prospective buyer for 2105 West Lake Drive

Debra Blashfield is requesting four (4) variances for the construction of a new home located at 2105 West Lake Drive, sidwell 5022-03-155-014. The applicant is requesting; a north side yard setback variance of 8.62 feet, a south side yard setback variance of 10.68 feet, a total aggregate side yard setback variance of 19.3 feet and a lot coverage variance of 7%. The property is zoned R-4 and located east of West Road between South Lake Court and Penhill.

CITY OF NOVI, CODE OF ORDINANCE, Article 24, Section 2400, "Schedule of Regulations" requires a minimum side yard setback of ten (10) feet, a minimum aggregate total side yard setback of twenty five (25) feet and a minimum lot coverage of 25% in a R-4 Zoning District.

Minimum side yard setback (north): 10 feet

Proposed: 1.38 feet

Variance: 8.62 feet

Minimum side yard setback (south): 15 feet

Proposed: 4.32 feet

Variance: 10.68 feet

Minimum aggregate (both sides): 25 feet

Proposed: 5.7 feet

Variance: 19.3 feet

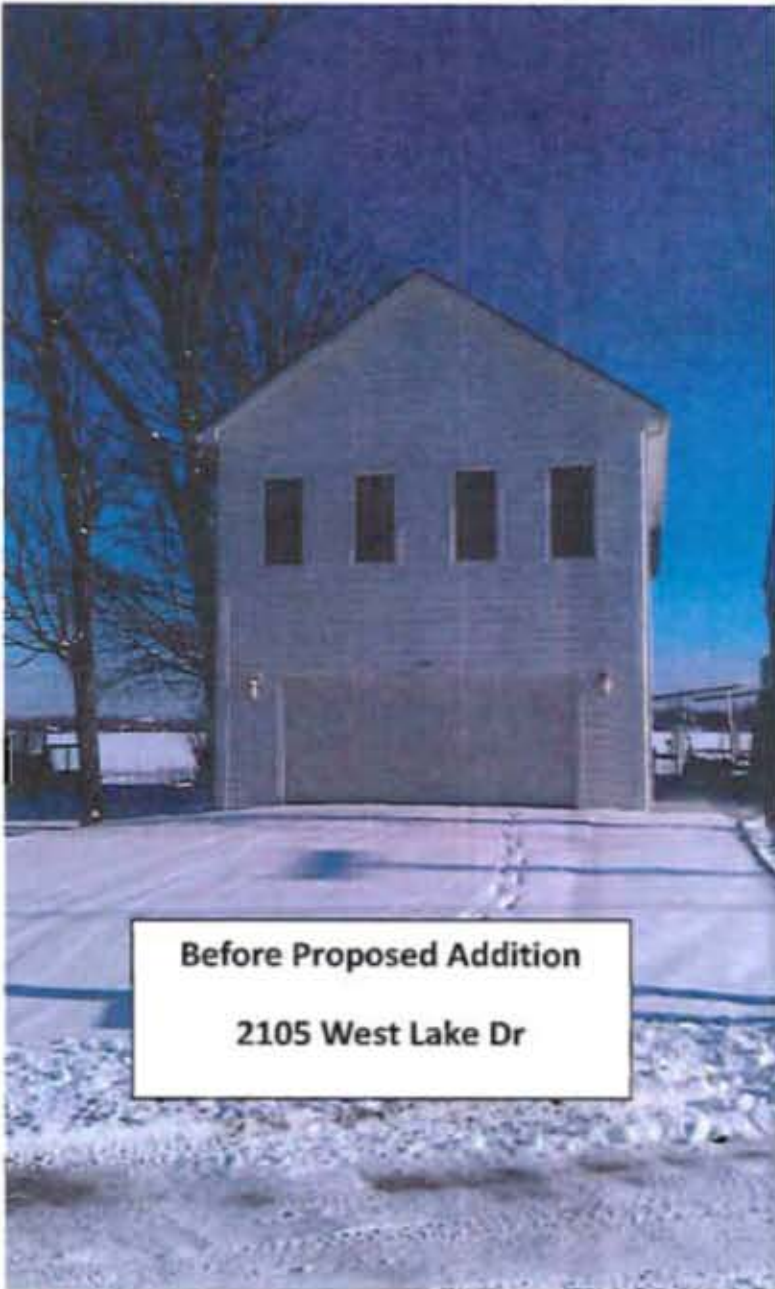
Maximum lot coverage: 25%

Proposed: 32%

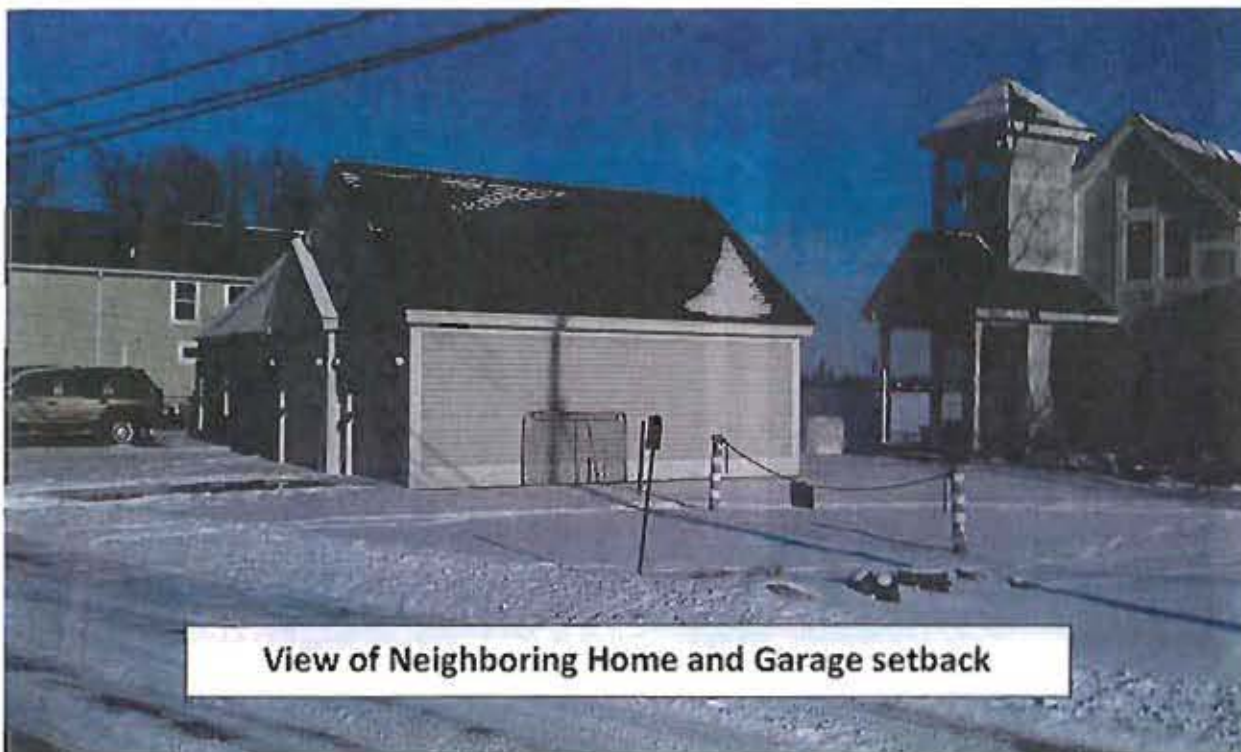
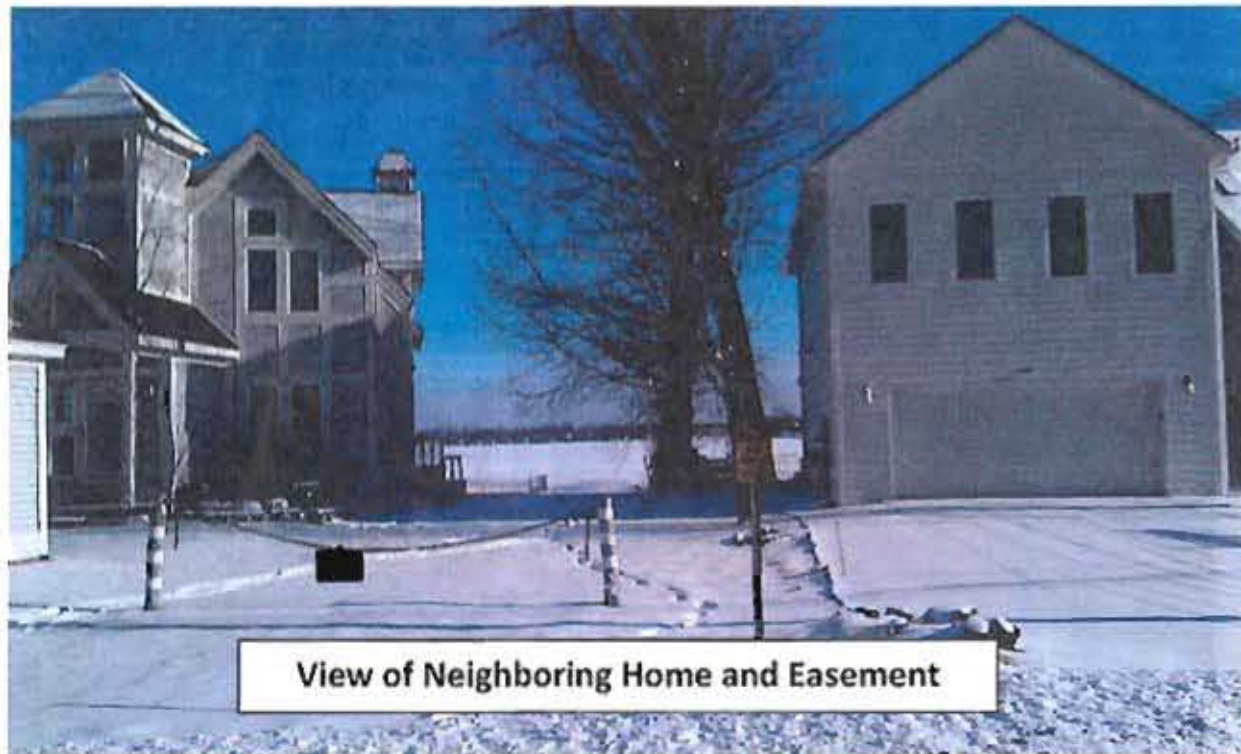
Variance: 7%

PROPOSE INCREASE OF 414 A²

07/08/03







City of Novi



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

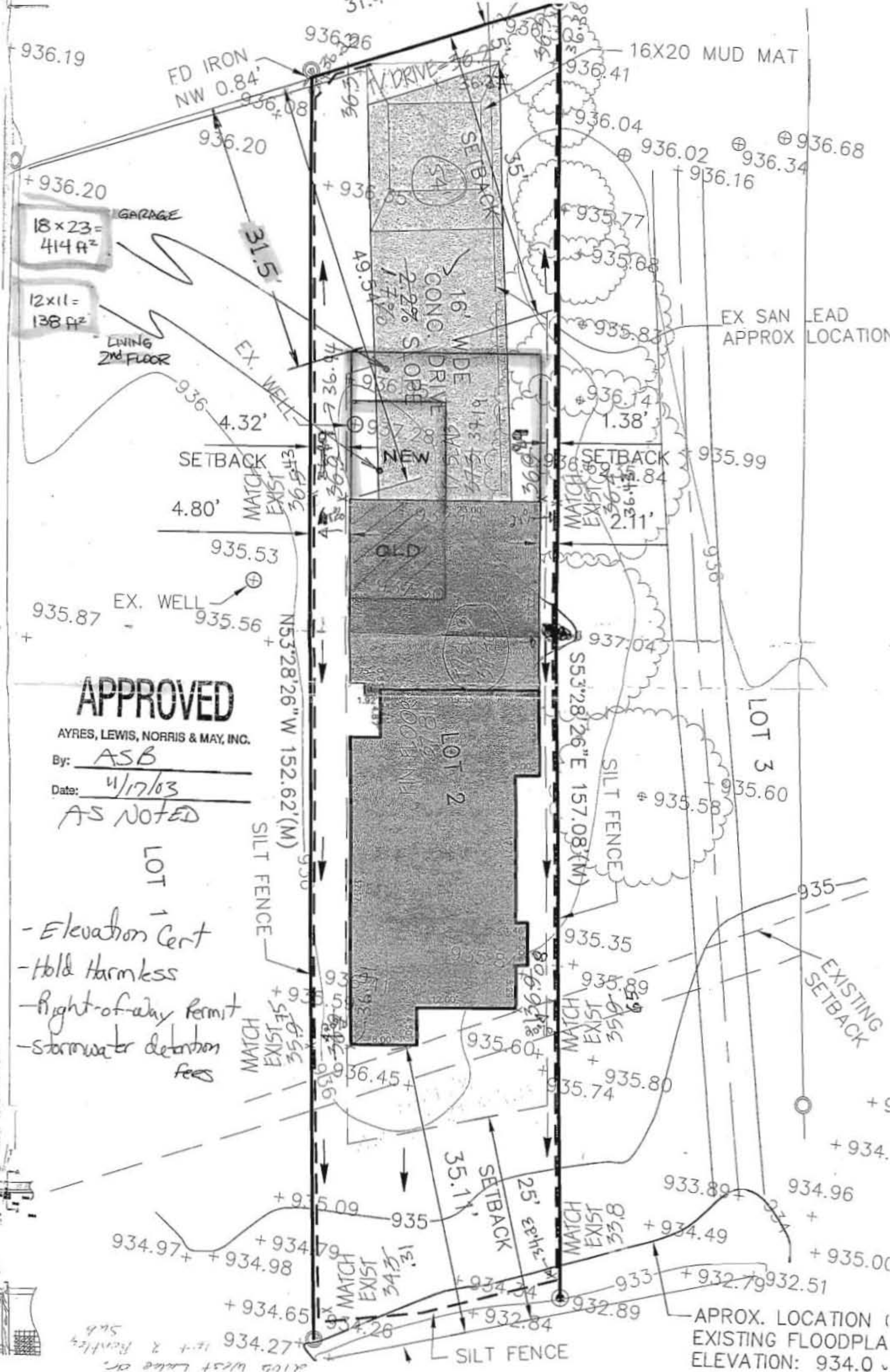


Date: 1/23/2012



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. This map was produced under the terms of the City's Internet GIS Use Policy available at <http://novi.gov/igp/Resources/GISUsePolicy.asp>



APPROVED

AYRES, LEWIS, NORRIS & MAY, INC.

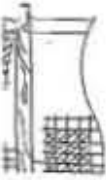
By: ASB

Date: 4/17/03

AS NOTED

LOT 1

- Elevation Cert
- Hold Harmless
- Right-of-way permit
- stormwater detention fees



along West Lake Dr. 1st & 2nd

APROX. LOCATION (EXISTING FLOODPLAIN) ELEVATION: 934.0

City of Novi
2105 West Lake Dr



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



0 95 190 380
Feet
1 inch = 190 feet



Date: 02/13/2012

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