



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: December 8, 2015

REGARDING: NAFSO (CASE NO. PZ15-0041)

BY: Charles Boulard, Building Official

I. GENERAL INFORMATION:

Applicant

Bauschat Construction for James Nafso

Variance Type

Dimensional Variances

Property Characteristics

Zoning District: R-1, One Family Residential
Site Location: 21165 Bridle Run, west of Beck Road and north of 8 Mile Road
Parcel #: 50-22-32-401-105

Request

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.2 and to allow construction of an addition to an existing home an existing lot: 1) a variance of 8.0 feet in the required side yard setback (15.0 feet required, 7.0 feet proposed); 2) a variance of 5.0 feet in the required rear yard setback (35.0 feet required, 30.0 feet proposed).

II. ZONING AND LAND USE:

The table below lists the zoning district, existing land use and future land use for the subject site and surrounding parcels.

Parcel	Zoning District	Existing Land Use	Future Land Use
Subject Property	R-A, One Family Residential	Maybury Park Estates RUD	Single Residential
North	R-A, One Family Residential	Maybury Park Estates RUD	Single Residential
South	R-A, One Family Residential	Maybury Park Estates RUD	Single Residential
East	R-A, One Family Residential	Maybury Park Estates RUD	Single Residential
West	R-A, One Family Residential	Maybury Park Estates RUD	Single Residential

III. STAFF COMMENTS:

Existing Condition

The subject property consists of a single lot located on the west side of Bridle Run within Maybury Park Estates. The parcel has approximately 102.57 feet of frontage on Bridle Run and approximately 200.0 feet deep as measured along south side yard lot line. There is an existing home and attached garage on the site. While the underlying Zoning is R-a, Maybury Park Estates is a Residential Unit Development (RUD) and this particular lot or unit is subject to the R-1 Zoning Ordinance provisions.

Proposed Changes

The applicant is proposing to construct a new addition to the rear of the home that will extend to within 7.3 feet of the side lot line.

IV. DEVELOPMENT STANDARDS:

The table below summarizes the zoning district development standards for the subject parcels.

Lot Size		Minimum Setback			
Area	Width	Front	Sides	Aggregate Side	Rear
R-1 21,780 sq. ft.	120 ft.	30 ft.	15 ft. (one side)	40 ft. (total of two side)	35 ft.

V.RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. Grant I move that we **grant** the variance(s) in **Case No.PZ15-0041**, sought by _____,for _____ because the Petitioner has established that _____ causes a practical difficulty relating to the property, including some or all of the following criteria:
 - (a) Petitioner has established that the property is unique because_____, or that the physical condition of the property creates the need for a variance because_____.
 - And, the condition is not a personal or economic hardship.
 - (b) The need for the variance is not self-created, **because**_____.
 - (c) Strict compliance with dimensional regulations of the Zoning Ordinance, including _____, will (either):
 1. unreasonably prevent Petitioner from using the property for the permitted purpose as a _____, because_____ and/or,
 2. will make it unnecessarily burdensome to comply with the regulation because_____.
 - (d) Petitioner has established that variance is the minimum variance necessary because a lesser variance would not_____.

(e) The requested variance will not cause adverse impact on surrounding property, property values, or the enjoyment of property in the neighborhood or zoning district, because _____.

(f) The variance granted is subject to the conditions that:

- 1. _____,
- 2. _____,
- 3. _____,
- 4. _____.

2. Deny I move that we **deny** the variance in **Case No.PZ15-0041**, sought by _____, for _____ because the Petitioner has **not** established a practical difficulty because:

(a) Petitioner has shown no unique circumstance or physical condition of the property because petitioner can reasonably comply with the ordinance by_____.

(b) The difficulty described by the Petitioner is a personal or economic difficulty only in that Petitioner stated _____.

(c) The need for the variance is self-created because Petitioner _____.

(d) Conforming to the ordinance would not (either):

- 1. be unnecessarily burdensome because _____, or,
- 2. unreasonably prevent petitioner from using the property for _____, because_____.

(e) A lesser variance consisting of _____would do substantial justice to Petitioner and surrounding property owner's because_____.

(f) The proposed variance would have adverse impact on surrounding property because _____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0415.

Charles Boulard
Building Official
City of Novi



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 Novi, MI 48375
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ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$200
 Meeting Date: 12-8-15
 ZBA Case #: PZ 15-0041

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION			
ADDRESS <u>21165 Bridle Run Northville</u>		LOT/SUITE/SPACE # <u>97</u>	
SIDWELL # <u>50-22-</u>		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY <u>8 mile AND BECK</u>			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		REQUEST IS FOR: <input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE	
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS <u>Brauschat Construction@gmail.com</u>	
NAME <u>James Brauschat</u>		CELL PHONE NO. <u>810-923-5544</u>	
ORGANIZATION/COMPANY <u>Brauschat Construction</u>		TELEPHONE NO. <u>810-227-4964</u>	
ADDRESS <u>1316 Baywood</u>		CITY <u>Brighton</u>	STATE <u>MI</u>
ZIP CODE <u>48116</u>			
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS <u>j.nafso@fortispayments.com</u>	
NAME <u>Jimmy NAFSO</u>		CELL PHONE NO. <u>248-514-6006</u>	
ORGANIZATION/COMPANY		TELEPHONE NO. <u>248-946-4145</u>	
ADDRESS <u>21165 Bridle Run</u>		CITY <u>Northville</u>	STATE <u>MI</u>
ZIP CODE <u>48167</u>			
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____			
B. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section _____ Variance requested _____			
2. Section _____ Variance requested _____			
3. Section _____ Variance requested _____			
4. Section _____ Variance requested _____			
IV. FEES AND DRAWINGS			
A. FEES			
<input checked="" type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600			
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF			
<ul style="list-style-type: none"> • 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 			



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

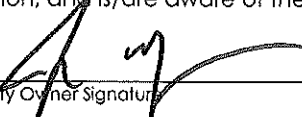

Applicant Signature

10/14/15
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.


Property Owner Signature

10-13-15
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



cityofnovi.org

Community Development Department

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
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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:

Lot Narrows to a pie shape, requiring a side use variance

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.

The addition Design was created to minimize the impact on the lot use, we are asking for a 8' Side Variance and a 5' Rear setback Variance. Design was shrunk Down so the lot use variance was not required.

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.

The overall Design is the minimum requested. The pool is 15'x30', with the pool Deck area of 5' and 10' on Each side.

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 addition will mimic the existing House, Brick, windows and Shingles. It will follow the neighboring designs of the Sub.

21165 Bridle Run
lot 97 Maybury Park Estates

LEGAL DESCRIPTION

UNIT 97 OF REPLAT No. 1 OAKLAND COUNTY CONDOMINIUM SUBDIVISION
PLAN No. 1609 EXHIBIT B TO THE MASTER DEED OF "MAYBURY PARK
ESTATES", PART OF THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF SECTION
32, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVATO, OAKLAND COUNTY,
MICHIGAN.

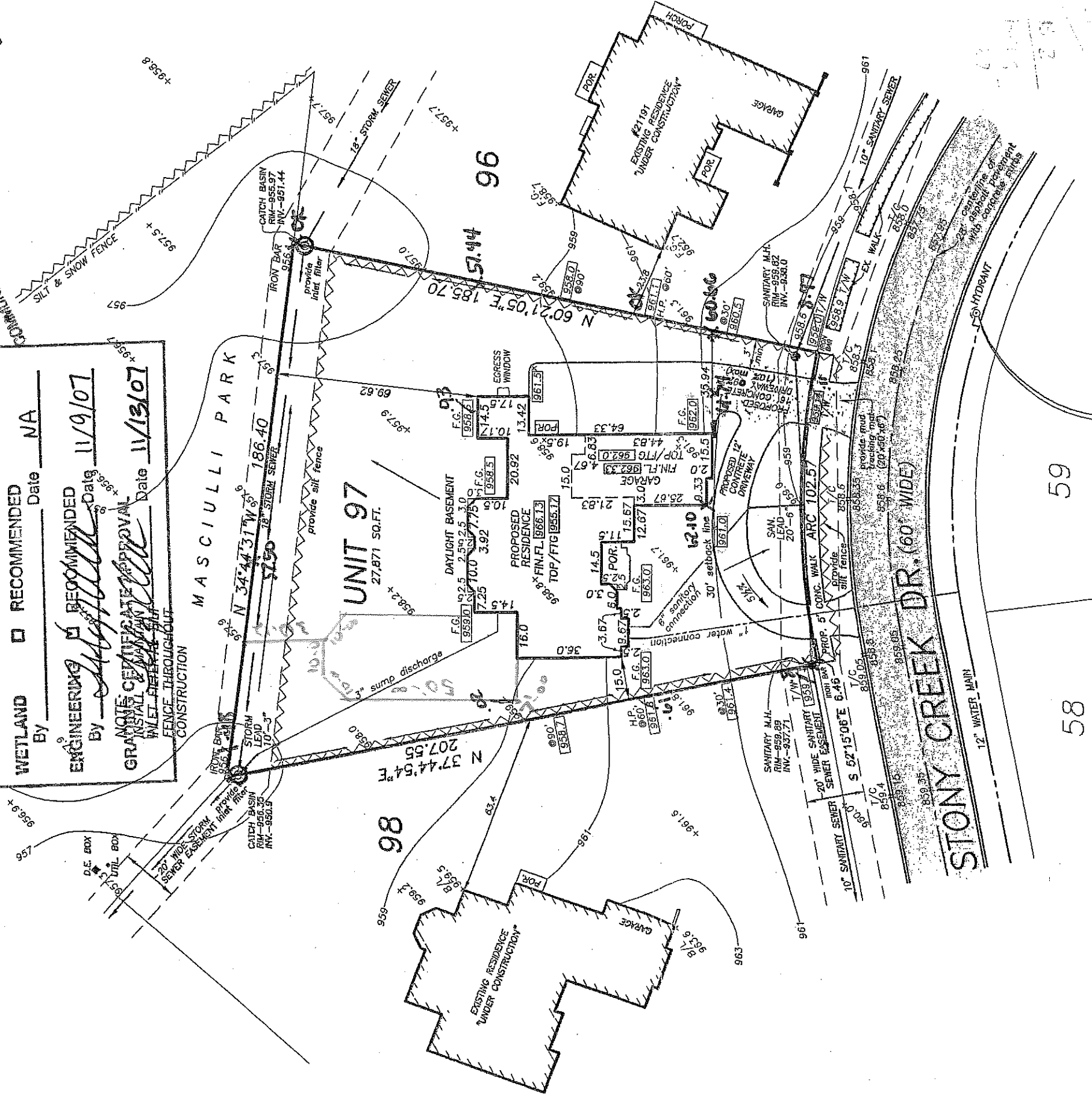
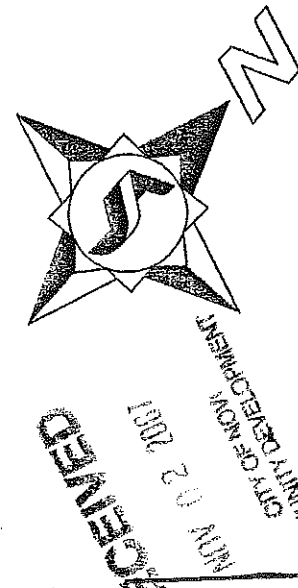
WOODLAND RECOMMENDED Date NA

WETLAND RECOMMENDED Date NA

ENGINEERING RECOMMENDED Date 11/9/07

GRADING RECOMMENDED Date 11/13/07

NOTE: CERTIFICATE OF APPROVAL
INSTALL PERMITS
FENCE THROUGHOUT
CONSTRUCTION



U.S.G.S. BENCH MARK
ARROW ON HYDRANT
ELEVATION = 960.70

*NOTE:
THE DIFFERENCE BETWEEN FINISHED 1st FLOOR
AND FINISHED GARAGE FLOOR NECESSITATES AN
EXTRA STEP (OR STEPS) IN THE GARAGE.

NOTE:
ALL PROPOSED GRADES
SHALL MEET AND MATCH
GRADE AT TREE
PROTECTION FENCE LINE.

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

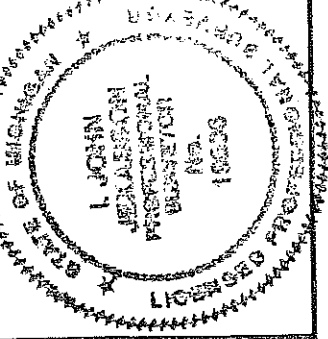
— = SILT FENCE
— = BRICK LEDGE
— = EXISTING CONTOUR
— = SNOW FENCE
— = CONSERVATION ESMT.

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

RECEIVED
NOV 07 2007

000.00 = EXIST. ELEV.
1000.00 = PROPOSED ELEV.
— = DRAINAGE COURSE

REVISED - 31 OCT., 2007
(DRIVEWAY)



GRADING PLAN

prepared for: BABCOCK DEVELOPMENT COMPANY
5373 PONTIAC TRAIL
WEST BLOOMFIELD, MI 48323
(248) 682-1710, fax 626-2661

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

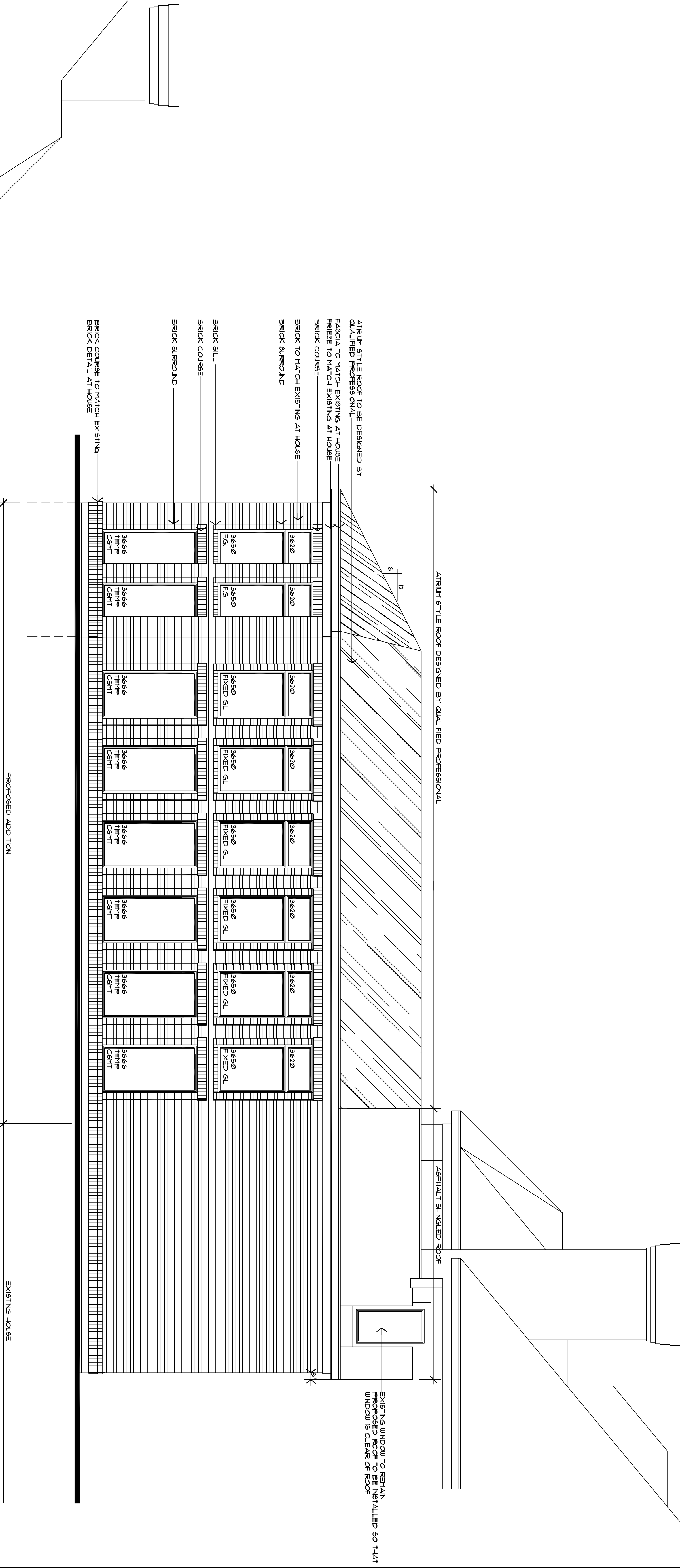


PLAN	26-117
DATE	24 AUG 2006
JOB NO.	06-08-011
SCALE	1" = 40'
DRAWN	MDT
CHECKED	JGE
SHEET	1 OF 1

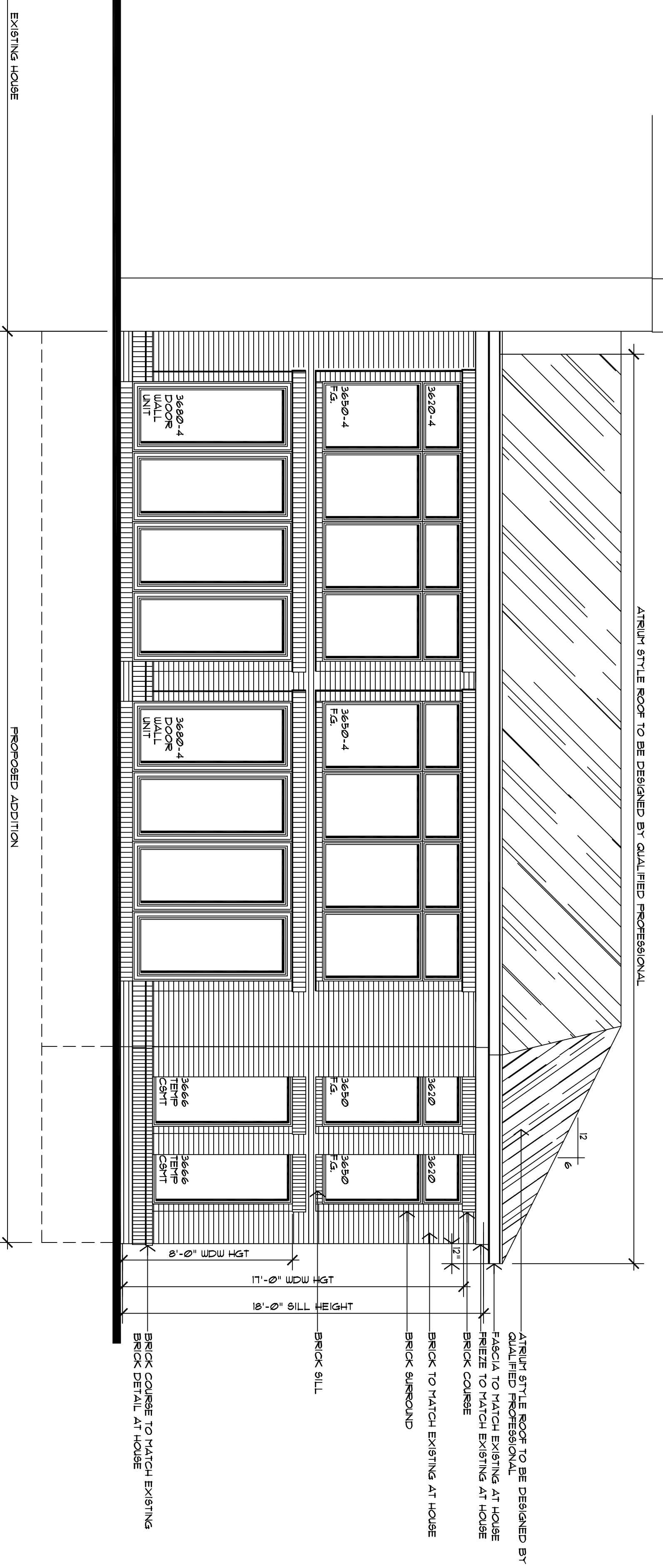
REVISED

B06-0256

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



SIDE ELEVATION OF ENCLOSED POOL
SCALE: 1/4" = 1'-0"



SIDE ELEVATION OF ENCLOSED POOL
SCALE: 1/4" = 1'-0"

Asher Design Group, Inc.
A HomePlan Design Company
Phone: 218-735-6234

DRAWING TYPE
 PRELIMINARY
DATE:

FINAL DRAWINGS
DATE: 08/29/2015

DRAWN BY:
KV

ENGINEERED BY:

REVISIONS:

BUILDER:
BAUSCHAT CONSTRUCTION

PROJECT ADDRESS:

JOB #: 15-0131

SHEET 3 OF 3

PLOT PLAN
SCALE: 1"=10'

Aischerl Design Group, Inc.
A HomePlan Design Company
Phone: 248-753-6254

DRAWING TYPE
 PRELIMINARY
DATE:

FINAL DRAWINGS
DATE: 08/29/2015

DRAWN BY:
KV

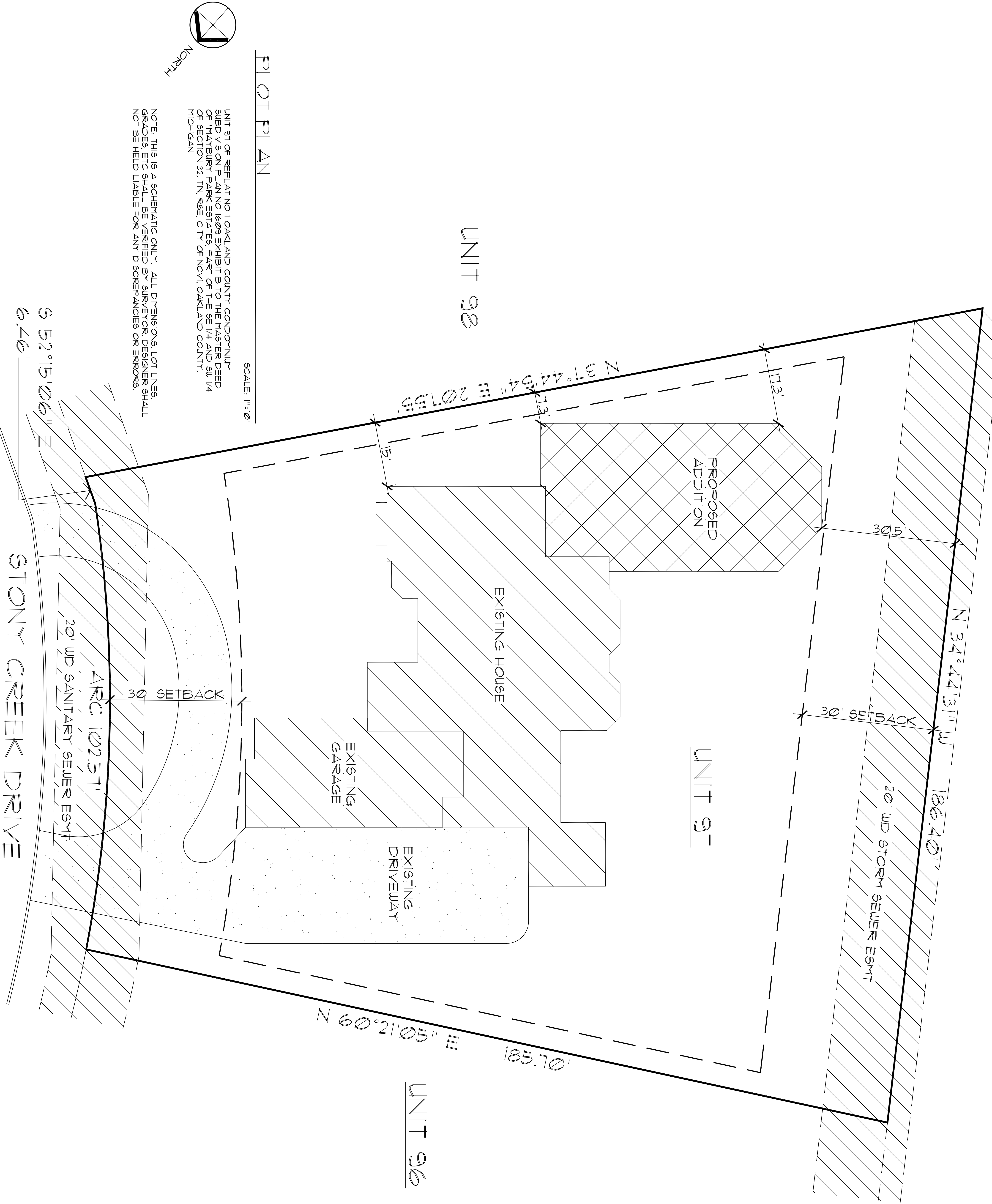
ENGINEERED BY:

REVISIONS:
09/14/2015-PLOT PLAN

BUILDER:
BAUSCHAT CONSTRUCTION

PROJECT ADDRESS:

JOB #: 15-0131
SHEET 51 OF 3



UNIT 97 OF REPLAT NO 1 OAKLAND COUNTY CONDOMINIUM
SUBDIVISION PLAN NO 1609 EXHIBIT B TO THE MASTER DEED
OF 'MAYBURY PARK ESTATES, PART OF THE SE 1/4 AND SW 1/4
OF SECTION 32, T1N, R2E, CITY OF NOVI, OAKLAND COUNTY,
MICHIGAN'

NOTE: THIS IS A SCHEMATIC ONLY. ALL DIMENSIONS, LOT LINES,
GRADES, ETC SHALL BE VERIFIED BY SURVEYOR, DESIGNER SHALL
NOT BE HELD LIABLE FOR ANY DISCREPANCIES OR ERRORS.

SCALE: 1"=10'

PLOT PLAN

UNIT 98

UNIT 97

UNIT 96

$S 52^{\circ}15'06'' E$
 $6.46'$

STONY CREEK DRIVE

20' WPD SANITARY SEWER ESMT
ARC 102.57'

$N 60^{\circ}21'05'' E$
 $185.70'$

$N 37^{\circ}44'04'' E 207.55'$
 $17.13'$
 $15'$

$N 34^{\circ}44'31'' W$
 $30.5'$
 $30' SETBACK$
 $186.40'$

20' WPD STORY SEWER ESMT