



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

**Case No. PZ14-0064**

**Location: 24844 Mallard Trail**

**Zoning District: RA, One Family Residential**

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Section 2400 to allow construction of a new covered porch addition with a reduced rear yard setback of 17 ft. The property is located east of Napier Road and north of 10 Mile Road.

**Ordinance Sections:**

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires minimum rear yard setbacks of 35 ft.

**City of Novi Staff Comments:**

The applicant is proposing construction of a new covered porch addition to the rear yard of the home to an existing single family residence. The proposed addition would extend 18 ft. into the required rear yard setback. Staff supports the consideration of the variances provided substantial justice can be served for adjacent 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\_\_\_\_\_.

**Standards for Denying Dimensional Variances:**

Petitioner has **not** established a practical difficulty because:

- Petitioner has shown no unique circumstance or physical condition of the property because petitioner can reasonably comply with the ordinance by\_\_\_\_\_.
- The difficulty described by the Petitioner is a personal or economic difficulty only in that Petitioner stated \_\_\_\_\_.
- The need for the variance is self-created because Petitioner \_\_\_\_\_.
- Conforming to the ordinance would not (either):
  - be unnecessarily burdensome because \_\_\_\_\_, or,
  - unreasonably prevent petitioner from using the property for \_\_\_\_\_, because\_\_\_\_\_.
- A lesser variance consisting of \_\_\_\_\_would do substantial justice to Petitioner and surrounding property owner's because\_\_\_\_\_.
- The proposed variance would have adverse impact on surrounding property because \_\_\_\_\_.



45175 Ten Mile Road  
 Novi, MI 48375  
 (248) 347-0415 Phone  
 (248) 735-5600 Facsimile  
 www.cityofnovi.org

## ZONING BOARD OF APPEALS APPLICATION

**APPLICATION MUST BE FILLED OUT COMPLETELY**

Application Fee: 200  
 Meeting Date: Feb  
 ZBA Case #: PZ P214 0064

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>			
PROJECT NAME / SUBDIVISION <u>DECK AND ROOF ABOVE / RESERVE OF ISLAND LAKE</u>			
ADDRESS <u>24844 MALLARD TRAIL</u>		LOT/SIUTE/SPACE # <u>12</u>	
SIDWELL # <u>50-22-</u>		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY			
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 type="checkbox"/> NO			
<b>II. APPLICANT INFORMATION</b>			
<b>A. APPLICANT</b>		EMAIL ADDRESS <u>JASON@KYLEBUILDERS.COM</u>	CELL PHONE NO. <u>586-324-1172</u>
NAME <u>JASON / KYLE BUILDERS</u>		TELEPHONE NO. <u>586-254-9880</u>	
ORGANIZATION/COMPANY <u>KYLE BUILDERS</u>		FAX NO.	
ADDRESS <u>4445 22 MILE</u>	CITY <u>SHELBY TWP</u>	STATE <u>MI</u>	ZIP CODE <u>48317</u>
<b>B. PROPERTY OWNER</b> <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS	CELL PHONE NO. <u>248-615-5236</u>
NAME <u>LOGAN MATS</u>		TELEPHONE NO.	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>24844 MALLARD TR.</u>	CITY <u>NOVI</u>	STATE <u>MI</u>	ZIP CODE <u>48375</u>
<b>III. ZONING INFORMATION</b>			
<b>A. ZONING DISTRICT</b>			
<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>B. VARIANCE REQUESTED</b>			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section _____	Variance requested _____	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <b>RECEIVED</b>   <b>DEC 17 2014</b>             CITY OF NOVI            COMMUNITY DEVELOPMENT         </div>	
2. Section _____	Variance requested _____		
3. Section _____	Variance requested _____		
4. Section _____	Variance requested _____		
<b>IV. FEES AND DRAWINGS</b>			
<b>A. FEES</b>			
<input 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>B. DRAWINGS    1-COPY &amp; 1 DIGITAL COPY SUBMITTED AS A PDF</b>			
<input type="checkbox"/> Dimensioned Drawings and Plans <input type="checkbox"/> Site/Plot Plan <input type="checkbox"/> Existing or proposed buildings or addition on the property <input type="checkbox"/> Number & location of all on-site parking, if applicable		<input type="checkbox"/> Existing & proposed distance to adjacent property lines <input type="checkbox"/> Location of existing & proposed signs, if applicable <input type="checkbox"/> Floor plans & elevations <input type="checkbox"/> 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 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.

### 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

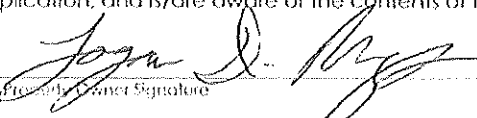
 / KYLE BUILDERS

Date 12/16/14

### 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.



Date 12-11-2014

## VII. FOR OFFICIAL USE ONLY

### DECISION ON APPEAL:

GRANTED    DENIED

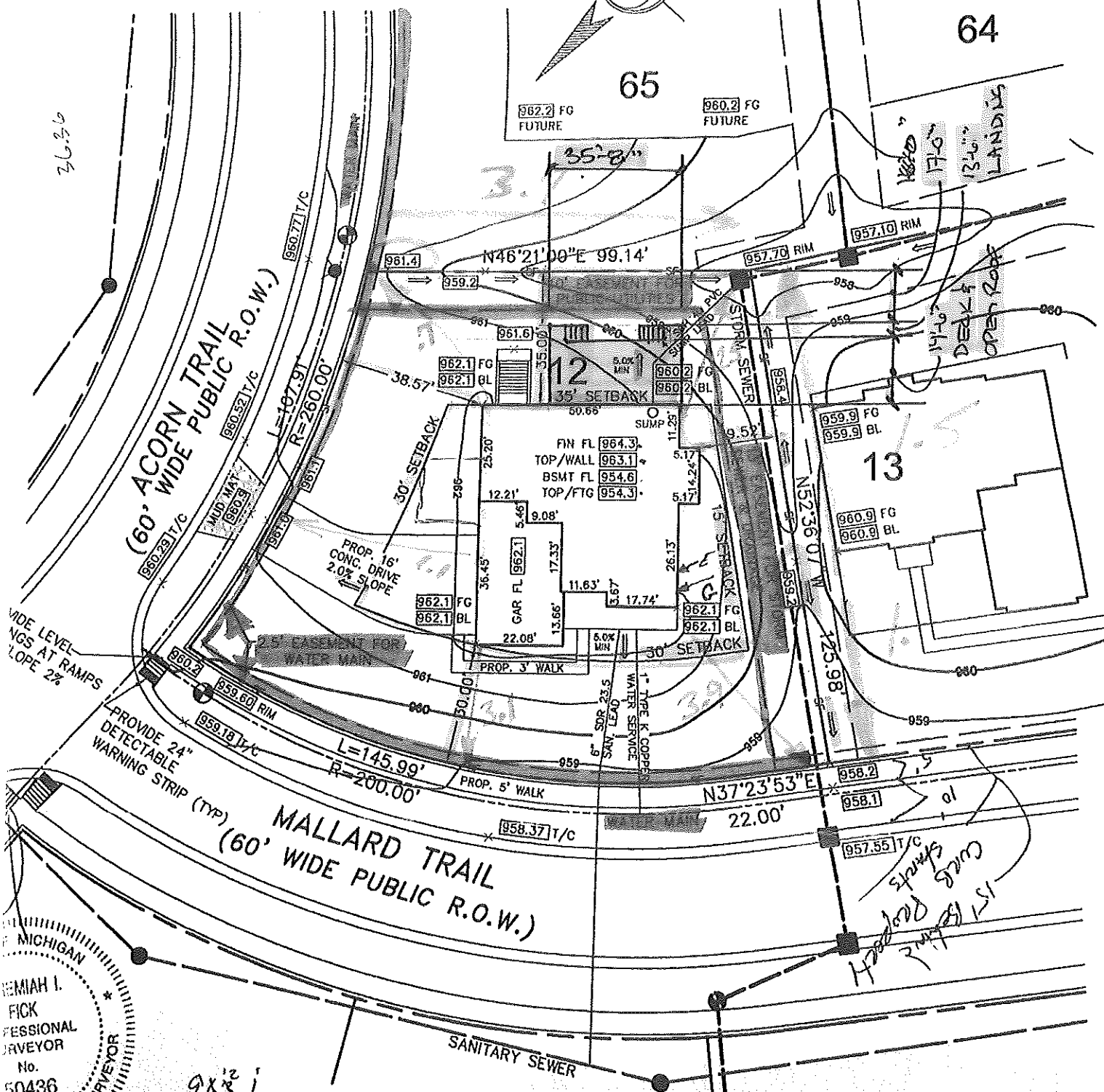
The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

Chairperson, Zoning Board of Appeals

Date



000.0 PROPOSED SPOT ELEVATION  
 600.0 EXISTING SPOT ELEVATION  
 AS-BUILT ELEVATION  
 DRAINAGE FLOW ARROW



WIDE LEVEL  
 RAMPINGS AT RAMP  
 SLOPE 2%

MICHAEL I. FICK  
 PROFESSIONAL SURVEYOR  
 No. 50436  
 MICHIGAN

**LEGEND**  
 ○ MANHOLE  
 □ CATCH BASIN  
 ● FIRE HYDRANT  
 ○ WATER VALVE

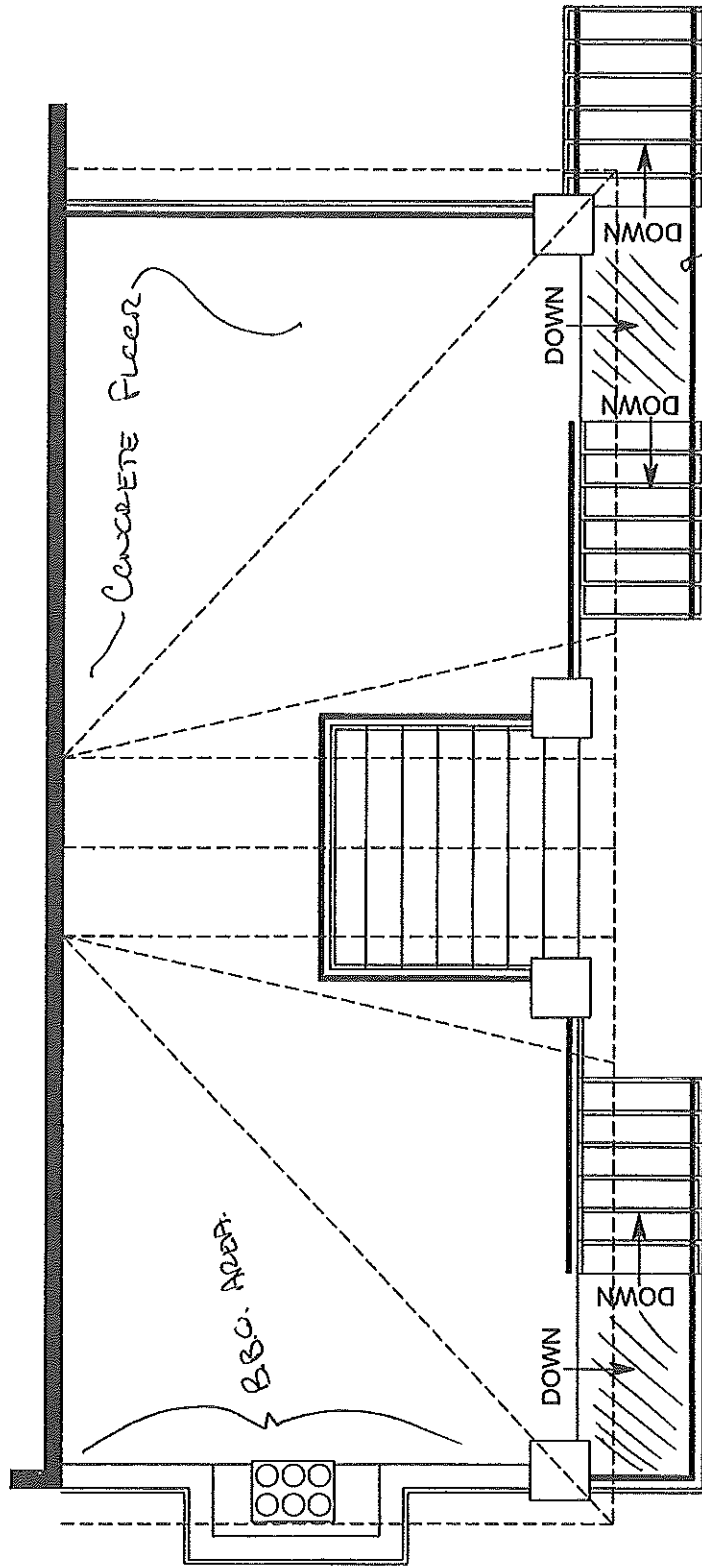
983.1  
 954.3  
 8.8  
 3-3-14  
 [Signature]

**BENCH MARK 1:**  
 RAILROAD SPIKE IN EAST FACE OF UTILITY POLE ON WEST SIDE OF DINSER ROAD AT INTERSECTION OF DINSER ROAD AND THORNBURY DRIVE.  
 ELEV: 980.53 NAVD 88 DATUM  
**SITE BENCHMARKS:**  
 ARROW ON HYDRANT AT LOT 12  
 ELEV: 962.55 NAVD 88 DATUM  
 ARROW ON HYDRANT AT LOT 23  
 ELEV: 962.68 NAVD 88 DATUM

**NOTE:**  
 LOCATION OF UTILITY SERVICES SHOWN ARE CONCEPTUAL ONLY. ACTUAL LOCATION OF WATER, ELECTRIC, GAS, ETC. SERVICING EACH LOT TO BE DETERMINED AT TIME OF CONSTRUCTION BY DEVELOPER.  
 WOODLAND PROTECTION FENCES MUST BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION (WHERE APPLICABLE)  
 ALL PROPOSED UTILITY LEADS AS LOCATED UNDER WITHIN A 1 ON 1 INFLUENCE OF THE DRIVEWAY SHALL BE BACKFILLED IN 6" LIFTS AND COMPACTED TO MAX DENSITY

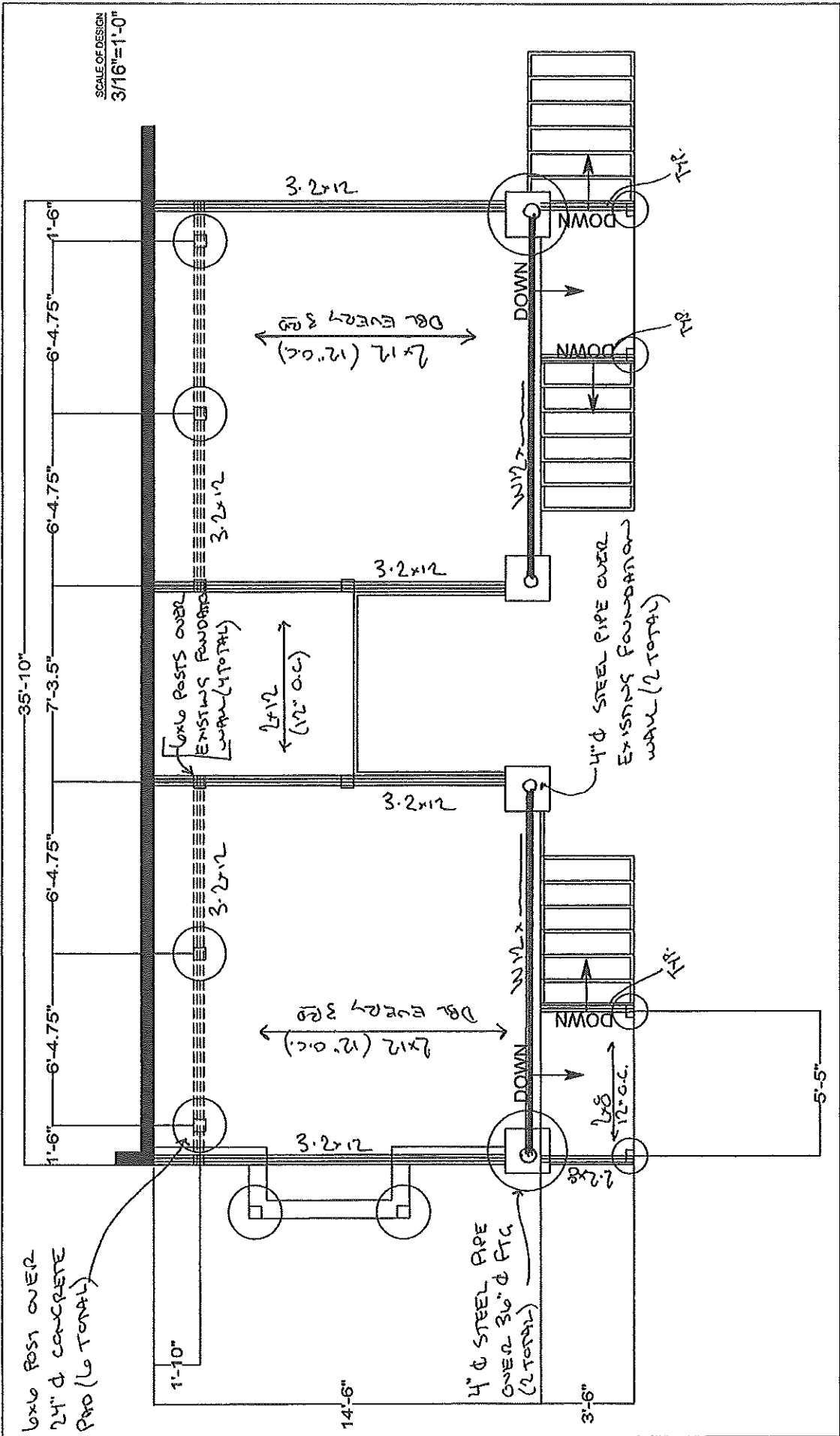
CURB STRIPS  
 15' WIDE  
 [Handwritten notes and arrows]

SCALE OF DESIGN  
3/16"=1'-0"



COMPOSITE STAIR SYSTEM

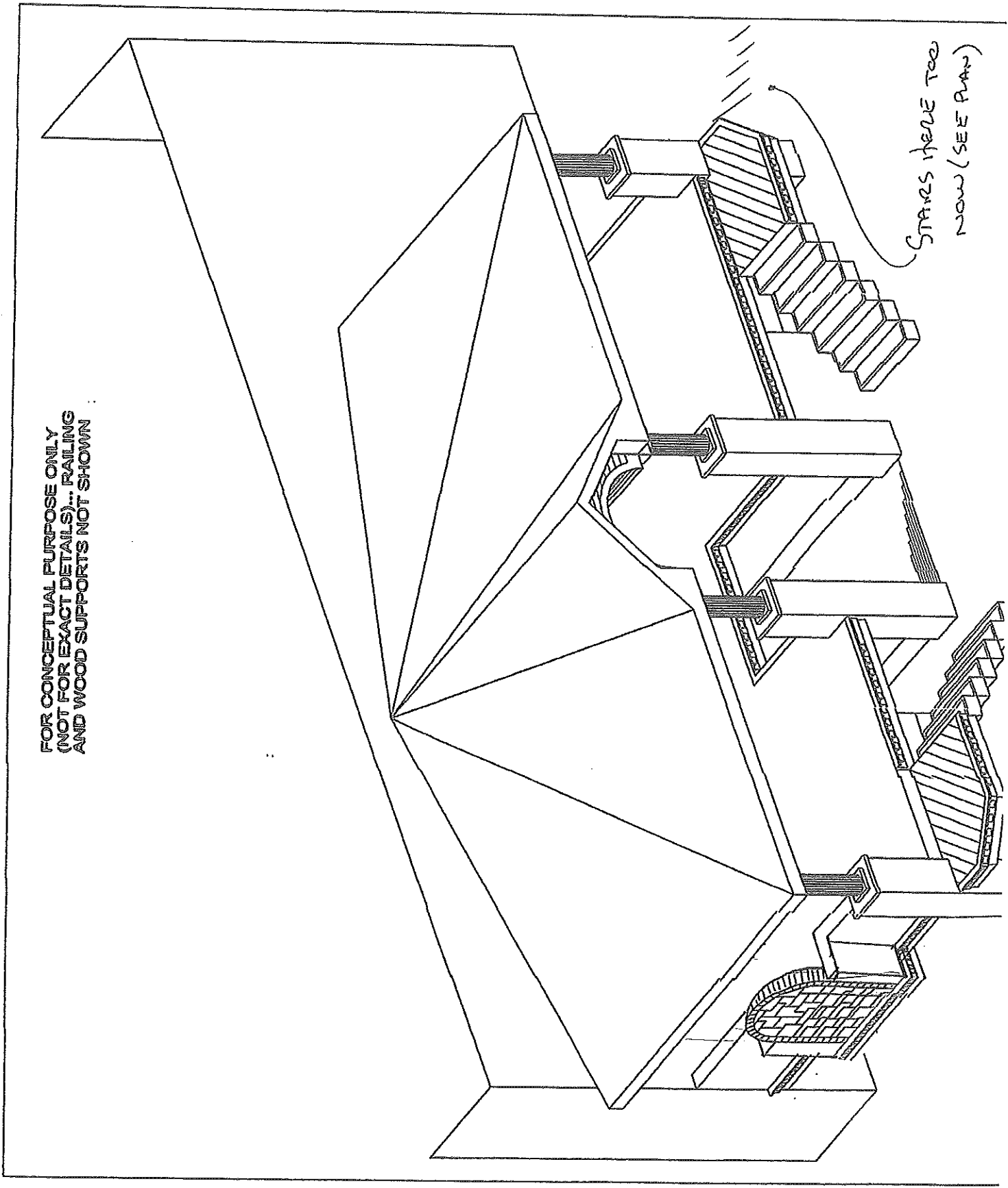
SCALE OF DESIGN  
3/16"=1'-0"





FOR CONCEPTUAL PURPOSE ONLY  
(NOT FOR EXACT DETAILS)... RAILING  
AND WOOD SUPPORTS NOT SHOWN

STAIRS HERE TOO  
NOW (SEE PLAN)





# The Reserves at Island Lake of Novi

RECEIVED  
JAN 16 2015  
COMMUNITY DEVELOPMENT

## ALTERATION/MODIFICATION REQUEST

OWNER NAME: Logan Mays & Jill Shaver \_\_\_\_\_ LOT# 12

ADDRESS: 24844 Mallard Trail, Novi, MI \_\_\_\_\_

PHONE NUMBER: 260-615-5236 \_\_\_\_\_

OWNER SIGNATURE: Logan D. Mays

Attached is the Landscape and Deck plan submitted for approval.  
(Type of plan)

PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING:

1. Actual construction will be performed by a licensed builder who is insured. All applicable codes and regulations will be followed and all necessary permits will be obtained at my/our expense.
2. I/we have read all applicable sections of the Bylaws and I/we understand same.
3. All maintenance of this Alteration/Modification will be performed at my/our expense.
4. I/we understand that, should any legal, regulatory agency require, at any time in the future, modifications to this variance, they will be done at my/our expense.
5. Decks cannot be installed over a drainage swale. In the event the deck does interfere with the surface drainage, I/we understand that I/we will be required, at my/our expense, to correct the drainage to the Association's satisfaction.
6. Any maintenance costs incurred by the Association, as a result of this variance, will be at my/our expense.
7. This alteration/variance/modification is subject to all the requirements of the Bylaws, occupancy agreements and other applicable regulations at the Board of Directors' discretion.
8. I/we understand that it is my/our responsibility to advise future assigns and/or owners of the unit of this modification and of their responsibility for same.
9. All of the above information is truthful and accurate.

**NO WORK SHALL COMMENCE UNTIL WRITTEN APPROVAL IS RECEIVED**

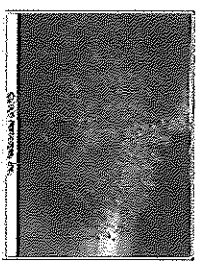
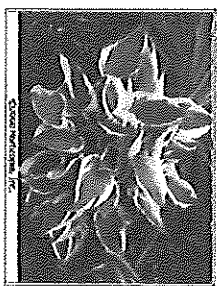
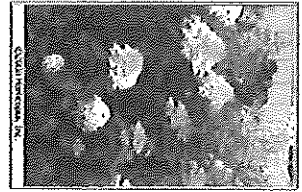
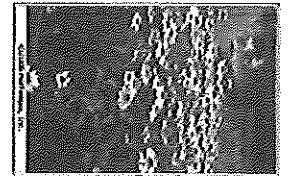
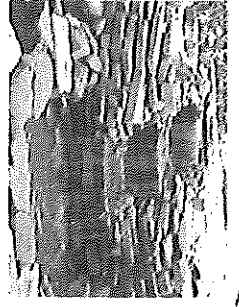
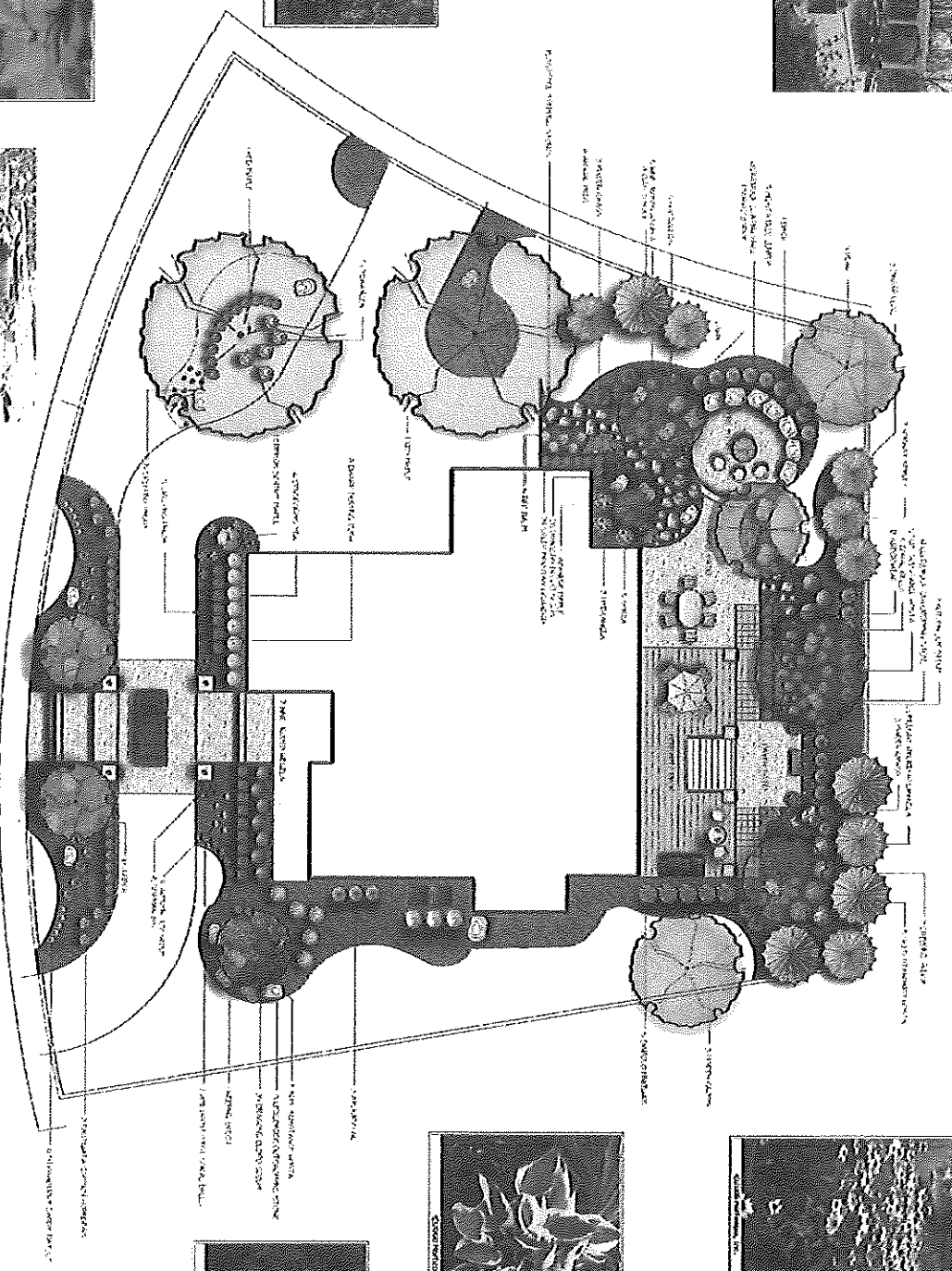
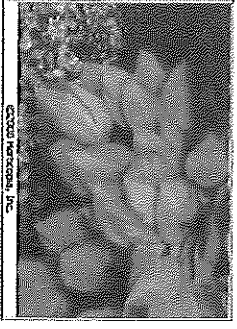
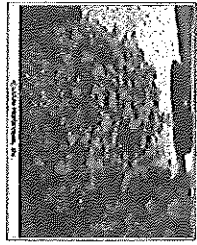
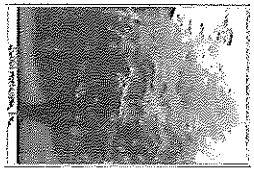
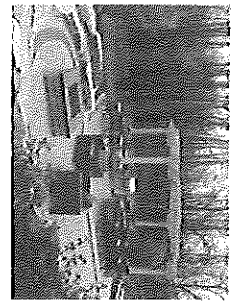
Do Not Write Below This Line.

Date received by The Reserves at Island Lake of Novi ACC.: \_\_\_\_\_

JL  Approved  Approved with Conditions  Not approved

Comments from The Reserves at Island Lake of Novi Architectural Control Committee volunteers:

JL Brainard  
AW Tolcboer



**DESIGN CONCEPT**

<p><b>LORAN HAYS &amp; HILL SHAWER</b>          2025 E. BROADWAY, SUITE 100          DENVER, CO 80202          303.733.1111</p>	
Client:	DMA
Project:	
Date:	1/11/11
Scale:	1" = 10'
Sheet:	1

B.A. ALEXANDER & COMPANY  
 1440 W. 49TH  
 DENVER, CO 80202  
 726.407.0000

# D.A. ALEXANDER & COMPANY

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12711 Farmington Road  
Livonia, MI 48150-1624  
(734) 427-0030  
fax (734) 421-5410

Date: September 16, 2014

Site: Logan Mays & Jill Shaver  
24844 Mallard Trail - Lot 12  
Novi, MI 48374

260-615-5236  
[Ford.Yank@hotmail.com](mailto:Ford.Yank@hotmail.com)

## PROPOSAL

Specifications of work to be performed:

	QTY.	SIZE
<b>Front Landscape:</b>		
<i>Trees:</i>		
Beech 'Purple Fountain'	1	3" cal
Columnar Hornbeam	2	3" cal
Arborvitae	3	4-5'
Red Maple	1	4" cal
Norway Maple 'Crimson Sentry'	1	3" cal
<i>Shrubs:</i>		
Weigela 'Fine Wine'	7	5 gal
Hydrangea 'Pinky Winky'	5	5 gal
Boxwood 'Green Mountain'	34	24"
Burning Bush	8	3 gal
Dogwood 'Variegated'	3	5 gal
Yew 'Densiformis'	16	24"
Juniper 'Procumbens'	6	3 gal
Spirea 'Goldmound'	6	3 gal
Rose 'Knockout'	5	3 gal
<i>Perennials:</i>		
Creeping Phlox	15	1 gal
Coralbells 'Plum Pudding'	7	1 gal
Daylily 'Strawberry Candy'	10	1 gal
Sedum 'Dragons Blood'	15	1 gal
Hosta 'Gold Standard'	5	1 gal
Sedum 'Autumn Fire'	5	1 gal
Fountain Grass 'Hamlin'	10	1 gal
Hosta 'Sum and Substance'	5	2 gal
Iris 'Siberian'	10	1 gal

Plant Mix Soil	55	yard
Mahogany Colored Mulch	18	yard
Bury Downspouts	5	each
Landscape Irrigation Zones Installation	2	each
Smart Irrigation System Upgrade		

*Hardscape:*

Paver Walkway and Auto Court with Five (5) Steps - per plan

Paver Materials Selections: Either Oaks Colonnade or Fendt 4x8 Holland

Garden Wall Pillars prepared for Electrical 4 each

Note: Homeowner to provide light fixtures and electrical contractor

Ledgerock Outcropping Stone 13 each

Warranty information is attached.

We propose to furnish equipment, material, and labor complete in accordance with the above specifications.

**Payment Terms:** Fifty percent due upon acceptance; balance due upon completion of each element.

Non-refundable design fee of \$1,200.00 is included with deposit payment

**D.A. Alexander & Company, Inc.**

For acceptance:

**Logan Mays**

\_\_\_\_\_  
Signature / Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature / Title

\_\_\_\_\_  
Date

**Jill Shaver**

\_\_\_\_\_  
Signature / Title

\_\_\_\_\_  
Date