

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

Case No. PZ14-0013 301 Duana Ave.

Location: 301 Duana Ave.

Zoning District: R-4, One Family Residential

The applicant is requesting variances to allow reduced rear yard setback of 4.0 ft., respectively to allow construction of a deck on the rear of an existing home. The property is located north of 13 Mile Road and south of South Lake Drive.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2907 uncovered decks may project into a "required rear yard" for a distance not exceeding eighteen (18) feet.

City of Novi Staff Comments:

The applicant is proposing to remove existing deck (200 sf) and construct a new 364 sf deck within the rear yard of an existing narrow lakefront lot. The Zoning Ordinance allows decks to project into the required rear yard setback. The site was previously granted variances for construction of a new home and wood deck under ZBA-04-097, but the proposed deck will increase the nonconformity with regard to the rear yard setbacks. 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_____.

as the current limited size of the existing deck makes using the space difficult.

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:

The limited lot size with unique configuration of property makes for no use of the land to the rear of this parcel. Therefore granting this variance there is no negative impact to any other parcel.

There is a five (5) day hold period before work/action can be taken on variance approvals.

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.

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 established 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.

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
- Accessory building
- Use
- Signage
- Other


Applicant's Signature

4/18/14
Date


Property Owners Signature

4/18/14
Date

DECISION ON APPEAL

_____ Granted

_____ Denied

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



Since 1991

Miles Bradley Building and Remodeling Inc.

WWW.MILESBRADLEY.COM

Office 248.478.8660

Project HERN
Plan Number 5388 Date 3-16-14
Prepared By BRIAN KOLODY
Scale 1/8" = 1'-0"

- * DECK 30" OFF GROUND
- * RESTORE TREATED STARK WOOD DECKING
- * CEDAR WOOD RAILINGS AND FASCIA
- * BLACK ROUND ALUMINUM BRUSHERS
- * 10 LOW VOLTAGE DIM. RST LIGHTS

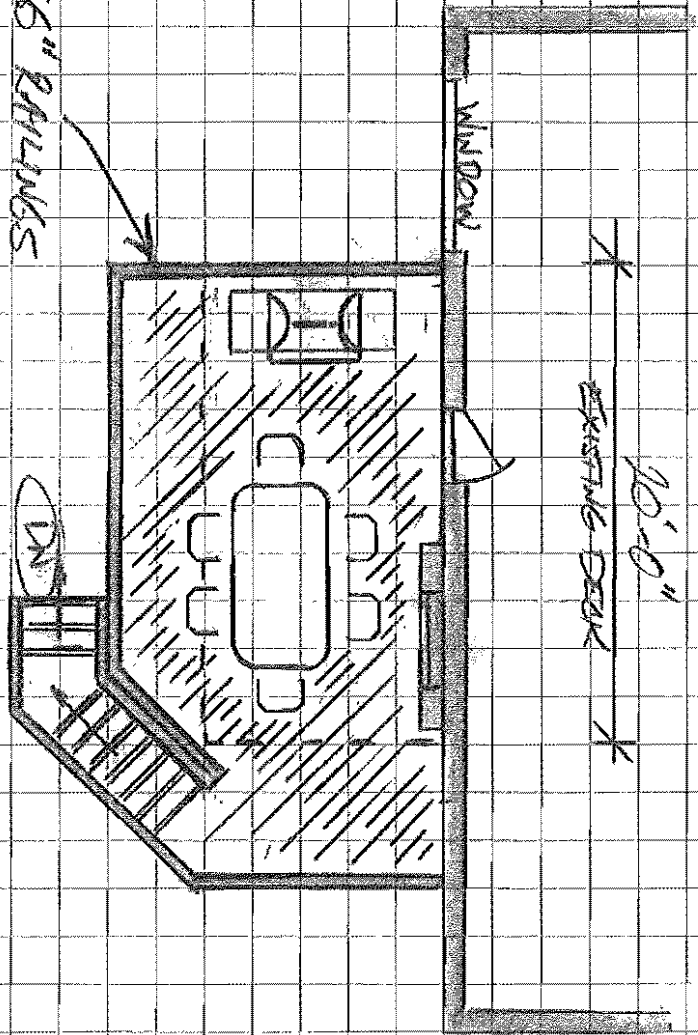
NEW DECK
26'-0"

36" RAILINGS

10'-0"
EXIST. DECK

EXISTING DECK
10'-0"

14'-0"
NEW DECK



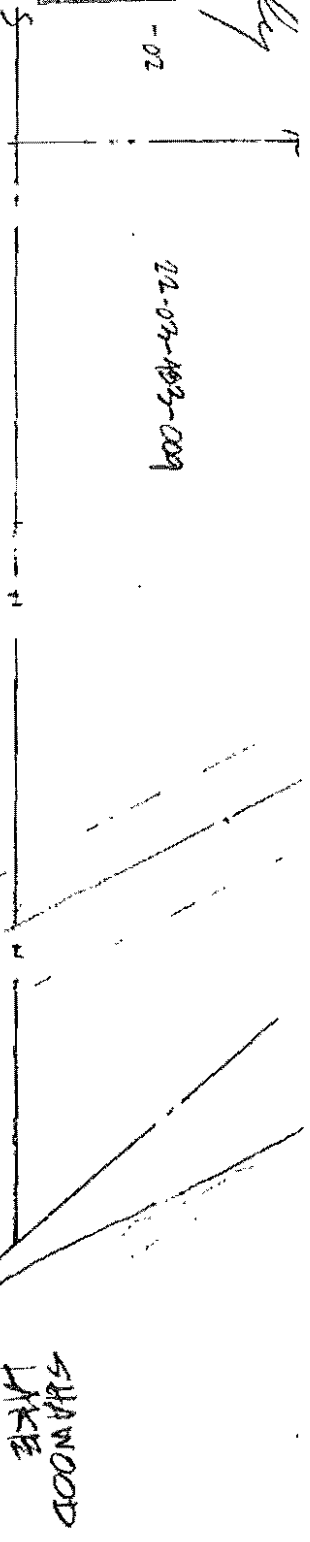


Updated only

RECEIVED BY
BUILDING DEPT
SEP 16 2004
CITY OF NOVI

-02

22-03-483-009



CHARLOTTE 25' R.O.W.

50.0'

EDGEMOOR 12' EASEMENT

EDGEMOOR LANE

EXISTING
OPEN SPACE

BUILDABLE AREA PER CODE

ONE STORY MAX
OPEN AREA

22-03-481-013

ASPHALT
DRIVE

SITE PLAN
1" = 20'
9/16/04



LOT AREA — 4900 SQFT
BLDG FOOTPRINT — 1068 SQFT
LOT COVERAGE — 21.8 %
BLDG AREA (2 FLOORS) — 1700 SQFT TOTAL
- FRONT FLOOR — 708 SQFT
- SECOND FLOOR — 832 SQFT

DUANA STREET

22-03-481-012

22-03-481-013

2 SECOND FLOOR CANTILEVER (X 2' WIDE)
REMOVE BR ONE STORY BLDG.
DECK (10' X 20')

BR. RESIDENCE

ONE STORY BLDG
ONE STORY BLDG
TWO STORY RESIDENCE

15'

15'

10'

25.0'

DUANA STREET

10.0'

10.0'

10.0'

DUANA STREET





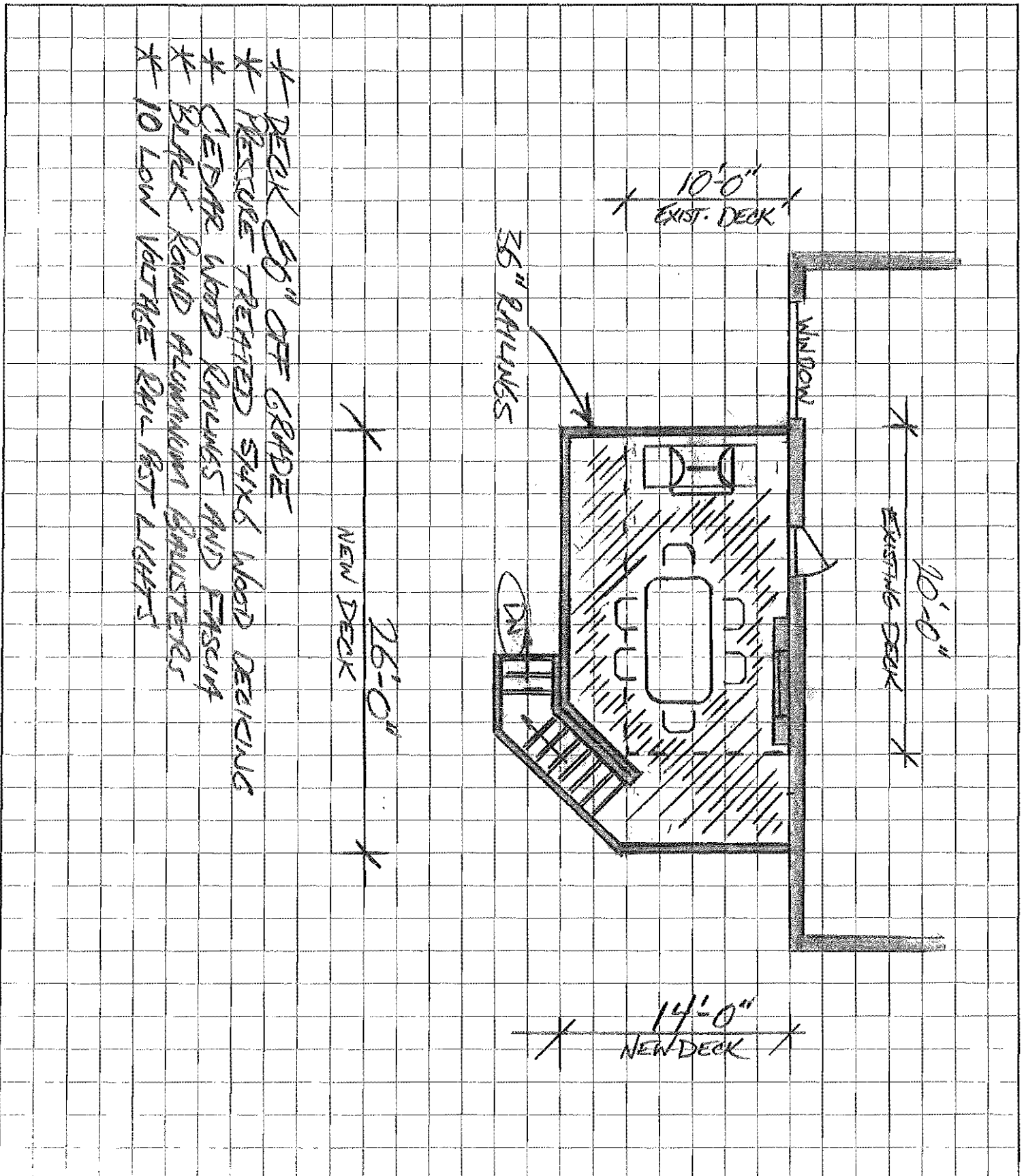
Since 1991

Miles Bradley Building and Remodeling Inc.

WWW.MILESBRADLEY.COM

Office 248.478.8660

Project HERN
Plan Number 5388 Date 3-16-14
Prepared By BRIAN KOLODY
Scale 1/8" = 1'-0"



- * DECK 30" OFF GRADE
- * RESURFACE TREATED SPUNK WOOD DECKING
- * CEDAR WOOD RAILINGS AND FASCIA
- * BLACK ROUND ALUMINUM BRACKETES
- * 10 LOW VOLTAGE RAIL LIGHTS

