



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

Case No. PZ15-0004

Location: 45674 Cider Mill Road

Zoning District: R-4, One-Family Residential District

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES, Section 3.1.5 to allow construction of a new addition with a reduced rear yard setback of 32.5 ft. (35 ft. required). The property is located north of 10 Mile Road and east of Beck Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 3.1.5 requires that a structure within an R-4 zoning district have a minimum rear yard setback of 35 ft.

City of Novi Staff Comments:

The applicant is proposing construction of a 17' x 20' one-story addition to an existing single family residence. The proposed addition would extend 2.5 ft. into the 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: 3/10/15 (HP)

ZBA Case #: PZ 150004

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION <i>Kristin Osterkamp / Simmons Orchard Sub</i>			
ADDRESS <i>45674 Cider Mill Rd, Novi, 48374</i>		LOT/SUITE/SPACE # <i>Lot 159</i>	
SIDWELL # <i>50-22-21-460-006</i>		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY <i>Cider Mill Rd and Riverview</i>			
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 <i>koster99@hotmail.com</i>	
NAME <i>Kristin Osterkamp</i>		CELL PHONE NO. <i>248-496-2878</i>	
ORGANIZATION/COMPANY		TELEPHONE NO. <i>248-325-5729</i>	
ADDRESS <i>45674 Cider Mill Rd.</i>		CITY <i>Novi</i>	STATE <i>MI</i>
		ZIP CODE <i>48374</i>	
B. PROPERTY OWNER <input checked="" type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS <i>koster99@hotmail.com</i>	
NAME <i>Kristin Osterkamp</i>		CELL PHONE NO. <i>248-496-2878</i>	
ORGANIZATION/COMPANY		TELEPHONE NO. <i>248-325-5729</i>	
ADDRESS <i>45674 Cider Mill Rd</i>		CITY <i>Novi</i>	STATE <i>MI</i>
		ZIP CODE <i>48374</i>	
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 checked="" 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 <i>2500</i> (Now Sect 3.1.5)		Variance requested <i>Rear yard variance Req 35ft Prop 32.36</i>	
2. Section _____		Variance requested _____ <i>Var Req 2.64ft</i>	
3. Section _____		Variance requested _____	
4. Section _____		Variance requested _____	
IV. FEES AND DRAWINGS			
A. FEES <i>check # 5403</i>			
<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 		<ul style="list-style-type: none"> • 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 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

Kristin Osterkamp
Applicant Signature

2/2/15
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.

Kristin Osterkamp
Property Owner Signature

2/2/15
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

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

The following items are required for a complete Variance application. Incomplete applications will be returned.

Signed Application Form

Complete the Zoning Board of Appeals application form. Application must be signed by the applicant and the property owner (if different).

Response to Variance Review Standards – Dimensional, Use, or Sign

Select the applicable Review Standards for the requested Variance and complete in full. Use additional paper if needed. If you don't know which Review Standards to complete, call the Community Development Department at 248.347.0415 for guidance.

Dimensioned Site Plan (1 copy & 1 digital copy submitted as a PDF)

- Existing or proposed buildings or additions on the property.
- Number and location of all on-site parking spaces.
- Existing and proposed distances to adjacent property lines.
- Location of existing and proposed signs, if applicable.
- Any other information relevant to the Variance application.

Dimensioned Drawings and Plans (1 copy & 1 digital copy submitted as a PDF)

- Floor plans and elevations with all proposed buildings and additions.
- All existing and proposed signs on the property (photographs may be used).
- For use variances, include floor plan showing the existing and proposed layout and functions of each area.
- For multi-family residential structures or projects, a summary showing the existing and proposed number of dwelling units by type (efficiency, one-bedroom, two-bedroom, etc.)

Other Helpful Information – Optional (1 copy & 1 digital copy submitted as a PDF)

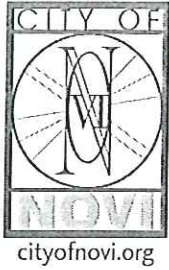
- Photographs of the lot or structure that shows the special conditions or circumstances described in the application.
- ✗ • Photographs or maps that show how other properties in the area enjoy the same type of property rights related to the Variance.
- ✗ • Letters of support from the neighbors who would be most affected by your request.

Fee (make check payable to the City of Novi)

- ✗ Single Family Residential (Existing) \$200 (With Violation) \$250
- Single Family Residential (New) \$250
- Multiple/Commercial/Industrial \$300 (With Violation) \$400
- Signs \$300 (With Violation) \$400
- House Moves \$300
- Special Meetings (At discretion of Board) \$600

Additional Information

In the course of reviewing the application, the Planning Department staff may request additional information from the applicant



**REVIEW STANDARDS
DIMENSIONAL VARIANCE
CITY OF NOVI
Community Development Department
(248) 347-0415**

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 how the circumstances or physical conditions applying to the property that do not apply generally to other properties in the same Zone 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:

(See attached)

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 is 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.

(see attached)

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.

(see attached)

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

(see attached)

February 2, 2015

Kristin and Dale Osterkamp
45674 Cider Mill Rd
Novi, MI 48374

City of Novi
Community Development Department
Zoning Board of Appeals

Re: Dimensional Variance of 2.64' in Rear Yard Requested

Standard #1a: Circumstances or Physical conditions (Shape of the lot)

There are unique circumstances or physical conditions of the property such as shape and physical condition that have generated the practical need for a 2.64 ft variance being requested.

We did not think that having the room addition sized at 17'10' X 20' would be a problem because it does not infringe on any easement noted in the surveyors drawing. Additionally, it does not extend any further back into the yard than the existing octagon portion of the deck does. It is practically, infeasible to make the room wider, as was suggested by the building inspector, because the addition would block the current view of the woods from our existing living room window (see attached drawing with existing living room window locations noted).

Modifying the size of this room addition would create a practical hardship for us because in August 2014, we hired Affordable Interiors of Ann Arbor to design this room for us and provide guidance on the associated selection of furniture. This room was sized in order to accommodate the recommendations from the professional designers. Changing the dimensions of this room by three feet will practically alter the design planned for the room and the location of the furniture.

Also, practically speaking, our General Contractor (Tanner Building) has informed us that it will be more cost effective to make the room this size from a building materials standpoint. He has already drawn up the plans, ordered the windows and sliding door for this room. Changes at this point in the process could generate unbudgeted change orders, return fees and addition cost for us as the homeowner.

Standard #3: Strict Compliance

Strict compliance with rear yard setback will unreasonably prevent the property owner from using the property for a permitted purpose.

Our room addition plan does not cross over the easement lines noted in the surveyors drawing (see surveyors drawing noting current deck location and updated surveyors drawing that notes the planned room addition location). Strict compliance with the 35 foot setback requirement

will unreasonably prevent us from increasing the beauty and livable space of our home. Our existing deteriorating deck needs to be removed and putting this addition in its place, will only further enhance our home and the subdivision. The 2.64' variance in the rear yard being requested will not negatively affect any neighbors because we have woods that back up behind our house (see attached photos). Both next door neighbors are supportive of us proceeding with this home improvement project.

Standard #4. Minimum Variance Necessary

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.

We are only requesting a rear yard setback variance for the minimum amount needed for us to proceed with this room addition (2.64 ft). The room addition will not extend out into our rear yard any further than the existing octagon portion of the deck currently does. We are requesting that the room addition size remain the same; so that we can implement our room design and put in place the furniture that was specified by the design firm we hired (Affordable Interior Designers).

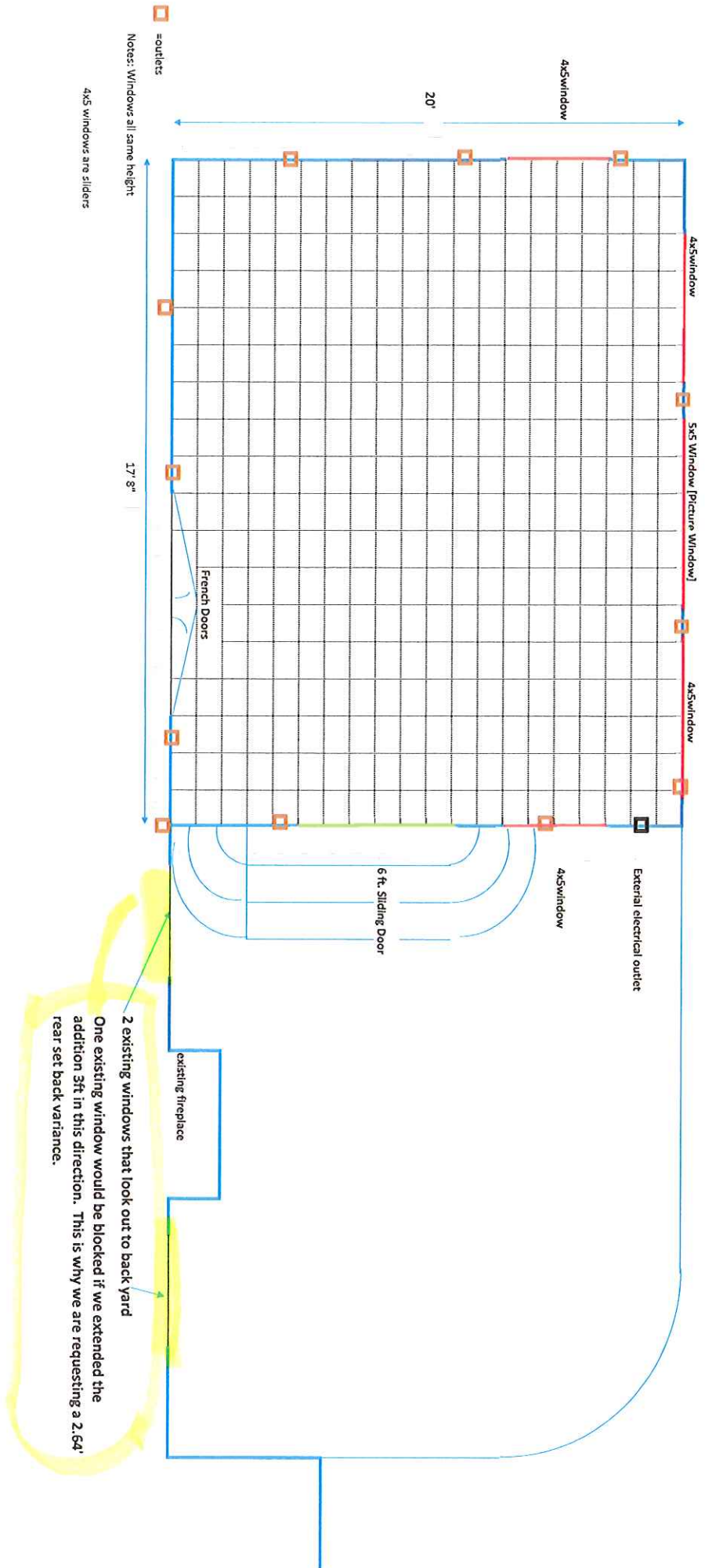
Standard #5. Adverse Impact on Surrounding Area

The requested variance will not cause an adverse impact on surrounding properties but will enhance the area.

We have consulted with both of our next door neighbors. They are both very supportive of this project. Additionally, we have asked the Simmons Orchard Home Owners Association if this addition plan is acceptable to them. There are currently two other homes (located five and six houses west of us on Cider Mill) that have four seasons room additions and also back up to the woods (see attached photos). Making this room addition to our home will only further enhance the beauty of our subdivision.

Osterkamp Room Addition Plans

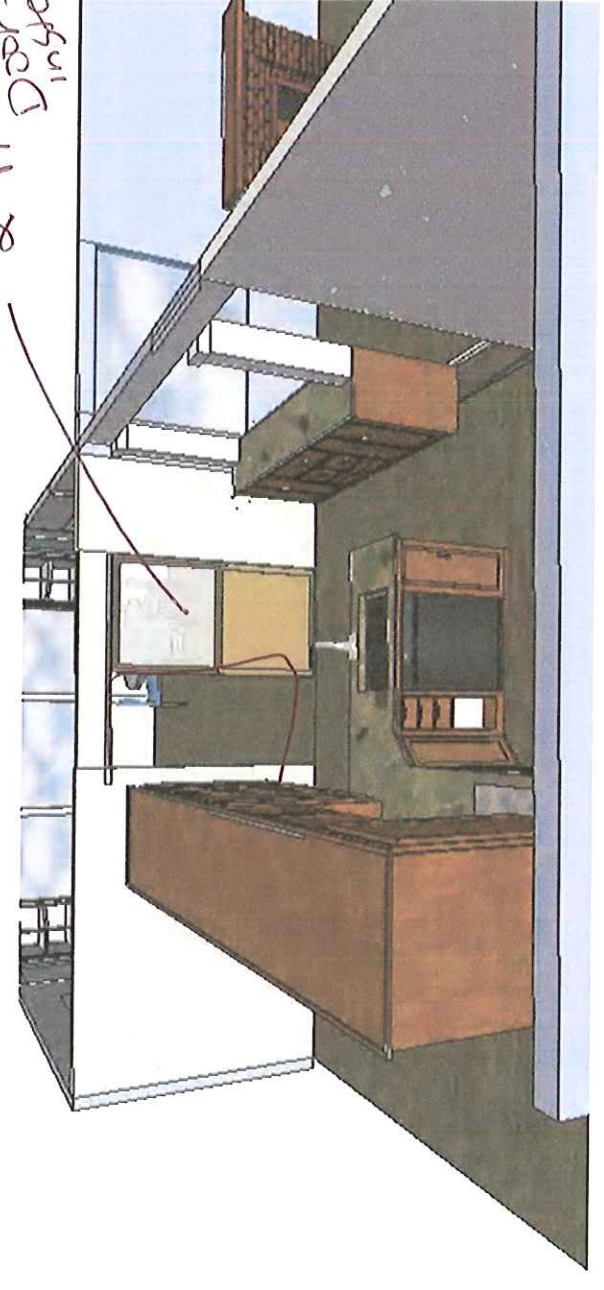
Assume 1' x 1' squares



Designs by Affordable Interiors - Osterkamp (Aug 2014)

2 French Doors instead

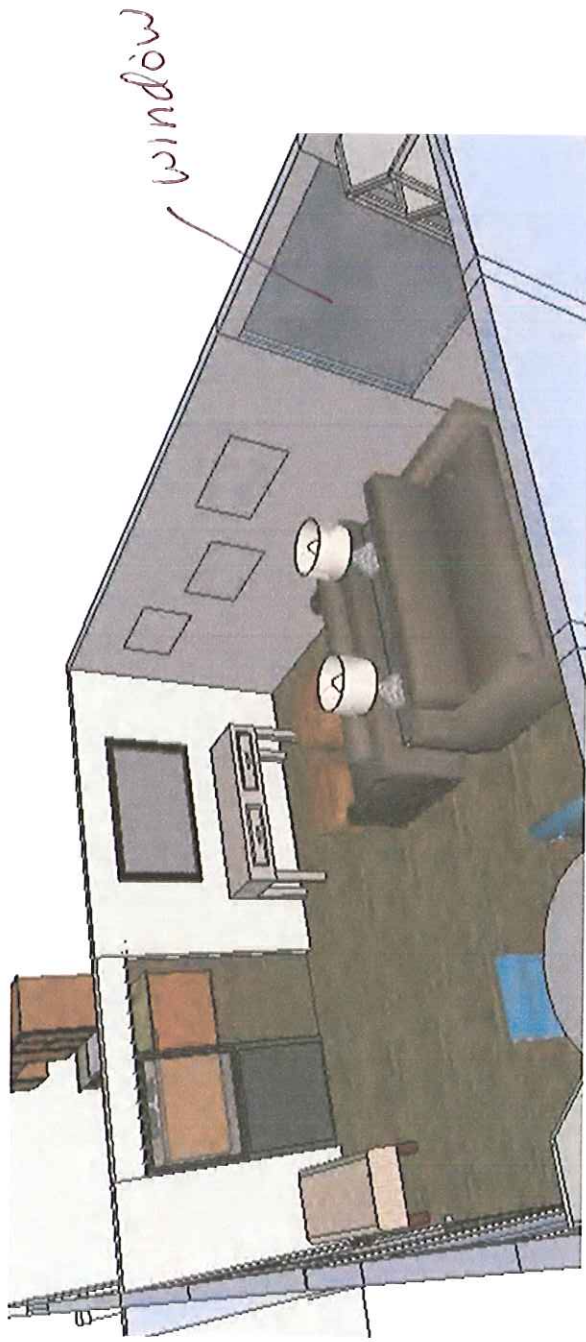
From kitchen looking into sunroom

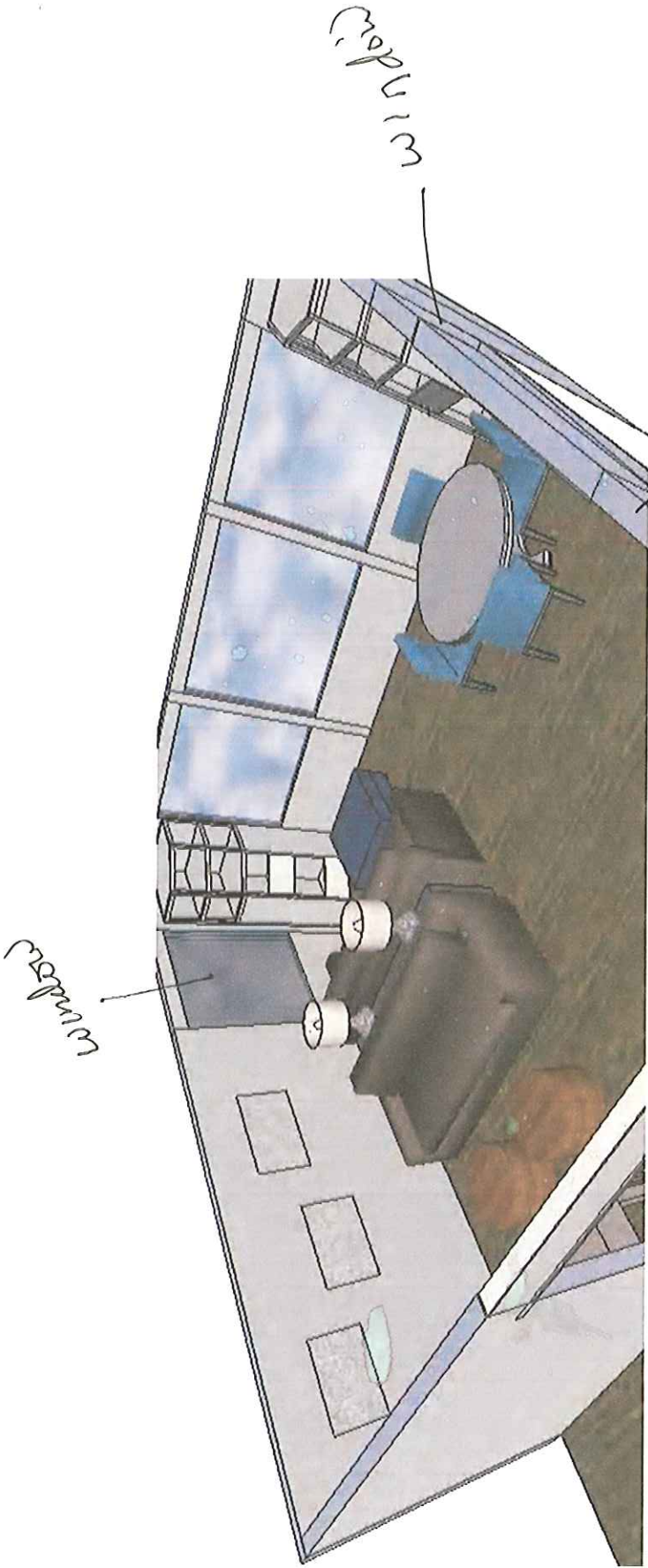


Plan #1

Instead of sliding barn door, we would have two French doors that open into the room.
Note: Colors show do not reflect the actual interior colors of the home and were selected from the CAD program to show contrast.

Layout looking into kitchen. There is a 4X5 window on bottom left portion of room not shown too.





Layout looking into yard - Sliding glass door on bottom right shown in next drawing.
We are not sure if we will go with the bookcases in the corners or not.



GEORGE JEROME & CO.

MORTGAGE REPORT



FIRST OF AMERICA MORTGAGE COMPANY

CONSULTING MUNICIPAL & CIVIL ENGINEERS • SURVEYORS. 28304 HAYES • ROSEVILLE, MI 48066 • (810) 774-3000

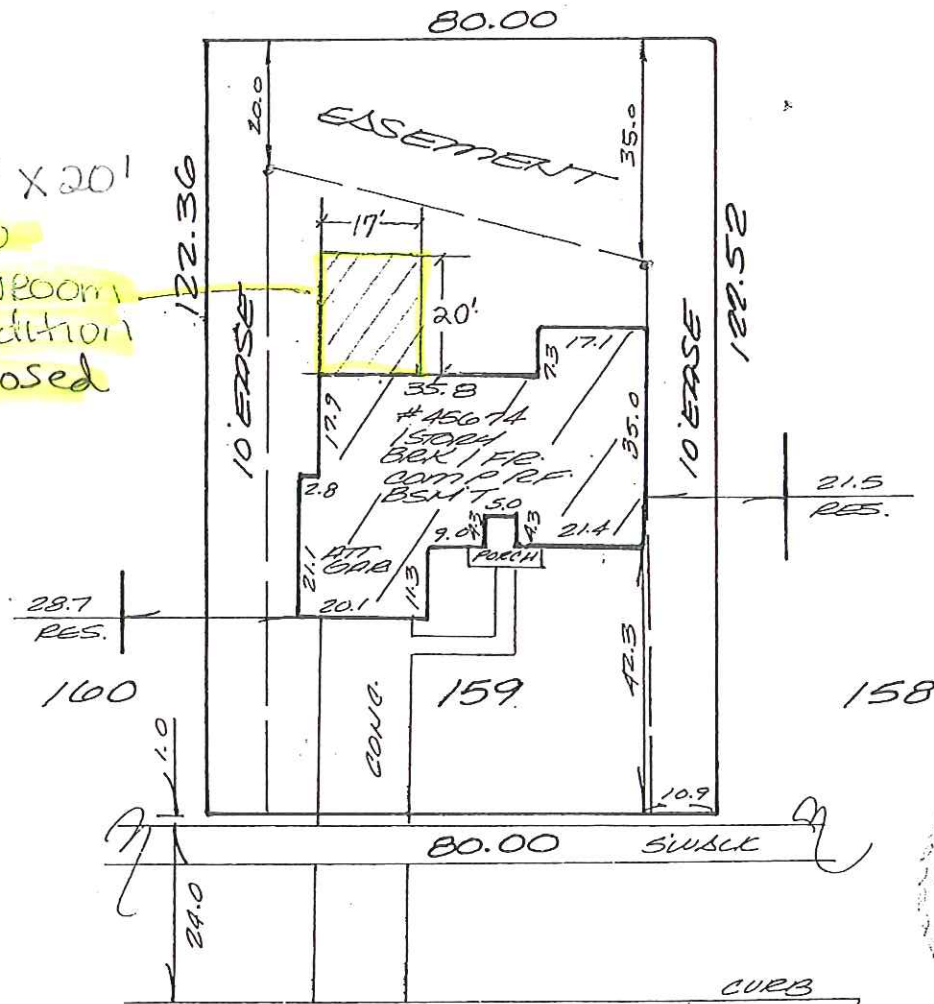
LEGAL DESCRIPTION OF PROPERTY (AS FURNISHED BY CLIENT)

DATE: 11-1-96

Lot 159, "SIMMONS ORCHARDS SUB'N NO. 3", a part of the S.E. 1/4 of Section 21, T.1 N., R.8 E., City of Novi, Oakland County, Michigan. Recorded in Liber 190 of Plats, Pages 7 & 8 of Oakland County Records.

GEORGE JEROME & CO

17'10" x 20'
New
SUNROOM
addition
Proposed



CIDER MILL RD. 86' WD.



FIRST OF AMERICA MORTGAGE COMPANY

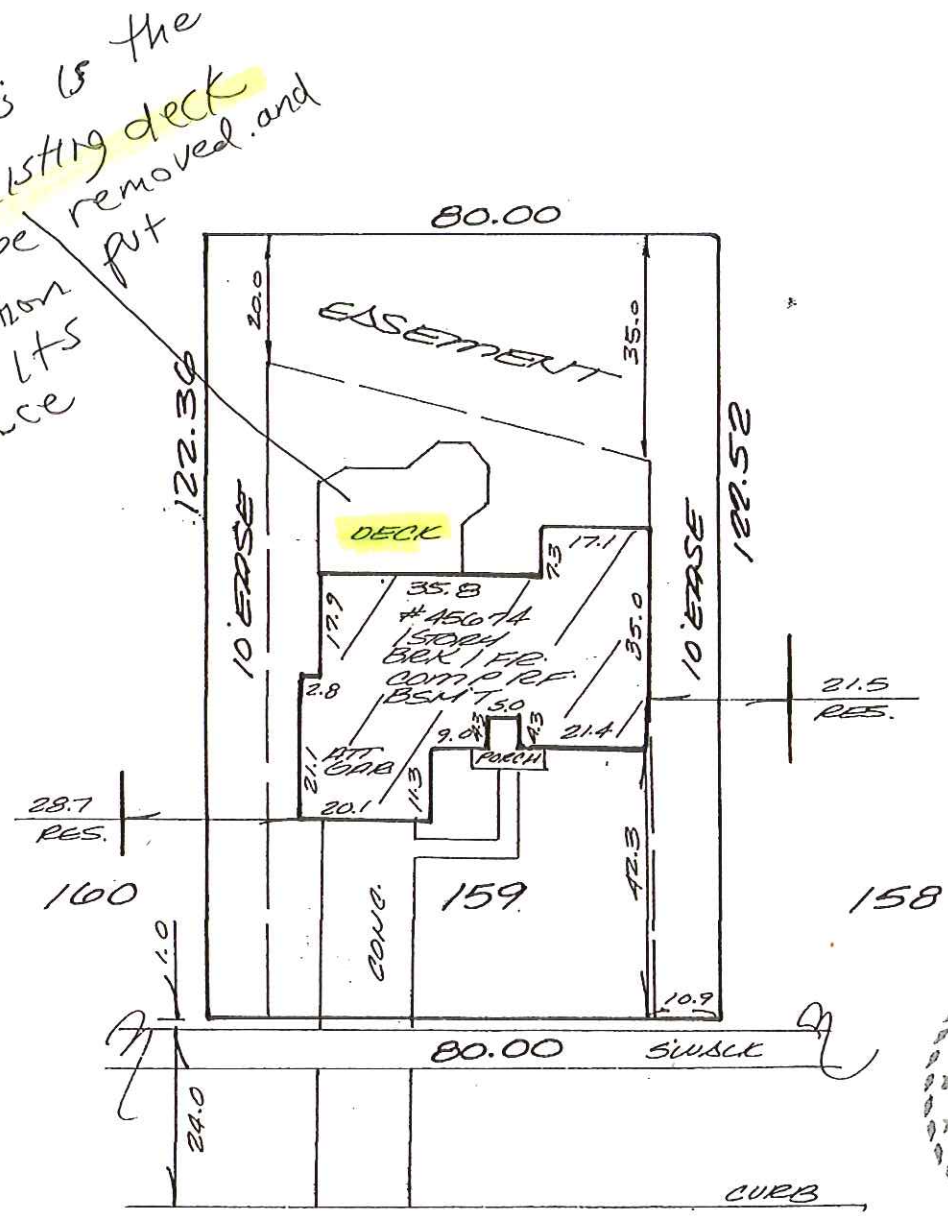
CONSULTING MUNICIPAL & CIVIL ENGINEERS • SURVEYORS. 28304 HAYES • ROSEVILLE, MI 48066 • (810) 774-3000

LEGAL DESCRIPTION OF PROPERTY (AS FURNISHED BY CLIENT)

DATE: 11-1-96

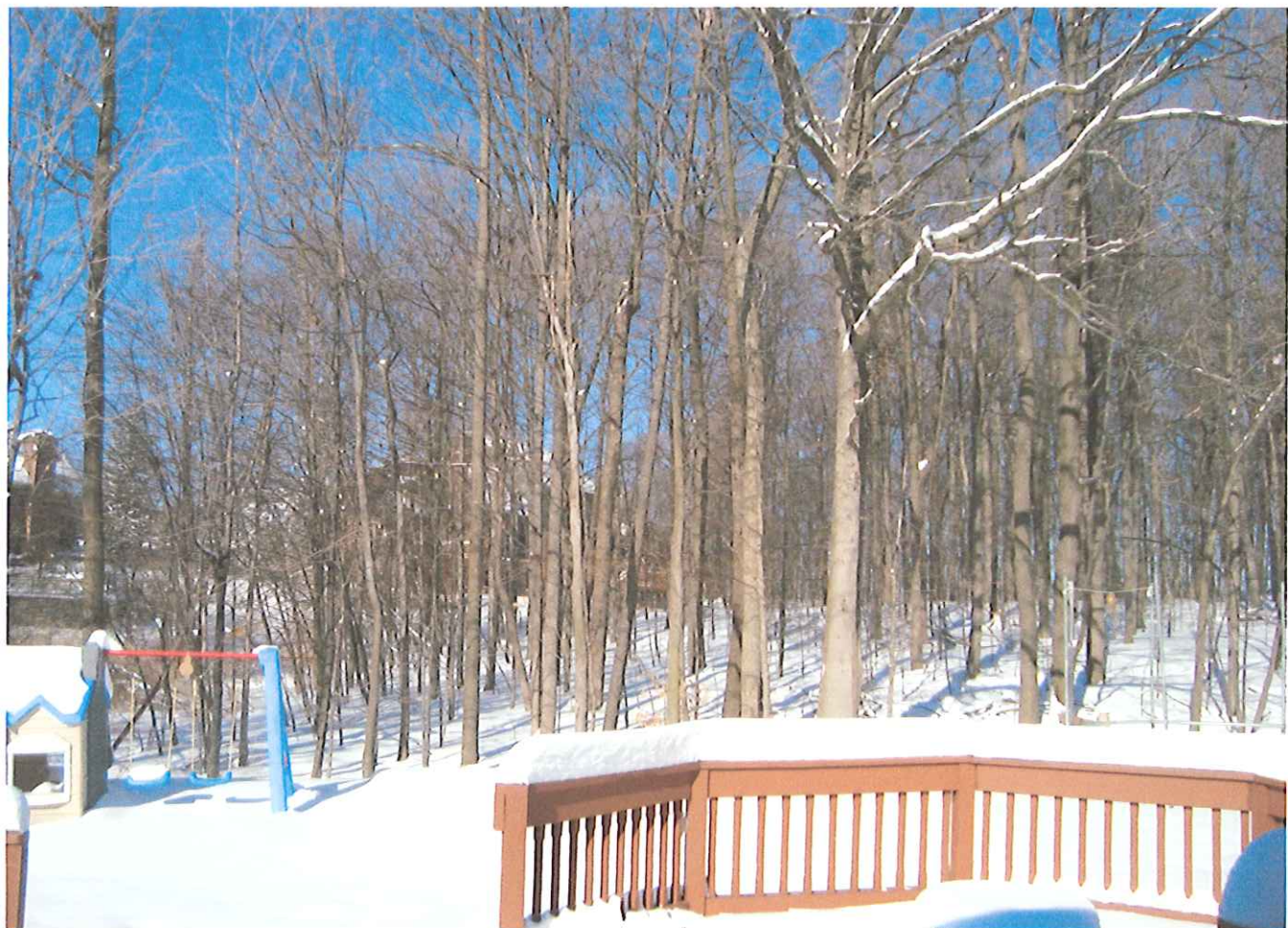
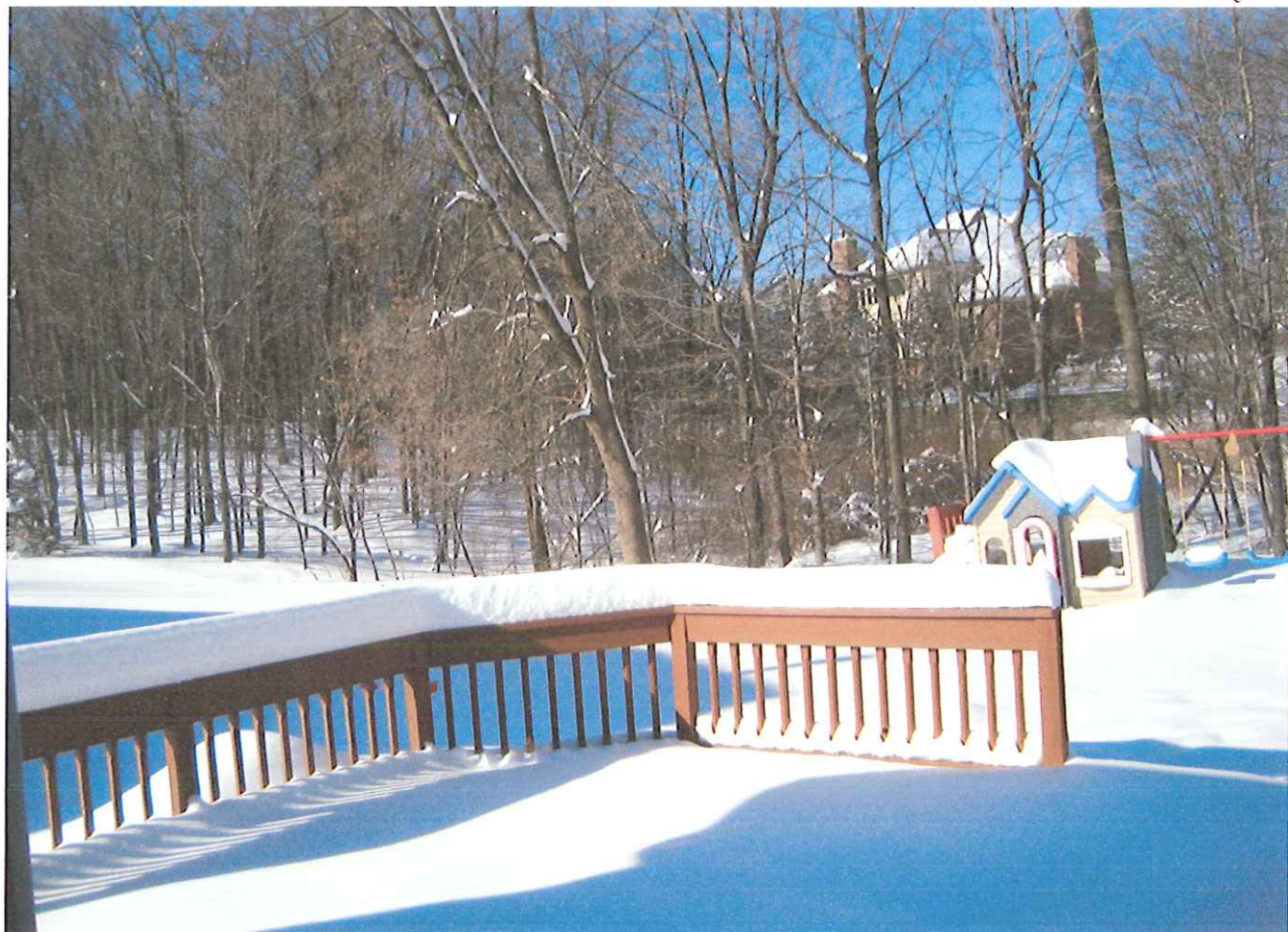
Lot 159, "SIMMONS ORCHARDS SUB'N NO. 3", a part of the S.E. 1/4 of Section 21, T.1 N., R.8 E., City of Novi, Oakland County, Michigan. Recorded in Liber 190 of Plats, Pages 7 & 8 of Oakland County Records.

This is the existing deck to be removed and put the Addition in its place



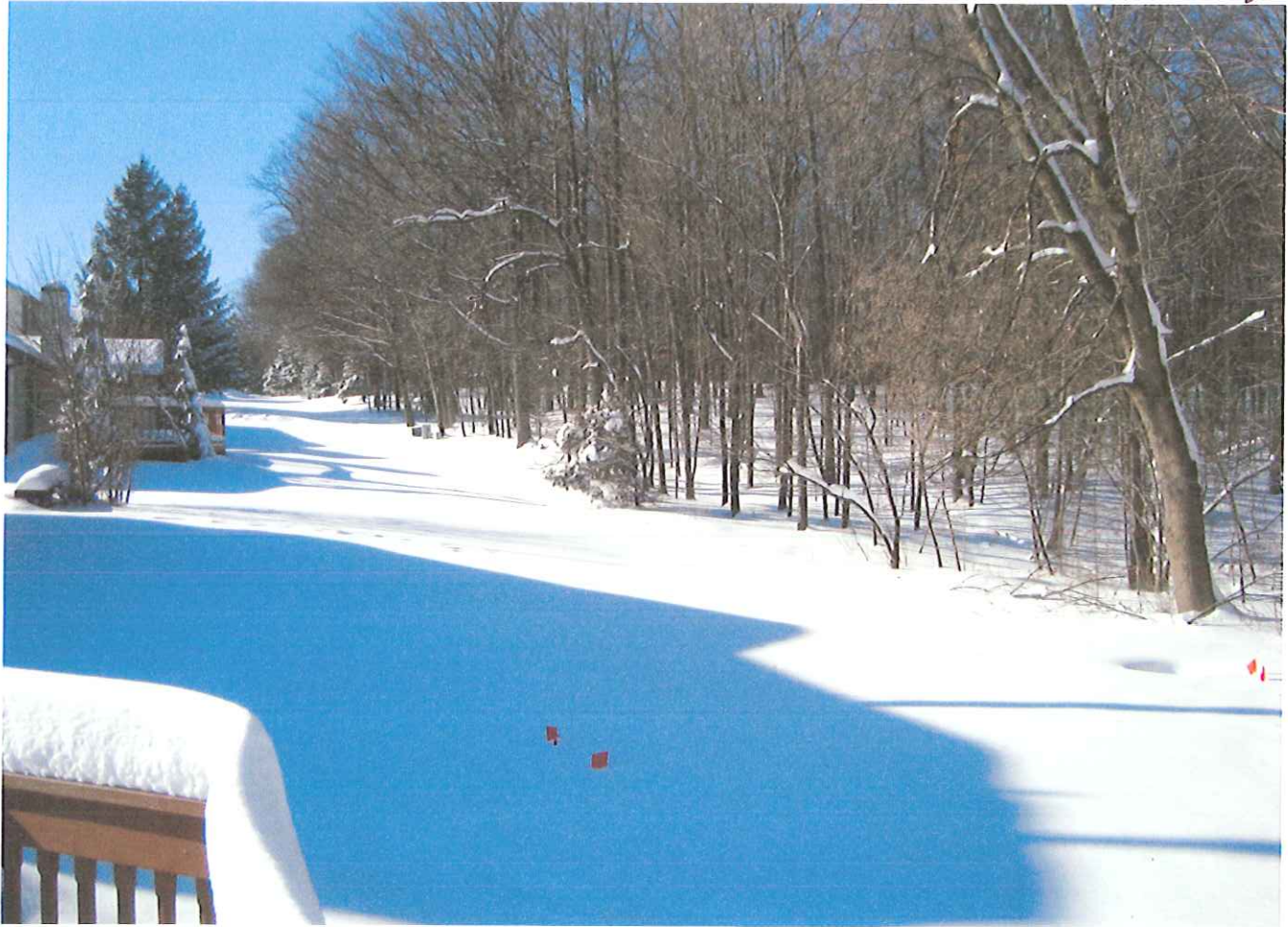
CIDER MILL RD. 86' WD.

view from inside^{out} house across deck towards woods (rear)



No homes are directly behind our property—just woods

View from edge of lower deck towards woods (rear)



No homes are directly behind our property - just woods

Photos showing two other homes on Cider Mill with Additions



Called and
emailed to them (see attached approval letter)

February 2, 2015

Kristin and Dale Osterkamp
45674 Cider Mill Rd
Novi, MI 48374

Simmons Orchard Homeowners Association (SOHA)
Attn: Debbie Jodoin, President
P.O. Box 314
Novi, MI 48376

Dear Mrs. Jodoin,

As you know, we have lived in the Simmons Orchard Subdivision and been a SOHA member for over 18 years. It is important to us to preserve the value of our home and property. As a result, we are very diligent in maintaining it. Our deck is over 18 years old, is rotting away and falling apart. Our plan is to remove the old deck and install a ~17'X 20' four seasons room in its place. We feel this new room will only add to the beauty of our subdivision with plenty of windows and a glass sliding door. Attached is a copy of what the new room will look like. Also, please note that the four seasons room will not cross over any easement lines noted in the surveyors drawing. However, since the new room is considered by the City of Novi to be a "permanent structure" and the deck is not considered "permanent", the City said that we have to apply for a 2.64' variance.

As part of this process, the City has asked us to check with our neighbors to see if this is acceptable to them. We have shared our plans with both of our next door neighbors. They both verbally indicated to me that they approve us proceeding with our plans. The second step, is for us to receive an approval letter from our home owners association; which is why we are writing this letter to you. Currently, there are two other homes located on Cider Mill that have a four seasons room.

We believe that removing our existing deck and adding this room in its place will only enhance the beauty of our home and subdivision. **If these plans are acceptable to you, we are requesting a letter of approval from the Simmons Orchard Home Owners Association.**

Thank you very much for your assistance in this matter. It is greatly appreciated!

Sincerely,



Kristin Osterkamp

2/2/2015

Simmons Orchard Homeowners Association
P.O Box 314
Novi, MI 48376
simmonsorchard@yahoo.com

Kristin and Dale Osterkamp
45674 Cider Mill Rd
Novi, MI 48374

Dear Homeowners,

There is nothing in the Subdivision Covenants that restrict a 4 season sunroom addition to your home. The board has no objection to this improvement of the property listed above as long as it meets any requirements set forth by the City of Novi.

Sincerely,



Daniel J Jodoin
simmonsorchardt@att.net
Treasurer
Simmons Orchard Homeowners Association

SOHA Board Members

President	Debbie Jodoin
Vice President	Vacant
Treasurer	Daniel Jodoin
Secretary	Barb Trudeau

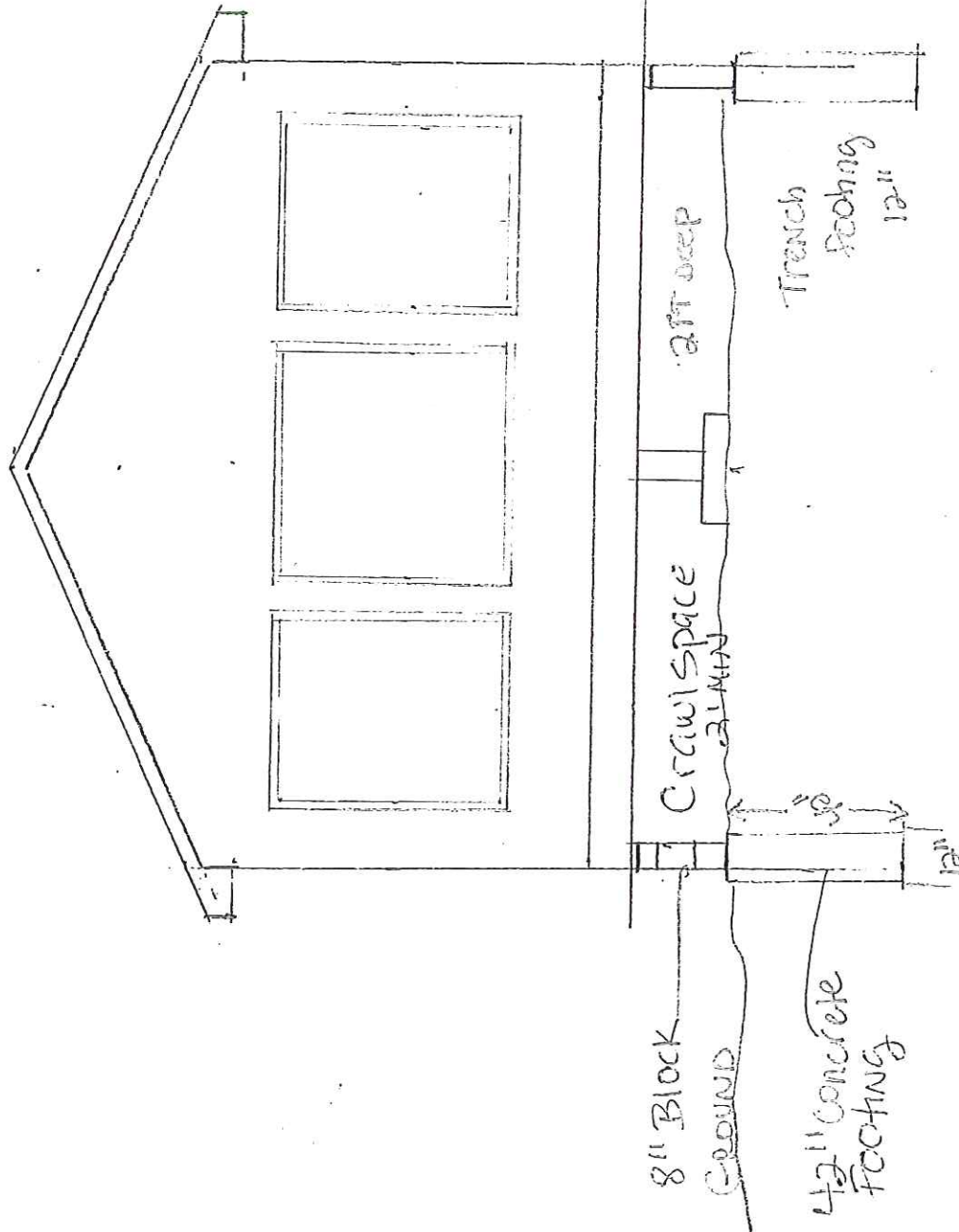
TANNER BLDG
OSHTKAMP
45674 CIDERHILL

RECEIVED

JAN 30 2015

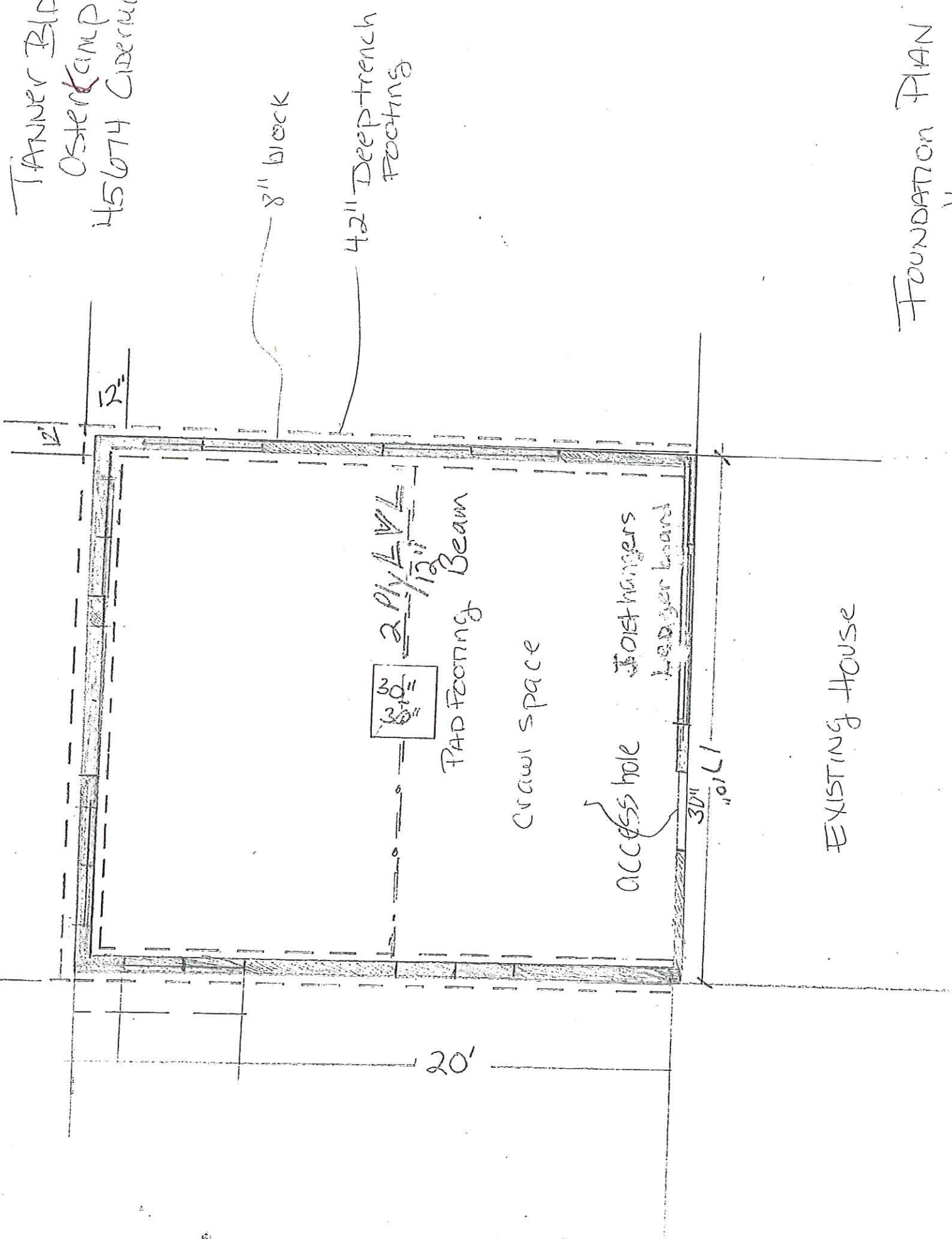
NEW SUNROOM ADDITION

CITY OF NOV.
COMMUNITY DEVELOPMENT



Footings + Block
Detail
1/4" = 1'

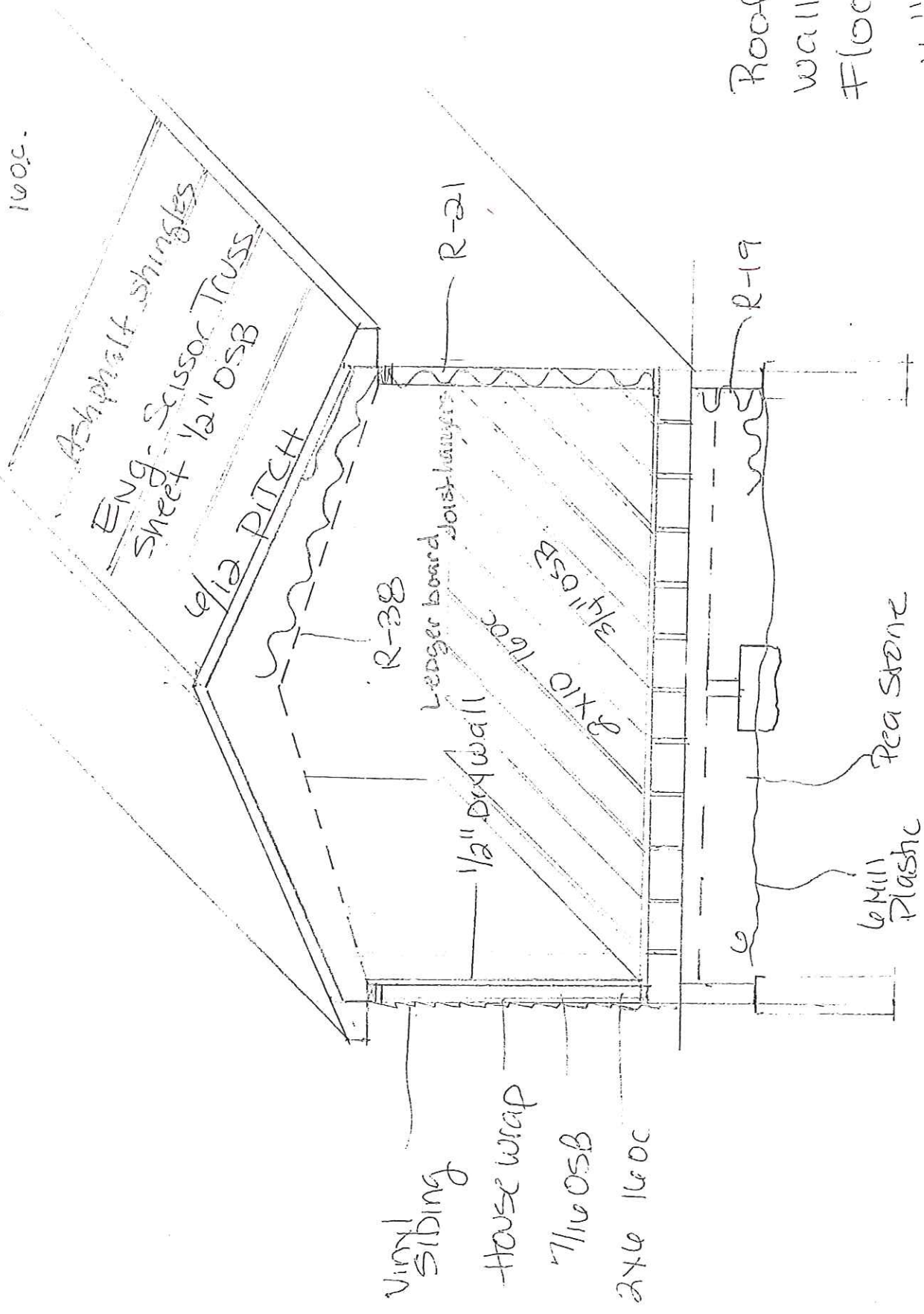
TANNER Bldg
OSTERKAMP
45674 Cidermill



FOUNDATION PLAN
1/4" = 1' FF

TANNER BLDG
 OSTERKAMP
 45674 CIDER LN, 11

Linkon to
 Existing Roof
 2x6 construct
 1600c.



Roof Detail
 Wall Detail
 Floor Detail

1/4" = 1 FT

Vinyl Siding

House wrap

7/16 OSB

2x6 1600c

6 Mil Plastic

Pea Stone

R-38

Ledger board Joist hangers

R-21

R-19

Asphalt shingles
 ENG. Scissor Truss
 Sheet 1/2" OSB

4/12 PITCH

3/4 OSB
 2x10 1600c

1/2" Drywall

TANNER BIDS
OSTER KAMY
45674 CIDERMILL

Asphalt Shingles

ROOF
LAYON

EXISTING HOUSE

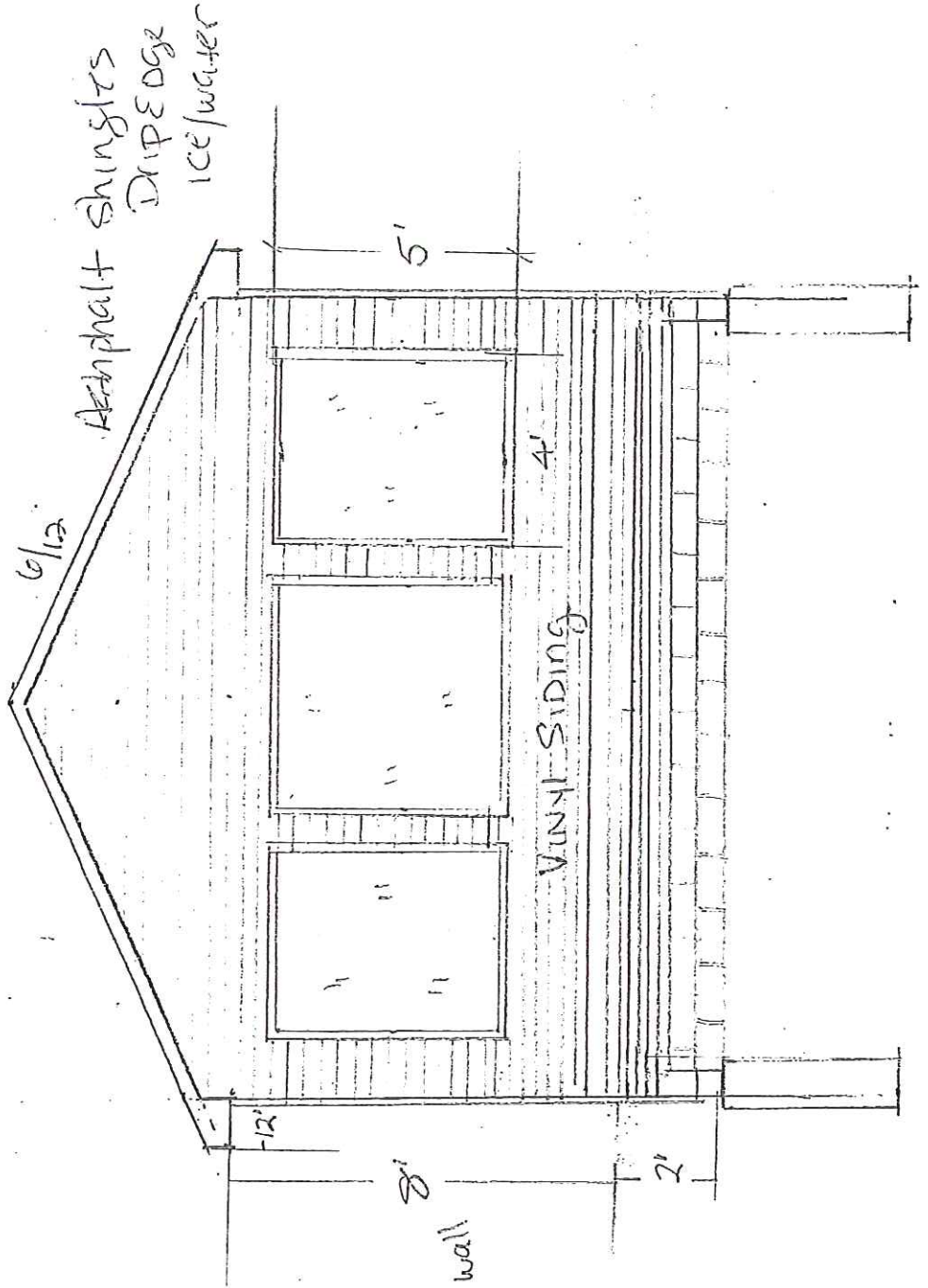
ANDERSON
900
11-series
WINDOW

Vinyl
Siding



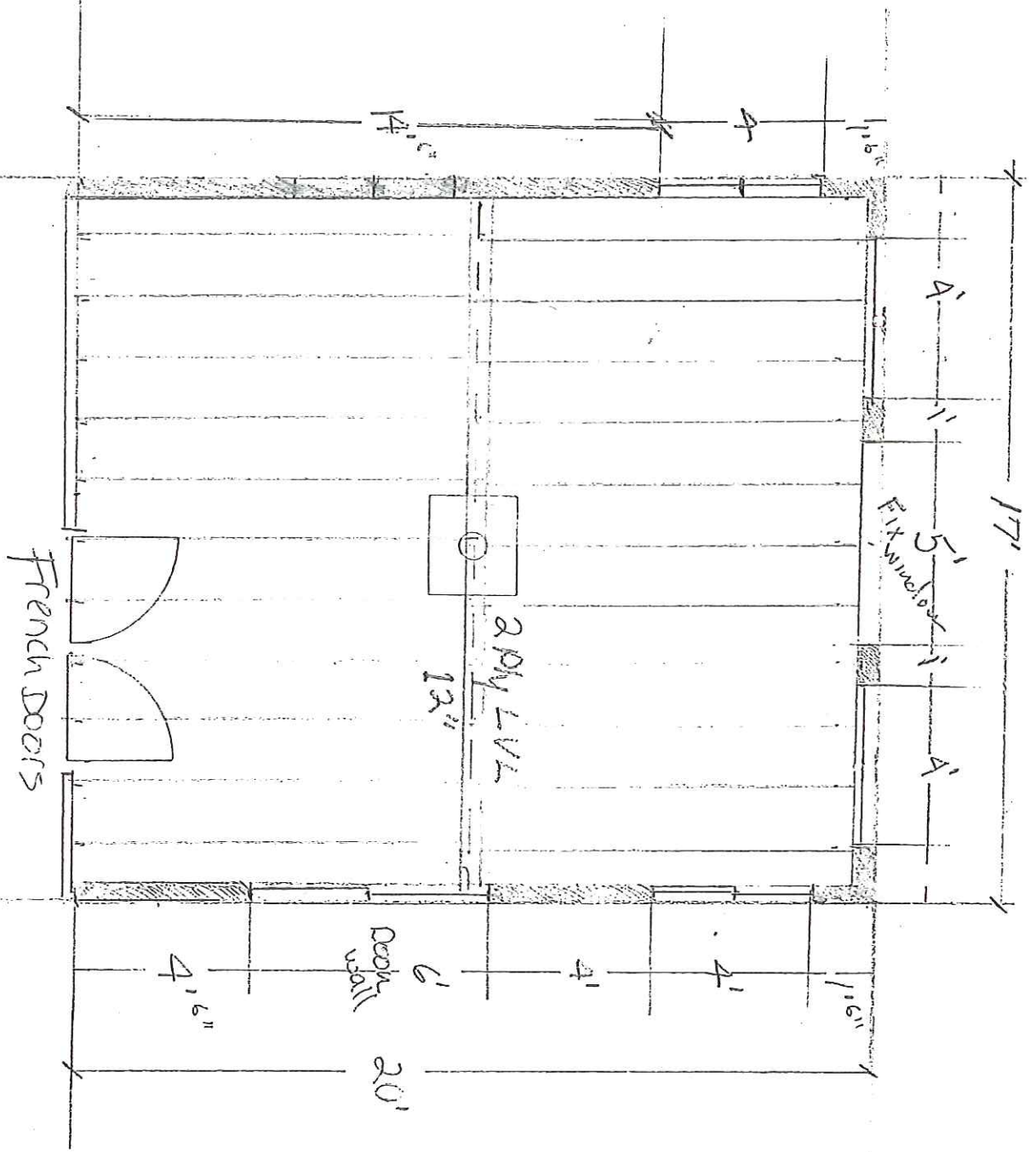
Side Elevator
1/4 = 1 FT

TANNER BLDG
OSTERKAMP
45674 CIDER MILL



1/4" = 1 FT
FRONT ELEV

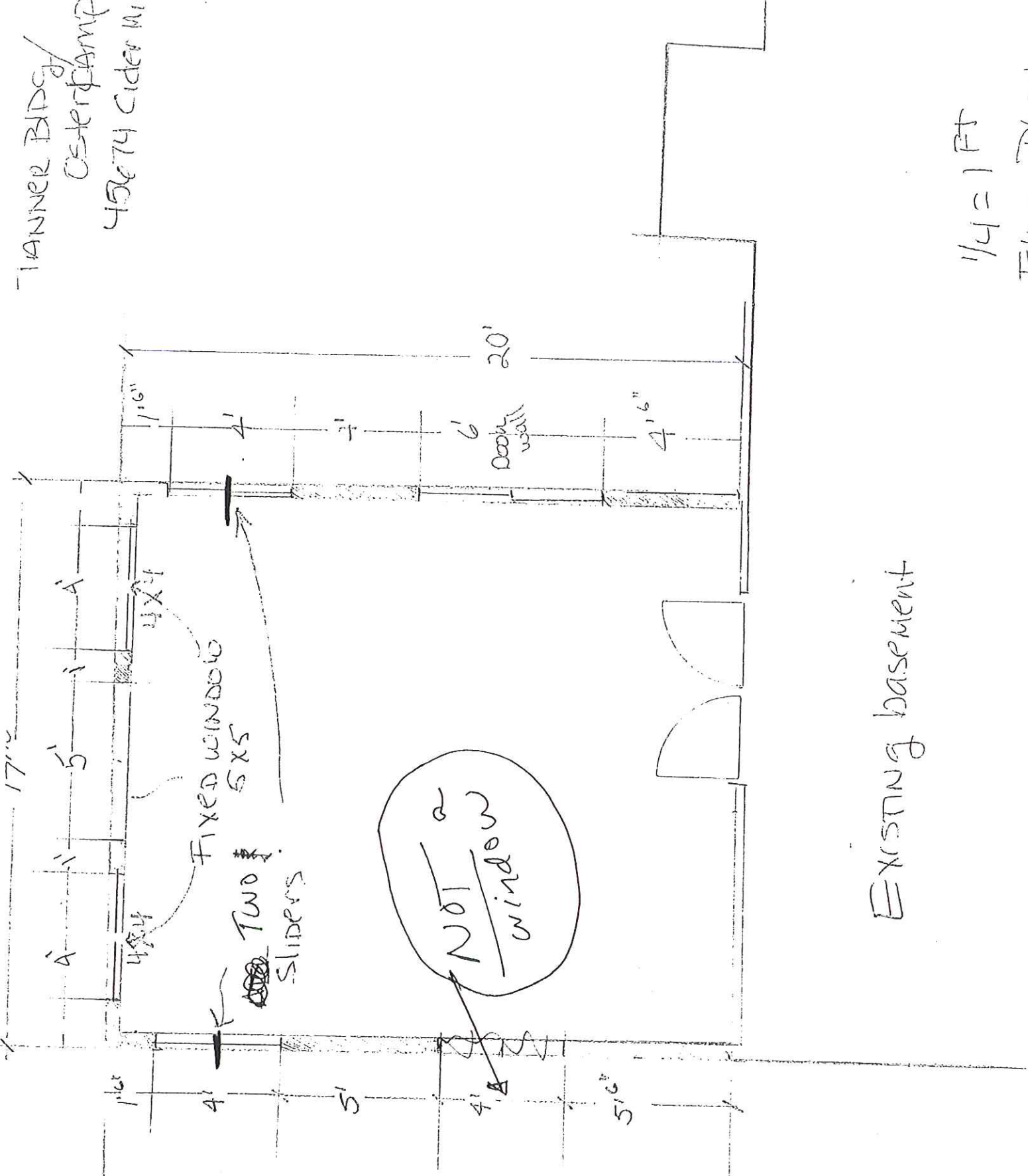
Tanner Bldg /
Boys Hostel
Custer Camp
45674 Cider Mill



1/4" scale

Floor Plan Dist-Detail

TANNER BLDG/
Osterkamp
45674 Cider Mill



EXISTING basement

1/4" = 1 FT
Floor Plan

Proposed Osterkamp Bathroom Layout

Assume 1' x 1' squares

