



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:** March 14, 2023

REGARDING: 317 Duana Avenue, Parcel # 50-22-03-481-007 (PZ23-0005)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Anne Ball & Mathew Norman

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: This property is zoned One-Family Residential (R-4)

Location: west of Old Novi Road, south of South Lake Drive

Parcel #: 50-22-03-481-007

Request

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.5 for a side yard setback of 3.15 feet (10 feet required, variance of 6.85 feet); an aggregate total side yard of 8.23 feet (25 feet required, variance of 16.77 feet); for a proposed 2nd Story expansion. This property is zoned One-Family Residential (R-4)

II. STAFF COMMENTS:

III. RECOMMENDATION:

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

1. I move that we **grant** the variance in Case No. **PZ23-0005**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.

 - (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____
 - (b) The property is unique because _____
 - (c) Petitioner did not create the condition because _____

_____.

(d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because_____.

_____.

(e) The relief if consistent with the spirit and intent of the ordinance because

_____.

_____.

(f) The variance granted is subject to:

1. _____.

2. _____.

3. _____.

4. _____.

2. I move that we **deny** the variance in Case No. **PZ23-0005**, sought by _____,
for_____ because Petitioner has not shown
practical difficulty requiring _____.

(a) The circumstances and features of the property including_____ are not unique because they exist generally throughout the City.

(b) The circumstances and features of the property relating to the variance request are self-created because_____.

(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that _____.

(d) The variance would result in interference with the adjacent and surrounding properties by_____.

(e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to_____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler - Deputy Director Community Development - City of Novi



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ZONING BOARD OF APPEALS
APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: 200-
Meeting Date: March 14, 2023
ZBA Case #: PZ 23-0005

I. PROPERTY INFORMATION (Address of subject ZBA Case)
PROJECT NAME / SUBDIVISION: ANNE Ball
ADDRESS: 317 Duena St Novi, MI 48377
LOT/SIUTE/SPACE #
SIDWELL #: 50-22-03-481-007
May be obtained from the Assessing Department (248) 347-0485

CROSS ROADS OF PROPERTY
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? [] YES [X] NO
REQUEST IS FOR: [] RESIDENTIAL [] COMMERCIAL [] VACANT PROPERTY [] SIGNAGE
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? [] YES [] NO

II. APPLICANT INFORMATION
A. APPLICANT
NAME: Stormin Norman
EMAIL ADDRESS: StorminNorman@yahoo.com
CELL PHONE NO.: 248-924-1987
TELEPHONE NO.
ORGANIZATION/COMPANY:
FAX NO.
ADDRESS: 2085 Tuck Rd
CITY: Farmington Hills
STATE: MI
ZIP CODE: 48336

B. PROPERTY OWNER [] CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER
Identify the person or organization that owns the subject property:
NAME: ANNE Ball
EMAIL ADDRESS: NavinaBall13@gmail.com
CELL PHONE NO.: 602-722-8232
TELEPHONE NO.: " " "
FAX NO.
ADDRESS: 22085 Tuck Rd
CITY: Farmington Hills
STATE: MI
ZIP CODE: 48336

III. ZONING INFORMATION
A. ZONING DISTRICT
[] R-A [] R-1 [] R-2 [] R-3 [] R-4 [] RM-1 [] RM-2 [] MH
[] I-1 [] I-2 [] RC [] TC [] TC-1 [] OTHER
B. VARIANCE REQUESTED
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:
1. Section 3.1.5 Variance requested SIDE YARDS Min 10' Proposed 3.15
2. Section Variance requested VARIANCE 6.85
3. Section 3.1.5 Variance requested Able TOTAL 25 REQ Proposed 8.23
4. Section Variance requested VARIANCE 16.77

IV. FEES AND DRAWINGS
A. FEES
[X] 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
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF
• 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 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 schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be an 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 7.10 – Miscellaneous

No order of the ZBA 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 ZBA 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.

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

March R. Jones
Applicant Signature

2/1/2023
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.

Anne Ball
Property Owner Signature

2-1-2023
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 conditions:

Chairperson, Zoning Board of Appeals

Date



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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:

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:

The setback to North is 3'.15
The setback to South is 5'.08 -
The new Addition would Encroach these Distances

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).

The Proposed Addition will encroach on North and South setbacks. The Variance Approval will allow Addition to be built.

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 current home is 1 Bedroom home. The Addition will Add 2 Bedrooms and 1 Bathroom allowing the homeowner and family to have multiple Bedrooms.

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 Variance will Allow the Homeowner to increase the overall value of the home, increasing the overall value of the Average Prices of the neighboring residences without effecting the neighboring home views -

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 Proposed Addition will not impede the view of the surrounding Properties

20' WIDE

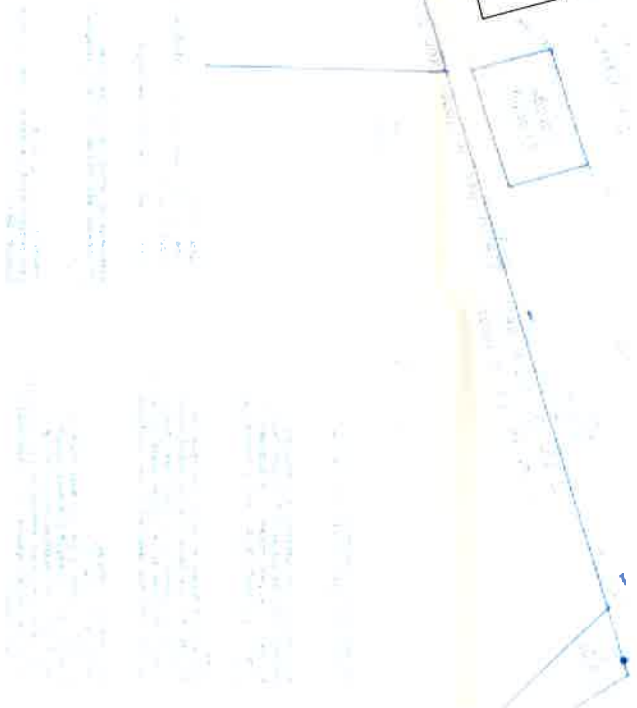
20' WIDE

Set Back 5'.08

New 2nd Floor Addition

3'.15

Set Back 36.54



SITE BENCHMARK:
Rim of the Sanitary Manhole 19-1, Established by using the As-built plans supplied by City of Novi for the Sanitary Plans prepared by "Johnson & Anderson, Inc." Consulting Engineers, Pontiac, Michigan. Located at the Northwest Corner of Duana Ave. and Elm St.
Rim Elevation = 934.96' (U.S.G.S)

NOTE:
Previous house was destroyed by fire. Proposed house is being set at the Finished Grade of previous house in an attempt to not disturb the current drainage upon the parcel and surrounding parcels. Most existing grades will remain the same (as shown).

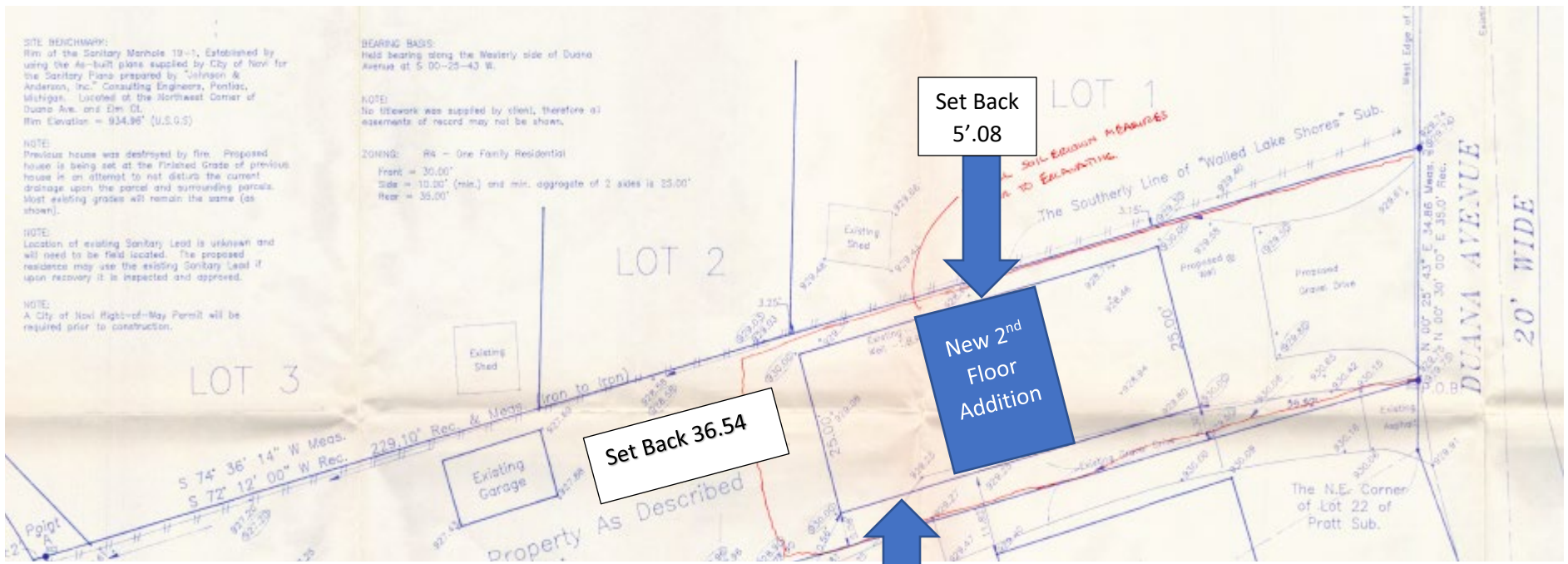
NOTE:
Location of existing Sanitary Lead is unknown and will need to be field located. The proposed residence may use the existing Sanitary Lead if upon recovery it is inspected and approved.

NOTE:
A City of Novi Right-of-Way Permit will be required prior to construction.

BEARING BASIS:
RHS bearing along the Western side of Duana Avenue at S 00-25-43 W.

NOTE:
No stikework was supplied by client, therefore all easements of record may not be shown.

ZONING: R4 - One Family Residential
Front = 30.00'
Side = 10.00' (min.) and min. aggregate of 2 sides is 25.00'
Rear = 35.00'

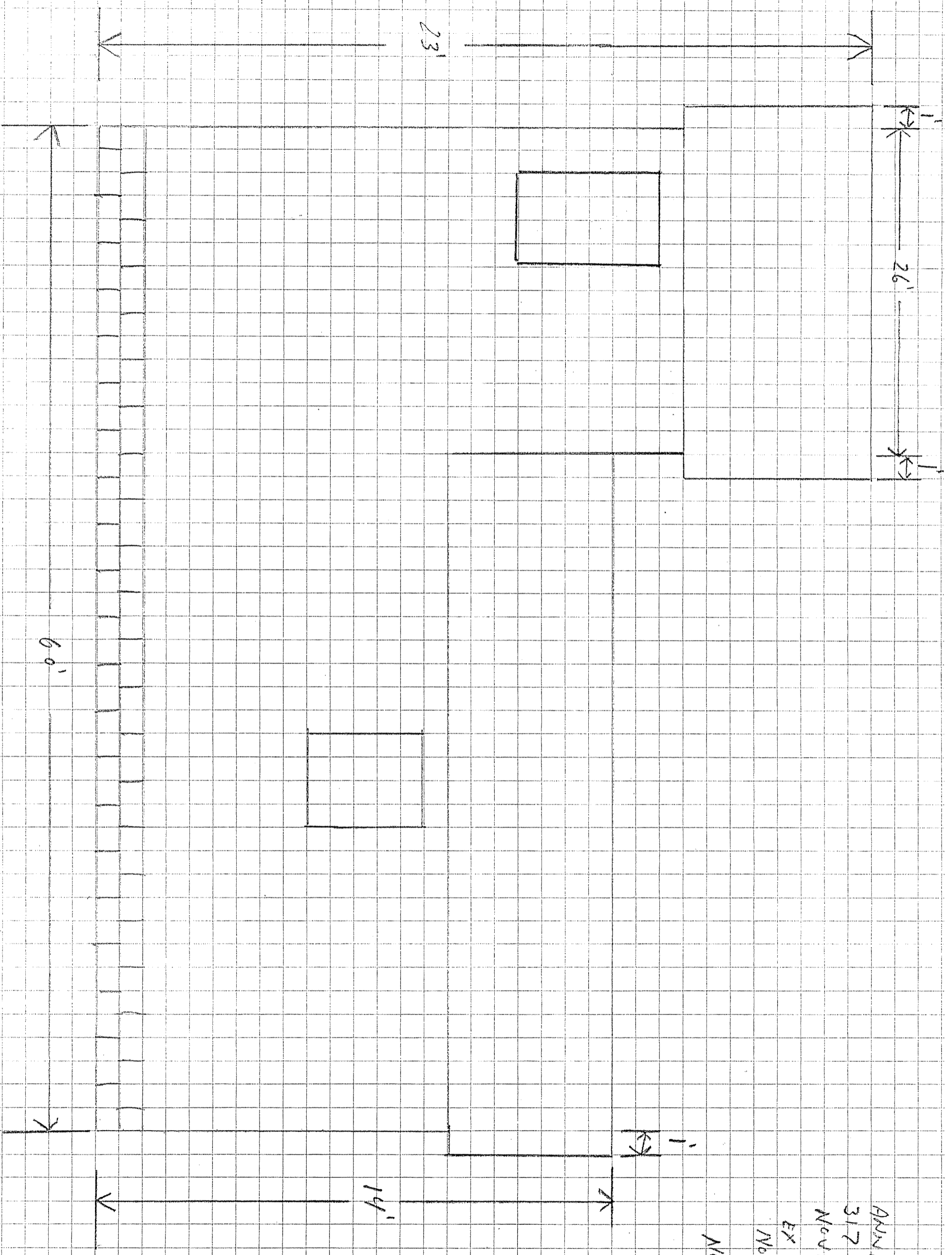


Set Back
5'.08

New 2nd
Floor
Addition

Set Back 36.54

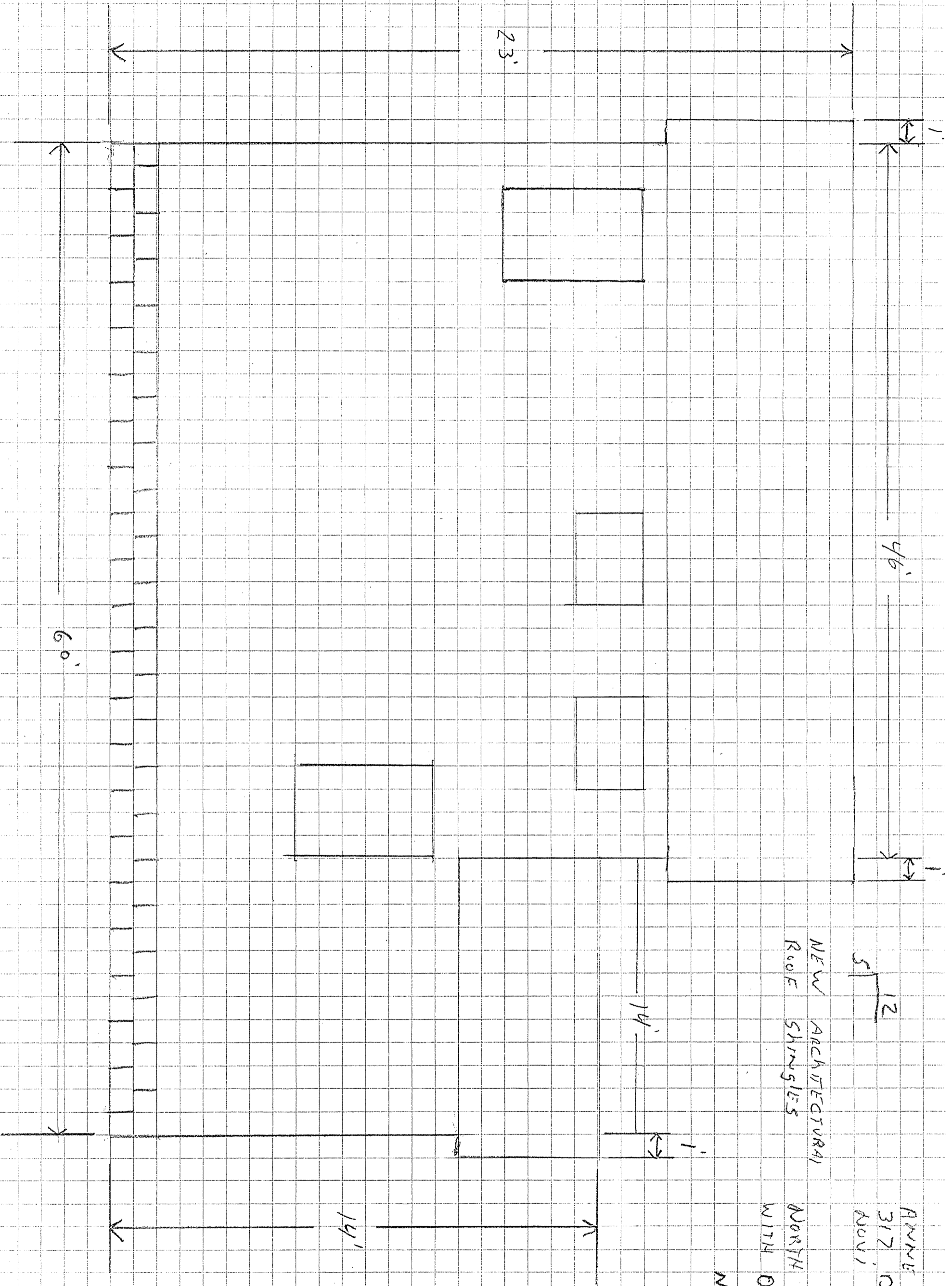
3'.15



ANNE B411
 312 DUANA
 NEW1

EX
 NORTH VIEW

NOT TO SCALE



5 | 12

NEW ARCHITECTURAL
ROOF SHINGLES

REMOVE BAIL
312 DOORWAY
NOW

NOT TO SCALE

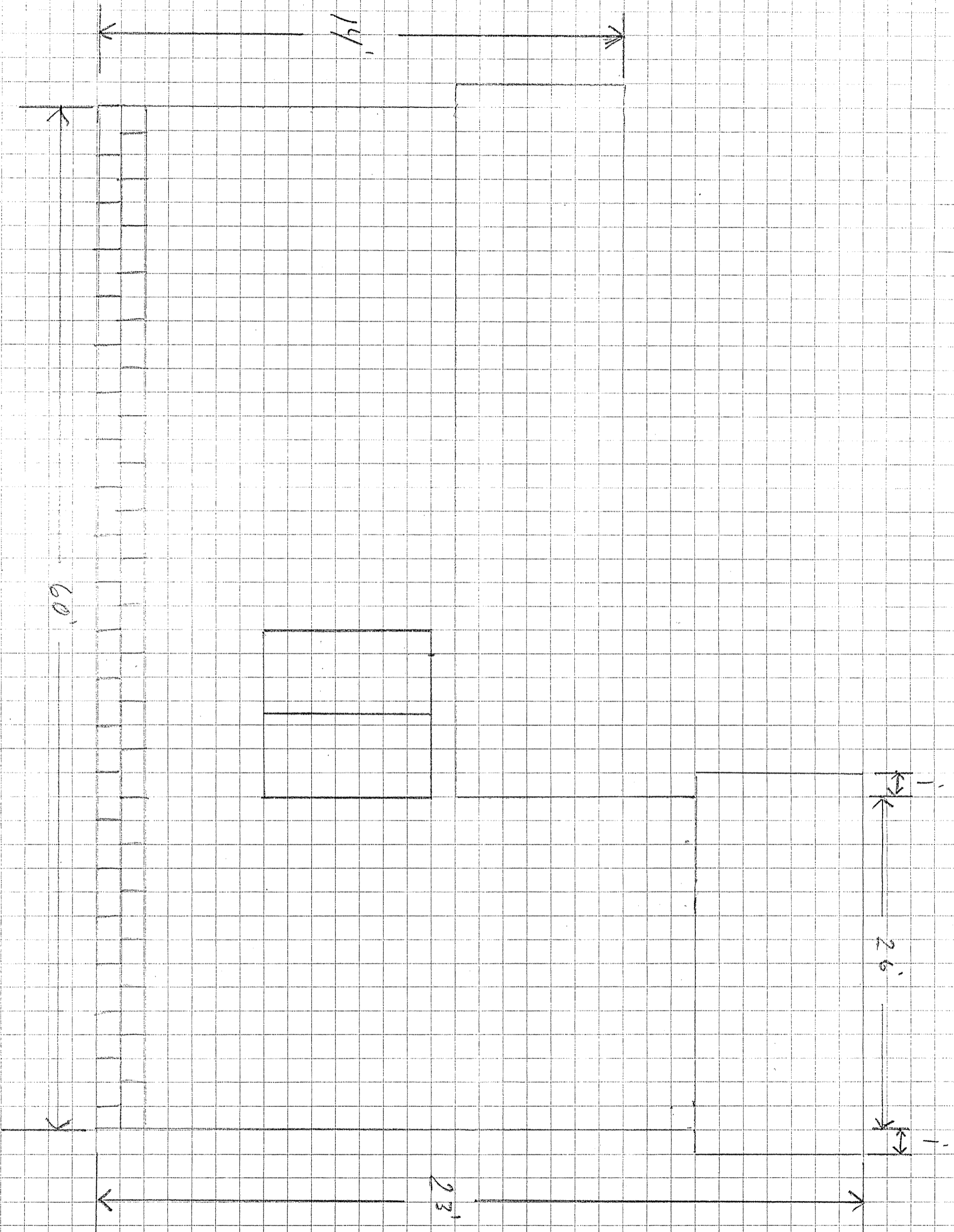
23'

60'

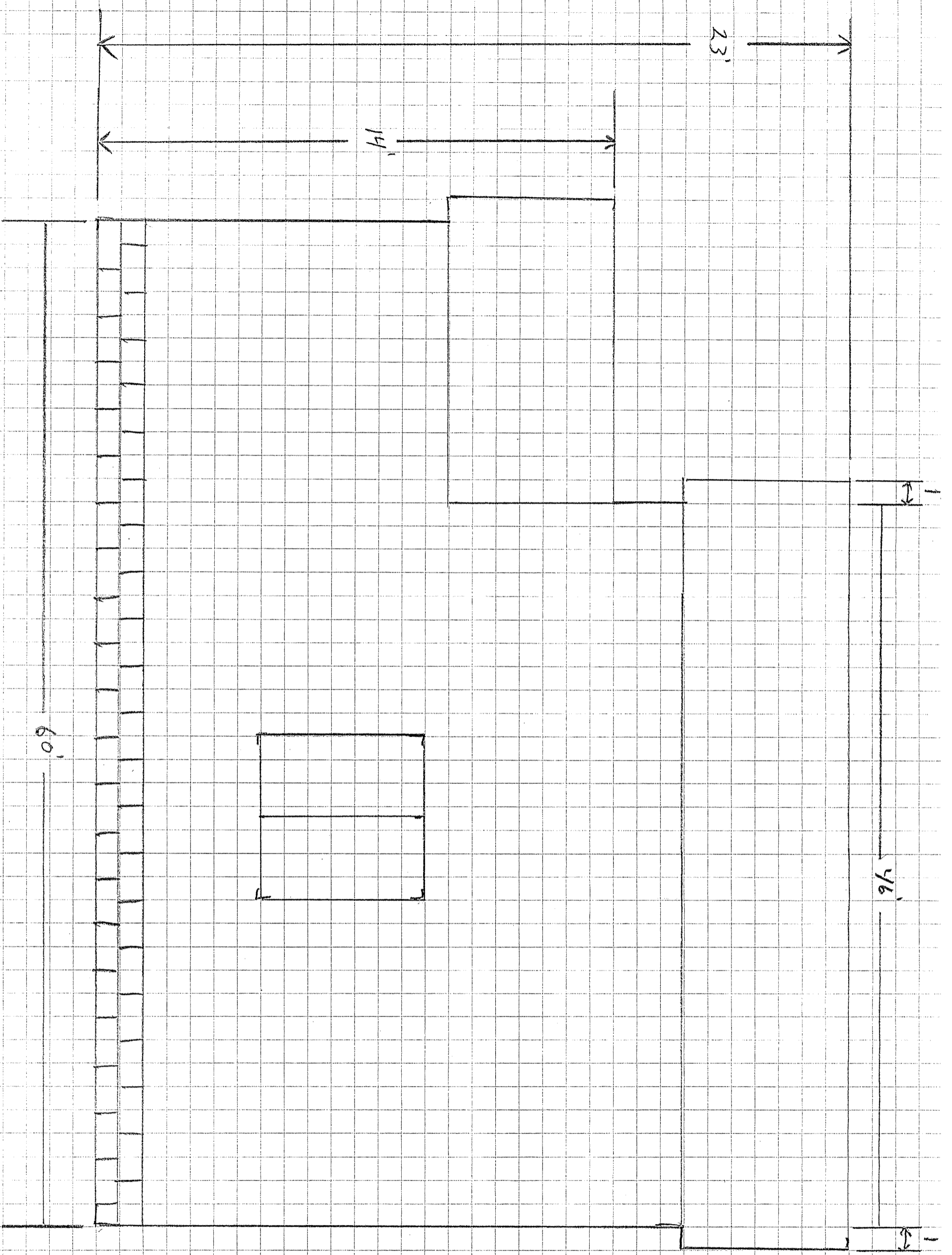
46'

14'

14'

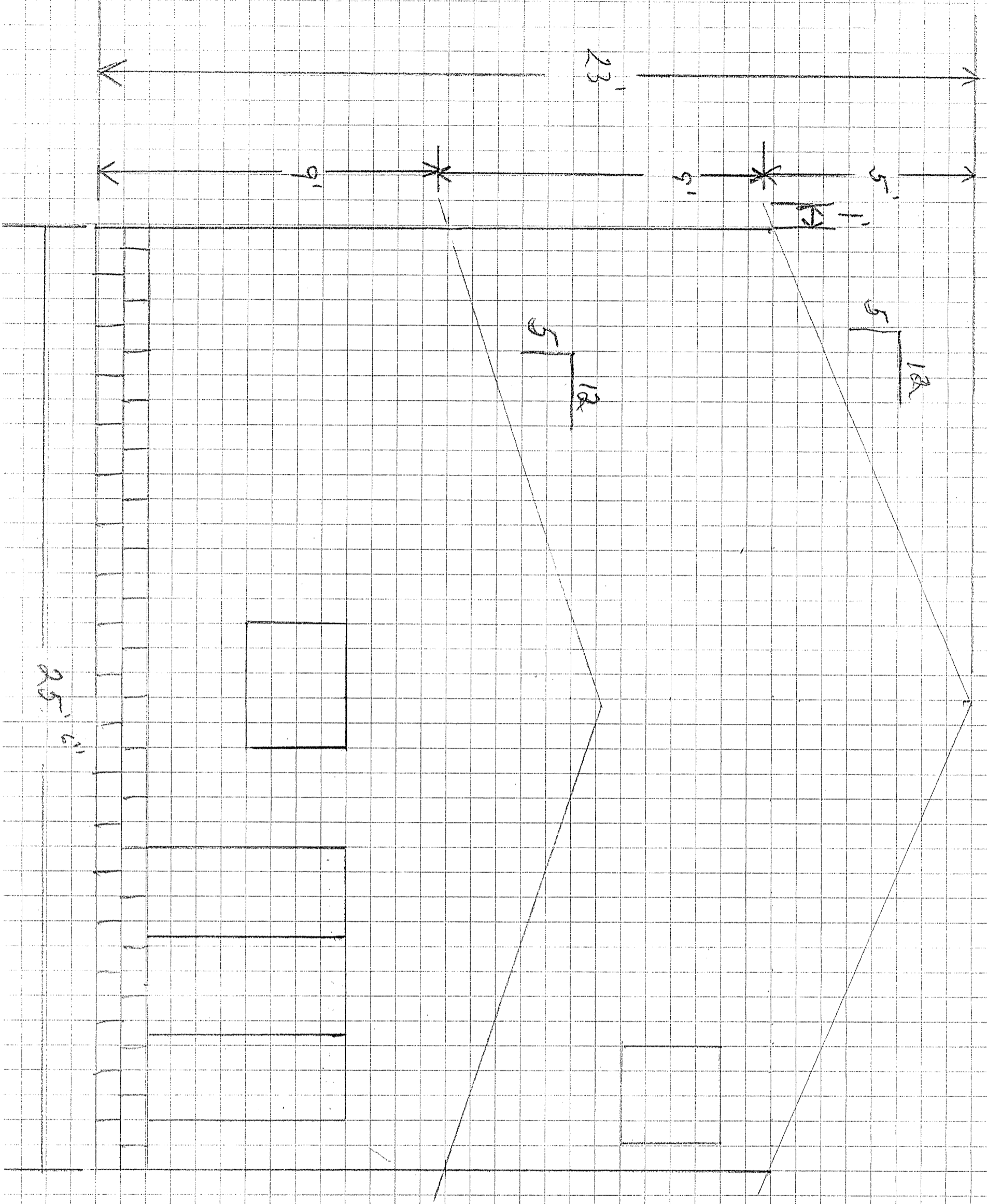


ANNE BA
 317 QUAN
 NEWY
 SOUTHVI
 NOT TO SC1



AWNE BALL
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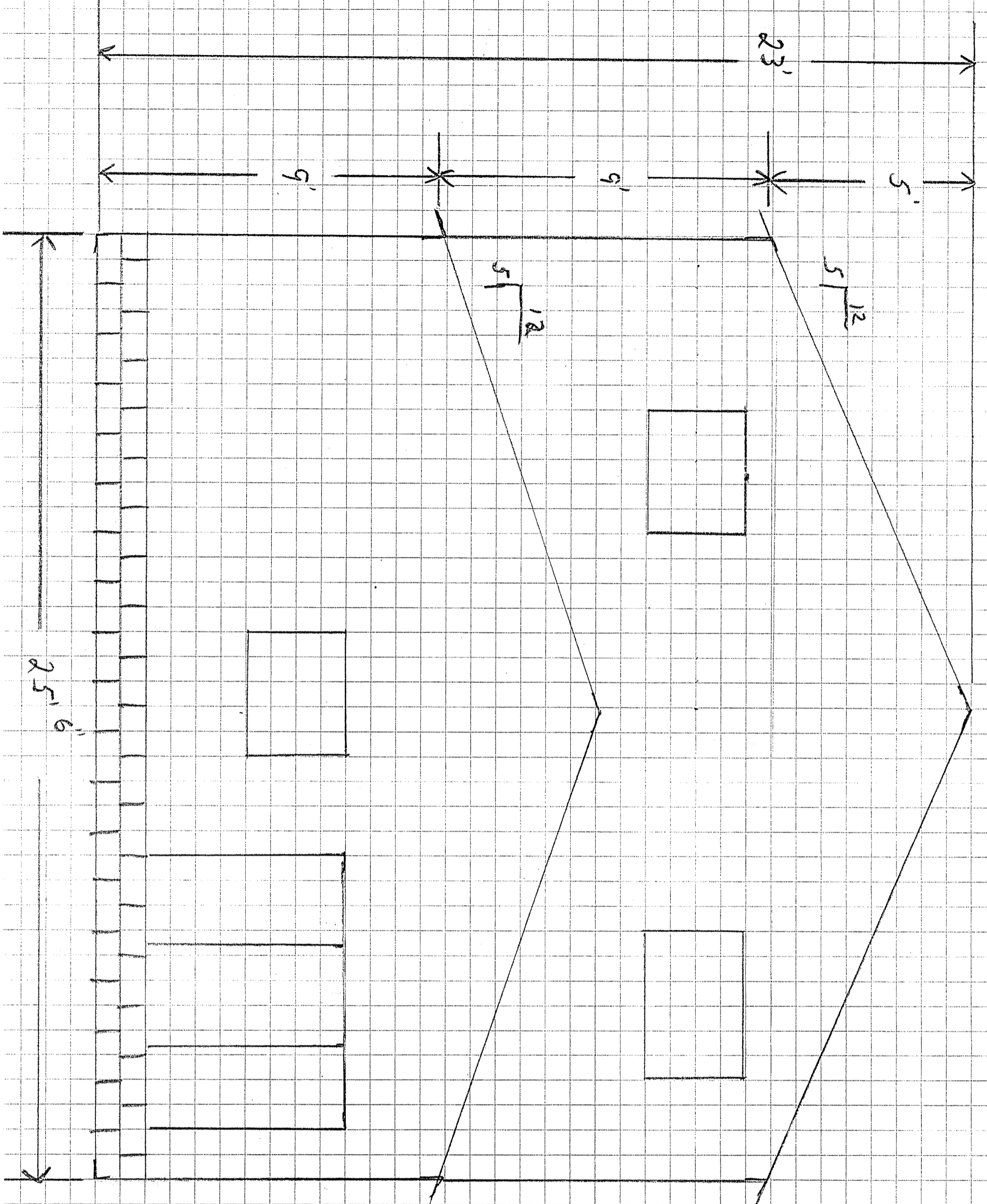
SOUTH VIEW
WITH DOORME
NOT TO SCA



ANNIE BAIL
 317 DUANA
 NOV 1

WEST VIEW

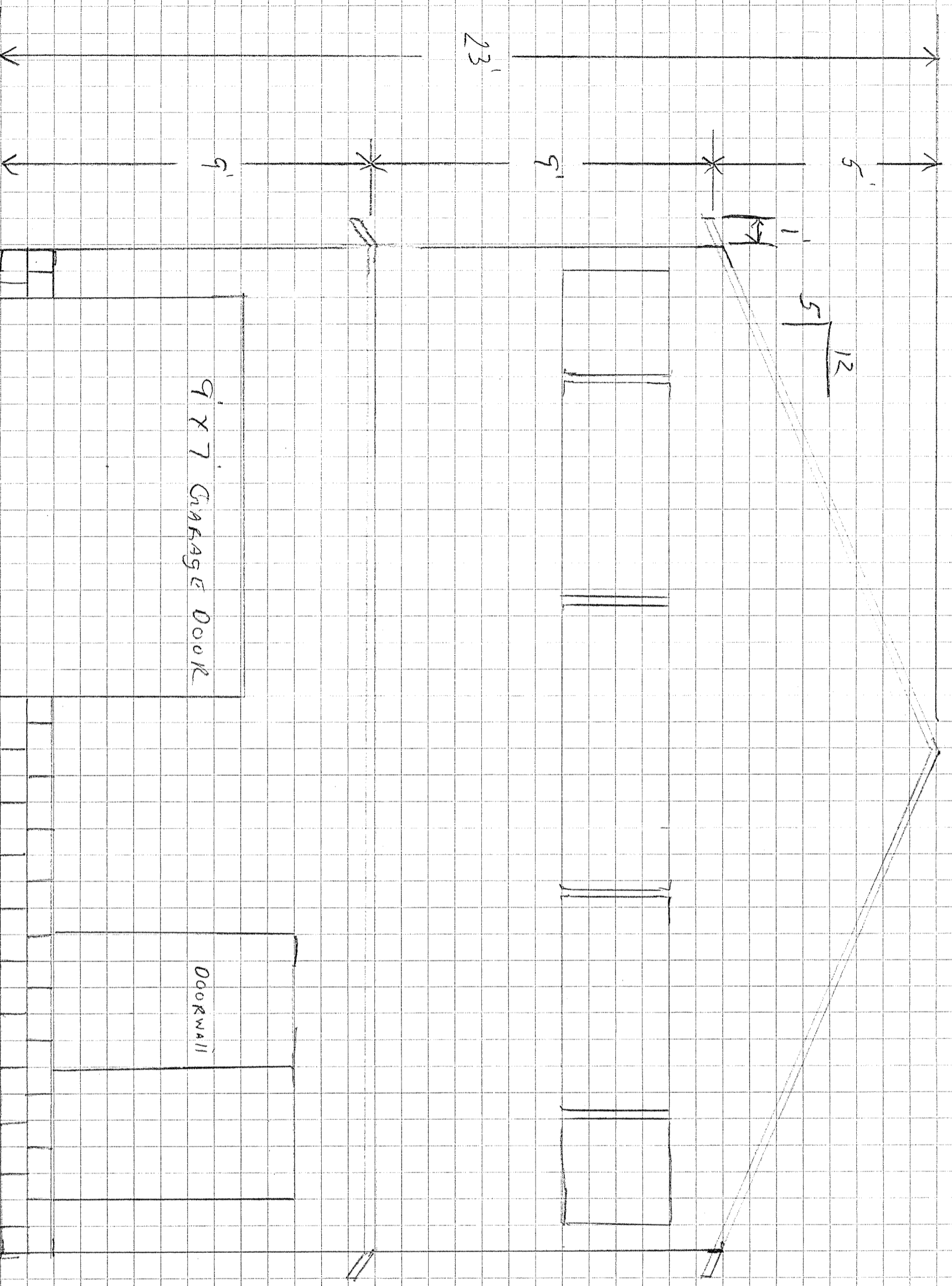
NOT TO SCALE



ANNE BAIL
 317. OLANA
 NOV 1

WEST VIEW
 WITH PORCH

NOT TO SCALE



ANNE GALL
 317 QUANA
 NOVI

EAST VIEW

NOT TO SCALE

NOTE EAST VIEW
 DOESN'T CHANGE