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43088 Emerson Way Building Setback JPROJ050310

43088 Emerson Way JPROJ050310

Consideration of the request of Dmitry Selektor for revised Final Site Plan approval. The subject property is 0.11 acres in Section 11 of the City of Novi and located at 43088 Emerson Way in the R-4, One-Family Residential District. The applicant is proposing a reduced rear yard building setback of 15.04 feet within the Saratoga Circle single-family development, a part of the Vistas of Novi Planned Unit Development (PUD).

Required Action

Approval/denial of the revised Final Site Plan

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval recommended	07-01-13	The Planning Commission may approve minor changes to an approved Final Site Plan of a Planned Unit Development (PUD). Minor changes include 'minor variations in lot layout which do not constitute major changes'.

Motion sheet

Approval – Revised Final Site Plan

In the matter of 43088 Emerson Way Building Setback JPROJ050310, motion to **approve** the revised Final Site Plan based on and subject to the following:

- a. The proposed reduction in the rear yard setback to 15.04 feet constitutes a minor change to the approved Final Site Plan of the Vistas of Novi Planned Unit Development;
- b. The proposed reduction in the rear yard setback will not adversely affect the adjacent properties;
- c. The irregular shape of the subject property presents a significant hardship in terms of the applicant meeting the required rear yard setback;
- d. *(additional comments here if any)*

(This motion is made because the plan is otherwise in compliance with Article 4, Article 24, Article 25 and Article 27 (retracted) of the Zoning Ordinance and all other applicable provisions of the Ordinance.)

Denial – Revised Final Site Plan

In the matter of 43088 Emerson Way, JPROJ050310, motion to **deny** the revised Final Site Plan...(because the plan is not in compliance Article 4, Article 24, Article 25 and Article 27 (retracted) of the Zoning Ordinance and all other applicable provisions of the Ordinance.)

PLANNING REVIEW



cityofnovi.org

PLAN REVIEW CENTER REPORT

July 1, 2013

Planning Review

43088 Emerson Way Building Setback

JPROJ# 050310

Petitioner

Dmitriy Selektor

Review Type

Revised Final Site Plan

Property Characteristics

- Site Location: 43088 Emerson Way, south of 13 Mile Rd., west of Novi Rd. (Section 11)
- Site Zoning: R-4, One-Family Residential, developed under a PUD
- Adjoining Zoning: All Directions: R-4
- Adjoining Uses: All Directions: Single-family homes and open space associated with the Saratoga Circle residential development
- Site Size: 0.11 acres

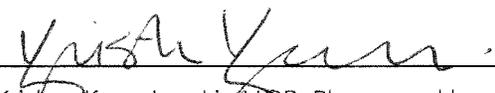
Project Summary

The applicant is requesting approval of a reduced building setback in order to construct a single-family residence at 43088 Emerson Way. The subject property is an undeveloped parcel in the Saratoga Circle residential development south of 13 Mile Road and west of Novi Road. This development was approved as part of the Vistas of Novi Planned Unit Development (PUD). The 'Vistas Revised Area Plan' dated March 23, 1995 included information noting the required building setbacks for all detached single-family homes within the PUD. The required rear yard setback is 20 feet. The applicant is proposing a rear yard setback of 15.04 feet.

The PUD Ordinance has been retracted by the City Council and removed from the City's Zoning Ordinance. However, developments originally approved under the PUD Ordinance may still be amended using those provisions outlined in Section 2700.9 of the retracted ordinance. This section of the ordinance allows the Planning Commission to approve minor changes to an approved Final Site Plan including 'minor variations in layout which do not constitute major changes'. The proposed reduced rear yard building setback would constitute a minor change.

Recommendation

Approval of the revised Final Site Plan is recommended. The proposed reduced building setback will not adversely affect adjacent properties as the rear yard abuts a large area preserved via an existing conservation easement. Additionally, the irregular shape of the subject property would make it extremely difficult for the applicant to meet the required rear yard setback.

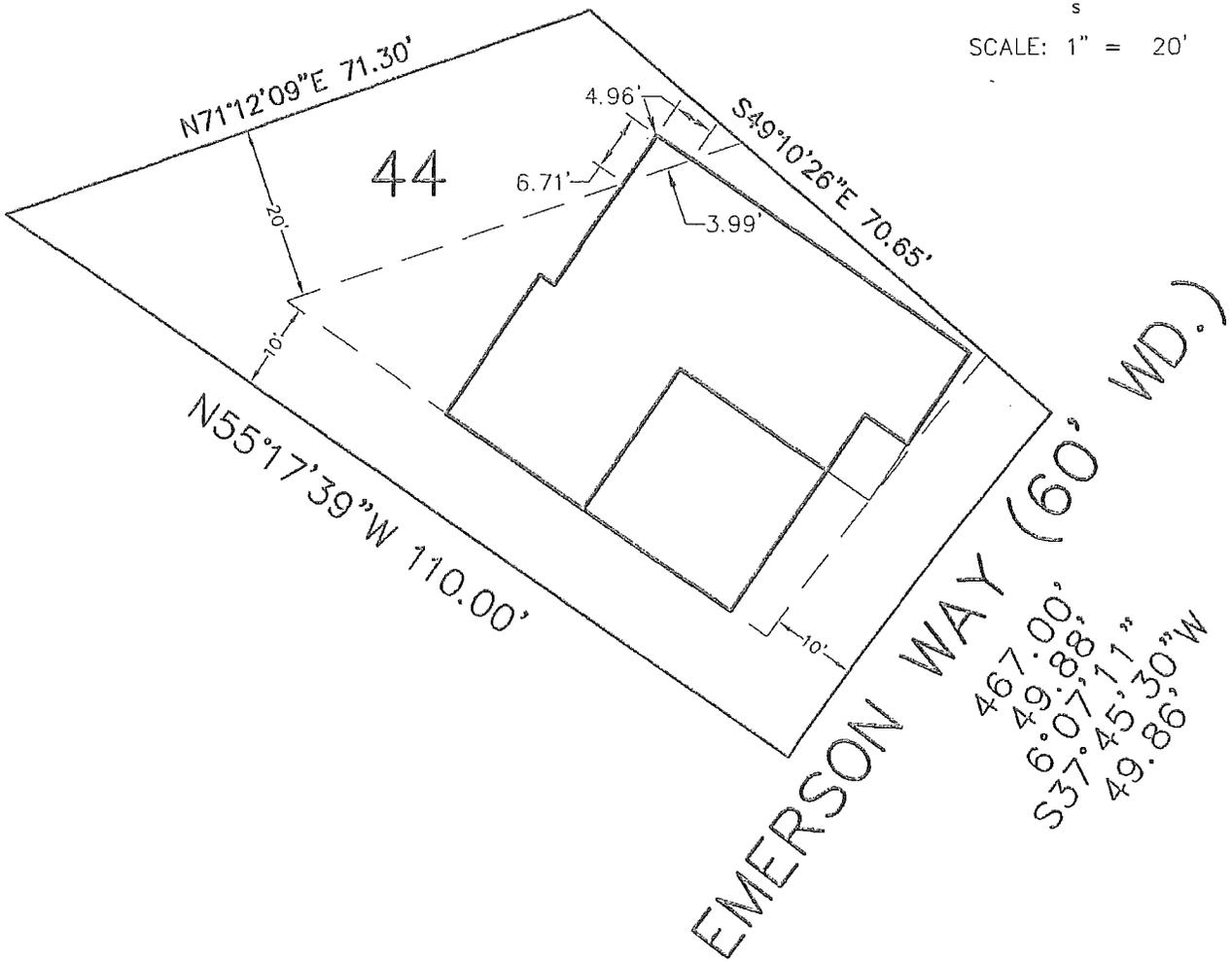


Kristen Kapelanski, AICP, Planner kkapelanski@cityofnovi.org or 248.347.0586

PLOT PLAN



SCALE: 1" = 20'



MAPS
Location
Zoning

43088 Emerson Way JPROJ050310

Location

Subject Property

Emerson Way

Map Author: Kristen Kapelanski
Date: 07-01-13
Project: JPROJ050310 43088 Emerson Way
Version #: 1.0

Map Legend

 Subject Property



City of Novi

Planning Division
Community Development
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Feet
0 5 10 20 30 40

1 inch = 31 feet

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

43088 Emerson Way JPROJ050310

Zoning

Subject Property

Emerson Way

Map Author: Kristen Kapelanski
Date: 07-01-13
Project: JPROJ050310 43088 Emerson Way
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Map Legend

-  Subject Property
-  R-4: One-Family Residential District

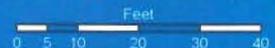
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