



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:** September 15, 2015

REGARDING: SCHROEDER (CASE NO. PZ15-0028)

BY: Thomas M. Walsh, Building Official

I. GENERAL INFORMATION:

Applicant

David Schroeder

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: R-1, One Family Residential
Site Location: 23750 Heartwood, south of 10 Mile Road and west of Beck Road
Parcel #: 50-22-29-203-009

Request

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 4.19(1)(E)(iii) to allow construction of an 944.0 square foot detached garage in the rear of the property, a variance of 468.3 feet in the required aggregate area of all accessory buildings (1,000 sq. ft. maximum, 1,412.3 sq. ft. proposed).



II. ZONING AND LAND USE:

The table below lists the zoning district, existing land use and future land use for the subject site and surrounding parcels.

Parcel	Zoning District	Existing Land Use	Future Land Use
Subject Property	R-1, One Family Residential	Echo Valley Estates Colony Subdivision	Single Residential
North	R-1, One Family Residential	Echo Valley Estates Colony Subdivision	Single Residential
South	R-1, One Family Residential	Echo Valley Estates Colony Subdivision	Single Residential
East	R-1, One Family Residential	Echo Valley Estates Colony Subdivision	Single Residential
West	R-1, One Family Residential	Echo Valley Estates Colony Subdivision	Single Residential

III. STAFF COMMENTS:

Existing Condition

The subject property consists of one- (1) lot located on the east side of Heartwood Drive within Echo Valley Estates Colony Subdivision. The parcel has approximately 133.23 feet of frontage on Heartwood Drive and approximately 145.62 feet deep as measured along north side yard lot line. The total lot area of the parcel is approximately 20,905.80 square feet. The existing residence is located 45.0 feet from the front yard lot line, 32.4 feet from the north side yard lot line, 15.0 feet from the south side yard lot line, and 62.0 feet from the rear yard lot line.

Proposed Changes

The applicant is proposing to construct a new detached garage in the rear of the property. As proposed, the overall dimension measure 24' x 34' + 8' x 16' for a total floor area of 944.0 square feet.

The detached garage would result in a setback of 7.0 feet from the north side yard lot line and 15.5 feet from the rear yard lot line.

IV. DEVELOPMENT STANDARDS:

The table below summarizes the zoning district development standards for the subject parcels.

Lot Size		Minimum Setback			
Area	Width	Front	Sides	Aggregate Side	Rear
R-1 21,780 sq. ft.	120 ft.	30 ft.	15 ft. (one side)	40 ft. (total of two side)	35 ft.

V. USE STANDARDS:

- 1. Accessory Buildings within R-1 Zoning District (Section 4.19(1)(E)(iii)). The aggregate of all accessory buildings on the property shall not exceed the following square footage of eight hundred fifty (1,000) square feet. As proposed, the aggregate of all accessory buildings measures 1,412.3 square feet (existing attached garage 468.3 sq. ft. + 944 sq. ft. proposed). **This requires a variance of 468.3 feet in the required aggregate area of all accessory buildings.**
- 2. Building Height (Section 4.19(1) (I)). The maximum height of the detached accessory building is 14 feet. The accessory building is proposed to be 14.0 feet, one-story.

VI. RECOMMENDATION:

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

- 1. Grant I move that we **grant** the variance(s) in **Case No.PZ15-0028**, sought by _____, for _____ because the Petitioner has established that _____ causes a practical difficulty relating to the property, including some or all of the following criteria:

- (a) Petitioner has established that the property is unique because _____, or that the physical condition of the property creates the need for a variance because _____.

And, the condition is not a personal or economic hardship.

- (b) The need for the variance is not self-created, **because** _____.

- (c) Strict compliance with dimensional regulations of the Zoning Ordinance, including _____, will (either):

- 1. unreasonably prevent Petitioner from using the property for the permitted purpose as a _____, because _____, and/or,
 - 2. will make it unnecessarily burdensome to comply with the regulation because _____.

- (d) Petitioner has established that variance is the minimum variance necessary because a lesser variance would not _____.

- (e) The requested variance will not cause adverse impact on surrounding property, property values, or the enjoyment of property in the neighborhood or zoning district, because _____.

- (f) The variance granted is subject to the conditions that:

- 1. _____,
 - 2. _____,
 - 3. _____,
 - 4. _____.

2. Deny I move that we **deny** the variance in **Case No.PZ15-0028**, sought by _____, for _____ because the Petitioner has **not** established a practical difficulty because:

(a) Petitioner has shown no unique circumstance or physical condition of the property because petitioner can reasonably comply with the ordinance by_____.

(b) The difficulty described by the Petitioner is a personal or economic difficulty only in that Petitioner stated _____.

(c) The need for the variance is self-created because Petitioner _____.

(d) Conforming to the ordinance would not (either):

1. be unnecessarily burdensome because _____, or,

2. unreasonably prevent petitioner from using the property for _____, because_____.

(e) A lesser variance consisting of _____would do substantial justice to Petitioner and surrounding property owner's because_____.

(f) The proposed variance would have adverse impact on surrounding property because _____.

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



Thomas M. Walsh
Building Official
City of Novi



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ZONING BOARD OF APPEALS APPLICATION

RECEIVED
AUG 07 2015
 CITY OF NOVI
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$200</u>
PROJECT NAME / SUBDIVISION <u>ECHO VALLEY ESTATES</u>				Meeting Date: <u>9-15-15</u>
ADDRESS		LOT/SUITE/SPACE #		ZBA Case #: <u>PZ 15-0028</u>
SIDWELL # <u>50-22-29-203-009</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 checked="" type="checkbox"/> NO				
II. APPLICANT INFORMATION				
A. APPLICANT		EMAIL ADDRESS		CELL PHONE NO. <u>248-962-5429</u>
NAME <u>DAVID SCHROEDER</u>				TELEPHONE NO. <u>248-347-6827</u>
ORGANIZATION/COMPANY				FAX NO.
ADDRESS <u>23750 HEARTWOOD</u>		CITY <u>Novi</u>	STATE <u>MI</u>	ZIP CODE <u>48374</u>
B. PROPERTY OWNER <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>248-962-5429</u>
NAME <u>DAVID SCHROEDER</u>				TELEPHONE NO. <u>248-347-6827</u>
ORGANIZATION/COMPANY				FAX NO.
ADDRESS <u>23750 HEARTWOOD</u>		CITY <u>Novi</u>	STATE <u>MI</u>	ZIP CODE <u>48374</u>
III. ZONING INFORMATION				
A. ZONING DISTRICT				
<input type="checkbox"/> R-A <input checked="" 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. VARIANCE REQUESTED				
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:				
1. Section <u>4.19(1)(f)(iii)</u>		Variance requested <u>SQ FT OF GARAGE (1,384 SQ FT)</u>		
2. Section _____		Variance requested <u>ALLOWED IS 1,000 SQ FT.</u>		
3. Section _____		Variance requested <u>VARIANCE REQUEST OF 384 SQ FT</u>		
4. Section _____		Variance requested <u>(468.3)</u>		
IV. FEES AND DRAWINGS				
A. FEES				
<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				
• Dimensioned Drawings and Plans		• Existing & proposed distance to adjacent property lines		
• Site/Plot Plan		• Location of existing & proposed signs, if applicable		
• Existing or proposed buildings or addition on the property		• Floor plans & elevations		
• Number & location of all on-site parking, if applicable		• Any other information relevant to the Variance application		



Community Development Department

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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:

*R-1 DISTRICT REQUIRES 21,780 SQ FT TO HAVE
GARAGE SPACE LARGER THAN 1,000 SQ FT.
SQ FT OF MY LOT IS 20,765.
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:

*816
440
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:

*1050
384*

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).

LOT SIZE IS UNDER 21,780 SQ FT.

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.

*GARAGE WOULD BE IN COMPLIANCE WITH ALL REGULATIONS EXCEPT SQ FT. SQ FT NEEDED TO PARK VEHICLES INSIDE FOR PROTECTION FROM ELEMENTS + VANDALISM. IT ALSO HELPS IN THE APPEARANCE + SAFETY OF THE NEIGHBORHOOD
REQUESTING 384 SQ. FT VARIANCE*

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.

HOUSE HAS NO BASEMENT - STORAGE VEHICLES - PROTECTION FROM ELEMENTS + VANDALISM HELPS APPEARANCE, SAFETY + PROPERTY VALUES

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.

GARAGE TO LOOK ARCHITECTURALLY THE SAME AS THE HOUSE. SAME ROOF LINES, HIP ROOF, SIDING TO LOOK LIKE IT WAS DESIGNED WITH THE HOME. IT WILL HAVE NO ADVERSE IMPACT ON PROPERTY VALUES OR USE + ENJOYMENT OF PROPERTY IN THE NEIGHBORHOOD OR ZONING DISTRICT.

August 2, 2015

Dave Schroeder
23750 Heartwood
Novi, MI 48374

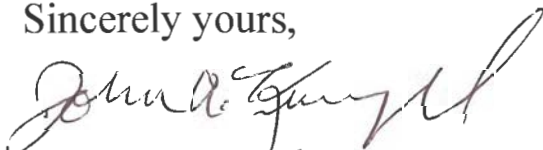
RECEIVED
AUG 07 2015
CITY OF NOVI
COMMUNITY DEVELOPMENT

Dear Mr. Schroeder,

The following members of the Echo Valley Civic Association Board of Directors: Gordon Melms, John Kuenzel, Stacey Rose and Gina Van Horn have reviewed your plans for a garage which you wish to construct on your property at 23750 Heartwood, Novi Michigan in the Echo Valley subdivision. We approve your plans if the following conditions are met:

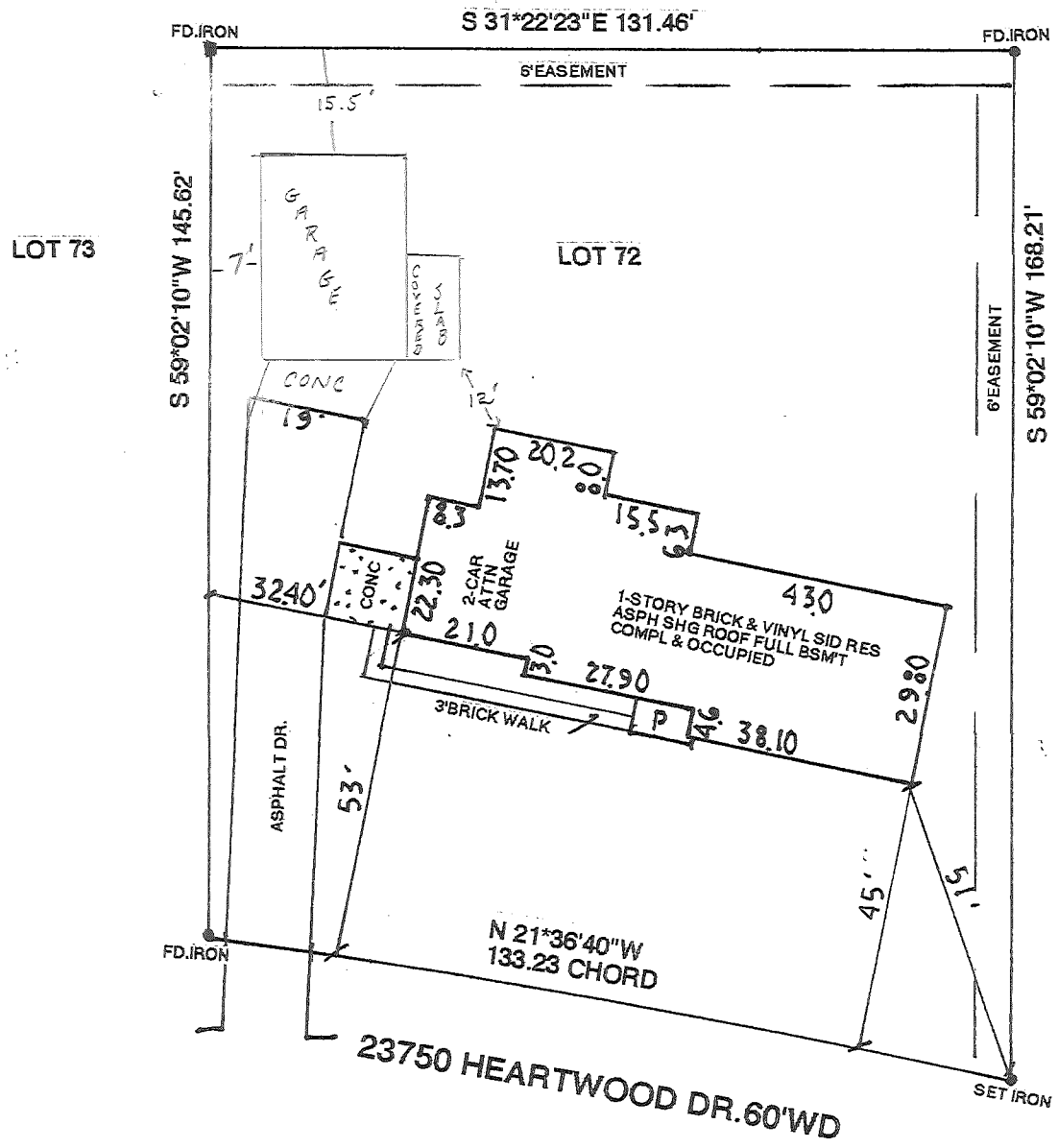
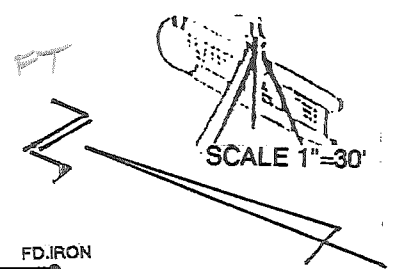
1. At least a half permanent wall is added on the West side of the slab proposed for the East side of the building. Such wall can have a 6" space at the bottom to avoid mold and wood rot. Car ports are not permitted in Echo Valley.
2. The garage must be architecturally compatible with your house on the same property. (Similar brick, siding, roofing.)
3. All City of Novi Codes and Ordinances are complied with.

Sincerely yours,



John A. Kuenzel
President

132,245
156.91 > 20,765 SA FT



LEGAL DESCRIPTION:

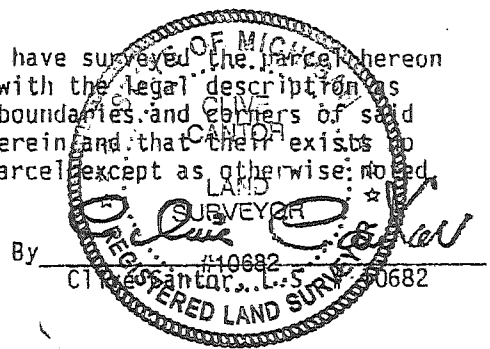
LOT 72 - ECHO VALLEY ESTATES SUBDIVISION, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 92, PAGES 11 & 12, OAKLAND COUNTY RECORDS.

DAVE SCHROEDER

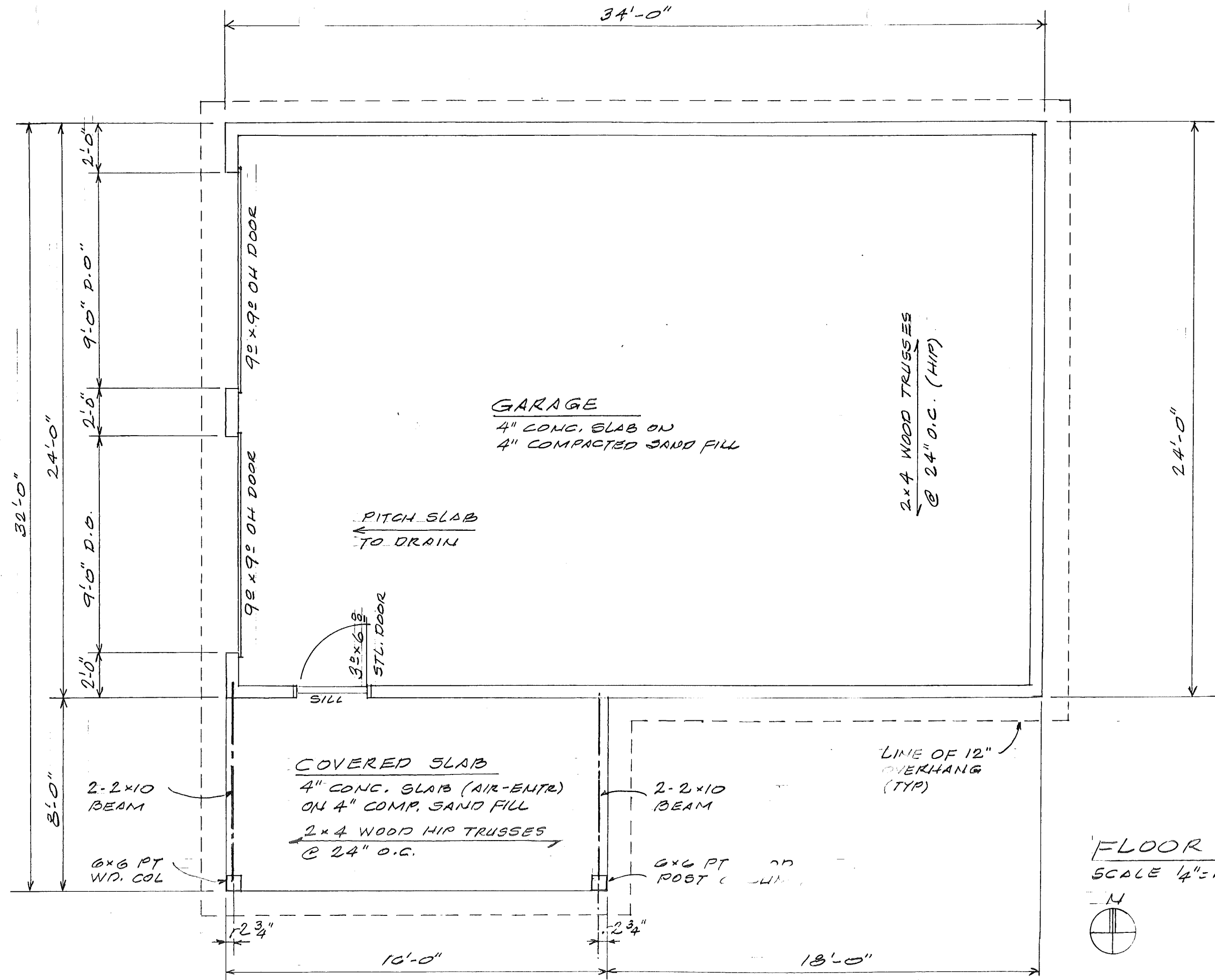
SURVEY # 35-49

JULY 6, 2015

We hereby certify that we have surveyed the parcel hereon delineated in accordance with the legal description as furnished by you and the boundaries and corners of said parcel are as indicated herein and that there exists no encroachments upon said parcel except as otherwise noted.



LOUIS CANTOR COMPANY
17600 NORTHLAND PARK COURT
SUITE 201
SOUTHFIELD, MICHIGAN 48075



GARAGE

4" CONC. SLAB ON
4" COMPACTED SAND FILL

PITCH SLAB
← TO DRAIN

2x4 WOOD TRUSSES
@ 24" O.C. (HIP)

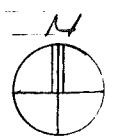
COVERED SLAB

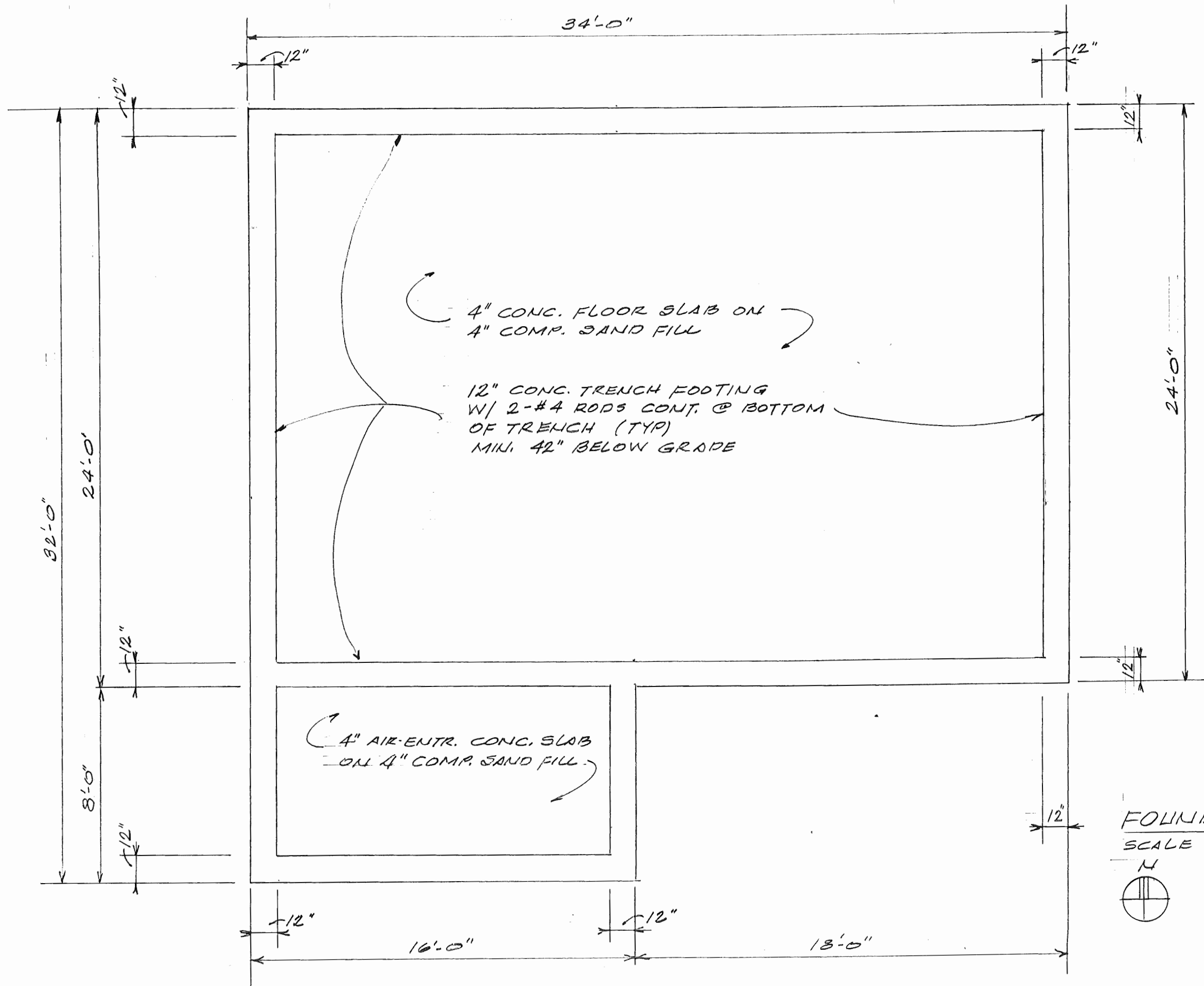
4" CONC. SLAB (AIR-ENTR)
ON 4" COMP. SAND FILL
2x4 WOOD HIP TRUSSES
@ 24" O.C.

LINE OF 12"
OVERHANG
(TYP)

FLOOR PLAN

SCALE 1/4"=1'-0"



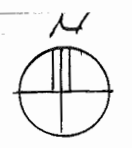


4" CONC. FLOOR SLAB ON
4" COMP. SAND FILL

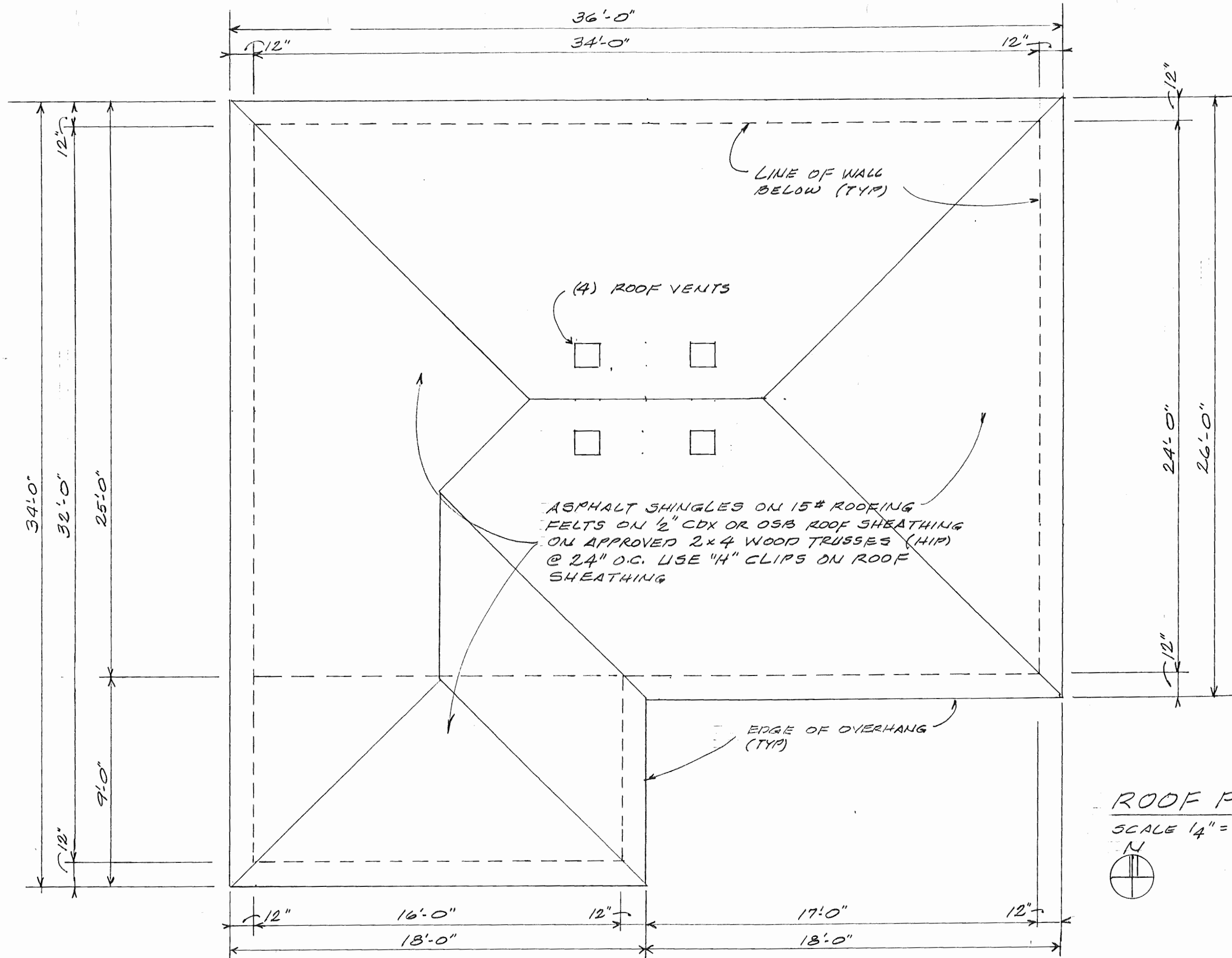
12" CONC. TRENCH FOOTING
W/ 2-#4 RODS CONT. @ BOTTOM
OF TRENCH (TYP)
MIN. 42" BELOW GRADE

4" AIR-ENTR. CONC. SLAB
ON 4" COMP. SAND FILL

FOUNDATION PLAN
SCALE 1/4" = 1'-0"



7-28

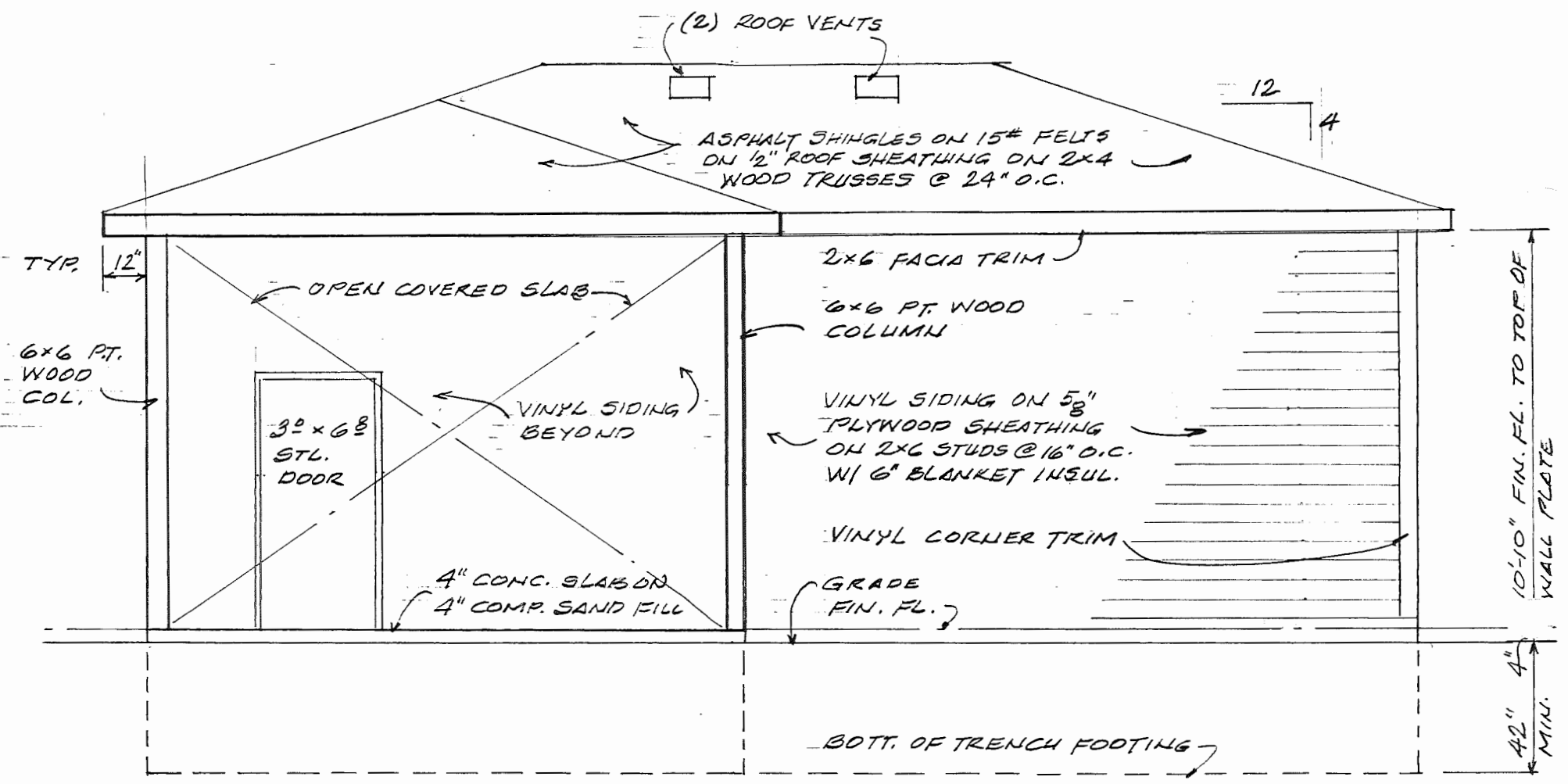


ROOF PLAN

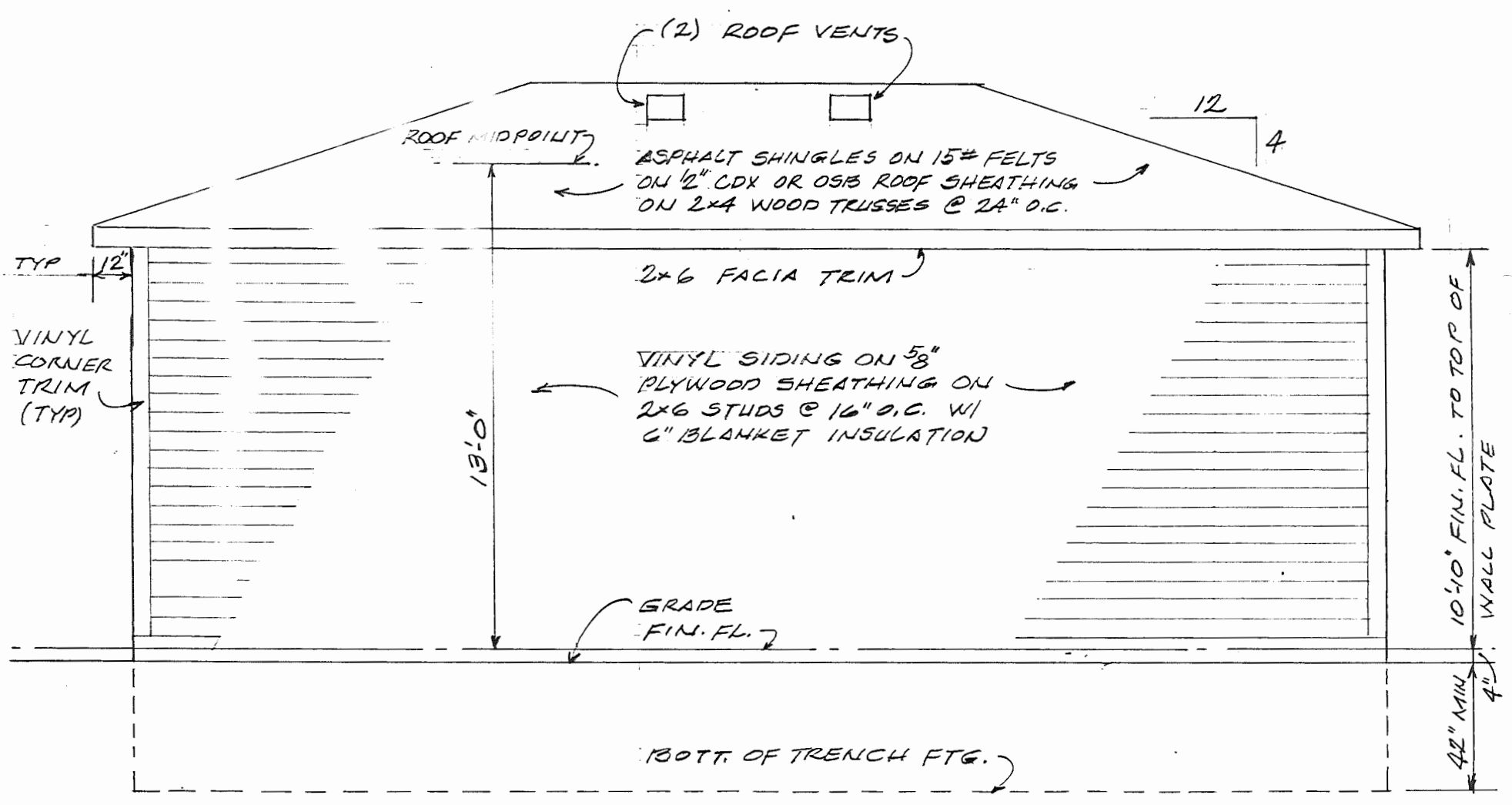
SCALE 1/4" = 1'-0"



7-28
1
1
)

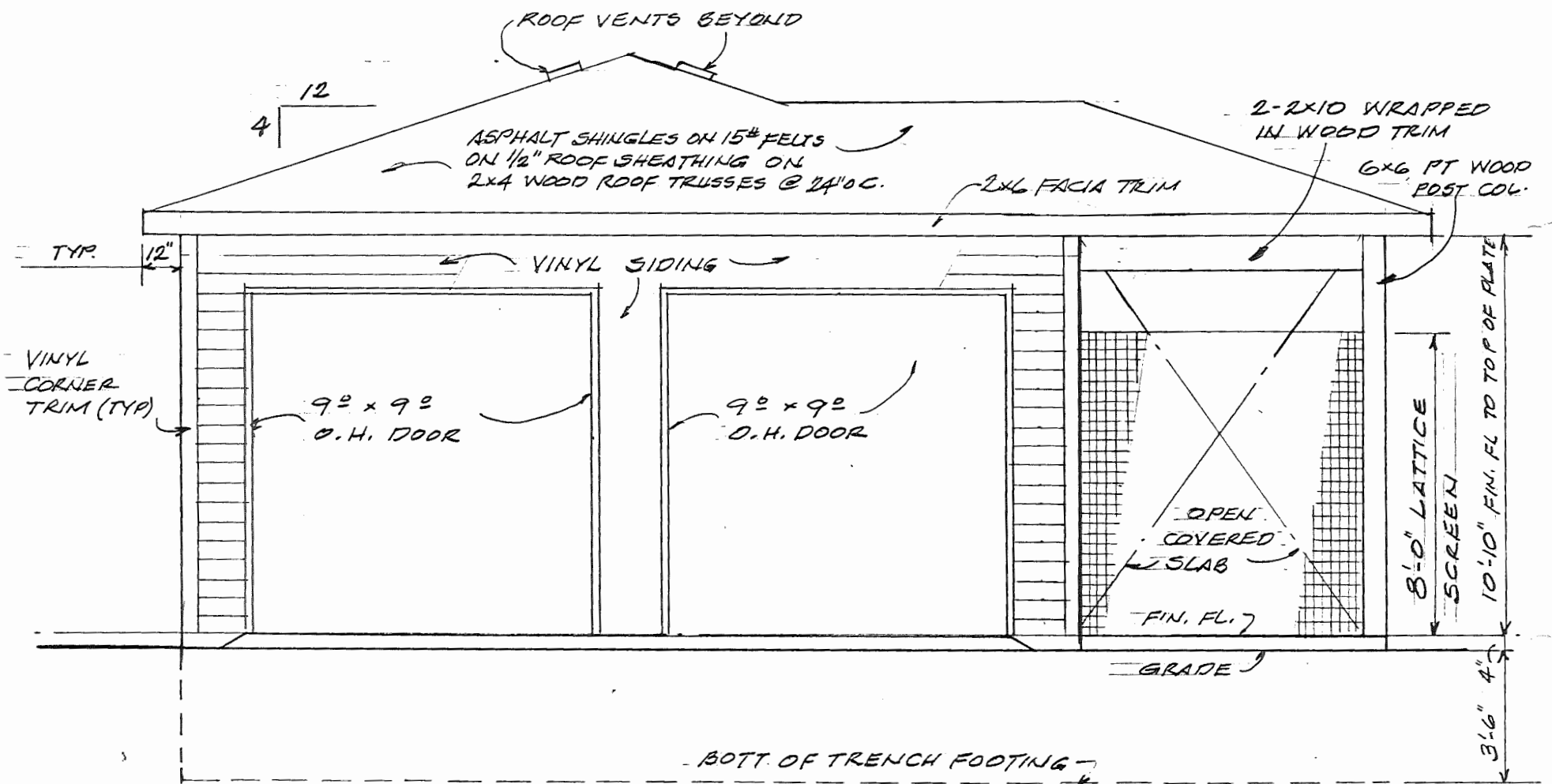


SOUTH ELEVATION
SCALE 1/4" = 1'-0"



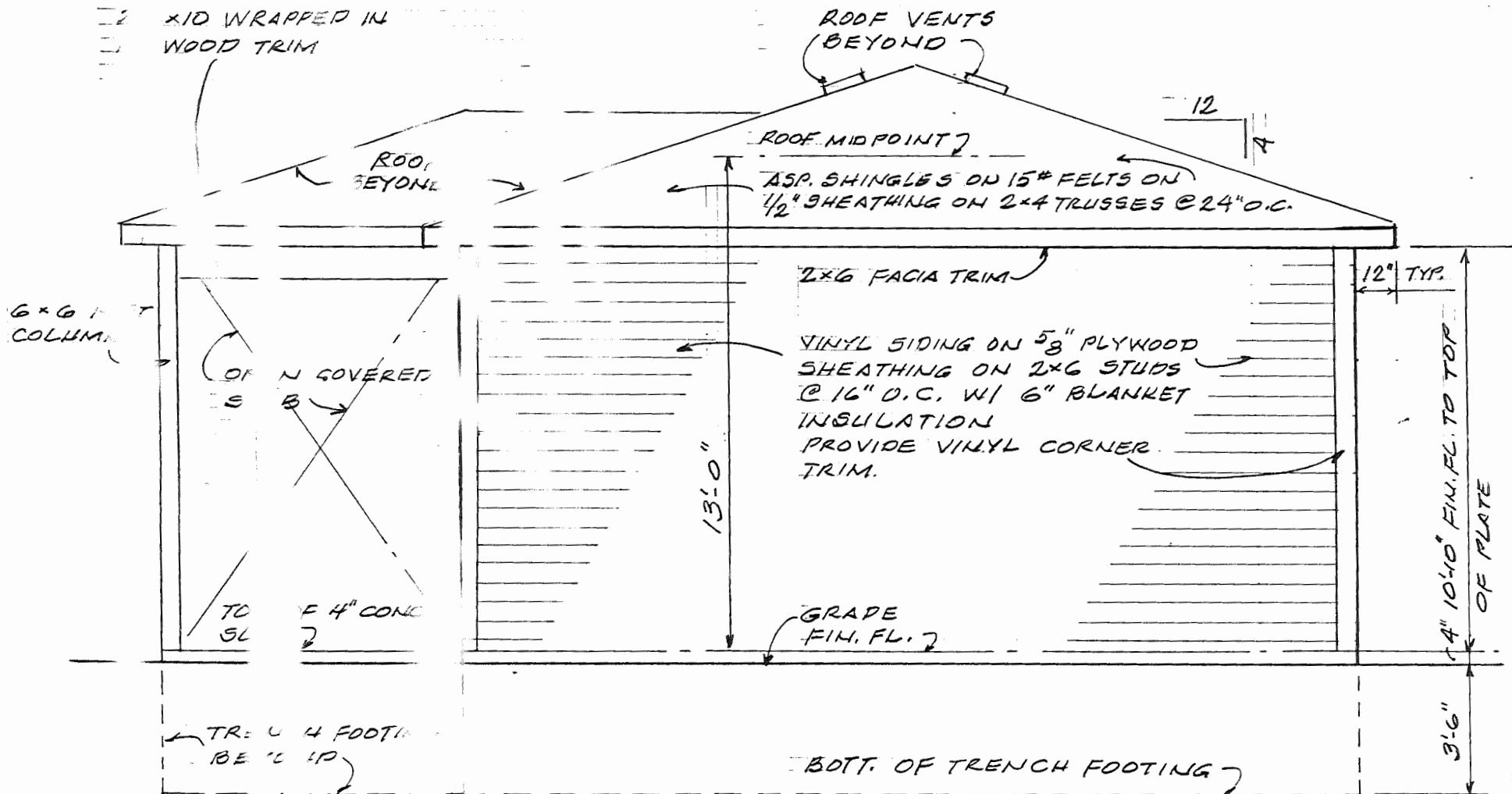
NORTH ELEVATION
SCALE 1/4" = 1'-0"

7-28
4



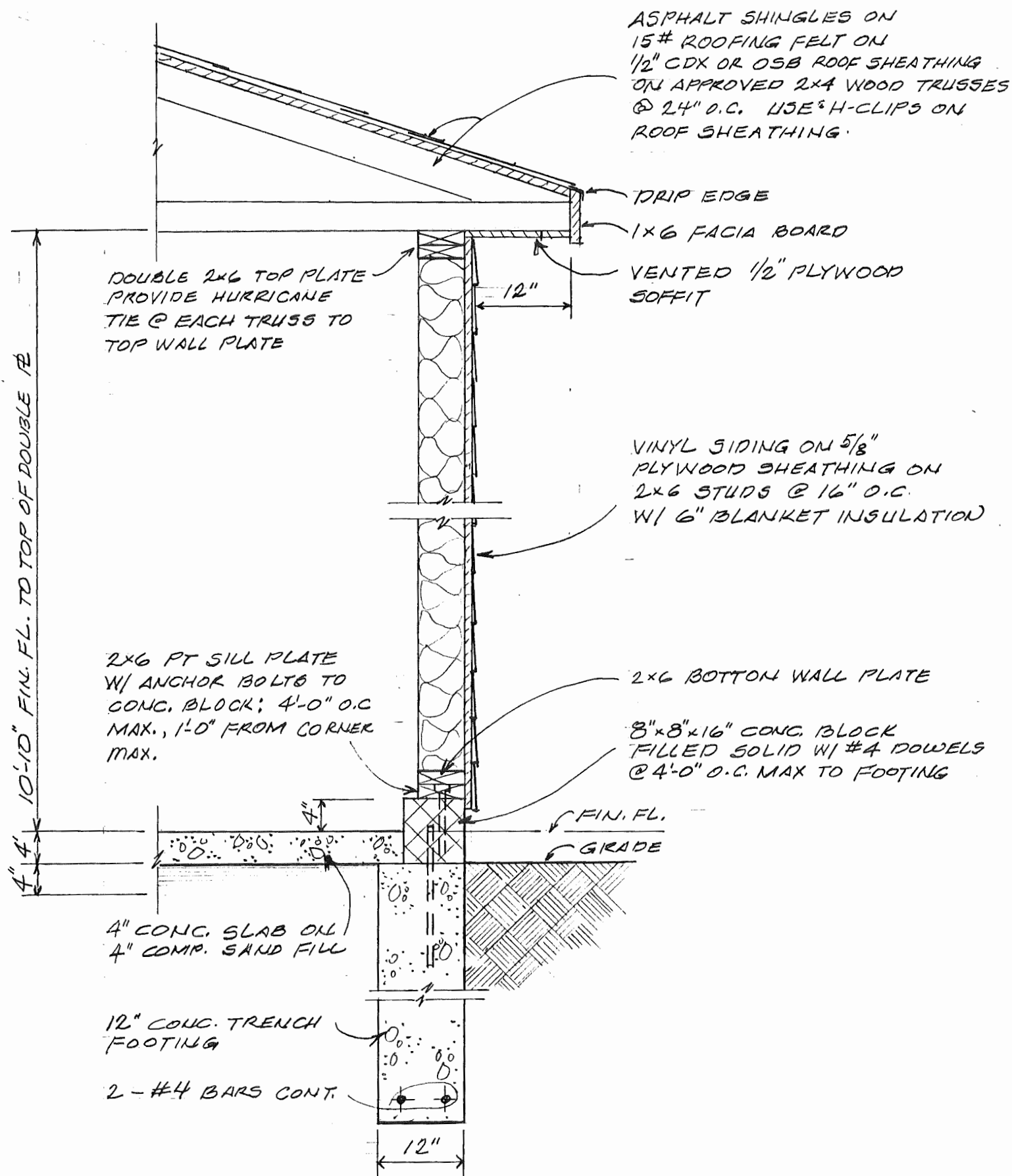
WEST ELEVATION

SCALE 1/4" = 1'-0"



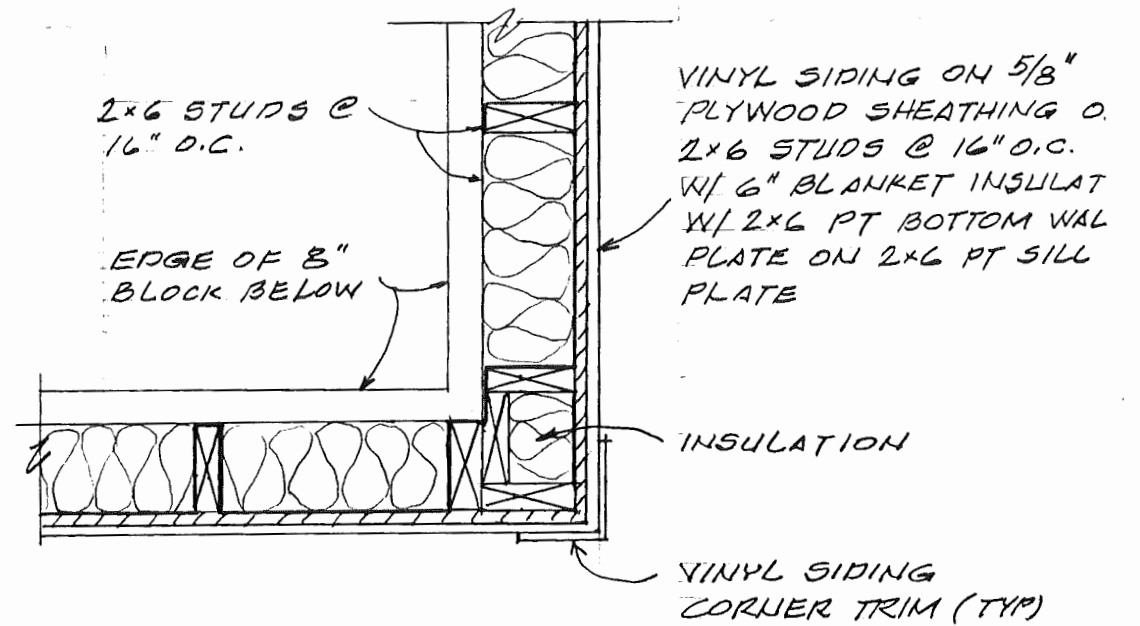
EAST ELEVATION

SCALE 1/4" = 1'-0"



TYPICAL WALL SECTION

SCALE 3/4" = 1'-0"



CORNER DETAIL

SCALE 1" = 1'-0"

GENERAL NOTES

1. DESIGN LOAD CRITERIA:
 1. TOTAL ROOF LOAD: 40 P.S.F.
 2. SOIL BEARING CAPACITY: 2000 PSF
 3. CONCRETE: 3000 PSI, AIR ENTRAINED FOR SLAB
 4. LUMBER:
 - A. PRESSURE TREATED LUMBER
 1. 6x6 POST COLUMNS
 2. GROUND CONTACT
 3. BOTTOM AND SILL PLATES
 - B. KD WHITE WOOD
 1. ALL OTHER APPLICATIONS
5. PREFABRICATED WOOD ROOF TRUSSES (HIP)
 - A. SUBMIT DETAILED SHOP DRAWINGS FOR WOOD ROOF TRUSSES DESIGNED & SEALED BY A PROFESSIONAL ENGINEER REGISTERED TO PRACTICE IN MICHIGAN
 - B. INSTALL ROOF TRUSSES IN ACCORDANCE WITH MANUFACTURER INSTRUCTIONS FOR INSTALLATION AND RECOMMENDED SPACING & BRACING REQUIREMENTS.
6. ROOF SHEATHING: USE "H" CLIPS BETWEEN PANELS. INSTALL PER MANUFACTURERS INSTRUCTIONS.

C