



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

Case No. PZ14-0035

Location: 2020 Austin Drive

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

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, Section 2400 to allow construction of a new second floor addition and carport addition with a reduced front setback of 8 ft. (30 ft. required), reduced side setback of 7 ft. (10 ft. required), reduced aggregate side yard setback of 10 ft. (25 ft. required) and maximum lot coverage of 30% on an existing non-conforming lot. The property is located south of 13 Mile Road Drive and west of Old Novi Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2400 requires that a structure within an R-4 zoning district have a minimum front yard setback of 30', minimum side setback of 10 ft., a minimum aggregate side setback of 25 ft. and maximum 25% lot coverage.

City of Novi Staff Comments:

The applicant is proposing construction of a second floor addition and carport addition to an existing single family residence located on a narrow nonconforming lot. The proposed addition would extend 22 ft. into the required front yard setback, match the existing 5 ft. side yard setback (3 ft. setback to fireplace) on the south side of the property and would reduce the aggregate side yard setback on the north side to 10 ft. Total lot coverage with the addition is 30%. 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.
- The need is not self-created.
- 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 requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.
- 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.



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

For Official Use Only

ZBA Case No. P214-0035 ZBA meeting date Sept 9

Check# _____ Include payment with cash or check written to "City of Novi"

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

***Please submit one original full set of all documentation relevant to the appeal plus 14 additional complete sets.

Applicant's Name William J. Halvangis Date 6-18-14

Company (if applicable) _____

Address* 22522 Brookforest City Novi

State MI Zip code 48375 *Where all case correspondence is to be mailed

Applicant's E-mail address halvangis@att.net

Phone number (248)420-4840 Fax number _____

Request is for:

- Residential Vacant property Commercial Signage

Address of subject ZBA case 2020 Austin Zip code 48377

Cross roads of property Thirteen Mile Road and Old Novi Road

Parcel ID number 50-22- 10-227-007 May be obtained from Assessing Department (248) 347-0485

Is the property within a Homeowner's Association jurisdiction? Yes No

Zoning (Please circle one) R-A R-1 R-2 R-3 R-4 RM-1 RM-2
 MH I-1 I-2 RC TC TC-1 _____ Other

Property owner name (if other than applicant) _____

Does your appeal result from a Notice of Violation or Citation issued? Yes No

Indicate Ordinance section(s) and variances requested:

Section <u>2400 Min. Front 30'</u> Variance requested	<u>11'-0" for 2nd floor addition</u>
Section <u>2400 Min. Side Yard 10'</u> Variance requested	<u>26.67' for carport</u>
Section <u>2400 Tot. Side 10'</u> Variance requested	<u>5'8"</u>
Section <u>2400 25% 25'</u> Variance requested	<u>13.67'</u>
	<u>Proposing 30% w/ carport addition</u>

Please submit an accurate, scaled drawing of the property showing:

- All property lines and dimensions correlated with the legal description.
- The location and dimensions of all existing and proposed structures and uses on property.
- Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
- Dimensions necessary to show compliance with the regulations of this Ordinance.

State the practical difficulties which prevent conformance with the Zoning Ordinance requirements (attach separate sheet if necessary):

We would like to add a second story. The existing structure is already out of compliance. Lot 80 is approximately 36' x 125'.

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:

This is a narrow property, which prevents compliance with the zoning ordinance.

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

William J. Halverson

Applicants Signature

7-16-14

Date

William J. Halverson

Property Owners Signature

7-16-14

Date

DECISION ON APPEAL

_____ Granted

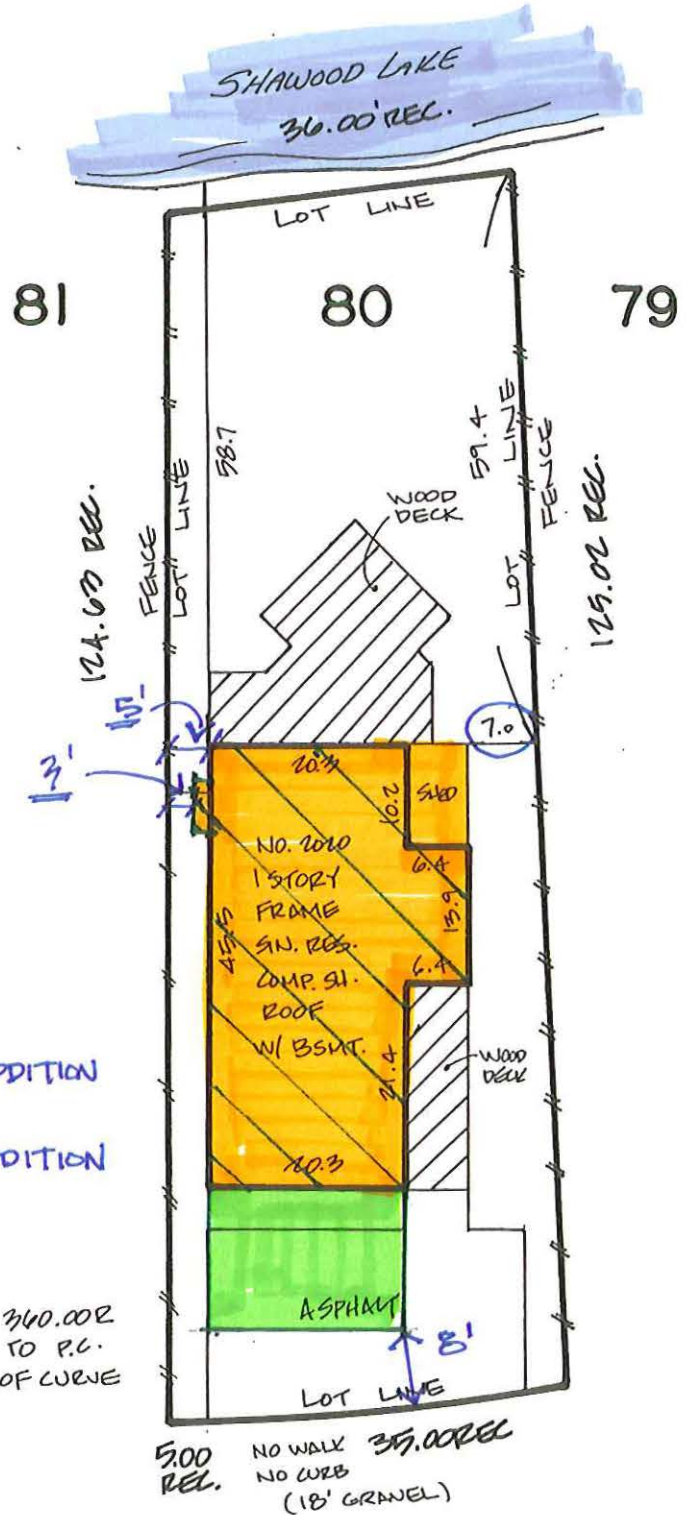
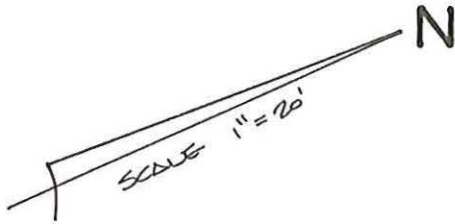
_____ Denied

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

MORTGAGE REPORT FOR:
FIRST FINANCIAL MORTGAGE CORPORATION



LEGAL DESCRIPTION:

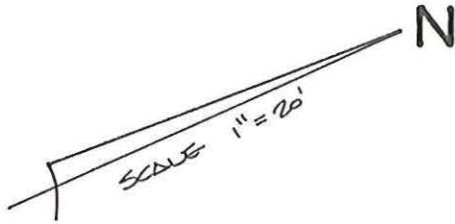
LOT #80, "Shawood" Walled Lake Heights Subdivision of part of NE 1/4 of Section 10 and part of NW 1/4 of Section 11, T. 1N., R. 8E., Novi Township, City of Novi, Oakland County, Michigan. Rec'd L. 46, P. 48 Plats, O.C.R.

- 2ND STORY ADDITION
- CARPORT ADDITION

AUSTIN DR. 40' ROW

MORTGAGE REPORT FOR:

FIRST FINANCIAL MORTGAGE CORPORATION



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