



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: August 11, 2015

REGARDING: ROVIK (CASE NO. PZ15-0017)

BY: Thomas M. Walsh, Building Official

I. GENERAL INFORMATION:

Applicant

Chris and Nancy Rovik

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:

R-1, One Family Residential

Site Location:

21494 Equestrian, west of Beck Road and south of 9 Mile Road

Parcel #:

50-22-32-401-086

Request

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.2(d), a variance of 4.5 feet in the required north side yard setback (15.0 feet required, 10.5 feet proposed, in order to allow construction of new stairwell addition within the existing side yard on an existing parcel.



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 | Maybury Park Estates PH #2 Subdivision | Single Residential |
| North | R-1, One Family Residential | Maybury Park Estates PH #2 Subdivision | Single Residential |
| South | R-1, One Family Residential | Maybury Park Estates PH #2 Subdivision | Single Residential |
| East | R-1, One Family Residential | Bellagio Subdivision | Single Residential |
| West | R-1, One Family Residential | Acreage Parcel | Single Residential |

III. STAFF COMMENTS:

Discussion

The applicant returns to the Zoning Board of Appeals. Since the plan was reviewed last on July 11, 2015, applicant has submitted revised plans date stamped July 30, 2015 for your review.

Existing Condition

The subject property consists of one- (1) lot located on the east side of Equestrian Trail within Maybury Park Estates PH #2 Subdivision. The parcel has approximately 106.43 feet of frontage on Equestrian Trail and approximately 229.66 feet deep as measured along north side yard lot line. The total lot area of the parcel is approximately 25,926 square feet. The existing residence is located 30.0 feet from the front yard lot line, 15.43 feet from the north side yard lot line, 25.0 feet from the south side yard lot line, and 137.5 feet from the rear yard lot line.

Proposed Changes

The applicant is proposing to construct new stairwell addition on an existing parcel. According to the submitted plans, the overall dimensions measure 4' x 17' for a total area of approximately 68.0 square feet. The addition would result in a setback of 130.0 +/- feet from the rear yard lot line and 10.5 feet from the north side yard lot line. **This requires a variance of 4.5 feet in the required north side yard setback.**

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. 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.PZ15-0017**, 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.PZ15-0017**, sought by _____, for _____ because the Petitioner has **not** established a practical difficulty because:

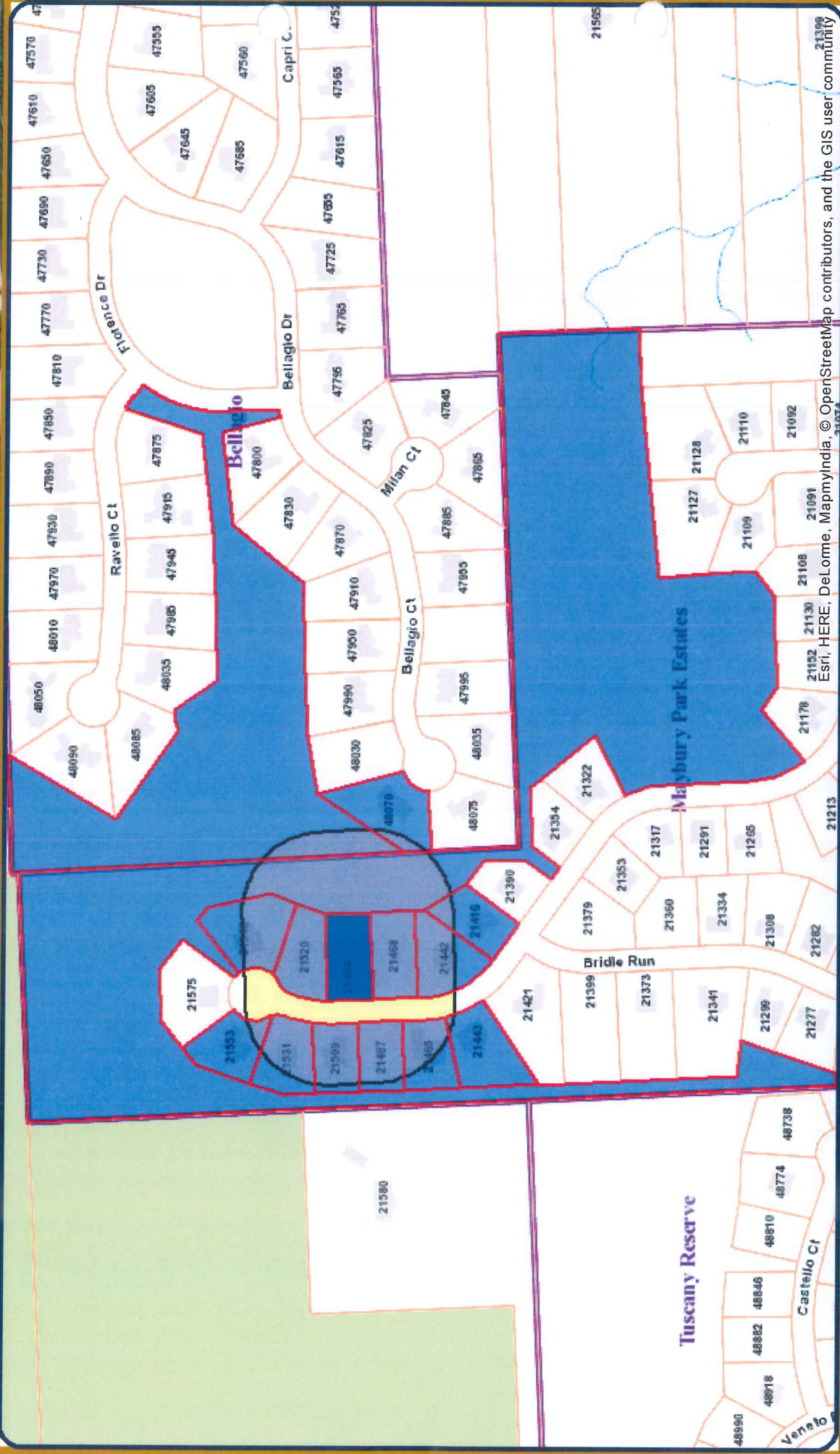
- (a) Petitioner has shown no unique circumstance or physical condition of the property because petitioner can reasonably comply with the ordinance by_____.
- (b) The difficulty described by the Petitioner is a personal or economic difficulty only in that Petitioner stated _____.
- (c) The need for the 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

21494 Equestrian Trail PZ15-0017



CITY OF NOVI

NOVI
 cityofnovi.org

*Map Produced Using the
 City of Novi, Michigan
 Internet Mapping Portal*

Author:
 Date: 6/19/2015

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. This map was produced under the terms of the City's Internet Site Use Policy available at <http://cityofnovi.org/Resources/InternetUsePolicy.asp>

0 245 490 980
 Feet
 1 inch = 498 feet

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community



45175 Ten Mile Road
 Novi, MI 48375
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 (248) 735-5600 Facsimile
 www.cityofnovi.org

ZONING BOARD OF APPEALS APPLICATION

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JUN 02 2015

CITY OF NOVI
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)

PROJECT NAME/ SUBDIVISION
 Mayberry Park Estates

ADDRESS
 21494 Equestrian trail

LOT/SIUTE/SPACE #
 78

SIDWELL #
 50-22-32-401-086

CROSS ROADS OF PROPERTY

Application Fee: \$200-

Meeting Date: 7-14-15

ZBA Case #: PZ 15-0017

IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?
 YES 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

EMAIL ADDRESS
 nancyrovik@hotmail.com

CELL PHONE NO.
 248 342 8647

NAME
 Nancy & Chris Rovik

TELEPHONE NO.
 248 719 7025

ORGANIZATION/COMPANY

FAX NO.

ADDRESS
 21494 Equestrian trail

CITY
 Normville

STATE
 MI

ZIP CODE
 48167

B. PROPERTY OWNER CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER

Identify the person or organization that owns the subject property:

NAME

EMAIL ADDRESS

CELL PHONE NO.

TELEPHONE NO.

ORGANIZATION/COMPANY

FAX NO.

ADDRESS

CITY

STATE

ZIP CODE

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 3-1.2 Variance requested 5.0' SIDE YARD NORTH

2. Section _____ Variance requested _____

3. Section _____ Variance requested _____

4. Section _____ Variance requested _____

IV. FEES AND DRAWINGS

A. FEES

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

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CITY OF NOVI

COMMUNITY DEVELOPMENT

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 or 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:

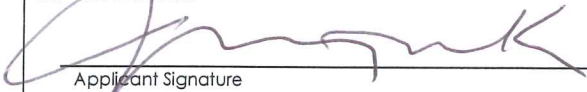
The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGNAGE

ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT



Applicant Signature

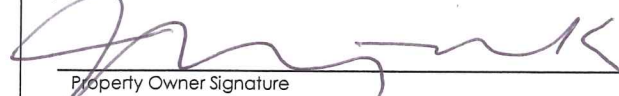
6-1-15

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.



Property Owner Signature

6-1-15

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

PHOTOCOPIES NOT VALID

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CITY OF NOVI
COMMUNITY DEVELOPMENT

4572286



RLB

EXPIRES

02

21

17

MONTH

DAY

YEAR

MICHIGAN SECRETARY OF STATE
MV-8 REMOVE BEFORE DRIVING



COMMUNITY DEVELOPMENT DEPARTMENT

PZ15-0017 - ACTION SUMMARY

PROJECT SUMMARY:

JULY 14, 2015 MEETING

TABLED UNTIL AUGUST 11, 2015

APPLICANT/OWNER INFORMATION:

APPLICANT

ROVIK, CHRISTOPHER L
21494 EQUESTRIAN TRL
NORTHVILLE MI 48167

OWNER

ROVIK, CHRISTOPHER L
21494 EQUESTRIAN TRL
NORTHVILLE MI 48167

PROPERTY INFORMATION:

LOCATION/ADDRESS: 21494 EQUESTRIAN TRL

PARCEL NUMBER: 50-22-32-401-086 **ZONING DISTRICT:** R-A

SUBDIVISION: MAYBURY PARK ESTATES PH 2

LOT/UNIT #: 78

ACTION SUMMARY:

ZBA MEETING DATE: 07/14/2015

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 3.1.2(d), a variance of 4.5 feet in the required north side yard setback (15.0 feet required, 10.5 feet proposed, in order to allow construction of new stairwell addition within the existing side yard on an existing parcel.

Motion by Ibe, supported by Krieger to TABLE Case PZ15-0017, until August 11, 2015 to allow the applicant to provide additional information to the board.

Motion carried 5-2.

PROPOSED WALK-UP STAIR
SILVER EQUESTRIAN TRAIL
NORTHVILLE, MICHIGAN 48167

BURTON BROTHERS GC
2516 TELEGRAPH ROAD
SOUTHFIELD, MICHIGAN 48035

PAUL HANNENBERG & ASSOCIATES, INC.
STRUCTURAL ENGINEERING AND CONSULTANTS
42505 WOODWARD AVENUE OFFICE: 248-934-5100
SUITE 270 FAX: 248-934-7100
BLOOMFIELD HILLS, MI 48304

| DATE | DESCRIPTION |
|----------|--------------------------------|
| 06/27/15 | PERMIT RELEASE |
| 07/16/15 | PERMIT RELEASE/REVISION 6 DOOR |

| | |
|---------|-------|
| Sheet | AI |
| Job No. | 15143 |

CONCRETE SPECIFICATIONS:

- Concrete work shall conform to the requirements of ACI 301-96, "Specifications for Structural Concrete for Buildings", except as modified by supplemental requirements.
- Concrete shall have a minimum of 3000 PSI, 28 day compressive strength, unless noted otherwise (u.n.o.), (517 lbs. of cement per cubic yard minimum (5.5 sacks) & a water/cement ratio not to exceed 6 gallons per sack). Foundation walls shall have 4% air entrainment. Exterior concrete slabs shall have a minimum of 4000 PSI, 28 day compressive strength, and 4% air entrainment.
- The use of additives such as Fly Ash or Calcium Chloride is not allowed without prior review from the Engineer.
- The concrete contractor shall submit the design mix of each type for review by the Engineer and Architect prior to placement.

REINFORCING STEEL SPECIFICATIONS:

- Reinforcing bars, dowels, and ties shall conform with ASTM-615 GRADE 60 requirements and shall be free of rust, dirt and mud.
- Welded wire fabric shall conform with ASTM A-188 and be positioned at the mid height of slabs, u.n.o.
- Reinforcing shall be placed and securely tied in place sufficiently ahead of placing of concrete to allow inspection and correction, if necessary, without delaying the concrete placement.
- Extend reinforcing bars a minimum of 36" around corners and lap bars at splices a minimum of 24", u.n.o.
- Welding of reinforcing steel is not allowed.

MASONRY SPECIFICATIONS:

- Masonry work shall be in accordance with A.C.I. 530-95, and Specifications for Masonry Structures A.C.I. 530.1-98. Concrete masonry units shall conform to ASTM C-90, Grade N, Type I for hollow concrete masonry units, and ASTM C145, Grade N, Type I for solid concrete masonry units. Brick shall meet the latest revisions of ASTM C216, Grade SW.
- Mortar shall conform to ASTM C270, Type M or S, minimum compressive strength for 1800 PSI at 28 days.
- Concrete masonry units shall have a minimum prism strength of 1500 PSI.
- Expansion joints for brick masonry shall be placed at 20' to 30' o.c. maximum.
- Control joints for concrete masonry shall be placed at 24' o.c. maximum, unless noted otherwise (u.n.o.).
- Concrete block walls shall have 'Dur-O-Wal' or equivalent truss-type horizontal reinforcing installed at every other course. Horizontal wire reinforcement shall be # 9 ga. wire with ASTM A641 Galvanized coating unless noted otherwise. Walls with vertical reinforcement shall have only "Ladder" type reinforcement. Do not extend horizontal reinforcing through joint joints.
- Install vertical reinforcing (as noted on plans) in the center of block cores and grout in maximum of four foot heights. Reinforcing steel shall be ASTM 615 Grade 60. Lap and tie bar splices shall be placed in accordance with ACI 530-92, Section 8.5.7.1.
- Brick work shall have proper ties to the structure, flashing, weepholes, etc., in accordance with the most recent specifications of the Brick Institute of America and the MRC 2006, R702.1 and R703.
- The masonry contractor is solely responsible for the design and installation of temporary shoring and falsework required to withstand wind loads and temporary construction loads. Work performed shall be in accordance with OSHA requirements.
- Steel beams bearing on masonry walls shall have a 7 1/2" x 7 1/2" x 3/8" bearing plate with two 1/2" diameter x 6" long headed studs, u.n.o. The top three courses of block below the bearing shall be grouted solid. Steel lintels supporting masonry from the bottom flange shall have a continuous 5/16" steel plate welded to the bottom flange as required.
- Precast masonry lintels bearing on masonry shall have 8" minimum bearing at each end.

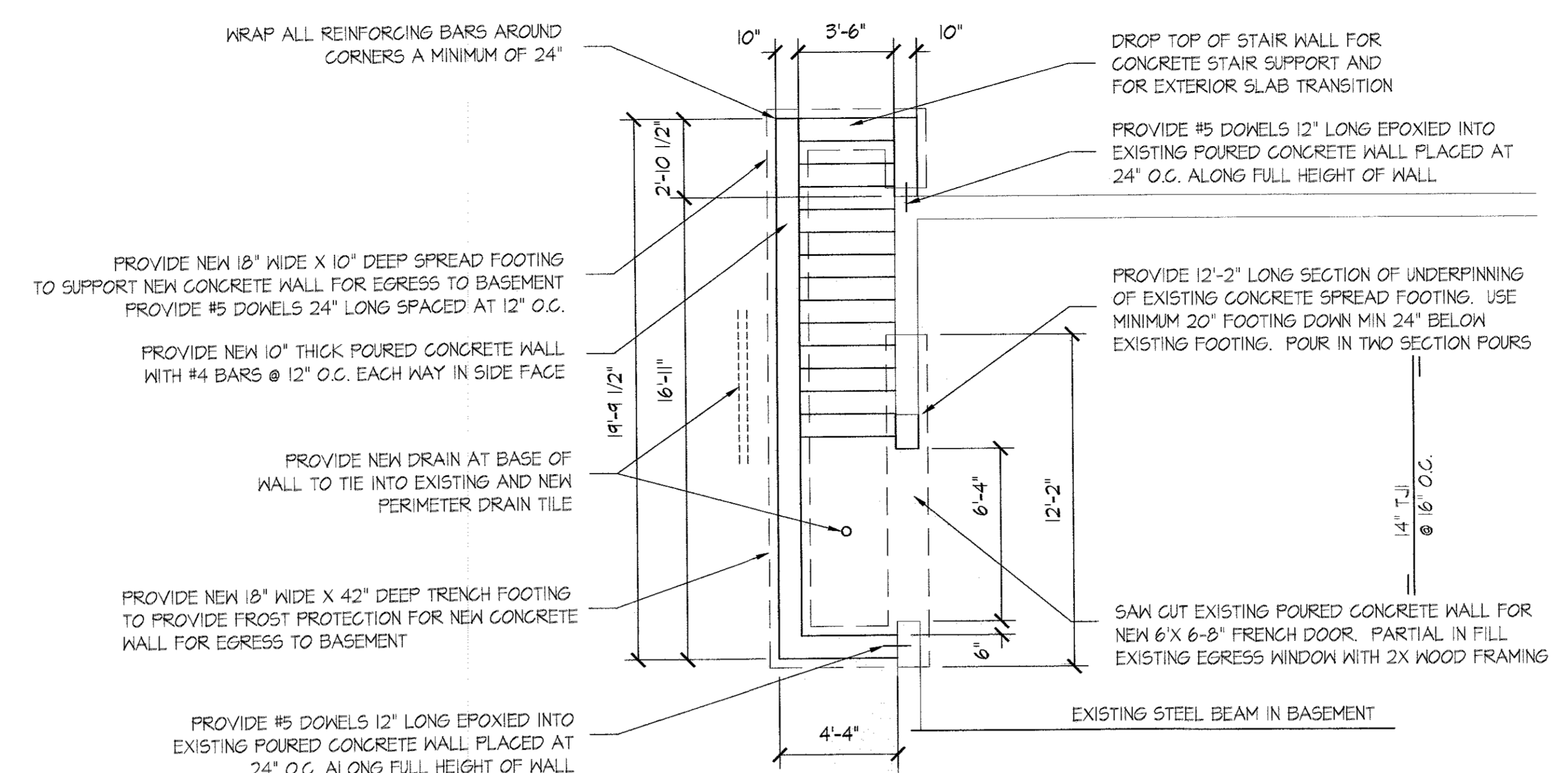
SOIL BEARING REQUIREMENTS:

- All top soil, organic and vegetative material should be removed prior to construction. Any required fill shall be clean, granular material compacted to at least 95% of maximum dry density as determined by ASTM D-1557.
- Foundations bearing on existing soils are designed for a minimum allowable soil bearing capacity of 3000 PSF, u.n.o. The allowable soil bearing capacity must be verified by a registered soils engineer prior to the start of construction and is the responsibility of the owner or contractor.
- Notify the Engineer/Architect if the allowable soil bearing capacity is less than 3000 PSF so that the foundations can be redesigned for the new allowable bearing capacity.

TEMPORARY CONSTRUCTION SHORING:

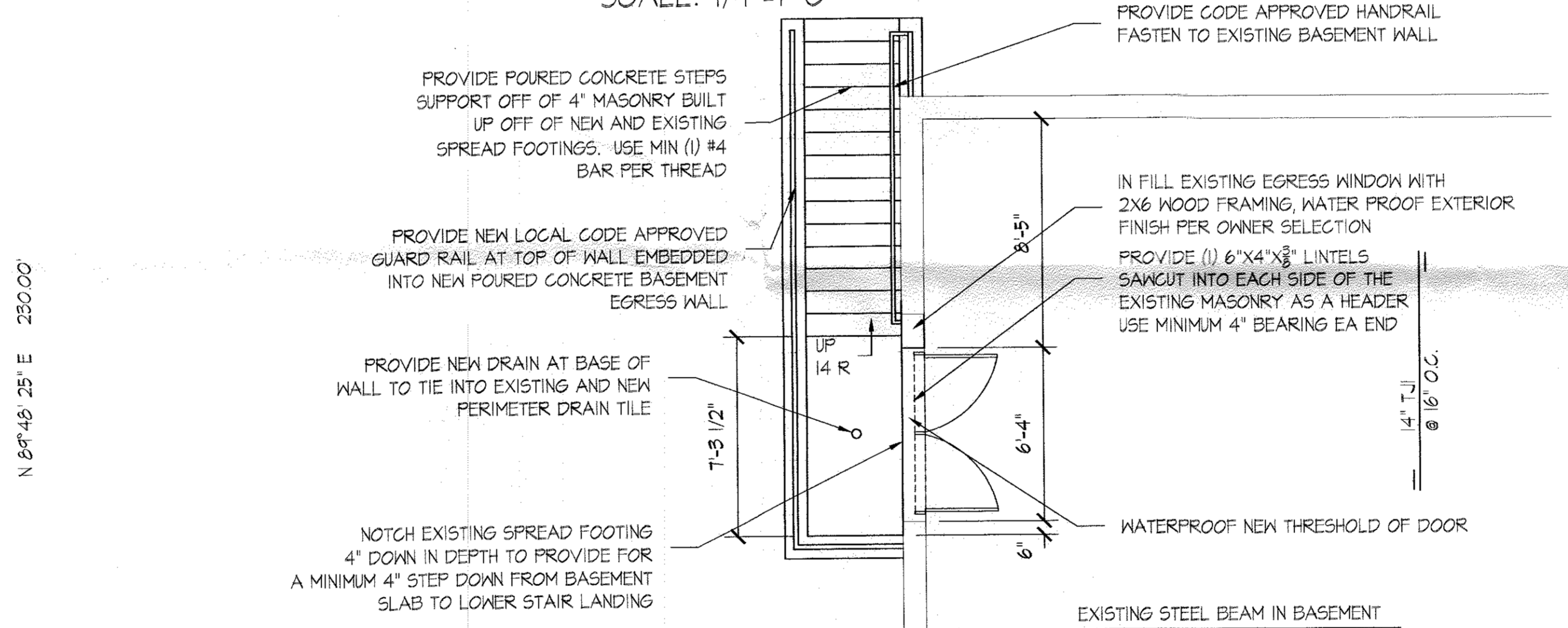
- Paul Hannenberg + Associates, Inc., assumes no responsibility for the design or proper installation of temporary building bracing and shoring or the means and methods required to complete this project. The contractor and his engineer are responsible for the design and proper installation of both temporary shoring and bracing required for a safe and structurally sound project. The structural members indicated on these drawings are not self-bracing and shall be considered unstable until attached to the completed structure as indicated by these drawings and specifications. The contractor is responsible for all damages incurred due to improper shoring or bracing during the construction project. Acceptance of the construction project by the contractor is proof of acceptance of the above mentioned items.

CALL MISS DIG 800-MISS-DIG
PRIOR TO CONSTRUCTION



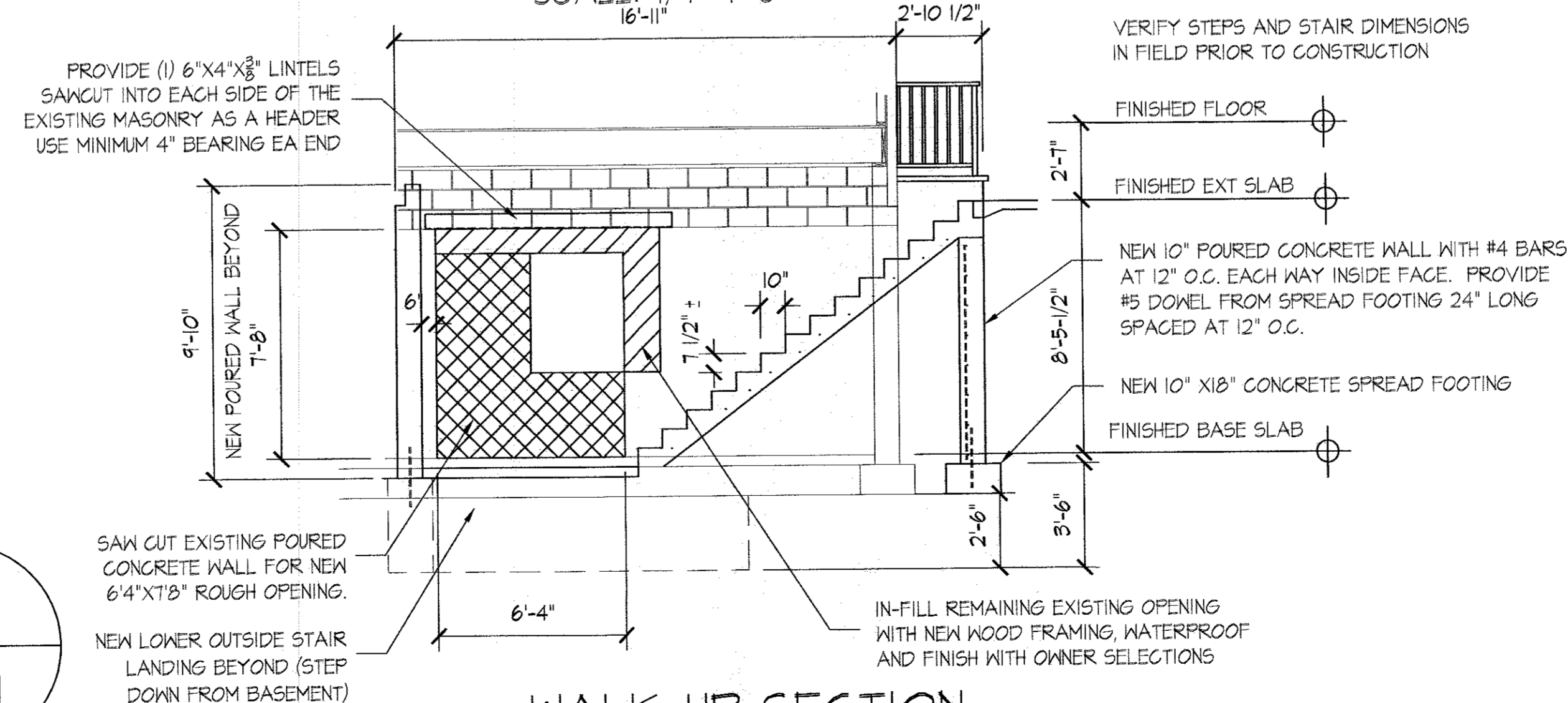
WALK-UP FOUNDATION PLAN

SCALE: 1/4" = 1'-0"



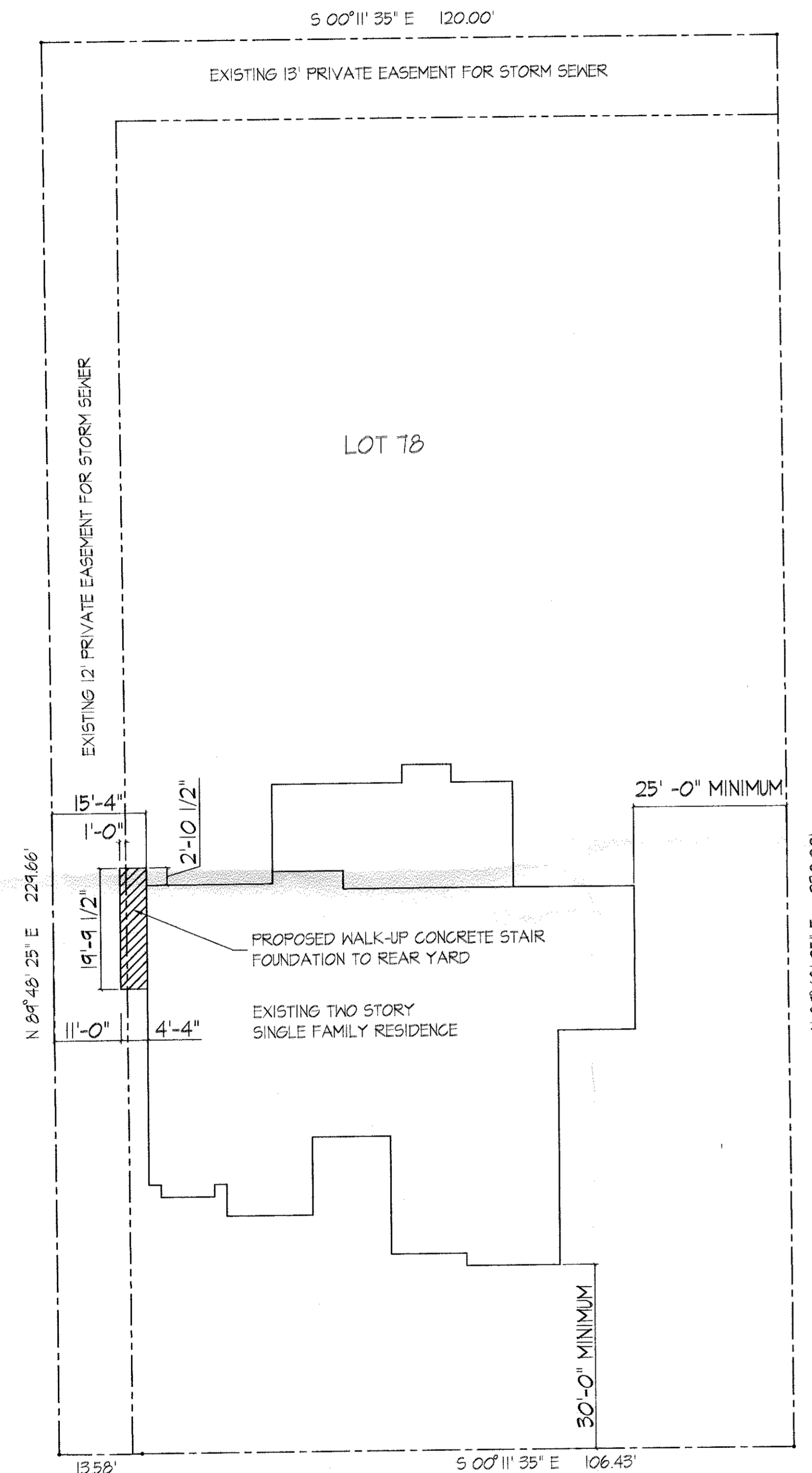
WALK-UP FLOOR PLAN

SCALE: 1/4" = 1'-0"



WALK-UP SECTION

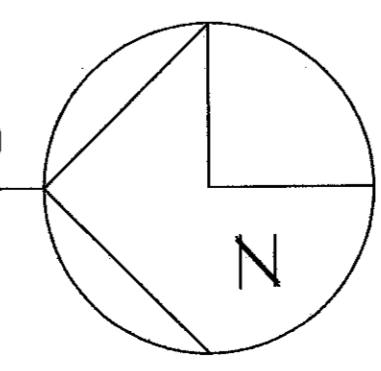
SCALE: 1/4" = 1'-0"



PLOT PLAN (FROM MORTGAGE SURVEY)

SCALE: 1/16" = 1'-0"

LEGAL DESCRIPTION (FROM WARNER, CANTRELL & PADMOS, INC)
MAYBURY PARK ESTATES, REPLAT NO.1, OAKLAND COUNTY
CONDOMINIUM SUBDIVISION PLAN NO.1609, SECTION 32, T.1N, R.2E,
CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN
L. 36631, P. 127-170, OAKLAND COUNTY RECORDS



P.H. Hannenberg



CITY OF NOVI

EX. DETENTION AREA

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NOTE:
SILT FENCE TO BE MAINTAINED
THROUGHOUT CONSTRUCTION

RECOMMENDED Date 6/4/15

RECOMMENDED Date 6/4/15

RECOMMENDED Date 6/4/15

RECOMMENDED Date 6/4/15

CITY OF NOVI
COMMUNITY DEVELOPMENT

JUN 02 2015

RECOMMENDED
DATE 6/4/15

RECOMMENDED
DATE 6/4/15

RECOMMENDED
DATE 6/4/15

FILE

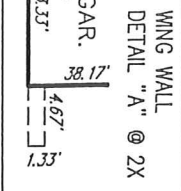
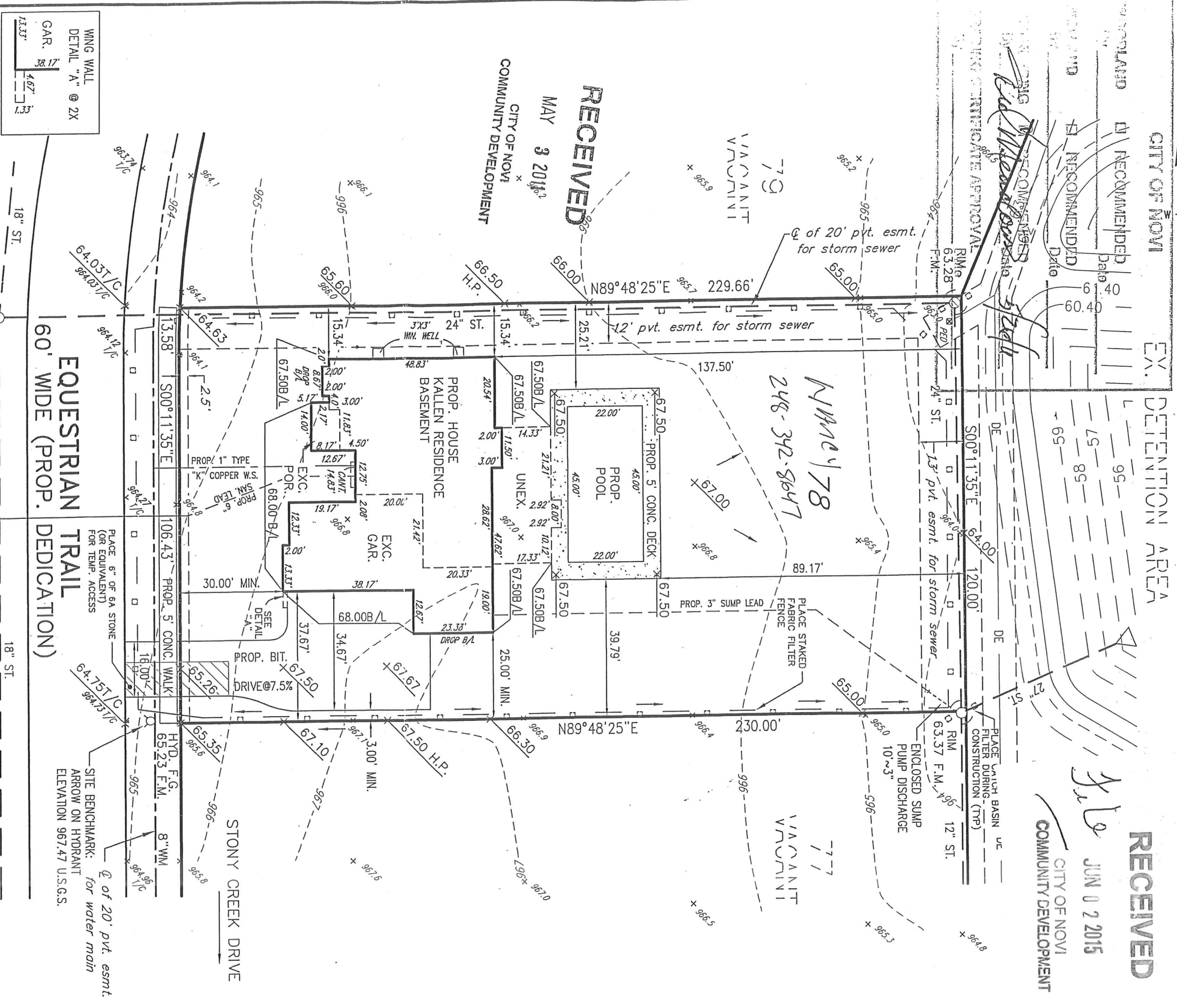
21444 Equestrian Tr

2144-342-8647

52411

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MAY 3 2015
CITY OF NOVI
COMMUNITY DEVELOPMENT



MAIN B/L - 68.00
1st FLR. - 69.84
BASM'T. FLR - 59.13
TOP/BASM'T. FTG. - 58.84
GAR. FTG. - 68.00
TOP OF POURED WALL - 68.67
BASM'T. WALL HT. - 9.83'

LEGEND

- 0/0 EXIST. ELEV.
- X/0 PROP. ELEV.
- T/C TOP OF CURB
- B/L BRICK LEDGE
- F.M. FIELD MEASURED



21494 EQUESTRIAN TRAIL
PLOT PLAN -- UNIT 78
MAYBURY PARK ESTATES, REPLAT NO.1, OAKLAND COUNTY CONDOMINIUM
SUBDIVISION PLAN NO.1609, SECTION 32, T.1N., R.8E., CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN, AS RECORDED IN L. 36631, P. 127-170,
OAKLAND COUNTY RECORDS.

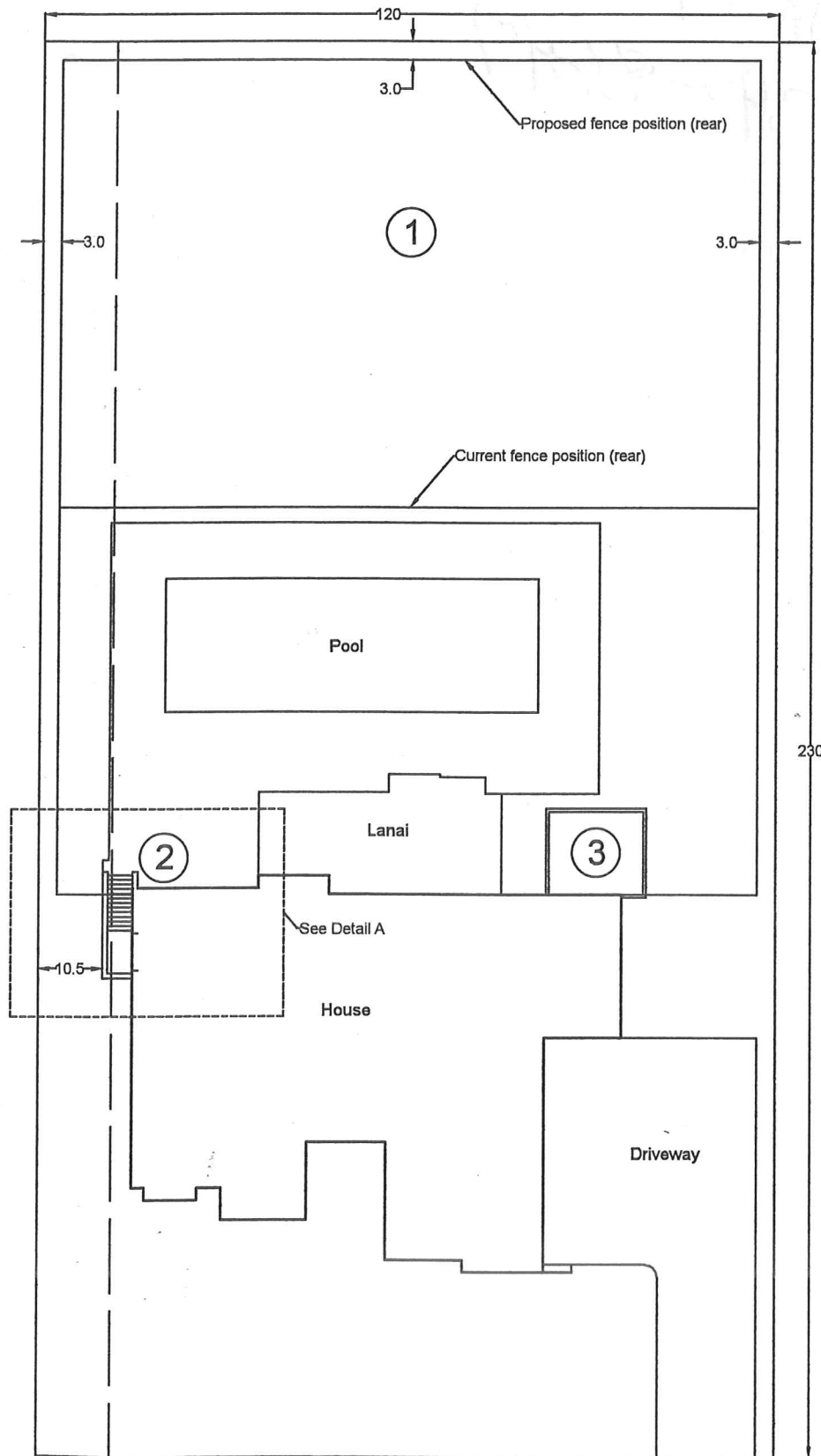
SCALE: 1" = 30'
DATE: APRIL 21, 2011
REV. WING WALL 5/5/11
REV. PER ARCH. 5/9/11

FOR: BROOKLYNN CUSTOM HOMES, LLC
40400 GRAND RIVER AVENUE, SUITE 1
NOVI, MI 48375
(248) 412-3768
JOB # 20110201

WARNER, CANTRELL & PADMOS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
27300 HAGERTY ROAD, SUITE F2
FARMINGTON HILLS, MI 48331
(248) 848-1666

B11-0258

21494 Equestrian Trail - Building/Land Improvement Detail

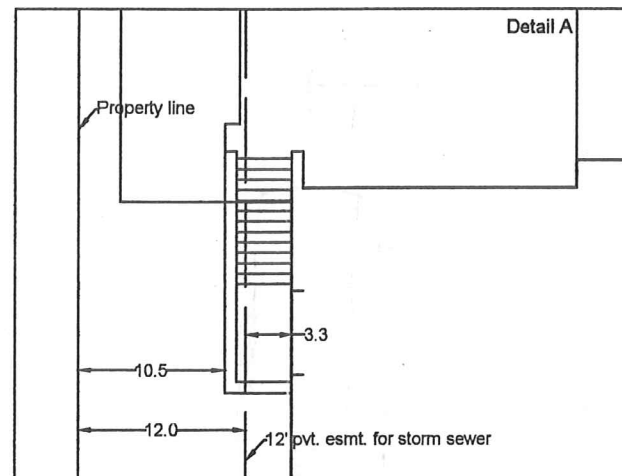


① Fence modification

- Extend the currently installed fence towards the rear property line (East)
- Maintain a 3' clearance to property line on North, East, and South
- Fence style to be the same as current (black aluminum)

② Egress improvement (walk-up)

- Location is the NE corner of the house
- Replace the currently-installed egress window with a 6' wide french door wall
- Install foundation with underpinning and 4' x 6' landing pad
- Install retaining wall on West and North side of the landing pad / stair
- Installation includes 13 steps to the rear (East) of the home
- Clearance to the North property line is 10.5'



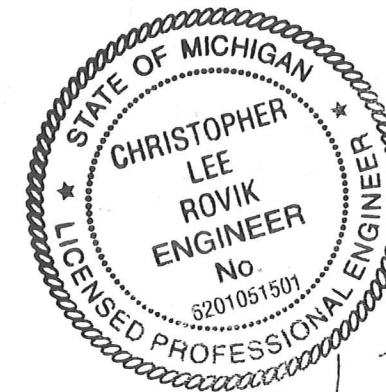
③ Wall addition around mechanical equipment

- Location is the SE corner of the house
- Add brick-faced wall around mechanical equipment (pool, AC, generator)
- Brick is to match existing house brick, and the wall will have a height of 4'

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