



## COMMUNITY DEVELOPMENT DEPARTMENT

45175 Ten Mile Road  
Novi, MI 48375  
(248) 347-0415 Phone  
(248) 735-5600 Facsimile  
[www.cityofnovi.org](http://www.cityofnovi.org)

## ZONING BOARD OF APPEALS STAFF REPORT

**FOR:** City of Novi Zoning Board of Appeals

**ZONING BOARD APPEALS DATE:** May 12, 2015

**REGARDING:** VALADE (CASE NO. PZ15-0011)

**BY:** Thomas M. Walsh, Building Official

### I. GENERAL INFORMATION:

#### Applicant

Rick Valade

#### Variance Type

Dimensional Variance

#### Property Characteristics

Zoning District:

R-1, One Family Residential

Site Location:

25905 Laramie Drive, south of 11 Mile Road and east of Beck Road

Parcel #:

50-22-21-126-026

#### Request

The applicant is requesting variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 4.16 and 4.19 to allow construction of new patio enclosure addition on an existing parcel; a variance of 6.0 feet in the required separation distance from the main building (10.0 feet required, 4.0 feet 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
<b>Subject Property</b>	R-1, One Family Residential	Walden Woods II Subdivision	Single Family
<b>North</b>	R-1, One Family Residential	Walden Woods II Subdivision	Single Family
<b>South</b>	R-1, One Family Residential	Walden Woods II Subdivision	Single Family
<b>East</b>	R-1, One Family Residential	Walden Woods II Subdivision	Single Family
<b>West</b>	RA, Residential Acreage	Lochmoor Village Subdivision	Single Family

**III. STAFF COMMENTS:**

**Existing Condition**

The subject property consists of one- (1) lot located on the west side of Laramie Drive within Walden Woods II Subdivision. The parcel has approximately 92.84 feet of frontage on Laramie Drive and approximately 153.35 feet deep as measured along south side yard lot line. The total lot area of the parcel is approximately 14,474.5 square feet. The existing residence is located 30.0 feet from the front yard lot line, 25.0 feet from the north side yard lot line, 13.0 feet from the south side yard lot line, and 54.0 feet from the rear yard lot line.

The existing pool is located 28.0 feet from the rear yard lot line, 48.0 feet from the north side yard lot line, and 10.0 feet from the south side yard lot line.

**Proposed Changes**

The petitioner proposes to construct a one-story garage addition. According to the submitted plans, the overall dimensions measure 8' x 14.5' for a total area of approximately 116.0 square feet. The addition would result in a setback of 54.5 feet from the rear yard lot line and 47.5 feet from the north side 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. Private Pool (Section 4.16 and 4.19). Private pools shall be permitted as an accessory use within the rear yard or a non-required interior side yard. A detached accessory building (pools) shall not be located closer than ten (10) feet to any main building and shall not be located closer than six (6) feet to any interior side lot or rear lot line. As proposed the new addition will be located approximately 4.0 feet from the existing pool. **This requires a variance of 6.0 feet.**

**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.PZ15-0011, 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. \_\_\_\_\_.

**Zoning Board Of Appeals**

Valade Property  
Case # PZ15-0011

May 12, 2015

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2. Deny I move that we **deny** the variance in Case No.PZ15-0011, 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\_\_\_\_\_.

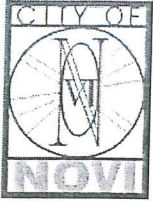
(f) The proposed variance would have adverse impact on surrounding property because \_\_\_\_\_.

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



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Thomas M. Walsh  
Building Official  
City of Novi



45175 Ten Mile Road  
 Novi, MI 48375  
 (248) 347-0415 Phone  
 (248) 735-5600 Facsimile  
 www.cityofnovi.org

## ZONING BOARD OF APPEALS APPLICATION

**APPLICATION MUST BE FILLED OUT COMPLETELY**

cityofnovi.org

Application Fee: \$200  
 Meeting Date: 5/12/14  
 ZBA Case #: PZ 15-0011

I. PROPERTY INFORMATION (Address of subject ZBA Case)	
PROJECT NAME / SUBDIVISION <u>VALADE PORCH ENCLOSURE</u>	
ADDRESS <u>25905 LARAMIE DR.</u>	LOT/SUITE/SPACE # <u>#3</u>
SIDWELL # <u>50-22-21-12-6-026</u>	May be obtain from Assessing Department (248) 347-0485
CROSS ROADS OF PROPERTY <u>11 MILE + BEEK</u>	

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.	
NAME <u>RICK VALADE</u>		<u>RICOMSU@AOL.COM</u>		<u>248-330-9208</u>	
ORGANIZATION/COMPANY				TELEPHONE NO. <u>248-374-9173</u>	
ADDRESS <u>25905 LARAMIE</u>		CITY <u>NOVI</u>	STATE <u>MI</u>	ZIP CODE <u>48374</u>	

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

Identify the person or organization that owns the subject property:		EMAIL ADDRESS		CELL PHONE NO.	
NAME				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 413.4 Variance requested REQUESTED SET FROM POOL 10' ~~BASED ON~~

2. Section \_\_\_\_\_ Variance requested PROPOSED 4' TO 5' FROM POOL

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

## 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

3/31/15

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

Date

## VII. FOR OFFICIAL USE ONLY

### DECISION ON APPEAL:

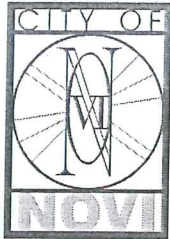
GRANTED

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



cityofnovi.org

**REVIEW STANDARDS  
DIMENSIONAL VARIANCE  
CITY OF NOVI  
Community Development Department  
(248) 347-0415**

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 how the circumstances or physical conditions applying to the property that do not apply generally to other properties in the same Zone 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:

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*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:

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*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:

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**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).

NEW AND INCREASED BEE, BUGS AND ANT INFESTATION FROM ADJACENT WETLANDS  
HAS CREATED UNSAFE EXPOSURE TO YOUNGER CHILDREN  
AND ALLERGIC BEE REACTION TO FAMILY MEMBER. ACTION TAKEN  
INCLUDES UNLIMITED SERVICE CONTRACT WITH TERMINIX, AS WELL  
AS HEAVY DUTY SPRAYING. LAST SUMMER HAD TO PAY CONTRACTOR TO  
REMOVE AND REPAIR SIDING ON HOUSE FACING WETLANDS TO BEE'S, BUGS BURNING HOLES.  
DESPITE ACTION AND TREATMENTS, TO PROVIDE BEE & BUG FREE ENVIRONMENT, UNSAFE  
SITUATION FOR ALLERGIC REACTIONS  
AND BITES STILL EXISTS.

**Standard #3. Strict Compliance.**

Explain how the Dimensional Variance is 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.

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**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 PROPOSED PATIO ENCLOSURE IS A VERY SMALL ENCLOSURE  
AND WILL OCCUPY CURRENT OPEN SPACE THAT EXISTS BETWEEN  
HOUSE AND FENCE. PROPOSED PORCH WILL NOT EXCEED CURRENT  
FENCE LOCATION AND THE PRESENT OPEN SPACE FROM FENCE  
TO POOL WILL BE EXACTLY SAME SPACE AS PROPOSED PORCH TO POOL.

**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

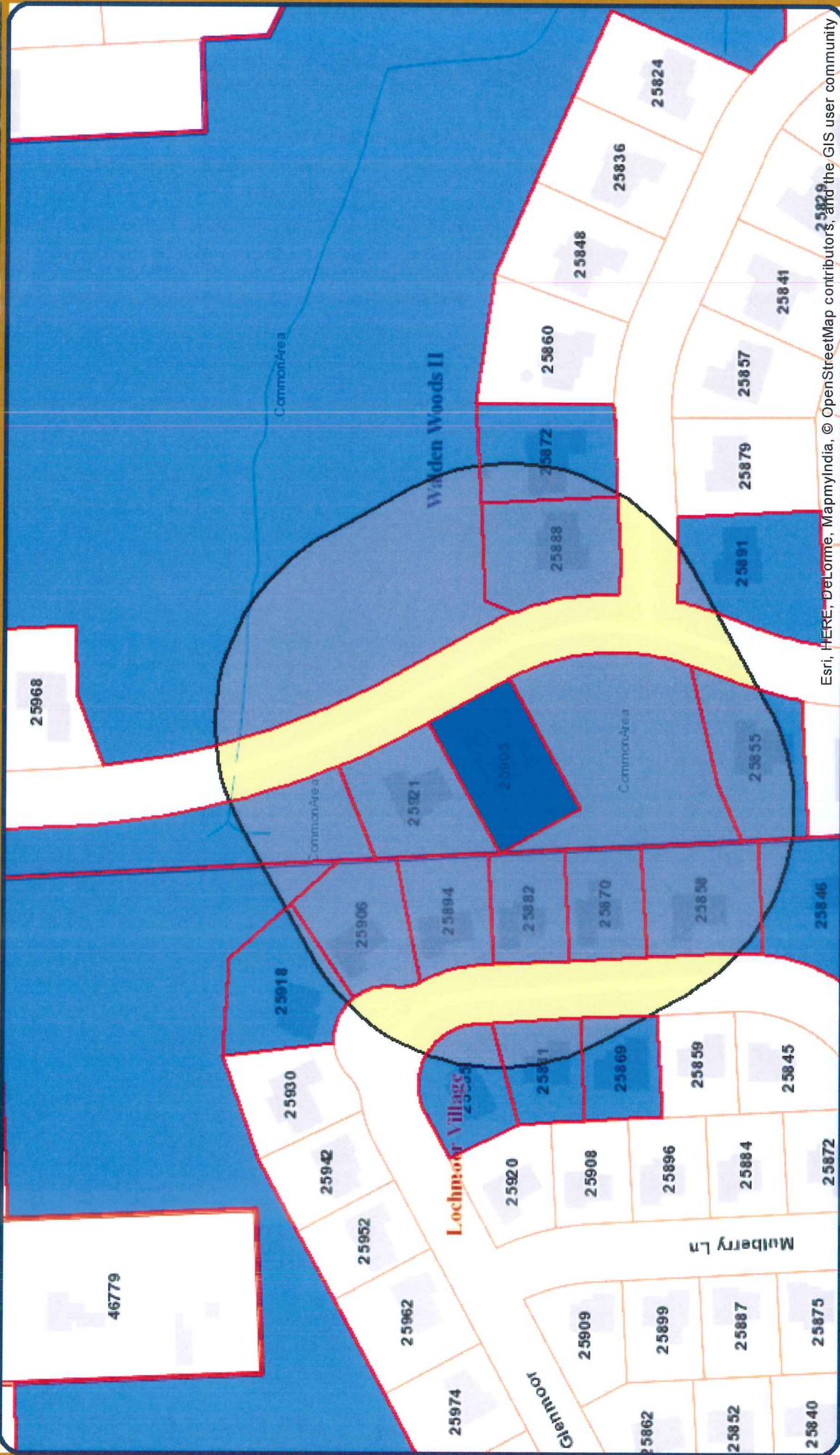
PORCH ENCLOSURE WILL BE HIGH QUALITY  
AND ENHANCE CURRENT PROPERTY. PORCH WILL ONLY BE  
VISIBLE TO ONE NEIGHBOR AND THEY WOULD WELCOME IT.

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# 25905 Laramie Drive PZ15-0011



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

### 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/SiteUsePolicy.asp>

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

Author:  
Date: 4/17/2015



724-564-3692

WOOD-FRAMED 15x8 PORCH WITH ROOF AND DOORS AND REINSTALL FENCE TO PORCH WINDOW

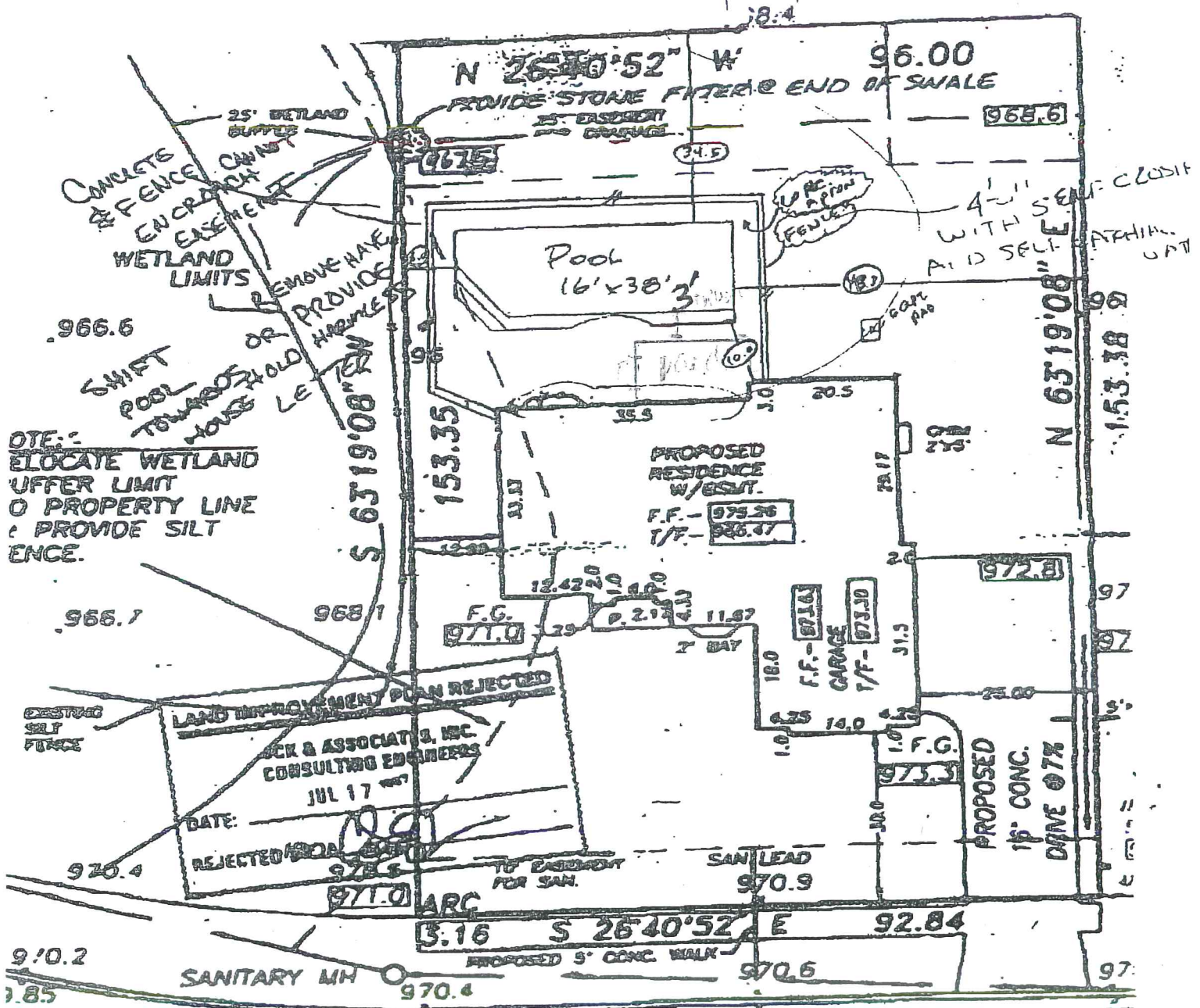
Aug-29-97 04:51A

P.03

REVISED 7-26-97

Valade

- \* NO TOWERING WITH
- \* NO SEPTIC/ WELL
- \* DOORS TO BE ALARMS



APPROVED

APPROVED PLANS

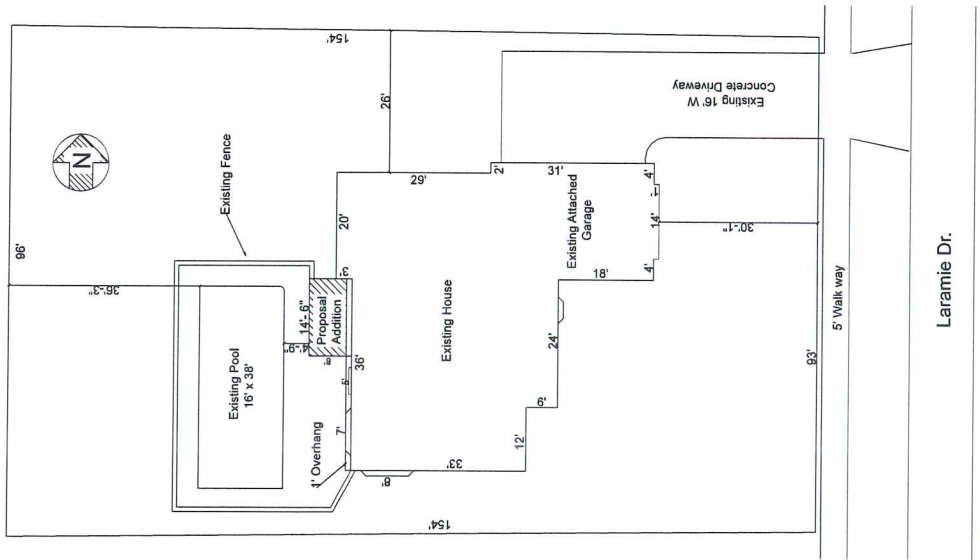
WITH PLAN EXAMINATION AND SUBJECT TO FIELD INSP.

SHALL BE KEPT AT THE BUILDING SITE OPEN TO THE CODE OFFICIAL AT ALL REASONABLE TIMES

CITY OF NOVI

SEC 1125

<p>General Notes</p>	<table border="1"> <tr><td>No.</td><td>Revision/Issue</td><td>Date</td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	No.	Revision/Issue	Date							<p><b>Firm Name and Address</b></p> <p>All Type Builders, LLC          43744 Veston Ct.          Canton, MI 48188          734-397-3325          alltypebuilder@gmail.com</p> <p><b>Project Name and Address</b></p> <p>Valde Residence          25605 Laramie Dr.          Novi, MI 48374</p>
No.	Revision/Issue	Date									
<p><b>Sheet</b></p> <p>House Addition</p> <p>4 - 14 - 15</p> <p>Scale: 3/8" = 1'</p>		<p><b>1-3</b></p>									



General Notes

No.	Revision/Issue	Date

The Owner and Address

All Type Builders, LLC  
43744 Verdum Ct.  
Canton, MI 48188  
734-397-3225  
alltypebuilder@gmail.com

Project Name and Address

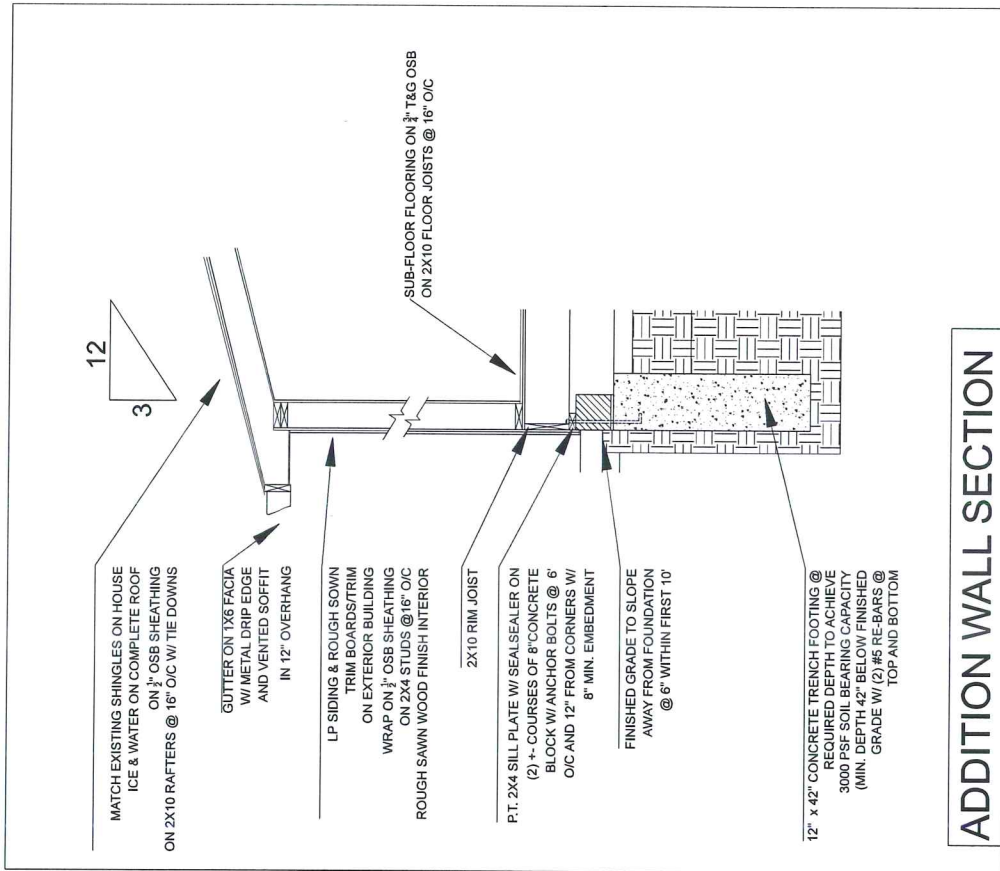
Valde Residence  
2805 Lanette Dr.  
Novi, MI 48374

Sheet  
House Addition

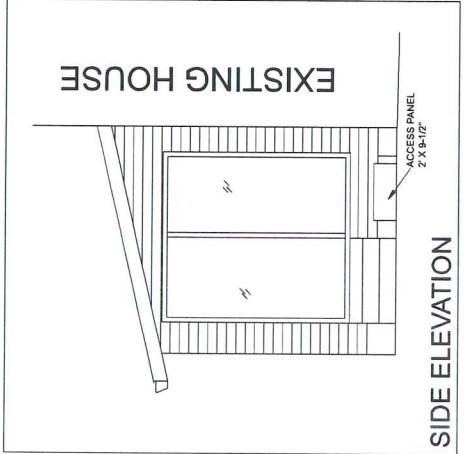
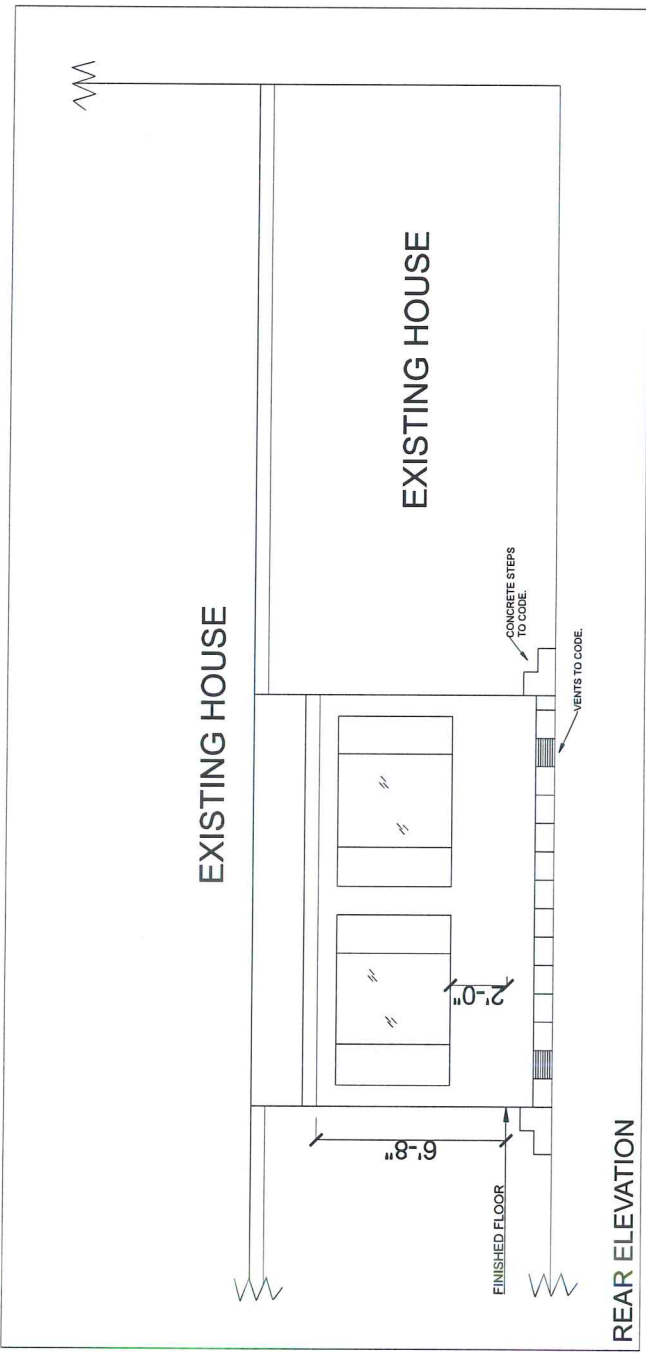
Drawn  
4-14-15

Scale  
1" = 1'

2-3



**ADDITION WALL SECTION**



General Notes		No.		Revision/Date		Date	
2) 6" x 4" (1) END VENT WINDOWS							
3) PATIO DOOR							
Firm Name and Address							
All Type Builders, LLC 4374 Verdun Ct. Canton, MI 48188 734-397-3225 alltypebuilder@gmail.com							
Project Name and Address							
Vehicle Residence 2600 ... Dr. Novi, MI 48374							
Project		House Address		Sheet		3-3	
Date		Scale		Date		Scale	
11-15		1/2" = 1'		11-15		1/2" = 1'	