

City of Pleasant Ridge

23925 Woodward Avenue, Pleasant Ridge, Michigan 48069
Phone: 248-541-2901 • Web: www.cityofpleasantridge.org

City Commission
Kurt Metzger, Mayor
Jason Krzysiak
Ann Perry
Bret Scott
Amanda Wahl

City Manager
James Breuckman

Public Hearing and Zoning Board of Appeals Meeting May 15, 2018

Honorable Mayor, City Commissioners and Residents: This shall serve as your official notification of the Public Hearing and Zoning Board of Appeals Meeting to be held Tuesday, May 15, 2018, 6:00 p.m., in the City Commission Chambers, 23925 Woodward Avenue, Pleasant Ridge, Michigan 48069. The following item is on the Agenda for your consideration:

PUBLIC HEARING AND ZONING BOARD OF APPEALS MEETING – 6:00 P.M.

1. Meeting Called to Order.
2. Roll Call.
3. **PUBLIC HEARING** – Solicitation of public comments on the request by Mr. Paul Tulikangas and Ms. Michele Kamier, 37 Maplefield Road, Pleasant Ridge, for a variance to Section 82.164 (9) of the Pleasant Ridge Zoning Ordinance, regarding the front yard setback requirement for a residential property.
4. Request by Mr. Paul Tulikangas and Ms. Michele Kamier, 37 Maplefield Road, Pleasant Ridge, for a variance to Section 82.164 (9) of the Pleasant Ridge Zoning Ordinance, regarding the front yard setback requirement for a residential property.
5. **PUBLIC HEARING** – Solicitation of public comments on the request by Mr. Ben Roberts, 55 Sylvan Avenue, Pleasant Ridge, for a variance to Section 82.193(3) of the Pleasant Ridge Zoning Ordinance, regarding the Maximum allowable square footage permitted for an accessory structure for a residential property.
6. Request by Mr. Ben Roberts, 55 Sylvan Avenue, Pleasant Ridge, for a variance to Section 82.193(3) of the Pleasant Ridge Zoning Ordinance, regarding the Maximum allowable square footage permitted for an accessory structure for a residential property.
7. Adjourned.

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the City at least seventy-two (72) hours in advance of the meeting, if requesting accommodations.



City of Pleasant Ridge

Staff Report to the Zoning Board of Appeals

May 9, 2018

37 Maplefield Front Yard Variance Request

REQUEST	Dimensional Variance
APPLICANT	Mr. Paul Tulikangas & Ms. Michelle Kaminer
PROPERTY OWNER	Same as applicant
LOCATION	37 Maplefield
PARCEL ID	25-28-129-015
ZONING	R1C – Single Family
STAFF	Jim Breuckman, AICP, City Manager

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Summary

The applicant is proposing to add an attached garage on to the existing nonconforming house located at 37 Maplefield. As proposed, the garage would require a variance of nine (9) feet from the minimum required front yard. The required setback is determined based on the established building line for houses within 250 feet on the same street.

Variance Request

Front Yard Setback Variance Request. Per Section 82-164(9), the front yard setback requirement is determined by the established building line along the street. This method is used in Pleasant Ridge because houses were built at a consistent distance from the curb along each street in town. Within the City there is variation in what that front yard setback distance is from street to street and sometimes from block to block. To ensure that new development respects the strong established building lines in town, new development is required to comply with the established building line rather than there being a standardized, one-size-fits all minimum setback requirement.

For the purposes of calculating the building line, the Zoning Ordinance specifies that the front yard setback for a parcel is equal to the average setback for houses within 250 feet and on the same block as the subject parcel.

The front yard setback requirement for 37 Maplefield is 28 feet from the property line, or 40 feet from the back of curb. This requirement was calculated as follows:

1. The houses which front on Maplefield within 250 feet of the subject property are all located to the north. The property immediately adjacent to the south fronts on Kenberton. The properties within 250 feet have an average setback of 43.5 feet from the curb.
2. 124 Kenberton, 37 Maplefield, and 35 Maplefield have different lot lines than the rest of the properties from 23 through 33 Maplefield. This is because the original plat for Maplefield dates from the early 20th century. 35 Maplefield, 37 Maplefield, and 124 Kenberton retain the lot lines from the original plat.

Later, in the 1930s, the lots along Maplefield were re-platted. Only a few homes had been built when the replat occurred. The original plat had a 50-foot right of way width, while the re-plat had a 60 foot right of way width. When the right-of-way width was increased, the lot lines for the houses other than 35-37 Maplefield and 124 Kenberton were shifted 10 feet to the east.

3. This created a situation where the front property lines are different for houses on the same block. For this reason, staff completed the established building line analysis using the back of curb to the front face of the house as the measurement for the front yard setback so that there would be a consistent baseline measurement point.

The results of the measurements *from the curb to the front of the house* are as follows:

23 Maplefield:	45.5 feet
27 Maplefield:	45.5 feet
29 Maplefield:	45.5 feet
31 Maplefield:	42.5 feet
33 Maplefield:	41.8 feet
35 Maplefield:	40.0 feet
Average setback:	43.5 feet

37 Maplefield: 31.0 feet

124 Kenberton: 41.5 feet (not used in EBL calculation, shown for reference only)

4. Given the variation in front lot lines and the period when the houses were built, staff determined that the 40-foot setback from the curb at 35 Maplefield would be most appropriate setback requirement to use because 35 and 37 share the same lot dimensions. This 40-foot setback from the curb equals a 28-foot setback from the front property line of 37 Maplefield.
5. This results in a variance of nine (9) feet being required to construct the addition as shown.

Existing Nonconforming Structure. For reference and clarity, it is acknowledged that the house at 37 Maplefield is an existing nonconforming structure. The house existed at the time that the current Zoning Ordinance was adopted, and may remain so long as it is not enlarged or altered in a way that increases its nonconformity (Section 82-194(d)). The proposed addition represents an expansion of a non-conforming structure because it aligns with the front wall of the existing structure.

Some communities do not allow for non-conforming structures to be enlarged in any way, even if the addition complies with current ordinance requirements. It is our policy in administering the Zoning Ordinance to allow for additions to non-conforming structures so long as the addition complies with all Zoning Ordinance dimensional requirements. The proposed addition does not comply with Zoning Ordinance dimensional requirements and would expand the existing nonconformity, requiring a variance to be approved by the ZBA if it is to be constructed as proposed.

Review Considerations for Dimensional Variances (Section 82-74)

Section 82-74 establishes that the Zoning Board of Appeals has the power to authorize a variance from the strict application of the provisions of the Zoning Ordinance where, by reason of narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of the Zoning Ordinance or by reason of exception, topographic conditions, or other conditions of the property, the strict application of the regulations of the Zoning Ordinance would result in practical difficulties upon the owner of the property provided that such relief may be granted without detriment to the public good, and without impairing the intent and purpose of the Zoning Ordinance.

Furthermore, Michigan case law establishes that, in the case of a dimensional variance, an applicant must demonstrate that a practical difficulty exists which makes it impossible to comply with the requirements of the Zoning Ordinance.

The Michigan Court of Appeals has applied the following principles which collectively amount to the showing of a practical difficulty:

1. **Strict compliance with the standard would unreasonably prevent the landowner from using the property for a permitted use, or would render conformity unnecessarily burdensome.**

For the first standard, the zoning board of appeals (ZBA) should figure out if there is a way to accomplish the same purpose without a variance, even if it will be more inconvenient or more expensive for the applicant. A variance is granted for circumstances unique to the property (e.g. odd shape), not those unique to the property owner (e.g. large family or many possessions).

If the design for an improvement brought forward by the applicant can be reasonably changed such that a variance is no longer needed, the variance request should be denied.

Analysis: In this case, the required setback is consistent with, and determined by, the existing setback for all other parcels on the street. There is plenty of room on the lot to shift the addition back to comply with the required front setback without altering the dimensions of the addition. This is not the applicant's preferred solution, but it is one that complies with the requirements of the Zoning Ordinance and eliminates the need for a variance. The applicant's preference for a non-permitted design is what has created the request for this variance.

2. **The particular request, or a lesser relaxation of ordinance standard, would provide substantial justice to the landowner and neighbors.**

The request must be the minimum required to allow the property to be used for a permitted purpose. This means that if, for example, a 10-foot variance is requested but a 5-foot variance would suffice, only the 5-foot variance may be allowed.

Variances also must not grant a special benefit to the property owner compared to the owners of similar properties in the same zoning district.

Analysis: Granting the variance would provide a special benefit not enjoyed by other property owners on the street, namely, a reduced front yard setback. Further, the addition can be accommodated on the site without the need for a variance, so there is not a lesser variance that should be considered.

3. The plight is due to unique circumstances of property and is not shared by neighboring properties in the same zone.

The applicant must be able to demonstrate how the property is unique compared to other properties in the zone, and how that unique circumstance or circumstances makes it impossible to develop the property in compliance with the requirements of the Zoning Ordinance.

Analysis: The property in question does not have unique circumstances which prevent it from being developed in a manner that complies with the Zoning Ordinance. It is true that this lot and the neighboring lots have different front property lines from the rest of the houses on the street, but the depth of the lot at 37 Maplefield is the same as or larger than other lots in the same plat along Maplefield.

There are no unique circumstances that are unique to 37 Maplefield that reduce its development potential in compliance with the Zoning Ordinance. It is entirely feasible to accommodate an addition to the house that complies with ordinance standards. Rather, it is the applicant's preference to construct a non-compliant structure that has created the request for the variance.

4. The problem is not self-created.

There must be a circumstance that exists, such as the shape of the lot, easements, or other situations that were not created by the property owner or prior property owners that precludes the use of the site for a permitted use in order to determine that the problem is not self-created. For example, if the City were to adopt new zoning requirements that increase setbacks and make an existing lot impossible to develop, a variance would be warranted.

On the other hand, a prior owner granting an easement to another entity that makes it impossible to develop and otherwise developable lot is a self-created problem that would preclude granting a variance.

However, an applicant proposing an addition that encroaches into required setbacks when it could be designed in compliance with ordinance requirements is a self-created problem, and precludes granting a variance.

Analysis: As noted above, the requested variance is based on the design preference of the applicant. The proposed addition could be shifted nine (9) feet back on the lot to comply with the required front yard setback, likely with only minimal changes to the actual appearance of the addition. Therefore, the problem is self-created.

Recommendation

Staff recommends that the Zoning Board of Appeals deny the requested variance based on the above review considerations.

Sample Motions

Motion 1 – Motion to Approve

MOTION by _____, seconded by _____, in the matter of the request for a variance of 9 feet from the minimum required front yard setback requirement of Section 84-164, the Zoning Board of Appeals **grants** the variance with the following findings and subject to any applicable conditions:

Findings

1. *Special or unique conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures or buildings in the same district*
2. *A literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the ordinance, and the requested variance is the minimum necessary.*
3. *The special conditions and circumstances do not result from the actions of the applicant. The building pattern that exists along the street is a long-standing situation that existed long before the applicant purchased the property.*
4. *The granting of the variance will be in harmony with the general purpose and intent of the Zoning Ordinance by allowing a new building at an established building line.*
5. *The variance will not be injurious to the neighborhood or otherwise detrimental to the general welfare by allowing a front setback consistent with neighboring properties.*
6. *The spirit of the Zoning Ordinance shall be observed, public safety secured, and substantial justice done.*

Motion 2 – Motion to Deny

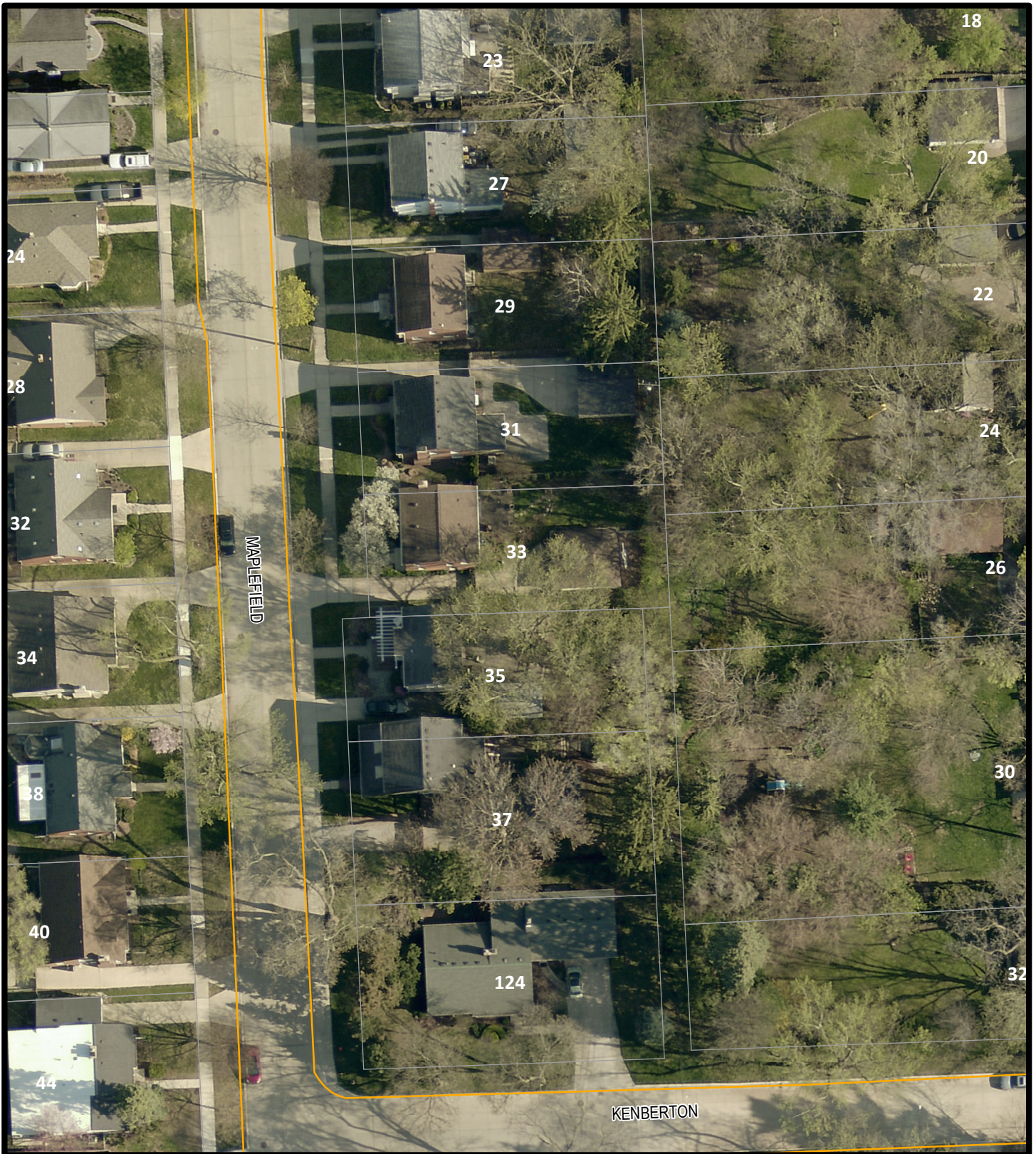
MOTION by _____, seconded by _____, in the matter of the request for a variance of 9 feet from the minimum required front yard setback requirement of Section 84-164, the Zoning Board of Appeals **denies** the variance with the following findings and subject to any applicable conditions:

Findings

1. *No special or unique conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures or buildings in the same district.*
2. *A literal interpretation of the provisions of the Zoning Ordinance would not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the ordinance.*

3. *The special conditions and circumstances do result from the actions of the applicant, and as such are self-created. Alternatives do exist which would allow the site to comply with the minimum front yard setback requirement of the Zoning Ordinance.*
4. *The granting of the variance will not be in harmony with the general purpose and intent of the Zoning Ordinance. The variance will allow for a house with a lesser front setback than otherwise required, and is not in keeping with ordinance requirements or the character of the neighborhood.*
5. *The variance will be injurious to the neighborhood or otherwise detrimental to the general welfare by allowing an addition that expands an existing non-conforming structure.*
6. *The spirit of the Zoning Ordinance will not be observed, and substantial justice will not be done by providing a special benefit to the applicant that is not enjoyed by other properties in the zoning district, and which will promote future requests for similar variances that undermine the integrity of the Zoning Ordinance.*

37 Maplefield



0 20 40 80 Feet

1 inch = 50 feet

March 12, 2018





Zoning Board of Appeals (ZBA) Application

Type of Request

Request type (as defined in Section 82-74 of the Pleasant Ridge Zoning Ordinance)

- ☐ Appeal of administrative order or decision
- ☒ Dimensional (non-use) variance
- ☐ Use variance

Property Information

Street Address	37 Maplefield Rd., Pleasant Ridge, MI 48069
Parcel Identification Number	25-28-129-015
Zoning District	R1-C
Current Use(s)	Residential

Applicant Information

Name Paul Tulikangas & Michele Kaminer		
Address 37 Maplefield Rd.		
City Pleasant Ridge	State MI	Zip 48069
Phone (586) 381-0312	Email paul.tulikangas@att.net	

Property Owner Information

- ☐ Check here if same as applicant

Name Paul Tulikangas & Michele Kaminer		
Address 37 Maplefield Rd.		
City Pleasant Ridge	State MI	Zip 48069
Phone (586) 381-0312	Email paul.tulikangas@att.net	

Applicant/Property Owner's Signature

I (we) do certify that all information contained in this application, accompanying plans, and attachments are completed and accurate to the best of my (our) knowledge. I (we) authorize the employees and representatives of the City to enter and investigate the above referenced property.		
Applicant's Signature	Applicant's Printed Name	Date
Property Owner's Signature	Property Owner's Printed Name	Date

Application Information

Provide the following information for the type of Zoning Board of Appeals action you are requesting.

Appeal

To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision, or refusal made by the Zoning Inspector or any other administrative official in carrying out or enforcing any provisions of this Ordinance.

<i>Requested Appeal(s):</i>
<i>Reason for Appeal:</i>

Dimensional (non-use) Variance

A non-use variance is one that provides relief from a specific dimensional or design standard in the ordinance. Such variances usually relate to area, setbacks, height, or other limitations by measurement that are set forth in the Zoning Ordinance.

Description of the requested variance(s), and applicable ordinance section(s)

Requested Variance is from Ordinance Section 82-164(9). Variance is requested to allow reduced front-yard setback for proposed building addition. Proposed setback for building addition is 19.1 feet, matching front setback of existing house. Per preliminary plot plan review by City Clerk, the required front setback for the proposed building addition would be approximately 8-9 feet further east (making a total front setback of approx. 27-28 feet), which was based on the west house lines on adjacent parcels located north and south of the subject parcel.

To obtain a non-use variance, an applicant must present proof that a practical difficulty exists, and that the practical difficulty relates to a unique circumstance of the property as distinguished from a personal circumstance or situation of the applicant. Use the form below and provide any other supplemental information you deem necessary to describe how each of the following tests are met:

Strict compliance with the standard would unreasonably prevent the landowner from using the property for a permitted use, or would render conformity unnecessarily burdensome.

Strict compliance with the ordinance would force the proposed addition further east approximately 8-9 feet, essentially making the project unfeasible. The proposed two-story addition consists of a lower-level garage area with upper-level living space. In order to preserve the architectural character of the existing 1924 home, as well as the existing garage and 36" diameter oak tree, it is critical that the addition is situated as proposed. The proposed location will allow for parallel alignment of the existing/proposed roof lines, and also will allow existing south-side doors and windows to function as connection points to the proposed addition.

The request, or a lesser request, would provide substantial justice to the landowner and neighboring property owners.

The proposed addition represents a substantial investment in the neighborhood, and will increase local property values. Since the parcel is located at the south end of a dead-end street that extends north to the City limits, matching the existing front-setback will not adversely affect existing aesthetic conditions for drivers and neighbors to the north. Furthermore, the front-porch of the existing home will continue to extend beyond the proposed addition, and jogs and architectural features are proposed in the west face of the addition to prevent a long, continuous west frontage. As proposed, the addition will have less visual impact to the southerly neighbors, located at 124 Kenberton, than a comparable addition located further east to meet ordinance requirements.

The plight is due to unique circumstances of the property and is not shared by neighboring properties in the same zone.

The existing house on the subject property was constructed in 1924, substantially earlier than any other home on the block located north of Kenberton (and possibly older than any other home on Maplefield Road). As such, neighboring homes were constructed to meet subsequent setback requirements. The 7 parcels south of I696 on the east side of Maplefield also have a property line that was shifted 10' east of the subject parcels west property line, which appears to exaggerate the setback differential between homes on this block. Therefore, using the west house lines to establish a setback for the subject parcel creates a unique hardship for this parcel.

The problem is not self-created.

As detailed above, the problem with the front setback required by ordinance is unique to this parcel and not self-created. Construction of an alternate addition, shifted east to meet setback requirements was considered, but deemed unfeasible for the following reasons:

1. Removal of garage and 36" Maple tree would be required.
2. Building massing pushed east would adversely impact sight-lines for neighbors to south.
3. Adverse impacts to architectural character of existing historical house would go against the goals of the City's Exterior Design Standards.

Use Variance

A use variance is one that allows a property to be used for a use that is not otherwise permitted in the Zoning District.

Description of the requested variance(s), and applicable ordinance section(s)

To obtain a use variance, an applicant must present proof that an unnecessary hardship exists, and the unnecessary hardship must relate to a unique circumstance of the property which prevents the applicant from reasonably using the property for a permitted purpose. Use the form below and provide any other supplemental information you deem necessary to describe how each of the following tests are met:

The property cannot be used in a manner consistent with existing zoning.

The landowner's plight is due to unique circumstances and not to general conditions in the neighborhood that may reflect the unreasonableness of the zoning.

A use authorized by the variance will not alter the essential character of the zone or City.

The hardship is not the result of the applicant's own actions.

Application Instructions

1. **Completed Applications.** Applications must be submitted on the attached application for with all information typed or printed in ink along with the following:
 - a. Letter of denial from the Building Department
 - b. 8 copies of the plot plan of the subject property drawn to scale and containing (if applicable):
 - i. Shape and dimensions of the property
 - ii. All existing and proposed structures to be erected, altered, or use changed
 - iii. Building-to-building and building-to-property line relationships
 - iv. Building plans and elevations
 - c. Proof of ownership. If the applicant is not the owner of the land in fee simple title, a document (land contract, purchase agreement, option to purchase, etc.) must be provided that indicates the applicant's interest in the property.
 - d. Notarized letter from the property owner (if different than the applicant) indicating no objection to the request.
 - e. Any other information which the applicant feels will aid the City in its review.
 - f. PDF files of all of the above submitted information.
2. **Review Process.** Prior to submitting an application to the ZBA, an application for a building permit from the Building Department must be submitted. If the proposed construction does not meet the requirements of the Zoning Ordinance, the letter of denial will indicate the sections of the ordinance which are not in compliance.

City staff and consultants will review the ZBA application and supporting materials. If it is determined that one or more applicable item(s) are not included or need to be modified, the applicant will be contacted. Incomplete applications will not be placed on a ZBA agenda until all necessary information is submitted and reviewed.

The applicant will be notified of the date and time that the public hearing will be held by the ZBA. A representative for the project must be present at the public hearing. ZBA meetings are generally held the second or fourth Tuesday of each month at 6:00 pm. After the public hearing, if the application is acted upon, the Building Department will be notified of the action taken.

Notice of the public hearing is provided in accordance with Act 110 of the Public Acts of 2006, as amended. Notification is provided to all persons to whom real property is assessed within 300 feet of the property that is the subject of the request, and to the occupants of structures within 300 feet of the subject property. The notice is also published in a paper of local circulation not less than 15 days prior to the public hearing.

3. **Fees.** A \$200 application fee must be provided before the application can be processed. Checks should be made payable to the City of Pleasant Ridge.
4. **Questions or Clarifications.** Please contact the Building Department at 248-541-2901 with any questions or clarifications.

Explanation of Standards for Variances

Dimensional (Non-Use) Variances

The Michigan Courts have established a four-part test to determine if practical difficulty exists. An applicant must demonstrate that all four parts of the test are met to show that a practical difficulty exists.

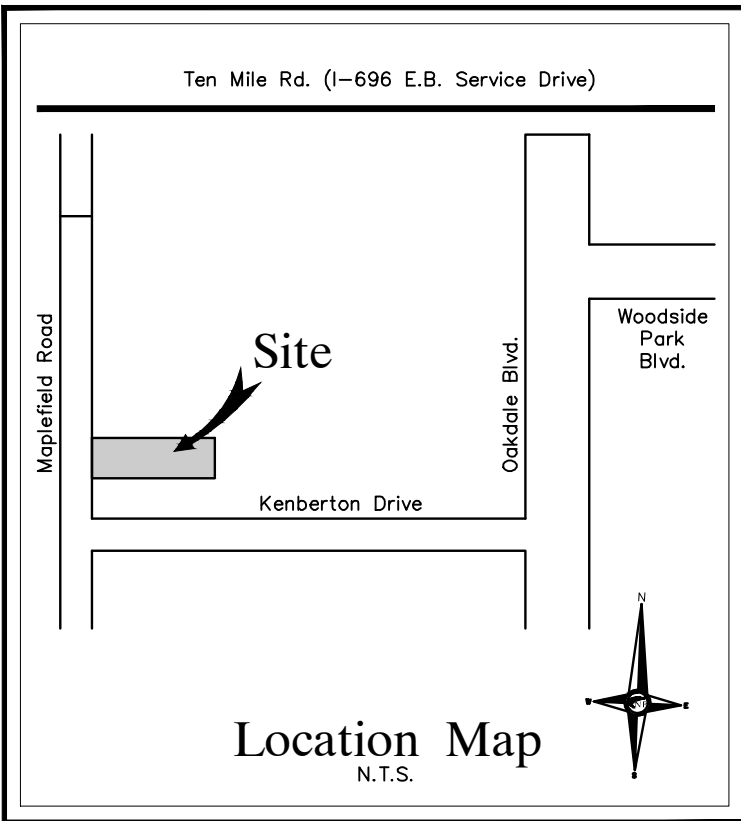
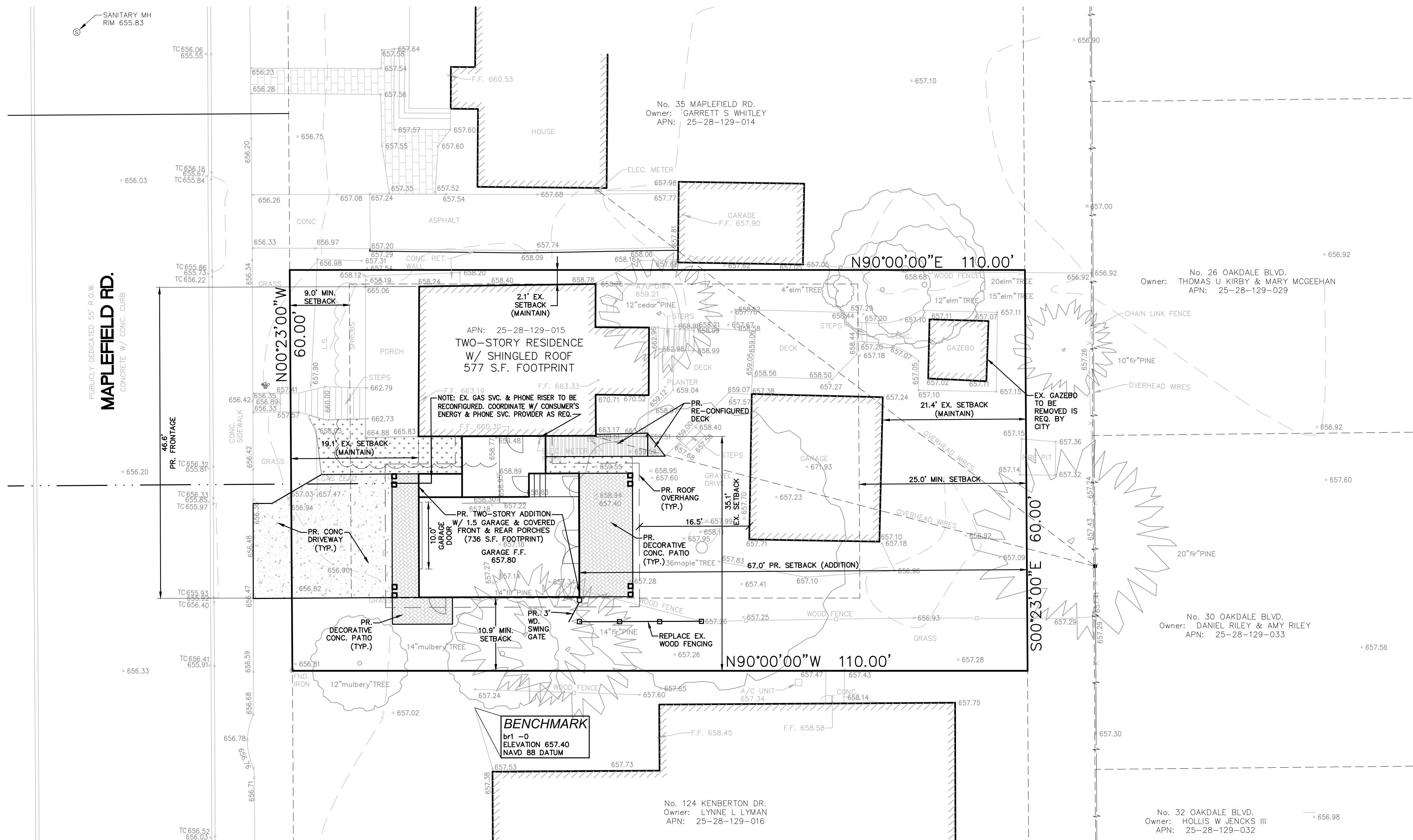
1. Strict compliance with the standard would unreasonably prevent the landowner from using the property for a permitted use, or would render conformity unnecessarily burdensome.

- a. *The ZBA must determine if there is a way to accomplish the same purpose without a variance, even if it will be more inconvenient or more expensive for the applicant.*
 - b. *Variances must be related to circumstances that are unique to the property, not those unique to the property owner. For example, the property having an odd shape or unique physical circumstances may be justifications for a variance, but the size of your family or the amount or size of your possessions are not.*
2. The request would provide substantial justice to the landowner and neighboring property owners.
 - a. *The request is the minimum necessary to allow the property to be used for the permitted purpose.*
 - b. *Approval of the variance will not confer a special benefit to the property owner compared to the owners of similar properties in the zone.*
3. The plight is due to unique circumstances of the property and is not shared by neighboring properties in the same zone.
 - a. *How is the property in question unique compared to other properties in the zone?*
 - b. *How does the unique circumstance of the property prevent it from being used for a permitted purpose?*
4. The problem is not self-created.
 - a. *Did the applicant take some action that created the need for the request? For example, proposing to construct a structure that encroaches into a required setback when a structure that complies could be built is a self-created variance.*
 - b. *If there is a circumstance that exists, such as the shape of the lot, easements, or other situations that were not created by the property owner or prior property owners that preclude the use of the site for a permitted use, the problem can be judged to not be self-created.*

Use Variances

The Michigan Courts have established a four-part test to determine if an unnecessary hardship exists. An applicant must demonstrate that all four parts of the test are met to show that an unnecessary hardship exists, and that a use variance is warranted.

1. The property cannot reasonably be used in a manner consistent with existing zoning.
 - a. *The applicant must demonstrate that a reasonable return cannot be earned from any of the uses permitted by the existing zoning,*
2. The landowner's plight is due to unique circumstances and not to general conditions in the neighborhood that may reflect the unreasonableness of the zoning
 - a. *The applicant must demonstrate that the subject property is different than other properties in the same zoning district.*
 - b. *Is the hardship shared by all other properties within the same zoning district? If so, the area should be reviewed by the Planning Commission to determine if the zoning for the entire area should be changed.*
3. A use authorized by the variance will not alter the essential character of the City.
 - a. *If approved, the variance must not change the essential character of the neighborhood or the City.*
 - b. *What elements of the proposed use will protect the essential character of the City?*
4. The hardship is not the result of the applicant's own actions.
 - a. *The applicant must demonstrate that their actions did not create the need for the variance.*



NF ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

SITE INFORMATION

PER CITY OF PLEASANT RIDGE ZONING ORDINANCE:

EXISTING ZONING: R1-C - SINGLE FAMILY RESIDENTIAL
(5,500 MIN. SQ. FT. OR 0.126 AC. LOT AREA)
SITE LOT AREA: 6,600 SQ. FT. OR 0.158 AC.

MIN. REQUIRED SETBACKS:
FRONT: 9 FT.
SIDE YARD - LEAST ONE: 5 FT.
SIDE YARD - TOTAL: 15 FT.
REAR YARD: 25 FT.

EXISTING HOUSE SETBACKS:
FRONT: 19.1 FT.
SIDE YARD - NORTH: 2.1 FT.
SIDE YARD - SOUTH: 35.1 FT.
SIDE YARD SOUTH (MIN. REQ.): 10.9 (13.0-21 = 10.9 FT)
REAR YARD: 21.4 FT.

PROPOSED SETBACKS (OVERALL SITE W/ADDITION):
FRONT: 19.1 FT. (MAINTAIN)
SIDE YARD - NORTH: 2.1 FT. (MAINTAIN)
SIDE YARD - SOUTH: 10.9 FT. (MIN. REQ.)
REAR YARD (EX. HOUSE): 21.4 FT. (MAINTAIN)
REAR YARD (PR. ADDITION): 67.0 FT.

BUILDING HEIGHT REQUIREMENTS:
MAX. ALLOWABLE HEIGHT OF PRINCIPAL BLDG: 35 FT.
MAX. ALLOWABLE HEIGHT OF ACCESSORY BLDG: 15 FT.

EX. HOUSE HEIGHT CALCULATIONS:
FOR GABLED ROOF USE AVG. HEIGHT:
ROOF PEAK ELEV. = 686.5
ROOF ELEV. @ FRONT PORCH = 669.50±
AVG. HEIGHT = (686 + 669.5) / 2 = 677.75
ESTABLISHED GRADE AT WALK = 656.40

EX. BUILDING HEIGHT = 677.25 - 656.40 = 20.85 FT.
NOTE: PR. HEIGHT OF ADDITION WILL BE LOWER THAN EX.
BUILDING HEIGHT BY APPROXIMATELY 4 FEET.

SKY PLAN CALCULATIONS FOR #124 KENBERTON DRIVE:
EX. ELEVATION AT NORTH ADJACENT PROPERTY LINE = 657.50±

VERTICAL RISE AT 45° PROJECTION ANGLE OVER 10.9' WIDE
PROPOSED SIDE YARD SETBACK = $\sin 45^\circ \times 10.9' = 7.7'$

*"X" DIMENSION PER ORDINANCE = 17'

SKY PLANE ELEVATION = $17.0' + 7.7' + 657.50' = 682.20$
PR. ROOF PEAK HEIGHT FOR ADDITION = 682.20

NOTE: ROOF GABLE TO EXTEND APPROX. 18 INCHES INTO SKY PLANE, WHICH IS ALLOWABLE PER ORDINANCE.

LOT COVERAGE REQUIREMENTS:
MAX. ALLOWABLE LOT COVERAGE (BLDG.S): 35%
EX. HOUSE/PORCH FOOTPRINT = 857 S.F. = 0.020 AC
EX. GARAGE FOOTPRINT = 425 S.F. = 0.010 AC
PR. ADDITION FOOTPRINT = 736 S.F. = 0.017 AC
TOTAL BLDG. FOOTPRINT (PROPOSED) = 0.047 AC
PR. LOT COVERAGE = 0.047 AC / 0.158 AC = 29.7%

ESTIMATED QUANTITIES

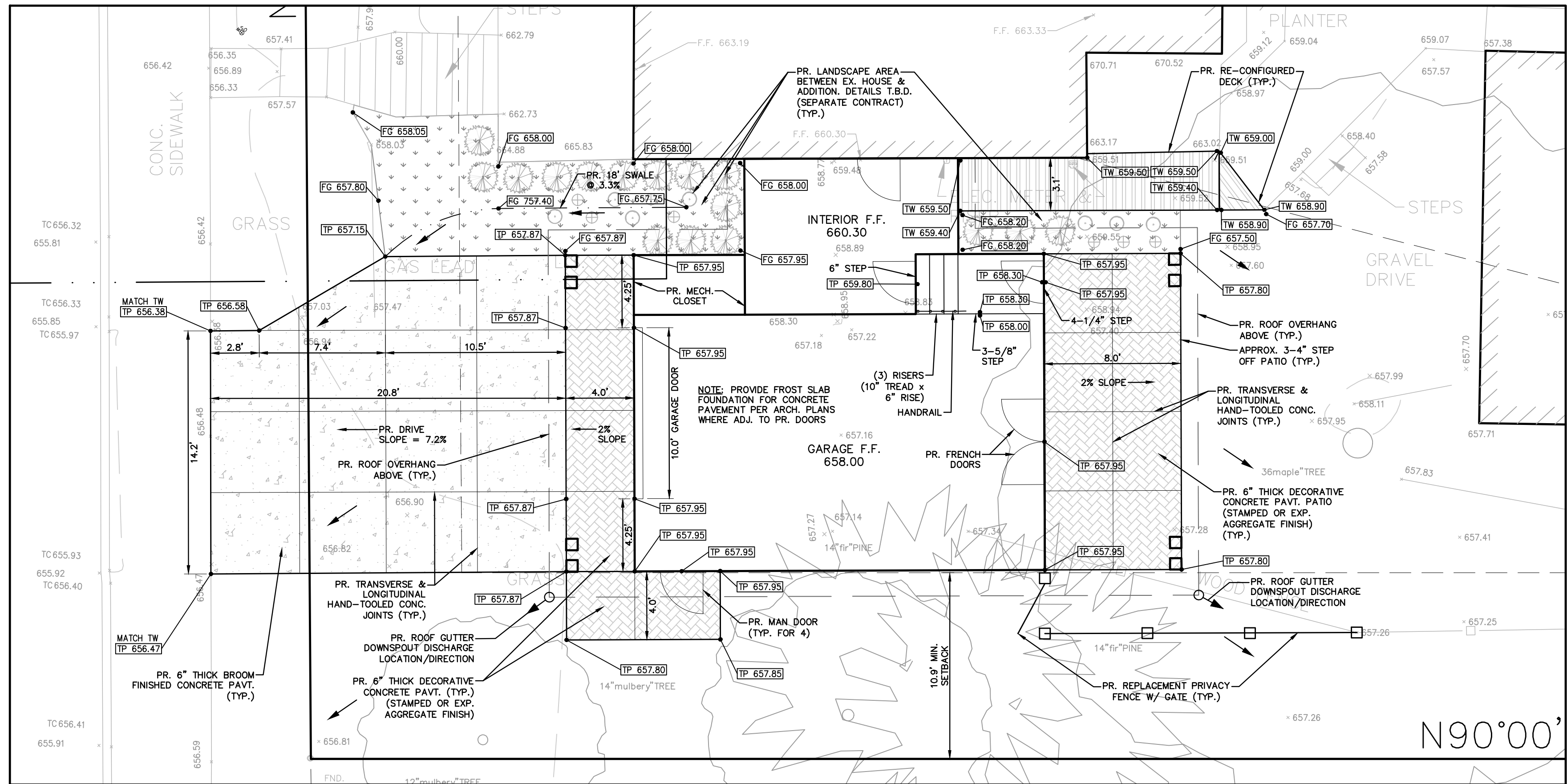
DESCRIPTION	QUANTITY	UNITS
6" THICK BROOM-FINISH CONC. PAVT.	40	S.Y.
6" DECORATIVE CONC. PAVT.	29	S.Y.
6" TALL WOOD PRIVACY FENCE W/ GATE	20	L.F.

PAVING LEGEND

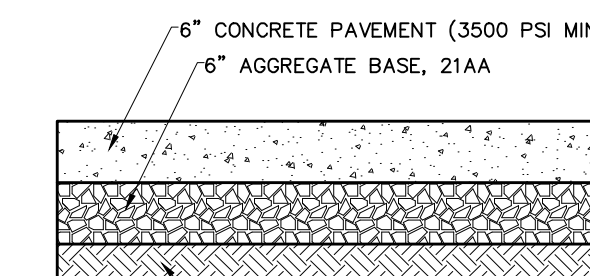
	PROPOSED BROOM-FINISH CONCRETE PAVEMENT
	PROPOSED DECORATIVE CONCRETE PAVEMENT (STAMPED OR EXP. AGG.)
	PROPOSED SURFACE DRAINAGE PATTERN

LEGEND

	MANHOLE	EXISTING SANITARY SEWER
	HYDRANT	SAN. CLEAN OUT
	GATE VALVE	EXISTING WATERMAIN
	MANHOLE CATCH BASIN	EXISTING STORM SEWER
	UTILITY POLE	EX. R. Y. CATCH BASIN
	GUY POLE	EXISTING BURIED CABLES
	GUY WIRE	OVERHEAD LINES
	LIGHT POLE	SIGN
	EXISTING GAS MAIN	
	PR. SANITARY SEWER	
	PR. WATER MAIN	
	PR. STORM SEWER	
	PR. R. Y. CATCH BASIN	
	PROPOSED LIGHT POLE	
	TC 600.00	PR. TOP OF CURB ELEVATION
	GU 600.00	PR. GUTTER ELEVATION
	TW 600.00	PR. TOP OF WALK ELEVATION
	TP 600.00	PR. TOP OF PWMT. ELEVATION
	FG 600.00	FINISH GRADE ELEVATION



PAVING & GRADING DETAIL
1" = 5'



CONCRETE PAVEMENT SECTION

N.T.S.

GENERAL PAVING NOTES

PAVEMENT SHALL BE OF THE TYPE, THICKNESS AND CROSS SECTION AS INDICATED ON THE PLANS AND AS FOLLOWS:

CONCRETE: PORTLAND CEMENT TYPE IA (AIR-ENTRAINED) WITH A MINIMUM CEMENT CONTENT OF SIX SACKS PER CUBIC YARD; MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3,500 PSI AND A SLUMP OF 1 1/2 TO 3 INCHES.
ASPHALT: BASE COURSE - MDOT BITUMINOUS MIXTURE NO. 1100L, 20A; SURFACE COURSE - MDOT BITUMINOUS MIXTURE NO. 1100T, 20A; ASPHALT CEMENT PENETRATION GRADE 85-100, BOND COAT - MDOT SS-1H EMULSION AT 0.10 GALLON PER SQUARE YARD; MAXIMUM 2 INCH LIFT.

PAVEMENT BASE SHALL BE COMPACTED TO 95% OF THE MAXIMUM DENSITY (MODIFIED PROCTOR) PRIOR TO PLACEMENT OF PROPOSED PAVEMENT. EXISTING SUB-BASE SHALL BE PROOF-ROLLED IN THE PRESENCE OF THE ENGINEER TO DETERMINE STABILITY.

ALL CONCRETE PAVEMENT, DRIVEWAYS, CURB & GUTTER, ETC., SHALL BE SPRAY CURED WITH WHITE MEMBRANE CURING COMPOUND IMMEDIATELY FOLLOWING FINISHING OPERATION.

ALL CONCRETE PAVEMENT JOINTS SHALL BE FILLED WITH HOT POURED RUBBERIZED ASPHALT JOINT SEALING COMPOUND IMMEDIATELY AFTER SAWCUT OPERATION. FEDERAL SPECIFICATION SS-S164.

ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION, CURRENT EDITION.

ALL TOP OF CURB ELEVATIONS, AS SHOWN ON THE PLANS, ARE CALCULATED FOR A 6" CONCRETE CURB UNLESS OTHERWISE NOTED.

ALL SIDEWALK RAMPS, CONFORMING TO PUBLIC ACT NO. 8, 1993, SHALL BE INSTALLED AS INDICATED ON THE PLANS.

CONSTRUCTION OF A NEW OR RECONSTRUCTED DRIVE APPROACH CONNECTING TO AN EXISTING STATE OR COUNTY ROADWAY SHALL BE ALLOWED ONLY AFTER AN APPROVED PERMIT HAS BEEN SECURED FROM THE AGENCY HAVING JURISDICTION OVER SAID ROADWAY.

FOR ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY, THE CONTRACTOR SHALL PAY FOR AND SECURE ALL NECESSARY PERMITS AND LIKewise ARRANGE FOR ALL INSPECTION.

EXISTING TOPSOIL, VEGETATION AND ORGANIC MATERIALS SHALL BE STRIPPED AND REMOVED FROM PROPOSED PAVEMENT AREA PRIOR TO PLACEMENT OF BASE MATERIALS.

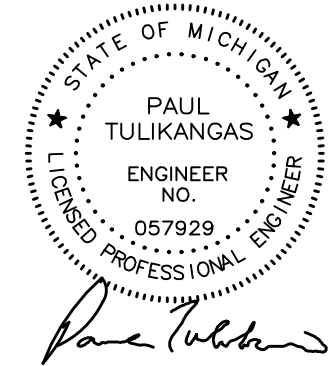
EXPANSION JOINTS SHOULD BE INSTALLED AT THE END OF ALL INTERSECTION RADII.

SIDEWALK RAMPS, CONFORMING TO PUBLIC ACT NO. 8, 1973, SHALL BE INSTALLED AS SHOWN AT ALL STREET INTERSECTIONS AND AT ALL BARRIER FREE PARKING AREAS AS INDICATED ON THE PLANS.

ALL PAVEMENT AREAS SHALL BE PROOF-ROLLED UNDER THE SUPERVISION OF A GEOTECHNICAL ENGINEER PRIOR TO THE PLACEMENT OF BASE MATERIALS AND PAVING MATERIALS.

FILL AREAS SHALL BE MACHINE COMPACTED IN UNIFORM LIFTS NOT EXCEEDING 9 INCHES THICK TO 98% OF THE MAXIMUM DENSITY (MODIFIED PROCTOR) PRIOR TO PLACEMENT OF PROPOSED PAVEMENT.

SEAL



PROJECT

37 Maplefield Road,
City of Pleasant Ridge,
Oakland County, MI

CLIENT

Paul & Michele Tulikangas
37 Maplefield Road,
Pleasant Ridge, MI 48069
Phone: (586) 381-0312
Email: paul.tulikangas@att.net

PROJECT LOCATION

Part of the NW 1/4
of Section 28
T.1N, R.11E
City of Pleasant Ridge,
Oakland County, Michigan

SHEET

Plot Plan



REVISIONS

01-25-18 CITY PLOT PLAN REVIEW
03-12-18 Z.B.A. SUBMITTAL

DRAWN BY:
C. Danielsen

DESIGNED BY:
P. Tulikangas

APPROVED BY:
P. Tulikangas

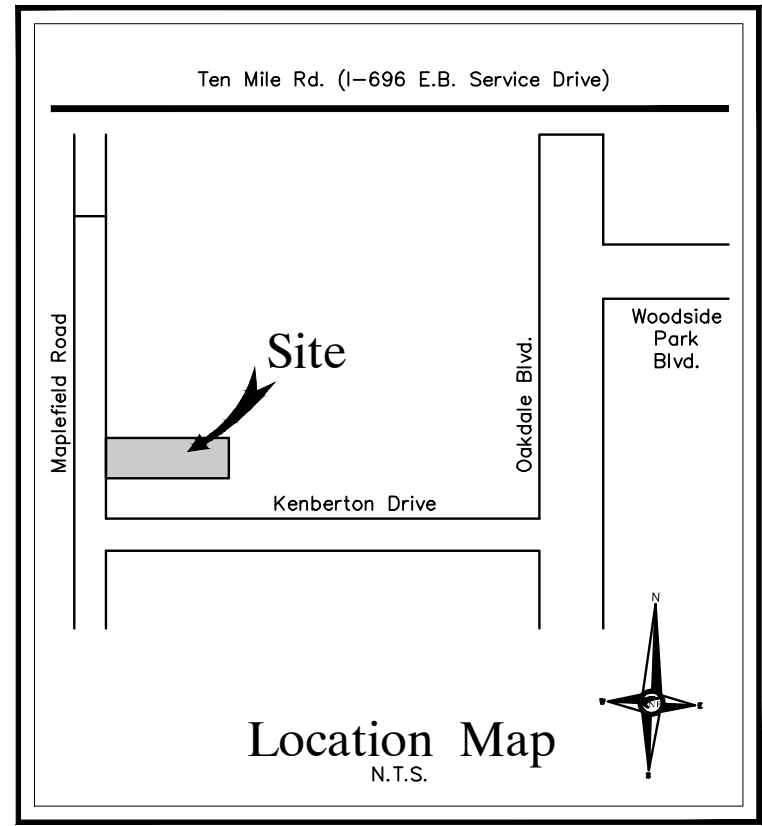
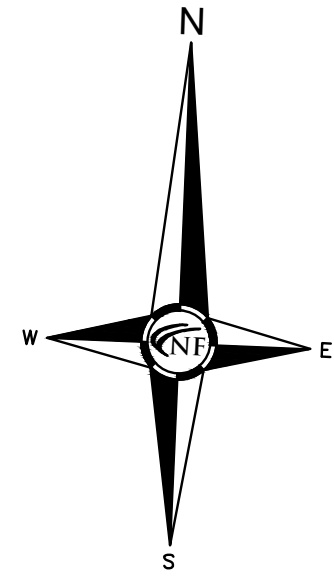
DATE:
01-25-18

SCALE: 1" = 10'

NFE JOB NO. SHEET NO.

J565

C3



SHEET INDEX	
C1	BOUNDARY & TOPOGRAPHIC SURVEY
C2	DEMOLITION PLAN
C3	PLOT PLAN



NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

SEAL

PROJECT
37 Maplefield Road,
City of Pleasant Ridge,
Oakland County, MI

CLIENT
Paul & Michele Tulikangas
37 Maplefield Road,
Pleasant Ridge, MI 48069
Phone: (586) 381-0312
Email: paul.tulikangas@att.net

PROJECT LOCATION
Part of the NW 1/4
of Section 28
T.1N, R.11E
City of Pleasant Ridge,
Oakland County, Michigan

SHEET
Boundary & Topographic
Survey



REVISIONS

01-25-18	CITY PLOT PLAN REVIEW
03-12-18	Z.B.A. SUBMITTAL

DRAWN BY:
P. Tulikangas

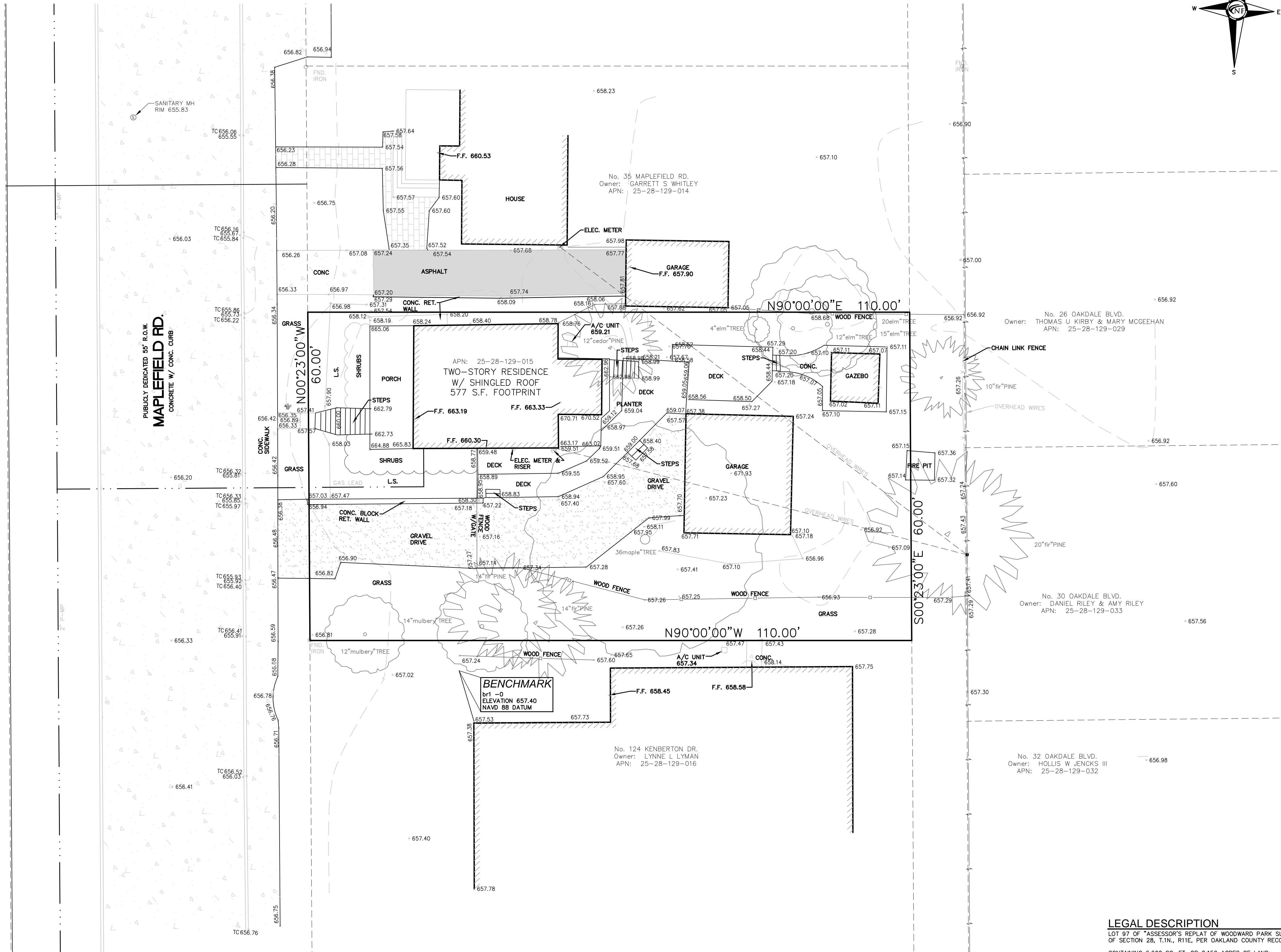
DESIGNED BY:
P. Tulikangas

APPROVED BY:
P. Tulikangas

DATE:
01-25-18

SCALE: 1" = 10'

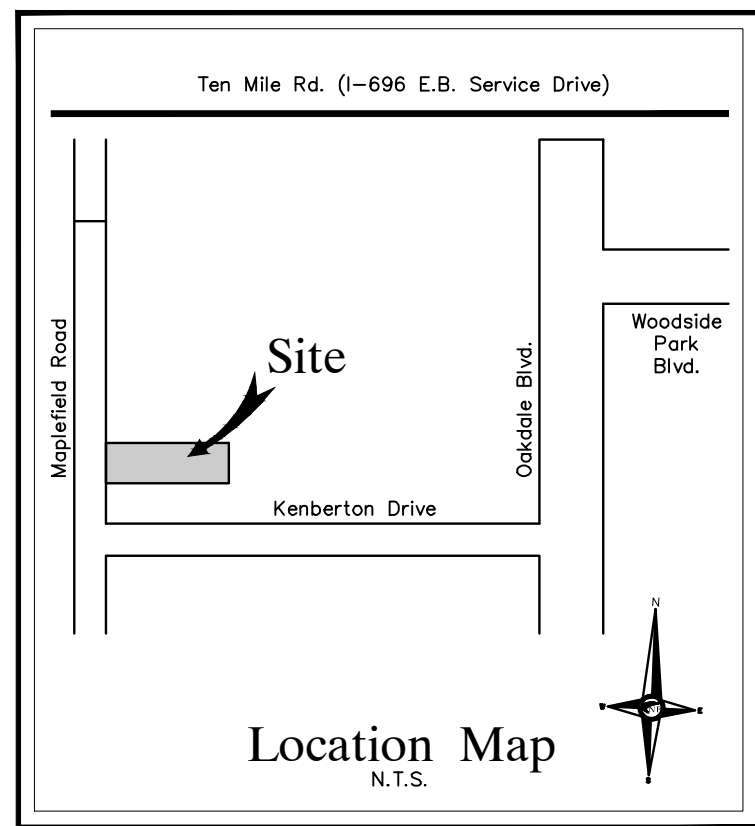
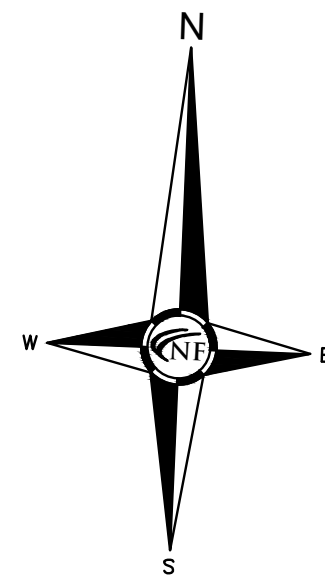
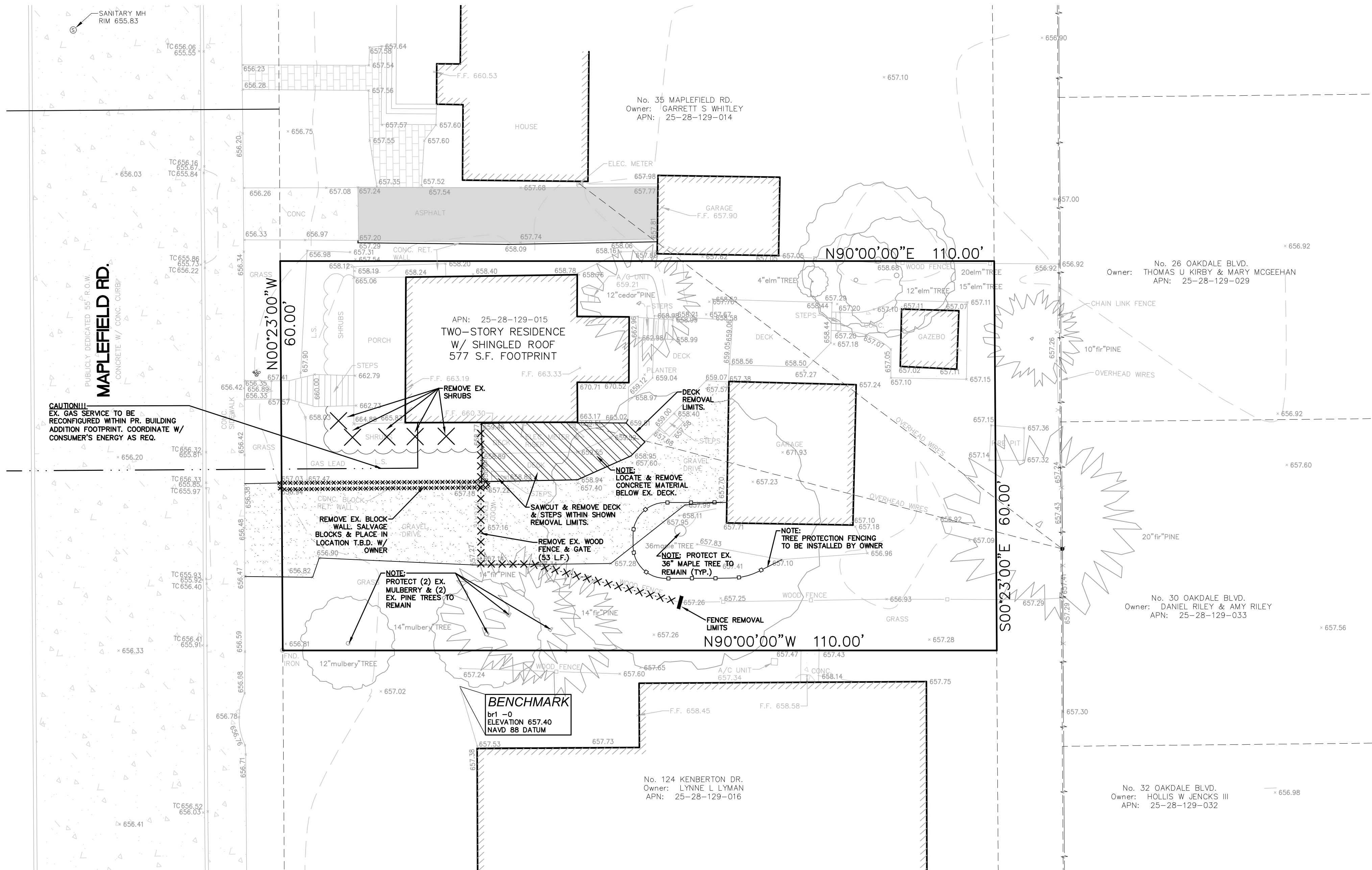
NFE JOB NO. SHEET NO.
J565 C1



LEGAL DESCRIPTION
LOT 97 OF "ASSESSOR'S REPLAT OF WOODWARD PARK SUB" OF
OF SECTION 28, T.1N, R.11E, PER OAKLAND COUNTY RECORDS.
CONTAINING 6,600 SQ. FT. OR 0.152 ACRES OF LAND.
TAX ID NO. 25-28-129-015.
ADDRESS: 37 MAPLEFIELD ROAD, PLEASANT RIDGE, MI 48069

TOPOGRAPHIC SURVEY NOTES
ALL ELEVATIONS ARE EXISTING ELEVATIONS, UNLESS OTHERWISE
NOTED.
UTILITY LOCATIONS WERE OBTAINED FROM MUNICIPAL OFFICIALS
AND RECORDS OF UTILITY COMPANIES, AND NO GUARANTEE CAN
BE MADE TO THE COMPLETENESS, OR EXACTNESS OF LOCATION.
THIS SURVEY MAY NOT SHOW ALL EASEMENTS OF RECORD UNLESS
AN UPDATED TITLE POLICY IS FURNISHED TO THE SURVEYOR BY
THE OWNER.

LEGEND	
DS	DOWNSPOUT
□	LANDSCAPED AREA
○	CATCH BASIN
○	REAR YARD BASIN
○	STORM SEWER MANHOLE
○	END SECTION
○	SANITARY SEWER MANHOLE
○	CLEAN OUT
○	COMBINED SEWER MANHOLE
○	GATE VALVE & WELL
○	HYDRANT
○	WATER SHUT OFF
○	WELL
○	PUMP
○	ELECTRIC MANHOLE
○	TELEPHONE MANHOLE
○	UTILITY POLE
○	GUY POLE
○	GUY WIRE
○	LIGHT POLE
○	PUBLIC PHONE
○	ELEC. METER
○	GAS METER
○	GAS VALVE
○	GAS MARKER
○	SIGN
○	POST/BOLLARD
○	PARKING METER
○	MAIL BOX
○	ROCK/BOULDER
○	SPRINKLER VALVE BOX
○	SPRINKLER HEAD
○	FOUND PROPERTY MARKER
○	GROUND ELEVATION
○	STORM SEWER
○	SANITARY SEWER
○	WATER MAIN
○	GAS MAIN
○	OVERHEAD CABLES
○	UNDERGROUND CABLES



DEMOLITION NOTES

DEMOLITION OF SITE IMPROVEMENTS SHALL BE ALLOWED ONLY AFTER AN APPROVED PERMIT HAS BEEN SECURED FROM THE PUBLIC AGENCY HAVING JURISDICTION OVER SAID DEMOLITION.

FOR ANY DEMOLITION WITHIN PUBLIC RIGHT-OF-WAY, THE CONTRACTOR SHALL PAY FOR, AND SECURE, ALL NECESSARY PERMITS AND TRUCKS SHALL BE TARPED OR PROPERLY SECURED TO CONTAIN DEMOLITION DEBRIS PRIOR TO LEAVING SITE.

SITE DEMOLITION INCLUDES THE COMPLETE REMOVAL OF SITE IMPROVEMENTS AND OFF-SITE DISPOSAL. DEBRIS SHALL BE TRANSPORTED TO AN APPROPRIATE DISPOSAL FACILITY THAT IS LICENSED FOR THAT TYPE OF DEBRIS.

THE CONTRACTOR SHALL COORDINATE TRUCK ROUTES WITH THE MUNICIPALITY PRIOR TO COMMENCEMENT OF SITE DEMOLITION. ALL TRUCKS SHALL BE TARPED OR PROPERLY SECURED TO CONTAIN DEMOLITION DEBRIS PRIOR TO LEAVING SITE.

EXISTING ON-SITE UNDERGROUND UTILITIES AND BUILDING SERVICES HAVE BEEN INDICATED BASED UPON THE BEST AVAILABLE UTILITY RECORDS AND/OR ON-SITE INSPECTION. NO GUARANTEE IS MADE BY THE DESIGN ENGINEER, AS TO THE COMPLETENESS OR ACCURACY OF UTILITY DATA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFICATION OF UTILITY INFORMATION (THE DESIGN ENGINEER MAKES NO GUARANTEE NOR ASSUMES ANY LIABILITY AS TO THE COMPLETENESS AND/OR ACCURACY OF UTILITY DATA).

PRIOR TO THE REMOVAL OR ABANDONMENT OF ANY EXISTING UNDERGROUND UTILITY OR BUILDING SERVICE LINES CALLED FOR IN THE PLANS OR DISCOVERED DURING EXCAVATION, THE CONTRACTOR MUST DETERMINE IF THE UTILITY LINE OR BUILDING SERVICE IS STILL IN USE. IF THE UTILITY LINE OR BUILDING SERVICE IS STILL IN USE/ACTIVE THE CONTRACTOR MUST TAKE ALL THE NECESSARY STEPS TO GUARANTEE THAT THE UTILITY LINE OR BUILDING SERVICE IS RECONNECTED WITHOUT AN INTERRUPTION IN SERVICE. THE RECONNECTION OF THE UTILITY LINE OR BUILDING SERVICE MUST BE IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS OF THE APPROPRIATE GOVERNMENTAL AGENCY OR PRIVATE UTILITY COMPANY.

SOIL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED BY THE CONTRACTOR PRIOR TO SITE DEMOLITION.

THE CONTRACTOR SHALL NOTIFY MISS DIG (1-800-482-7171) A MINIMUM OF THREE (3) WORKING DAYS PRIOR TO THE START OF THE SITE DEMOLITION.

THE CONTRACTOR SHALL COORDINATE THE REMOVAL AND/OR RELOCATION OF EXISTING UTILITY POLES AND BUILDING SERVICES WITH THE DETROIT EDISON COMPANY. REMOVAL OF DETROIT EDISON ELECTRICAL SERVICES SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND REQUIREMENTS OF DETROIT EDISON.

THE CONTRACTOR SHALL COORDINATE THE REMOVAL AND/OR RELOCATION OF EXISTING UTILITY POLES AND BUILDING SERVICES WITH CONSUMERS ENERGY/MICHCON. REMOVAL OF CONSUMERS ENERGY/ MICHCON GAS SERVICES SHALL BE IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS OF CONSUMERS ENERGY/MICHCON.

THE CONTRACTOR SHALL COORDINATE THE REMOVAL AND/OR RELOCATION OF EXISTING UTILITY POLES AND BUILDING SERVICES WITH AMERITECH. REMOVAL OF AMERITECH COMMUNICATION SERVICES SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND REQUIREMENTS OF AMERITECH.

THE CONTRACTOR SHALL COORDINATE THE REMOVAL AND/OR RELOCATION OF EXISTING UTILITY POLES AND BUILDING SERVICES WITH THE APPROPRIATE CABLE MEDIA COMPANY. REMOVAL OF CABLE SERVICES SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND REQUIREMENTS OF THE CABLE COMPANY.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFICATION OF PRIVATE UTILITY COMPANIES AND COORDINATE UTILITY SERVICE SHUT OFF/DISCONNECT PRIOR TO DEMOLITION OF EXISTING STRUCTURES OR PROPERTIES.

ALL UTILITY METERS SHALL BE REMOVED BY THE APPROPRIATE UTILITY COMPANY.

ANY ON-SITE STORM SEWER FACILITIES LOCATED DURING DEMOLITION SHALL BE REMOVED AND BULK HEADED AT THE PROPERTY LINE IF INDICATED FOR REMOVAL ON THE PLANS.

PRIOR TO BUILDING DEMOLITION, ALL HAZARDOUS MATERIAL SHALL BE REMOVED BY OTHERS. THE DEMOLITION CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER SHOULD ANY SUSPICIOUS MATERIAL BE FOUND.

WATER SERVICES AND/OR STOP-BOX SHALL BE PRESERVED AND BULK HEADED AT THE PROPERTY LINE OR AS DIRECTED BY THE OWNER'S REPRESENTATION.

WHERE EXISTING BUILDINGS PLANNED FOR DEMOLITION FALL WITHIN PROPOSED BUILDING FOOT PRINTS, BASEMENT FLOOR SLABS, FOUNDATION WALLS AND FOOTINGS SHALL BE COMPLETELY REMOVED AND BACK FILLED WITH MOOT CLASS II GRANULAR MATERIAL AND BE MACHINE COMPACTED TO A MINIMUM OF 98% OF MATERIALS MAXIMUM DENSITY.

GENERAL TREE PROTECTION NOTES

- APPROVED TREE PROTECTION SHALL BE ERECTED PRIOR TO THE START OF CONSTRUCTION ACTIVITIES, AND SHALL REMAIN IN PLACE UNTIL THE IN PLACE UNTIL CONSTRUCTION IS COMPLETE.
- ALL UNDERSTORY VEGETATION WITHIN THE LIMITS OF PROTECTIVE FENCING SHALL BE PRESERVED.
- NO PERSON MAY CONDUCT ANY ACTIVITY WITHIN THE DRIP LINE OF ANY TREE DESIGNATED TO REMAIN, INCLUDING BUT NOT LIMITED TO, PLACING SOLVENTS, BUILDING MATERIALS, CONSTRUCTION EQUIPMENT, OR SOIL DEPOSITS WITHIN THE DRIP LINE.
- WHERE GROUPINGS OF TREES ARE TO REMAIN, TREE FENCING SHALL BE PLACED AT THE LIMITS OF GRADING LINE.
- DURING CONSTRUCTION, NO PERSON SHALL ATTACH ANY DEVICE OR WIRE TO ANY TREE, SCHEDULED TO REMAIN.
- ALL UTILITY SERVICE REQUESTS MUST INCLUDE NOTIFICATION TO THE INSTALLER THAT PROTECTED TREES MUST BE AVOIDED. ALL TRENCHING SHALL OCCUR OUTSIDE OF THE PROTECTIVE FENCING.
- SWALES SHALL BE ROUTED TO AVOID THE AREA WITHIN THE DRIP LINES OF PROTECTED TREES.
- TREES LOCATED ON ADJACENT PROPERTIES THAT MAY BE AFFECTED BY CONSTRUCTION ACTIVITIES MUST BE PROTECTED.
- ROOT ZONES OF PROTECTED TREES SHOULD BE SURROUNDED WITH RIGIDLY STAKED FENCING.
- THE PARKING OF IDLE AND RUNNING EQUIPMENT SHALL BE PROHIBITED UNDER THE DRIP LINE OF PROTECTED TREES.
- THE STRIPPING OF TOPSOIL FROM AROUND PROTECTED TREES SHALL BE PROHIBITED.
- ALL TREES TO BE REMOVED SHALL BE CUT AWAY FROM TREES TO REMAIN.
- THE GRUBBING OF UNDERSTORY VEGETATION WITHIN CONSTRUCTION AREAS SHOULD BE CLEARED BY CUTTING VEGETATION AT THE GROUND WITH A CHAIN SAW OR MINIMALLY WITH A HYDRO-AXE.
- THE CONTRACTOR IS RESPONSIBLE FOR THE REPLACEMENT PER ORDINANCE GUIDELINES, FOR THE DAMAGE OR REMOVAL OF ANY TREE DESIGNATED TO REMAIN.
- TREES TO BE REMOVED SHALL BE FIELD VERIFIED, EVALUATED AND FLAGGED FOR REMOVAL, BY THE LANDSCAPE ARCHITECT OR FORESTER, ONLY AS DIRECTED BY THE OWNER OR OWNERS REPRESENTATIVE.

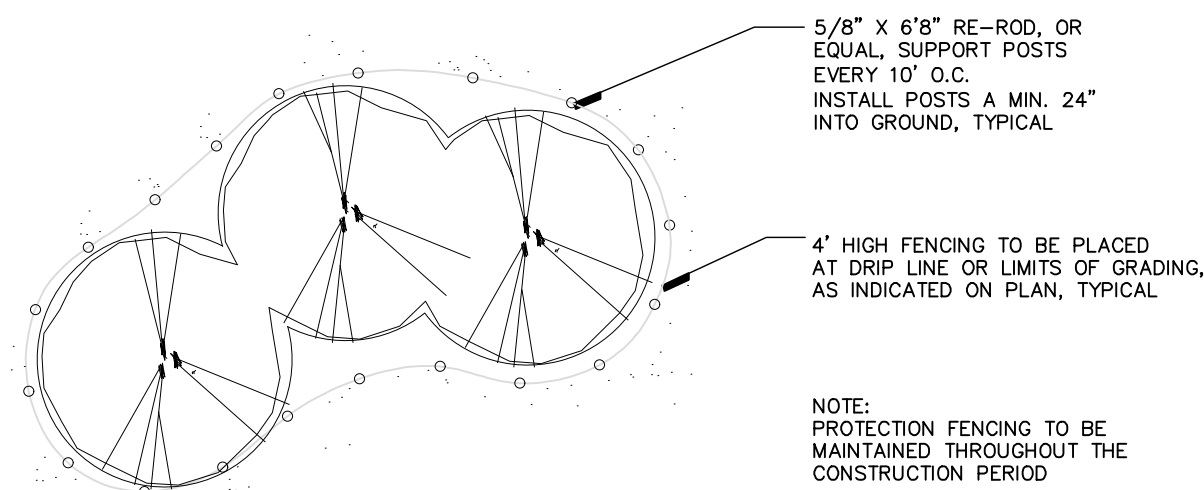
ESTIMATED QUANTITIES

DEMOLITION

DESCRIPTION	QUANTITY	UNITS
REMOVE EX. SHRUBS	1	LS
REMOVE & SALVAGE EX. BLOCK WALL	1	LS
REMOVE EX. PRIVACY FENCE & GATE	53	L.F.
REMOVE EX. DECK	22	S.Y.

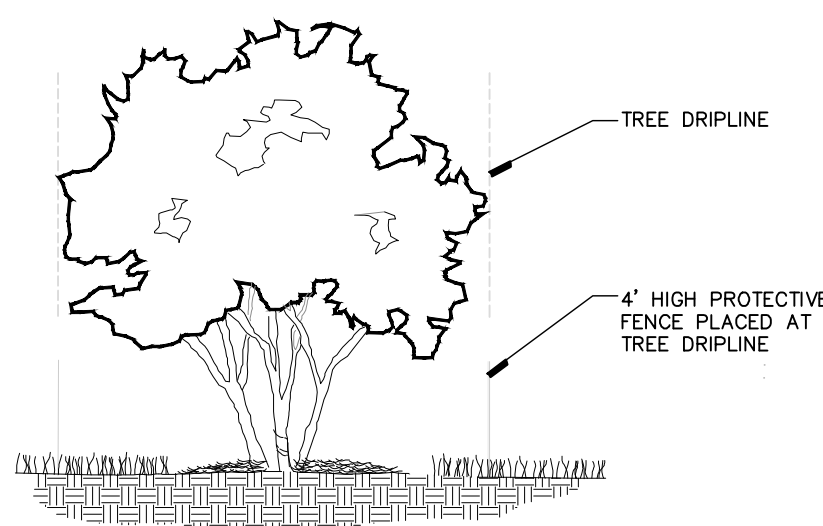
LEGEND

MANHOLE	EXISTING SANITARY SEWER
HYDRANT	SAN. CLEAN OUT
GATE VALVE	EXISTING WATERMAIN
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UTILITY POLE	EXISTING BURIED CABLES
GUY POLE	OVERHEAD LINES
GUY WIRE	LIGHT POLE
SIGN	SIGN
EXISTING GAS MAIN	EXISTING GAS MAIN



TREE PROTECTION DETAIL-PLAN

NTS



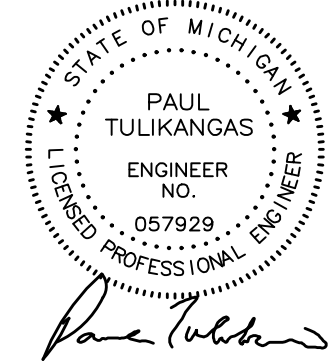
TREE PROTECTION DETAIL-SECTION

NTS



NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

SEAL



PROJECT

37 Maplefield Road,
City of Pleasant Ridge,
Oakland County, MI

CLIENT

Paul & Michele Tulikangas
37 Maplefield Road,
Pleasant Ridge, MI 48069
Phone: (586) 381-0312
Email: paul.tulikangas@att.net

PROJECT LOCATION

Part of the NW 1/4
of Section 28
T.1N, R.11E
City of Pleasant Ridge,
Oakland County, Michigan

SHEET

Demolition Plan



Know what's below
Call before you dig.

REVISIONS

01-25-18 CITY PLOT PLAN REVIEW
03-12-18 Z.B.A. SUBMITTAL

DRAWN BY:
C. Daniels

DESIGNED BY:
P. Tulikangas

APPROVED BY:
P. Tulikangas

DATE:
01-25-18

SCALE: 1" = 10'

NFE JOB NO.
J565

SHEET NO.
C2



City of Pleasant Ridge

23925 Woodward Avenue, Pleasant Ridge, Michigan 48069
Phone: 248-541-2901 • Web: www.cityofpleasantridge.org

City Commission
Kurt Metzger, Mayor
Jason Krzysiak
Ann Perry
Bret Scott
Amanda Wahl

City Manager
James Breuckman

Notice of Zoning Board of Appeals Public Hearing

May 1, 2018

Dear Resident:

The Zoning Board of Appeals will hold a public hearing on **Tuesday, May 15, 2018, at 6:00 p.m. at City Hall**, located at 23925 Woodward Avenue. You are receiving this notification because your property is located within 300 feet of the property for which the variance is requested. The notification requirement is set by State law.

The purpose of the ZBA meeting and public hearing is to consider the request by Mr. Paul Tulikangas and Ms. Michele Kamier, 37 Maplefield Road, Pleasant Ridge, for a variance to Section 82.164 (9) of the Pleasant Ridge Zoning Ordinance, regarding the front yard setback requirement for a residential property.

Specifically, the homeowners at 37 Maplefield are requesting a variance to construct an addition onto the existing house. The proposed two-story addition consists of a lower-level garage area with upper-level living space.

The house at 37 Maplefield is an existing nonconforming structure because it does not meet the front yard setback requirement of the zoning ordinance. The minimum required front yard setback is based on the established building line of nearby houses on the street. Expansions to nonconforming structures are required to comply with zoning ordinance setback requirements. The proposed addition does not meet the minimum front yard setback requirement, and would require a variance of nine (9) feet from the front yard setback requirement.

Plans for the proposed addition are available to review at the Pleasant Ridge City Hall, 23925 Woodward Avenue, Pleasant Ridge, Monday – Thursday 8am-5pm.

You are welcome to attend the Zoning Board Meeting to provide input on this request. If that is not possible, please feel free to contact James Breuckman, City Manager, by telephone at 248-541-2901 to discuss this matter, or via email at citymanager@cityofpleasantridge.org, or you may submit your comments in writing to my attention and I will forward them to the members of the Zoning Board.

Best regards,

Amy M. Drealan
City Clerk



City of Pleasant Ridge

Staff Report to the Zoning Board of Appeals

May 9, 2018

55 Sylvan Garage Area Variance Request

REQUEST	Dimensional Variance
APPLICANT	Mr. Ben Roberts
PROPERTY OWNER	Same as applicant
LOCATION	55 Sylvan
PARCEL ID	25-27-176-043
ZONING	R1C – Single Family
STAFF	Jim Breuckman, AICP, City Manager

In this Report:

Variance Request.....	1
Review Considerations for Dimensional Variances (Section 82-74)	2
Recommendation.....	3
Sample Motions.....	4

Variance Request

The applicant is proposing to demolish the existing 519.72 square foot garage and to construct a new 864 square foot garage in approximately the same location at 55 Sylvan.

Area of Proposed Garage:864.00 sq. ft.
 Maximum Garage Area Allowed:743.85 sq. ft.
 Variance Requested:120.15 sq. ft.

Section 82-193(3) of the Zoning Ordinance establishes a maximum area limitation for accessory buildings of 750 square feet, or the ground floor area of the principal building, whichever is less. The principal structure at 55 Sylvan has a ground floor area of 743.85 square feet, so that is the maximum area allowed for an accessory building on the lot.

The property owner is requesting a variance of 120.15 square feet to allow the construction of the 864-square foot detached garage.

Review Considerations for Dimensional Variances (Section 82-74)

Section 82-74 establishes that the Zoning Board of Appeals has the power to authorize a variance from the strict application of the provisions of the Zoning Ordinance where, by reason of narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of the Zoning Ordinance or by reason of exception, topographic conditions, or other conditions of the property, the strict application of the regulations of the Zoning Ordinance would result in practical difficulties upon the owner of the property provided that such relief may be granted without detriment to the public good, and without impairing the intent and purpose of the Zoning Ordinance.

Furthermore, Michigan case law establishes that, in the case of a dimensional variance, an applicant must demonstrate that a practical difficulty exists which makes it impossible to comply with the requirements of the Zoning Ordinance.

The Michigan Court of Appeals has applied the following principles which collectively amount to the showing of a practical difficulty:

1. **Strict compliance with the standard would unreasonably prevent the landowner from using the property for a permitted use, or would render conformity unnecessarily burdensome.**

For the first standard, the zoning board of appeals (ZBA) should figure out if there is a way to accomplish the same purpose without a variance, even if it will be more inconvenient or more expensive for the applicant. A variance is granted for circumstances unique to the property (e.g. odd shape), not those unique to the property owner (e.g. large family or many possessions).

If the design for an improvement brought forward by the applicant can be reasonably changed such that a variance is no longer needed, the variance request should be denied.

Analysis: Compliance with the area limitations for a detached accessory building would not prevent the property owner from using the property for a permitted use. Compliance would only reduce the area for the garage that is proposes.

There are also design solutions available to the property owner which would eliminate the need for a variance. One particular solution would be to attach the garage to the rear of the house, with a side-facing entrance. This would eliminate the 750 square foot limitation, which only applies to detached accessory buildings. The size of the property as a double lot provides the area necessary to accommodate such an addition.

2. **The particular request, or a lesser relaxation of ordinance standard, would provide substantial justice to the landowner and neighbors.**

The request must be the minimum required to allow the property to be used for a permitted purpose. This means that if, for example, a 10-foot variance is requested but a 5-foot variance would suffice, only the 5-foot variance may be allowed.

Variances also must not grant a special benefit to the property owner compared to the owners of similar properties in the same zoning district.

Analysis: Granting the variance would provide a special benefit not enjoyed by other property owners in the City, namely, a larger garage. Further, a larger garage could be accommodated on the site without the need for a variance by attaching it to the house, so there is not a lesser variance that should be considered.

Approval of the variance could also spur similar requests from other property owners who would use the grant of this variance as a justification for approval of other variances using the substantial justice claim.

3. The plight is due to unique circumstances of property and is not shared by neighboring properties in the same zone.

The applicant must be able to demonstrate how the property is unique compared to other properties in the zone, and how that unique circumstance or circumstances makes it impossible to develop the property in compliance with the requirements of the Zoning Ordinance.

Analysis: There are no circumstances unique to the property. The property is larger than most other properties on nearby streets, but it is not a uniquely sized lot within the City or the R-1C zoning district. The subject property consists of two platted lots, however, there are a number of such parcels in the City. On the east side of the City, there are 10 such lots on Devonshire, and numerous others on the west side of the City. Furthermore, the area limitation on accessory building area is consistent across all Zoning Districts, and makes no distinction based on the size of the lot. This means that the much larger lots on the boulevards between Woodward and Ridge, and along Ridge Road must and do comply with the same accessory building area limitation applicable on the 55 Sylvan property.

There are no unique circumstances that are unique to 55 Sylvan that reduce its development potential in compliance with the Zoning Ordinance. It is entirely feasible to accommodate an attached or detached garage that complies with ordinance standards. Rather, it is the applicant's preference to construct a non-compliant structure that has created the request for the variance.

4. The problem is not self-created.

There must be a circumstance that exists, such as the shape of the lot, easements, or other situations that were not created by the property owner or prior property owners that precludes the use of the site for a permitted use to determine that the problem is not self-created. For example, if the City were to adopt new zoning requirements that increase setbacks and make an existing lot impossible to develop, a variance would be warranted.

On the other hand, a prior owner granting an easement to another entity that makes it impossible to develop and otherwise developable lot is a self-created problem that would preclude granting a variance.

However, an applicant proposing an addition that encroaches into required setbacks when it could be designed in compliance with ordinance requirements is a self-created problem, and precludes granting a variance.

Analysis: As noted above, the requested variance is based on the design preference of the applicant. The proposed garage could be reduced in area or attached to the house to comply with the standards for accessory buildings. Therefore, the problem is self-created.

Recommendation

Staff recommends that the Zoning Board of Appeals deny the requested variance based on the above review considerations.

Sample Motions

Motion 1 – Motion to Approve

MOTION by _____, seconded by _____, in the matter of the request for a variance of 120.15 square feet from the maximum detached accessory building area requirement of Section 82-193, the Zoning Board of Appeals **grants** the variance with the following findings and subject to any applicable conditions:

Findings

1. *Special or unique conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures or buildings in the same district.*
2. *A literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the ordinance, and the requested variance is the minimum necessary.*
3. *The special conditions and circumstances do not result from the actions of the applicant. The building pattern that exists along the street is a long-standing situation that existed long before the applicant purchased the property.*
4. *The granting of the variance will be in harmony with the general purpose and intent of the Zoning Ordinance by allowing a new building at an established building line.*
5. *The variance will not be injurious to the neighborhood or otherwise detrimental to the general welfare.*
6. *The spirit of the Zoning Ordinance shall be observed, public safety secured, and substantial justice done.*

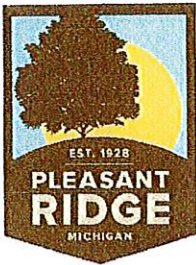
Motion 2 – Motion to Deny

MOTION by _____, seconded by _____, in the matter of the request for a variance of 120.15 square feet from the maximum detached accessory building area requirement of Section 82-193, the Zoning Board of Appeals **denies** the variance with the following findings and subject to any applicable conditions:

Findings

1. *No special or unique conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures or buildings in the same district.*
2. *A literal interpretation of the provisions of the Zoning Ordinance would not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the ordinance.*

3. *The special conditions and circumstances do result from the actions of the applicant, and as such are self-created. Alternatives do exist which would allow the site to comply with the maximum area requirement of the Zoning Ordinance.*
4. *The granting of the variance will not be in harmony with the general purpose and intent of the Zoning Ordinance. The variance will allow for a detached garage with a larger area than otherwise permitted, and is not in keeping with ordinance requirements or the character of existing detached garages the neighborhood.*
5. *The variance will be injurious to the neighborhood or otherwise detrimental to the general welfare by allowing the construction of a larger than permitted structure. This could spur requests for similar variances in the future.*
6. *The spirit of the Zoning Ordinance will not be observed, and substantial justice will not be done by providing a special benefit to the applicant that is not enjoyed by other properties in the zoning district, and which will promote future requests for similar variances that undermine the integrity of the Zoning Ordinance.*



Zoning Board of Appeals (ZBA) Application

Type of Request

Request type (as defined in Section 82-74 of the Pleasant Ridge Zoning Ordinance)

- ☐ Appeal of administrative order or decision
☒ Dimensional (non-use) variance
☐ Use variance

Property Information

Street Address	55 SYLVAN
Parcel Identification Number	25-27-176-043 (LOTS 2084209 SYLVAN GARDENS SUB)
Zoning District	R1-C
Current Use(s)	RESIDENTIAL

Applicant Information

Name	BEN ROBERTS		
Address	55 SYLVAN AVENUE		
City	PLEASANT RIDGE	State	MI
		Zip	48069
Phone	248-227-5719	Email	ben.roberts116@gmail.com


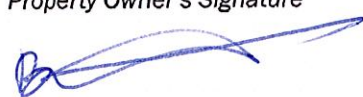
Property Owner Information

☒ Check here if same as applicant

Name			
Address			
City	State	Zip	
Phone	Email		

Applicant/Property Owner's Signature

I (we) do certify that all information contained in this application, accompanying plans, and attachments are completed and accurate to the best of my (our) knowledge. I (we) authorize the employees and representatives of the City to enter and investigate the above referenced property.

Applicant's Signature	Applicant's Printed Name	Date
	Ben Roberts	3/14/18
Property Owner's Signature	Property Owner's Printed Name	Date
	Ben Roberts	3/14/18

Application Information

Provide the following information for the type of Zoning Board of Appeals action you are requesting.

Appeal

To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision, or refusal made by the Zoning Inspector or any other administrative official in carrying out or enforcing any provisions of this Ordinance.

Requested Appeal(s):

N/A

Reason for Appeal:

N/A

Dimensional (non-use) Variance

A non-use variance is one that provides relief from a specific dimensional or design standard in the ordinance. Such variances usually relate to area, setbacks, height, or other limitations by measurement that are set forth in the Zoning Ordinance.

Description of the requested variance(s), and applicable ordinance section(s)

THIS PROPOSAL IS TO REPLACE MY BADLY DEGRADED (SEE ATTACHED PHOTOS) AND PRACTICALLY UNUSABLE 3 CAR ACCESSORY BUILDING. TO DO SO, I INTEND TO CONSTRUCT A NEW 3 CAR GARAGE, ARCHITECTURALLY CONSISTANT WITH THE MAIN STRUCTURE WITH A PLAN AREA OF 24' X 36'. THIS WILL REQUIRE A 15% INCREASE IN THE ALLOWABLE SIZE OF 750 SF AS INDICATED IN ARTICLE 6, SECTION 82-163 (3) - 864 SF IS REQUESTED.

To obtain a non-use variance, an applicant must present proof that a practical difficulty exists, and that the practical difficulty relates to a unique circumstance of the property as distinguished from a personal circumstance or situation of the applicant. Use the form below and provide any other supplemental information you deem necessary to describe how each of the following tests are met:

Strict compliance with the standard would unreasonably prevent the landowner from using the property for a permitted use, or would render conformity unnecessarily burdensome.

THE PRACTICAL BURDEN IS THAT 2 OF THE 3 VEHICLES I OWN REQUIRE A GARAGE DEPTH (OUTSIDE DIMENSION) OF 24' ALLOWING REASONABLE CIRCULATION. 36' IN WIDTH PROVIDES FOR 3 CAR WIDE USE PLUS A STAIR TO THE PARTIAL ATTIC STORAGE PROPOSED. A REDUCTION IN EITHER DIMENSION WOULD OBVIATE MY GOAL OF HAVING 3 VEHICLES PARKED INSIDE.

The request, or a lesser request, would provide substantial justice to the landowner and neighboring property owners.

I HAVE DISCUSSED THIS PROPOSAL WITH THE ADJACENT PROPERTY OWNERS AND THEY HAVE NO OBJECTION. I CAN PROVIDE WRITTEN VERIFICATION OF THAT, IF NEEDED.

The plight is due to unique circumstances of the property and is not shared by neighboring properties in the same zone.

I IN TERMS OF RELATIVE SCALE, THIS PROPERTY IS "UNIQUE" IN THAT I HAVE TWO PLATTED LOTS (208 + 209) UNDER ONE TAX ID NUMBER. AS SUCH, MY PROPERTY IS TWICE AS WIDE AS ANY OTHER PROPERTY IN THE R1-C ZONE EAST OF WOODWARD IN THE ENTIRE COMMUNITY.

The problem is not self-created.

I PURCHASED THIS PROPERTY ABOUT ONE YEAR AGO. THIS ACCESSORY BUILDING HAS BEEN IN A NON-WEATHERTIGHT CONDITION FOR OBVIOUSLY MANY YEARS. THIS HAS RESULTED IN SUBSTANTIAL WOOD ROT, LARGE HOLES IN THE ROOF AND WALLS. THE DOORS DO NOT FUNCTION AND THE DEPTH WAS DESIGNED FOR VEHICLES MANUFACTURED NEARLY A CENTURY AGO.

AS SUCH A MINOR (15%) DIMENSIONAL VARIANCE IS HEREBY REQUESTED.

Use Variance

A use variance is one that allows a property to be used for a use that is not otherwise permitted in the Zoning District.

Description of the requested variance(s), and applicable ordinance section(s)

N/A. NO USE VARIANCE IS REQUESTED

To obtain a use variance, an applicant must present proof that an unnecessary hardship exists, and the unnecessary hardship must relate to a unique circumstance of the property which prevents the applicant from reasonably using the property for a permitted purpose. Use the form below and provide any other supplemental information you deem necessary to describe how each of the following tests are met:

The property cannot be used in a manner consistent with existing zoning.

N/A

The landowner's plight is due to unique circumstances and not to general conditions in the neighborhood that may reflect the unreasonableness of the zoning.

N/A

A use authorized by the variance will not alter the essential character of the zone or City.

N/A

The hardship is not the result of the applicant's own actions.

N/A

MICHIGAN.

Scale - One Inch = 200 Ft.

Note - All dimensions are shown in feet or decimals thereof

Mason L. Brown & Son
Civil Engineers
825 N. Chalmers Ave. Detroit
Michigan

ROBERTS
DOUBLE
LOT



DESCRIPTION

[illegible]

Company at Michigan Corporation by Lawrence H. Smith vice President's Edward
F. H. Smith Secretary

[illegible]

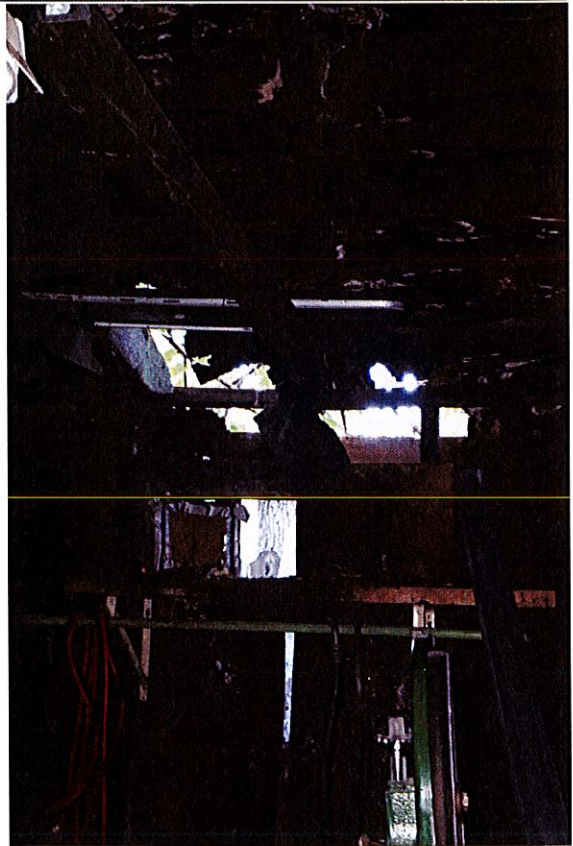
STATE OF MICHIGAN
COUNTY of Calhoun
I, the undersigned, Clerk of the Court, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the Court.
Witness my hand and the seal of the Court at Bay City, Michigan, this 10th day of August, 1916.
Clerk of the Court.
By the aid of me the above persons who administer the seal of the Court, and who are duly sworn to do so, to be duly attested and signed by me.
James H. Taylor
Clerk of the Court.
Attest:
My Commission Expires May 18, 1917.

Oakland County Treasurer's Certificate

This is to Certify, that there are no Tax Liens or Taxes held by the State or any subdivision thereof, against the Taxpayer described in the annexed return, who is a full owner of the property, for the last 3 YEARS prior to the date thereof, according to the records of this office, except as stated.

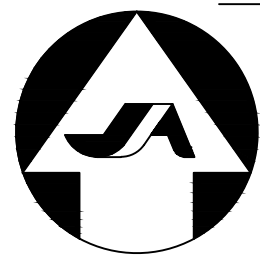
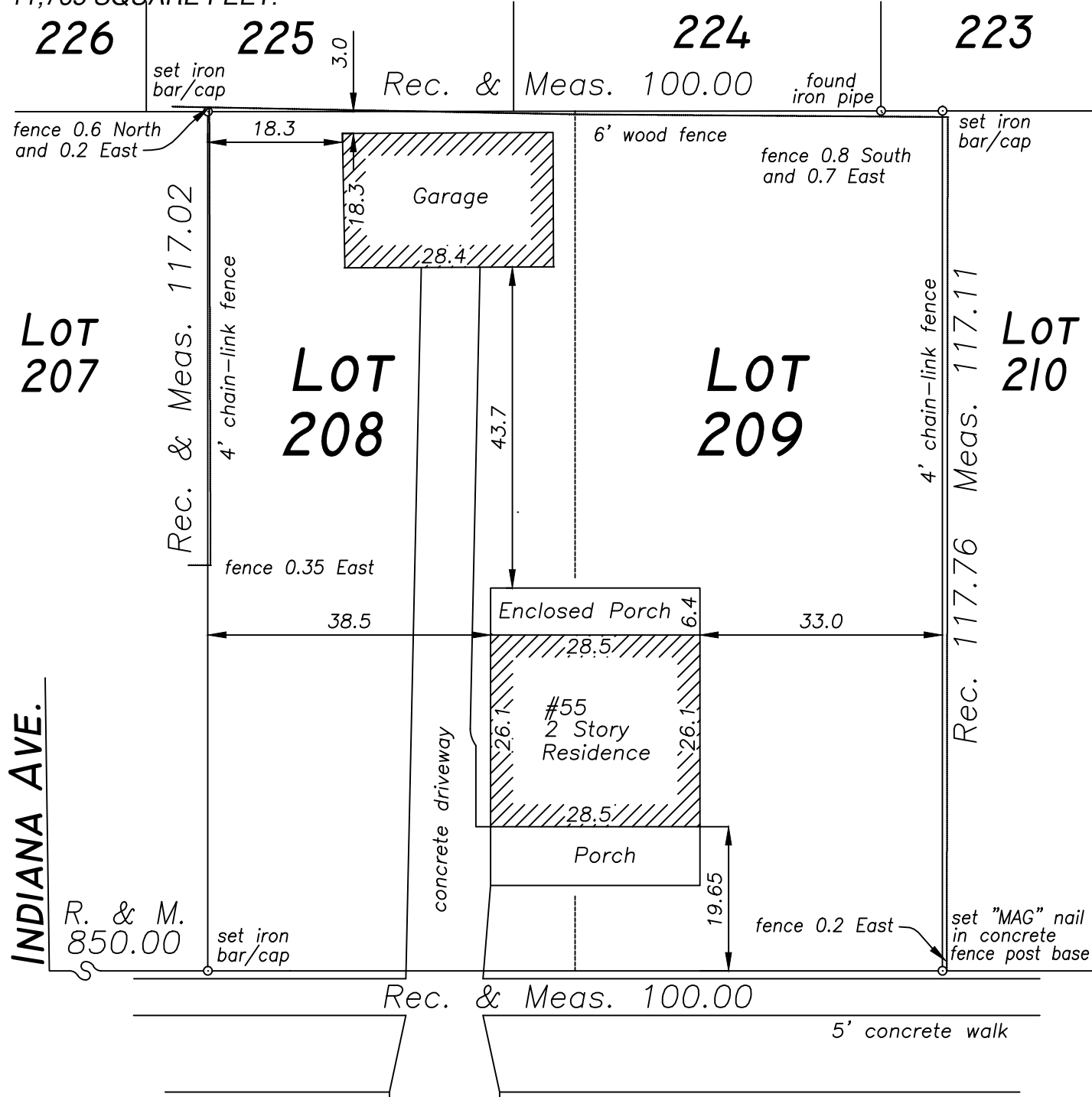
William H. Young
County Treasurer

Witness my hand and the seal of said office, this 19th day of March, 1916.



LEGAL DESCRIPTION

LOTS 208 & 209 OF "SYLVAN GARDENS SUBD'N", OF PART OF THE NORTH ½ OF SECTION 27, TOWN 1 NORTH, RANGE 11 EAST, ROYAL OAK TOWNSHIP (NOW CITY OF PLEASANT RIDGE), OAKLAND COUNTY, MICHIGAN. RECORDED IN LIBER 15 OF PLATS ON PAGE 22, OAKLAND COUNTY RECORDS. CONTAINS 11,765 SQUARE FEET.



SYLVAN AVE.
(60' Wide)

CERTIFICATE OF SURVEY

Prepared For: Ben Roberts
55 Sylvan Ave.
Pleasant Ridge, MI 48069
(248) 227-5719

JEKABSON & ASSOCIATES, P.C.
Professional Land Surveyors
1320 Goldsmith, Plymouth, MI 48170
(734) 414-7200 (734) 414-7272 fax
by

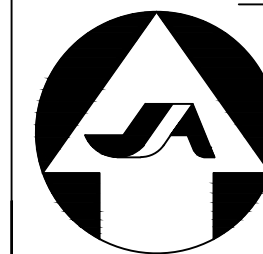
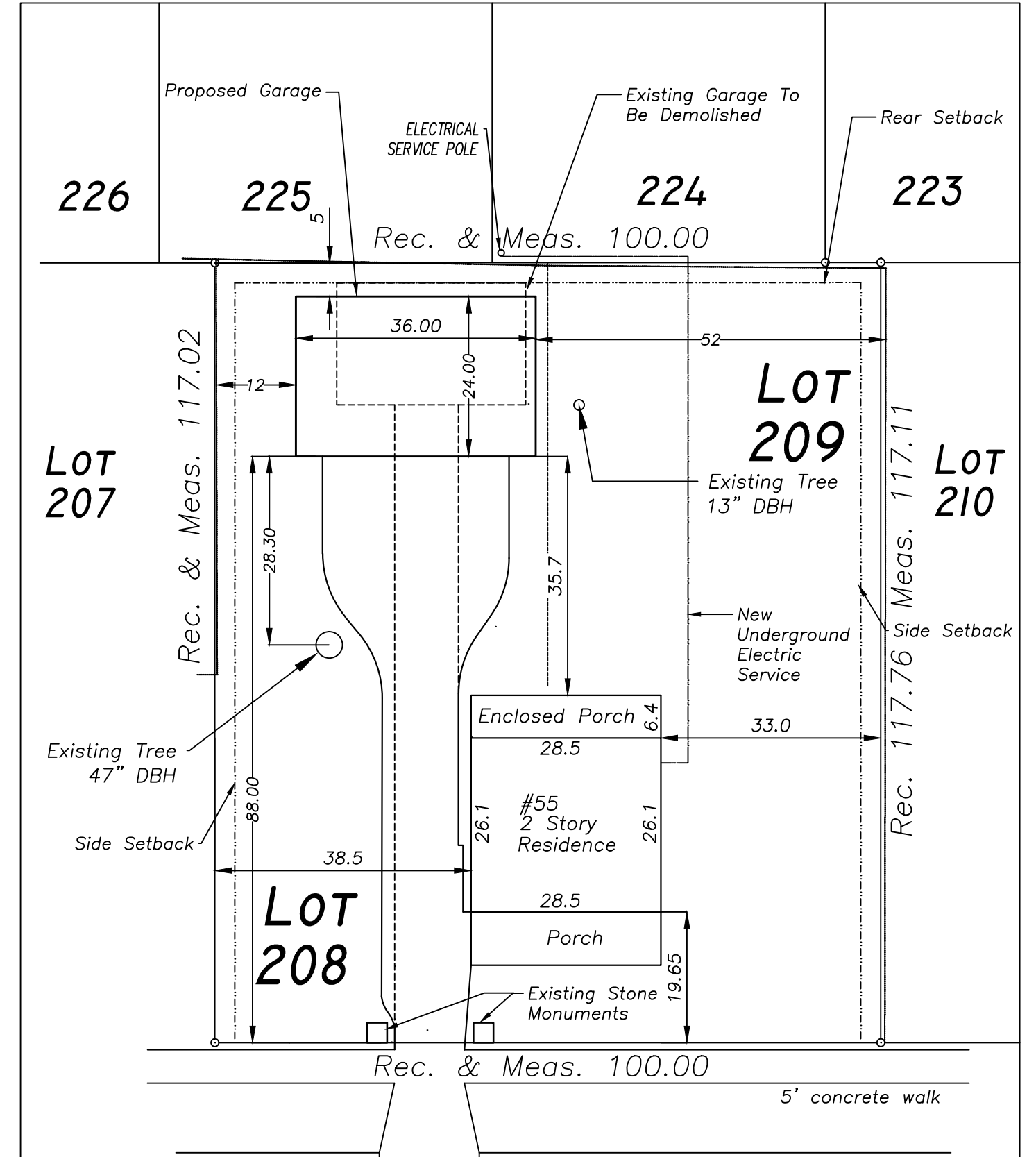


DATE
28 July 17
JOB NO.
17-07-003
SCALE
1" = 20'
DRAWN
JGE
CHECKED
IJJ
SHEET
1 OF 1

Zoning Information

Classification:R1C
Lot Area Required:5500 sqft
Lot Area Provided:11,730 sqft
Side Yard Required:5' Total 13'
Side Yard Provided:12' West
.....52' East

Accessory Building Rear Yard Required:3'
Accessory Building Rear Yard Provided:5'
Accessory Building Maximum Height:18'
Accessory Building Provided Height:18'
Main Structure Existing Height:30'
Accessory Building Maximum Floor Area:750 sqft
Accessory Building Provided Floor Area:864 sqft



SYLVAN AVE.
(60' Wide)

Proposed Site Plan

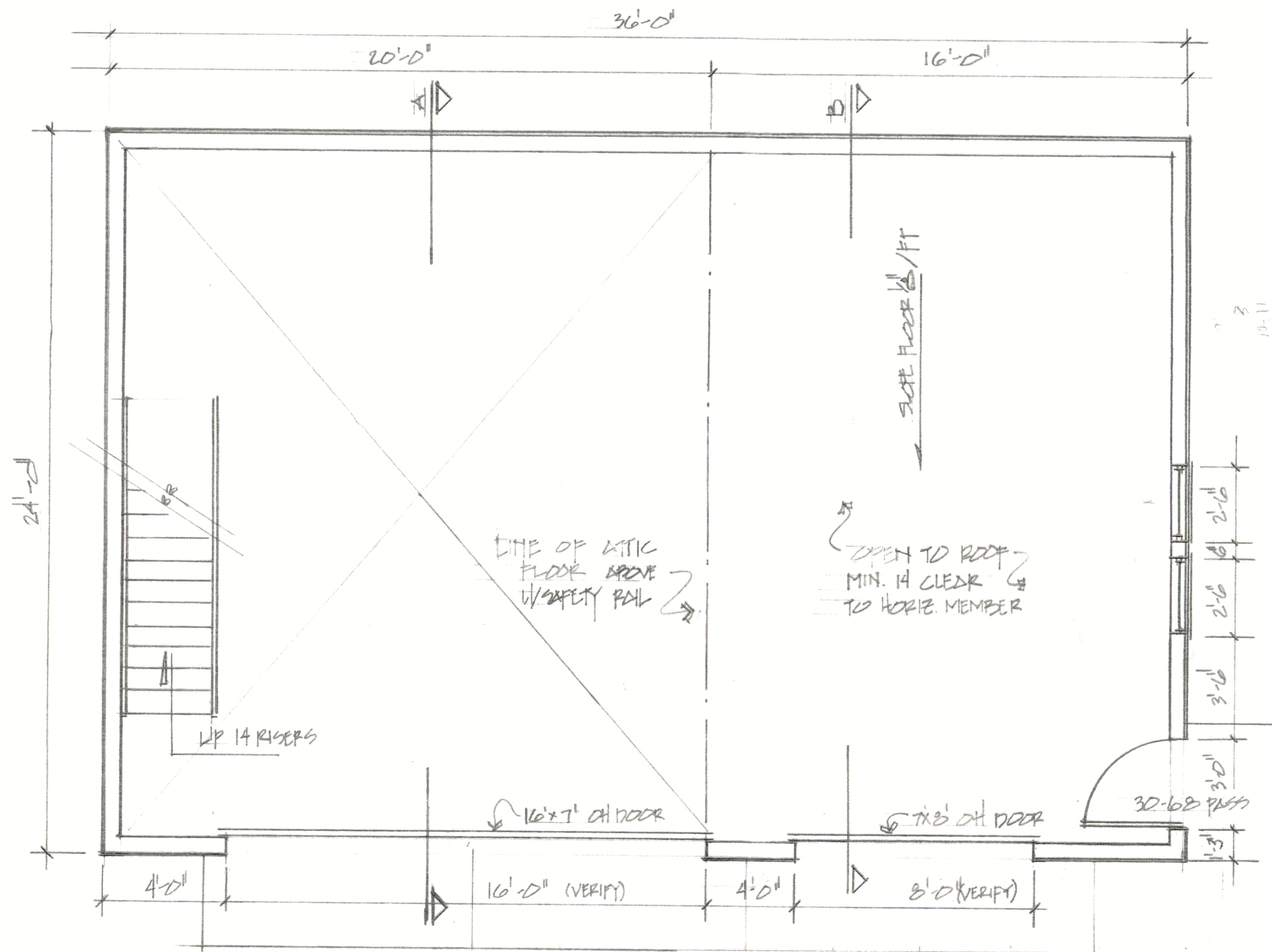
55 Sylvan Ave.
Garage and Site Improvements

BEN ROBERTS – PROPOSED GARAGE

SCALE: 1" = 20'	APPROVED BY:	DRAWN BY GR
DATE: 10-2-2017		REVISED

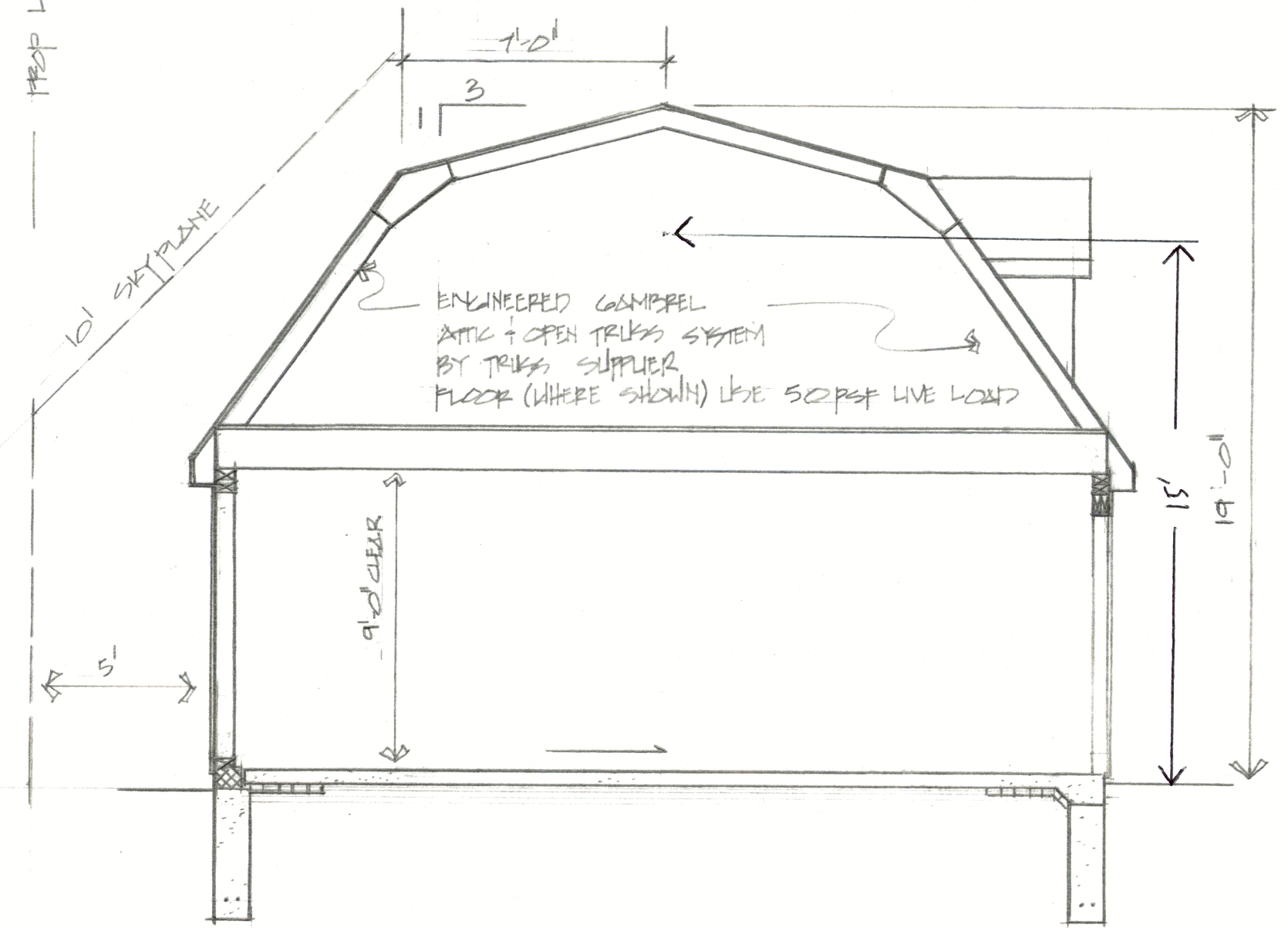
55 SYLVAN AVE. PLEASANT RIDGE MI.

DRAWING NUMBER
SITE 1



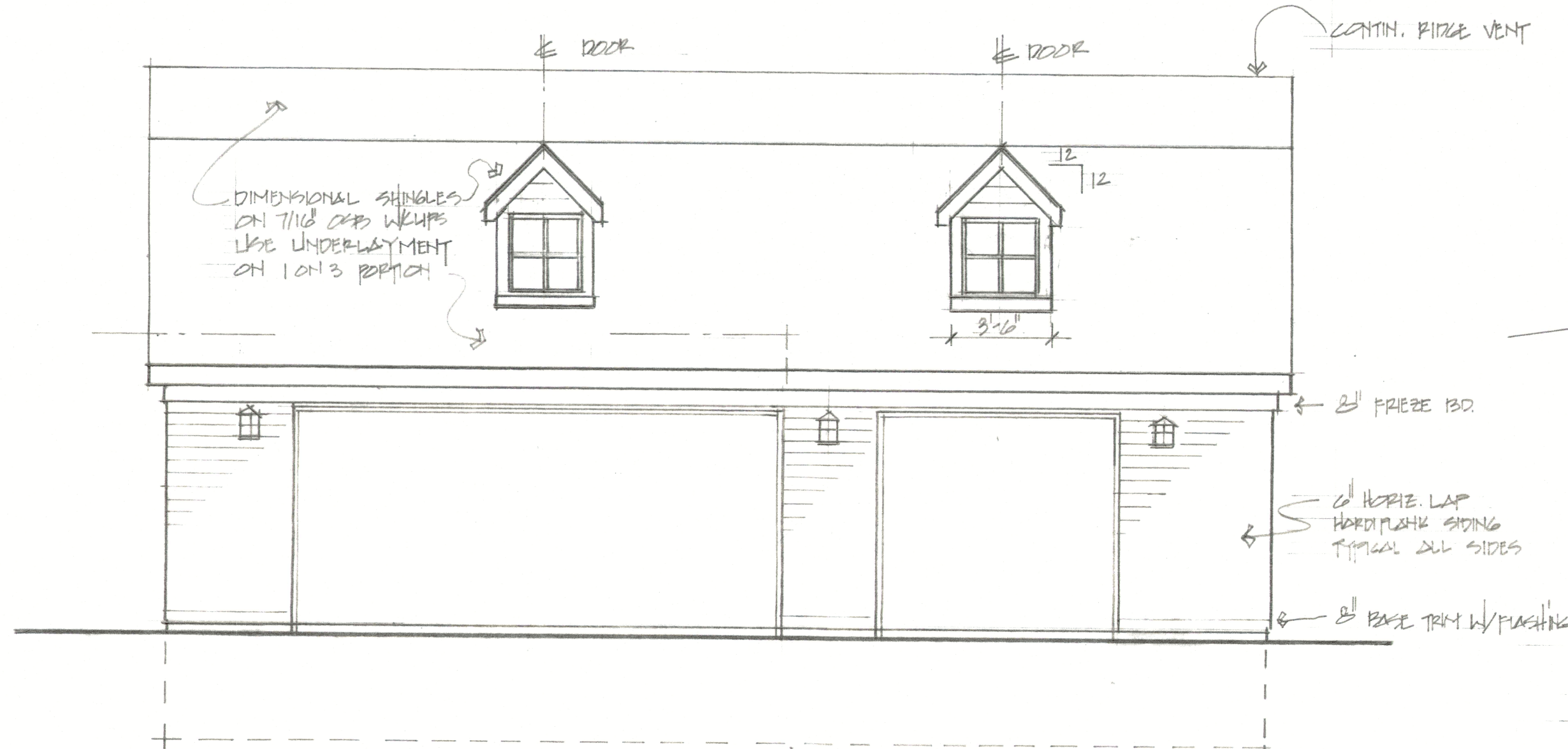
FLOOR PLAN

TRUSS LINE (REAR)

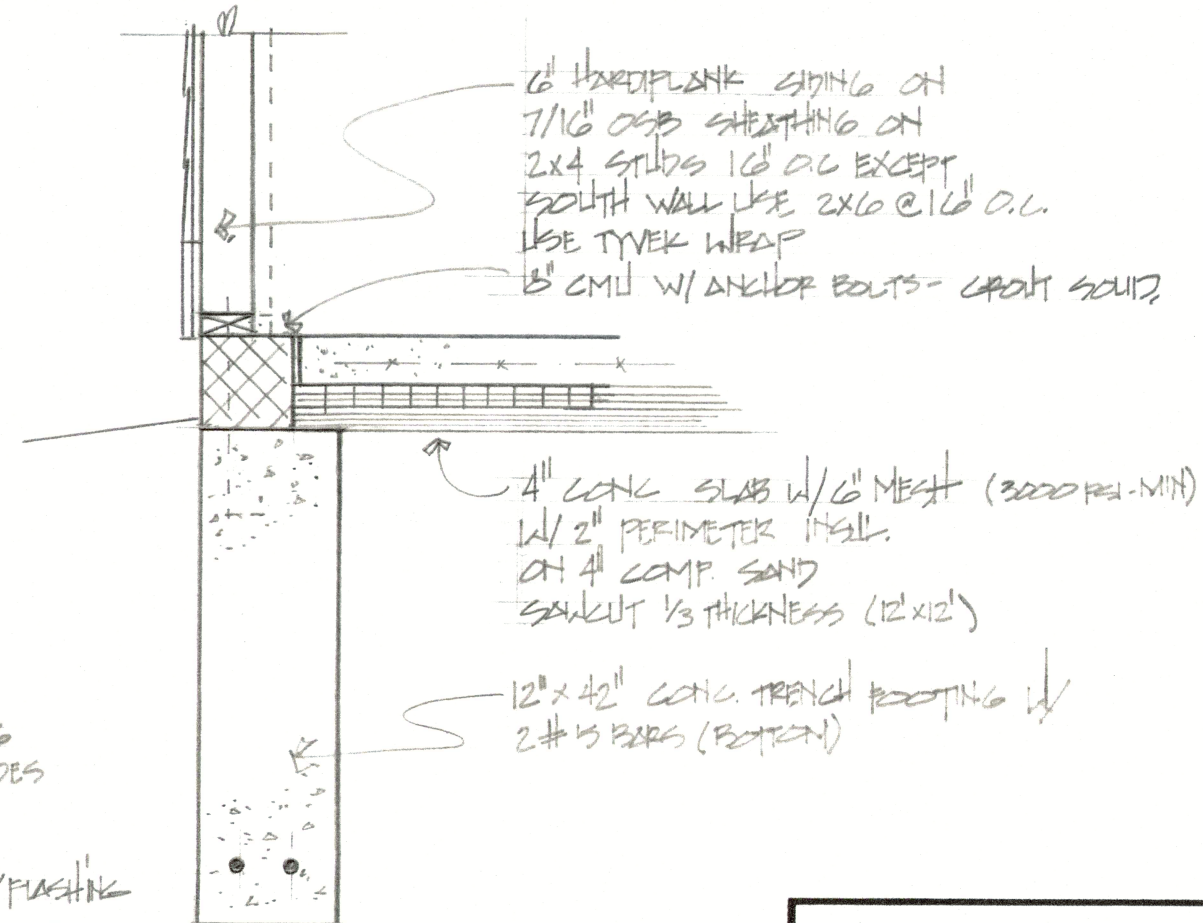


SECTION A

NOTE - SECTION B IS SIMILAR EXCEPT NO ATTIC FLOOR TRUSS 14' CLEAR - MIN.




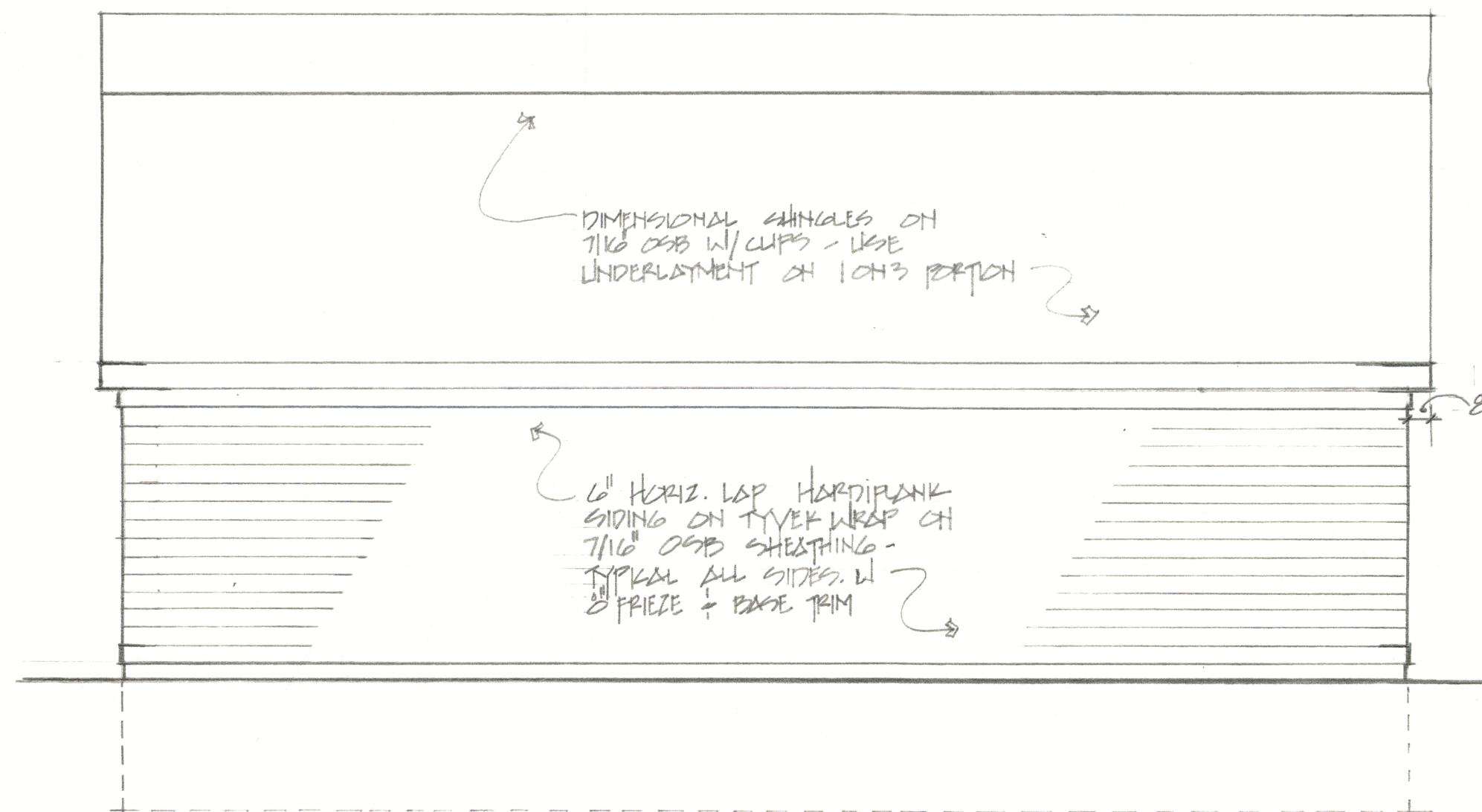
SOUTH ELEVATION



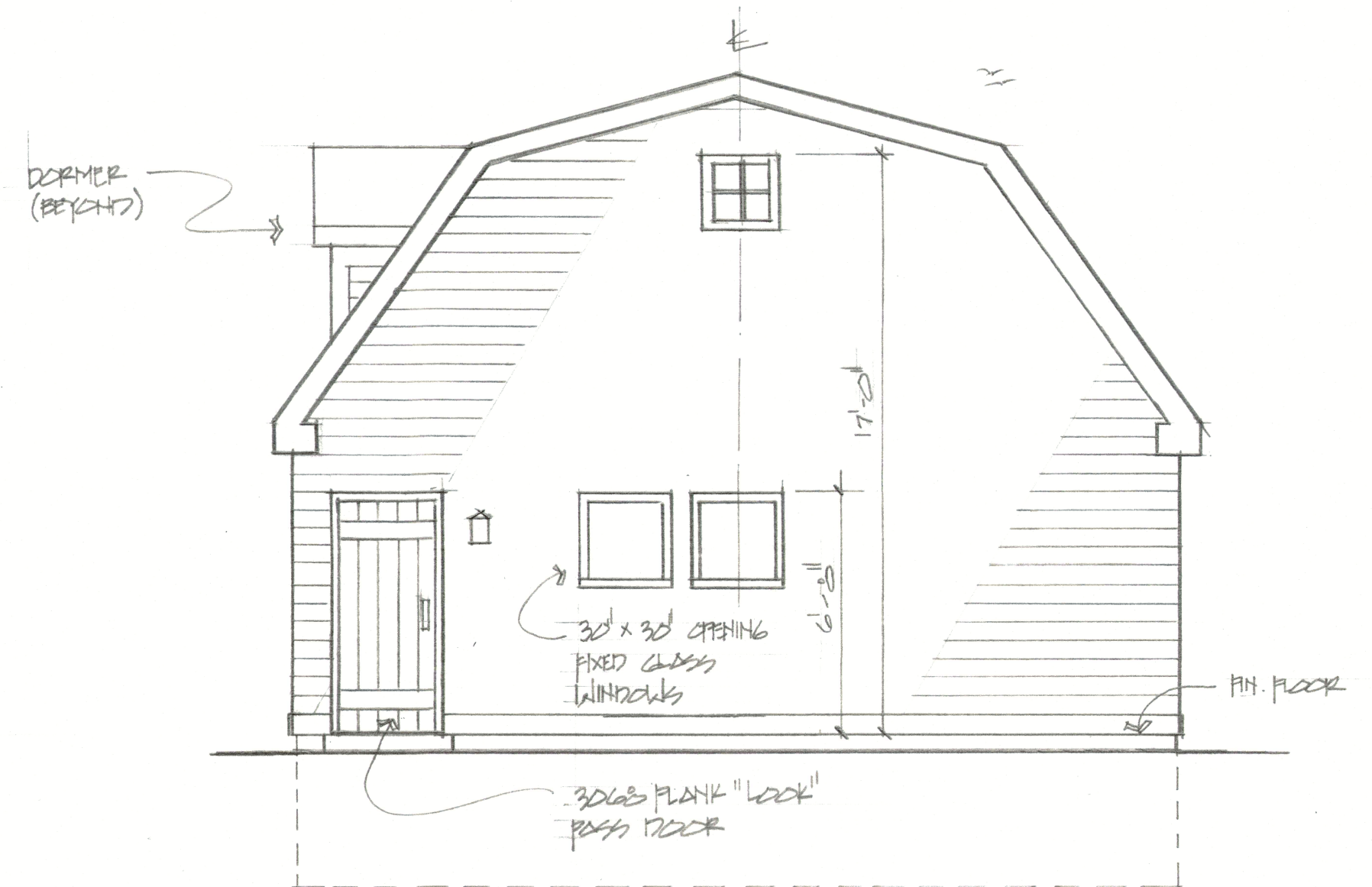
DETAIL

3/4" = 1'-0"

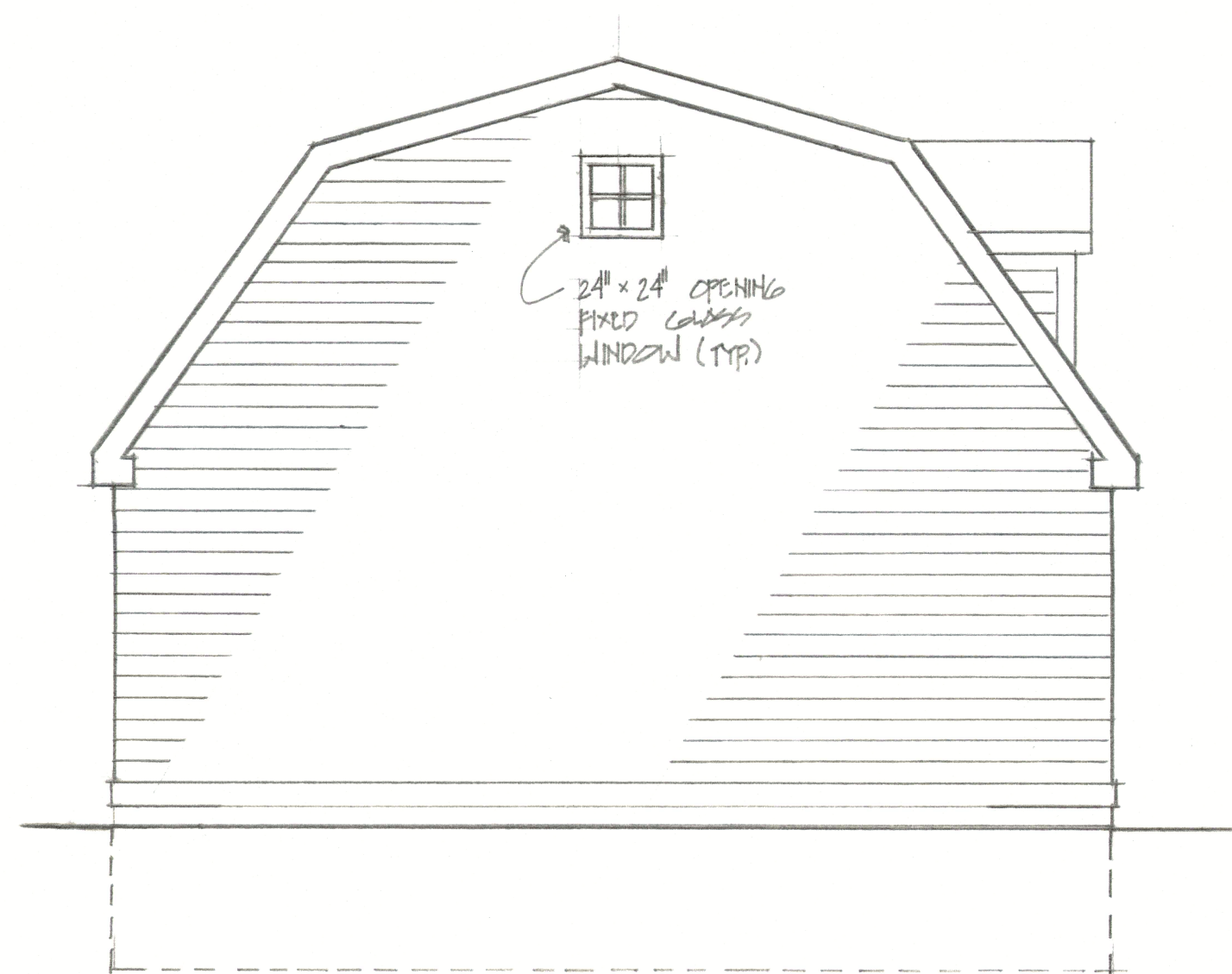
BEN ROBERTS - PROPOSED GARAGE			
SCALE: 1/4" = 1'-0"	APPROVED BY:		DRAWN BY: 
DATE: 2.17.18			REVISED
55 SYLVAN AVE. PLEASANT RIDGE MI			
			DRAWING NUMBER
			A-1



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

BEN ROBERTS - PROPOSED GARAGE

SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: <i>BR</i>
DATE: 2-17-18		REVISED:

55 SYLVAN AVE. PLEASANT RIDGE MI.

DRAWING NUMBER
A.2



City of Pleasant Ridge

23925 Woodward Avenue, Pleasant Ridge, Michigan 48069
Phone: 248-541-2901 • Web: www.cityofpleasantridge.org

City Commission
Kurt Metzger, Mayor
Jason Krzysiak
Ann Perry
Bret Scott
Amanda Wahl

City Manager
James Breuckman

Notice of Zoning Board of Appeals Public Hearing

May 1, 2018

Dear Resident:

The Zoning Board of Appeals will hold a public hearing on **Tuesday, May 15, 2018, at 6:00 p.m. at City Hall**, located at 23925 Woodward Avenue. You are receiving this notification because your property is located within 300 feet of the property for which the variance is requested. The notification requirement is set by State law.

The purpose of the ZBA meeting and public hearing is to consider the request by Mr. Ben Roberts, 55 Sylvan Avenue, Pleasant Ridge, for a variance to Section 82.193(3) of the Pleasant Ridge Zoning Ordinance, regarding the maximum allowable square footage for an accessory building.

Specifically, the homeowner at 55 Sylvan is requesting a variance to construct an 864 sq. ft. detached garage (accessory structure), at the rear of his property that exceeds the maximum permitted area allowed by the zoning ordinance.

The zoning ordinance establishes a maximum permitted area of 743.85s/f for an accessory structure at this property. The maximum allowed area is 750 sq. ft. or the footprint of the house, whichever is less. In this case, the house has a footprint of 743.85 sq. ft. A variance of 120.15 sq. ft. is required to construct the garage as proposed.

Plans for the proposed structure are available to review at the Pleasant Ridge City Hall, 23925 Woodward Avenue, Pleasant Ridge, Monday – Thursday 8am-5pm.

You are welcome to attend the Zoning Board Meeting to provide input on this request. If that is not possible, please feel free to contact James Breuckman, City Manager, by telephone at 248-541-2901 to discuss this matter, or via email at citymanager@cityofpleasantridge.org, or you may submit your comments in writing to my attention and I will forward them to the members of the Zoning Board.

Best regards,

Amy M. Drealan
City Clerk