AGENDA

Regular Meeting
Tuesday, March 21, 2017
7:00 p.m.

Green Oak Charter Township Hall
10001 Silver Lake Road
Brighton, MI 48116

1. Call to Order

2. The Pledge to the Flag

3. Roll Call of the Board

4. Approval of the Agenda

5. ZBA Case 02-2017, Parcel # 4716-17-101-036, Located at 8390 Ken Love Ct., Brighton, Michigan 48116. Requesting setback variance from Section 38-136. The property is located on a corner lot. This variance would allow for the addition/ garage to have a setback of 19 feet on average instead of the required 40-foot setback. Section 38-136.
   a. Applicant's Presentation of the Case – maximum of ten minutes
   b. Board members may question the Applicant
   c. Open Public Hearing – a maximum of three minutes shall be allotted to individuals, and a maximum of five minutes to a group representative
   d. Close Public Hearing
   e. Rebuttal by Applicant – a maximum of two minutes allotted
   f. Decision of the ZBA

6. New Business

7. Old Business

8. Approval of January 17, 2017 Meeting Minutes

9. Correspondence

10. Call to the Public – maximum of three minutes shall be allotted to individuals, and a maximum of five minutes to a group representative

11. Adjournment

March 14, 2017
Zoning Board of Appeals
Report

Case # 02-2017  Meeting Date: March 21, 2017

Property Tax I. D. 4716-17-101-036  Zoning: R2 Single Family

Petitioner: Christian & Lisa Spencley

Property Owner: Christian Spencley

Property Location: 8390 Ken Love Ct. Brighton, MI 48116

ZBA Case 02-2017, Parcel # 4716-17-101-036, Located at 8390 Ken Love Ct., Brighton, Michigan 48116. Requesting setback variance from Section 38-136. The property is located on a corner lot. This variance would allow for the addition/garage to have a setback of 19 feet on average instead of the required 40-foot setback

Applicable Provisions of the Zoning Ordinance:

Sec. 38-492. Nonconforming lots.
(a) In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this chapter, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of the Ordinance from which this article is derived. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements not involving area or width, or both, of the lots shall conform to the regulations for the district in which such lot is located.

Sec. 38-494 states a nonconforming structure cannot be enlarged or altered in a way that increases its nonconformity.

Notices: Notice of public hearing sent to the applicant, February 28, 2017
Notice of public hearing published in the Livingston County Press and Argus, February 28, 2017

Report Prepared By: Debra McKenzie
CASE FILE DOCUMENTS:

1.1 Site Plan
1.2 Aerial

Written Correspondence and Documentation
2.0 Completed application form
2.1 Letter of application with attachments
2.2 Proof of ownership
2.3 Notice of Public Hearing
2.4 Certificate of publication
Parcel Number: 4716-17-101-036  Jurisdiction: GREEN OAK TOWNSHIP  County: LIVINGSTON  Printed on 03/14/2017

Grantor: MENGEL, JOHN & PATRICIA  Grantee: SPENCELEY, CHRISTIAN & LISA  Sale Price: 185,000  Sale Date: 02/21/2003  Inst. Type: WD  Terms of Sale: ARMS LENGTH  Liber & Page: 3781/508  Verified By: NOT VERIFIED  Prctnt. Trans.: 100.0

Tentative Values:

Year | Land Value | Building Value | Assessed Value | Board of Review | Tribunal/Other | Taxable Value
--- | --- | --- | --- | --- | --- | ---
2017 | Tentative | Tentative | Tentative | | | Tentative
2016 | 19,800 | 54,700 | 74,500 | | | 62,338C
2015 | 19,800 | 51,200 | 71,000 | | | 62,152C
2014 | 19,800 | 47,900 | 67,700 | | | 61,174C

Property Address: 8390 KEN LOVE CT
School: BRIGHTON  Zoning: R2  Building Permit(s):

Owner's Name/Address: SPENCELEY, CHRISTIAN & LISA  8390 KEN LOVE CT  BRIGHTON MI 48116

Tax Description: SEC. 17 T1N, R6E, HORIZON HILLS NO. 2 LOT 35

Comments/Influences:

The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Green Oak, County of Livingston, Michigan

*** Information herein deemed reliable but not guaranteed***
<table>
<thead>
<tr>
<th>Building Type</th>
<th>(3) Roof (cont.)</th>
<th>(11) Heating/Cooling</th>
<th>(15) Built-ins</th>
<th>(15) Fireplaces</th>
<th>(16) Porches/Decks</th>
<th>(17) Garage</th>
</tr>
</thead>
<tbody>
<tr>
<td>X Wood Frame</td>
<td>Drywall Paneled Plaster Wood T&amp;G</td>
<td>Elevator:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Style: ONE STORY</td>
<td>Trim &amp; Decoration Ex X Ord Min Size of Closets Lg X Ord Small Doors: Solid X H.C.</td>
<td>Elevator:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yr Built Remodeled 1978 1978 0</td>
<td>Condition: Average</td>
<td>Elevator:</td>
<td></td>
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<tr>
<td>Room List</td>
<td>(5) Floors</td>
<td>Elevator:</td>
<td></td>
<td></td>
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<tr>
<td>Basement 1st Floor 2nd Floor Bedrooms</td>
<td>Basement: Elevator:</td>
<td>Elevator:</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(1) Exterior</td>
<td>X Wood/Shingle Aluminum/Vinyl Brick</td>
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<td></td>
<td></td>
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<td></td>
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<tr>
<td>X Insulation</td>
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<td>(2) Windows</td>
<td>Elevator:</td>
<td>Elevator:</td>
<td></td>
<td></td>
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<tr>
<td>X Many Avg. X X Large Avg. Small</td>
<td>Elevator:</td>
<td>Elevator:</td>
<td></td>
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<tr>
<td>(7) Excavation</td>
<td>Elevator:</td>
<td>Elevator:</td>
<td></td>
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</tr>
<tr>
<td>Basement: 0 S.F. Crawl: 1092 S.F. Slab: 280 S.F. Height to Joists: 0.0</td>
<td>Elevator:</td>
<td>Elevator:</td>
<td></td>
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<tr>
<td>(8) Basement</td>
<td>Elevator:</td>
<td>Elevator:</td>
<td></td>
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</tr>
<tr>
<td>Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slde Casingment Double Glass Patio Doors Storms &amp; Screens</td>
<td>Elevator:</td>
<td>Elevator:</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>(3) Roof</td>
<td>Elevator:</td>
<td>Elevator:</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>X Gable Hip Flat Mansard Shed</td>
<td>Elevator:</td>
<td>Elevator:</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>X Asphalt Shingle Chimney: Brick</td>
<td>Elevator:</td>
<td>Elevator:</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(10) Floor Support Joists: Unsupported Len: Cntr.Sup:</td>
<td>Elevator:</td>
<td>Elevator:</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>(14) Water/Sewer</td>
<td>Elevator:</td>
<td>Elevator:</td>
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<td></td>
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<tr>
<td>Public Water Public Sewer 1 Water Well 1000 Gal Septic 2000 Gal Septic</td>
<td>Elevator:</td>
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<td>Lump Sum Items:</td>
<td>Elevator:</td>
<td>Elevator:</td>
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</tbody>
</table>

*** Information herein deemed reliable but not guaranteed***
Applicant: Christian & Lisa Spencley
Date: February 6, 2017
Address: 8390 Ken Love Ct., Brighton, MI 48116
Property ID: 4716-17-101-036
Permit Request: Addition

PROJECT DESCRIPTION:
The applicant is requesting a Building permit for: 960 SF addition to home, and 414 SF addition to existing attached garage. The subject site is .494 acres zoned R-2, Single Family. This lot is located in section 17, east of Rickett south of Maltby Road in the Horizon Hills #2 subdivision.

Setbacks for R-2 zoning
- Front – 40 feet
- Rear – 45 feet
- Waterfront - 45 feet
- Sides –15 feet

The proposed application must conform to the zoning regulations summarized below:

<table>
<thead>
<tr>
<th>38-136, Schedule of Regulations</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District</td>
<td>R2, Single Family</td>
<td>R2, Single Family</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>45 ft.</td>
<td>More than 45 feet.</td>
</tr>
<tr>
<td>Waterfront</td>
<td>40 ft.</td>
<td>NA</td>
</tr>
<tr>
<td>Front</td>
<td>40 ft.</td>
<td>30 ft</td>
</tr>
<tr>
<td>Sides</td>
<td>15ft.</td>
<td>30 ft from addition average 19 feet</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>30%</td>
<td>Approximately 16%</td>
</tr>
<tr>
<td>Building Height</td>
<td>28 ft (two stories)</td>
<td>Under 28 feet in height for addition</td>
</tr>
<tr>
<td>Lot Area</td>
<td>21,750 sq. ft.</td>
<td>21,518 sq. ft.</td>
</tr>
<tr>
<td>Lot Width</td>
<td>125 ft.</td>
<td>125 ft.</td>
</tr>
</tbody>
</table>

Sec. 38-184. Yard encroachments. (d) Chimneys, flues, belt courses, leaders, sills, pilasters cornices, eaves, gutters, and similar features may project into any required yard a maximum of twenty-four (24) inches.,

Application does not meet zoning compliance

Debra McKenzie,
Zoning Administrator,
810 231-1333 ext. 104
INSTRUCTIONS:

Prior to any appeal being filed with the Green Oak Charter Township Zoning Board of Appeals (ZBA), an applicant must have first applied for a building permit from the Green Oak Charter Township Building Department. The building permit must have had an administrative review conducted by a designated Building and Zoning Official and subsequently be denied if it is to be later considered by the Zoning Board of Appeals. This denial must be obtained in writing and copies submitted with the appeal application form, in no event should the denial letter be older than 30 days after the date of the decision from which the appeal is taken. The ZBA appeal application costs are not refundable.

If an appeal is filed with the ZBA, the following application form and a site layout must be completed. ELEVEN COPIES of the application, site layout and any additional pages or documents that the applicant desires the ZBA to consider must be provided prior to the application form being accepted by the Zoning Administrator. All appeals must be filed by noon the third Wednesday (one month prior) to the scheduled meeting date, in order to be considered for that month’s meeting. There is a limit of five cases per monthly agenda, and applications are taken in order of submission. If more than five applications are received, the additional applications will be scheduled for the following meeting. The applicant or authorized representative must appear in person on their scheduled date. If an authorized representative is designated, the applicant must designate their authority in writing prior to the ZBA hearing being conducted. All costs exceeding the application fee are the responsibility of the applicant and must be paid in full prior to any building permits being issued.

All property owners and occupants within 300 feet of the petitioner’s property will be notified by first class mail not less than 15 days prior to the public hearing.

While there is not a prescribed method to a presentation to the ZBA, the applicant should be prepared to provide all available proofs, documents, evidence, etcetera to support their request for a variance at the time of the
hearing. Witnesses and/or any other tangible evidence to support the validity of
the request for variance will be accepted and considered by the ZBA.

Applicant Information
Name: Christian Spanckey
Address: 8300 Ken Love Ct
City/State/Zip: Brighton MI 48116
Phone: 810-928-7080 Fax: 810-231-0317
E-Mail: lspanckey@charter.net

Property Owner Information
Name: Christian Spanckey
Address: 8300 Ken Love Ct
City/State/Zip: Brighton MI 48116
Phone: 810-928-7080 Fax: 810-231-0317
E-Mail: lspanckey@charter.net

Location of Property for which the variance requested
Address 8300 Ken Love Ct
Cross Streets Bayles Dr & Ken Love Ct
Tax Identification # Information available from the Green Oak Charter Township Assessing Dept.
Zoning District
Lot Size/Acreage
Current Use

Variance Request Requesting a variance to build an attached garage. The garage would exceed the set back
limits for a double frontage lot.

Total Number of Variances Requested

List the applicable Code Section Name, Section Number, and Subsection to be
considered by the ZBA.
This information is contained in the Green Oak Charter Township Zoning Code Book

Describe Request

(To add additional living and garage space to the house)
Criteria for a Dimensional Variance

Please respond to the following statements. The application must meet all criteria in order to obtain a variance. 38-95 (8)

What are the exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone?

Septic tank/field to the back west for the property doesn’t allow for additions. Double lot road frontage makes it necessary for a variance.

Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

All other properties within the subdivision have the ability to build a garage and/or addition. It's not intended for financial gain.

The granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.

It will not be effected.

The granting of such variance will not adversely affect the purpose or objectives of the master plan of the township.

It has no bearing on the townships plans. It a single family dwelling and it will continue to be.

The condition or situation of the specific piece of property, or the intended use of such property, for which the variance is sought is not of so general or recurrent a nature

Current & intended use of this property will remain the same.
You must provide the following information as part of your application:

1) Site Plan layout drawn to scale, which details the following:
   - Show all adjoining property setbacks and structures
   - Show existing and proposed setbacks from road right-of-ways
   - Show existing and proposed structures
   - Show required and existing setbacks by noting it on the site plan
   - Show NORTH arrow

2) Photographs of property in relation to roads and existing structures, when appropriate, to properly depict the reason for the appeal.

3) Written denial from the Planning and Zoning Administrator denying a building permit for this original request. **38-94 Appeal shall be taken within such time as prescribed by the ZBA by general rule, but in no event later than 30 days after the date of the decision from which the appeal is taken.**

4) Eleven copies of the application, site layout and any additional pages or documents.

5) A completed application. Incomplete applications with missing information will be returned and not placed on the ZBA agenda until complete.

I hereby affirm that the above information is correct to the best of my knowledge and grant permission for Township officials, employees, consultants and members of the Zoning Board of Appeals to conduct an on-site inspection.

[Signature]

CHRISTIAN L. SPEWCELY

Signature of Applicant

Date: 2/15/17
**Green Oak Charter Township**

10001 SILVER LAKE ROAD  
BRIGHTON MI 48116  
OFFICE: 810-231-1333  
FAX: 810-231-5090  

**Application for Building Permit**

Note: Separate Applications Must Be Completed for Plumbing, Mechanical, and Electrical Work Permits

### I. PROJECT INFORMATION

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>ADDRESS</th>
<th>TOWNSHIP</th>
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</thead>
<tbody>
<tr>
<td>SPENCLEY ADDITION</td>
<td>8890 Ken Love Ct</td>
<td>Green Oak Charter Township</td>
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<table>
<thead>
<tr>
<th>ZIP CODE</th>
<th>COUNTY</th>
</tr>
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<tbody>
<tr>
<td>48116</td>
<td>Livingston</td>
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### II. IDENTIFICATION

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
<th>PHONE NUMBER</th>
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</thead>
<tbody>
<tr>
<td>Christian Lisa Spenceley</td>
<td>8890 Ken Love Ct</td>
<td>Brighton</td>
<td>MI</td>
<td>48116</td>
<td>(810) 233-7080</td>
</tr>
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<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
<th>PHONE NUMBER</th>
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</thead>
<tbody>
<tr>
<td>FOCUS/DESIGN</td>
<td>3300 Berry Rd</td>
<td>Ypsilanti</td>
<td>MI</td>
<td>48199</td>
<td>(734) 276-2110</td>
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### C. CONTRACTOR

<table>
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<tr>
<th>NAME</th>
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<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
<th>PHONE NUMBER</th>
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<tbody>
<tr>
<td>Paul Brandt</td>
<td>Quality Carpentry</td>
<td></td>
<td>313</td>
<td>310-8268</td>
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<table>
<thead>
<tr>
<th>BLDG LIC #</th>
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<tr>
<td>10001 SILVER LAKE ROAD</td>
<td>313 310-8268</td>
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### III. TYPE OF IMPROVEMENT AND PLAN REVIEW

<table>
<thead>
<tr>
<th>TYPE OF IMPROVEMENT</th>
<th>PLAN REVIEW REQUIRED</th>
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<tbody>
<tr>
<td>1. NEW BUILDING</td>
<td></td>
</tr>
<tr>
<td>2. ADDITION</td>
<td></td>
</tr>
<tr>
<td>3. ALTERATION</td>
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<td>4. REPAIR</td>
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<tr>
<td>5. DEMOLITION</td>
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<tr>
<td>6. MOBILE HOME SIT-UP</td>
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<tr>
<td>7. FOUNDATION ONLY</td>
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</tr>
<tr>
<td>8. PREMANUFACTURE</td>
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<tr>
<td>9. SPECIAL INSPECTION</td>
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</table>

Plans must be submitted with an Application for Plan Examination and the appropriate fee before a permit can be issued, except as listed below. Plans are not required for alterations and repair work determined by the building official to be of a minor nature. Plans and specifications are required for all other building types and shall be prepared by or under the direct supervision of an architect or engineer licensed pursuant to 1980 PA 299 and shall bear that architect’s or engineer’s seal and signature. Plan Review Submission No. JBR17-0033

***Incomplete applications will not be processed***
### IV. PROPOSED USE OF BUILDING

**A. RESIDENTIAL**

1. ONE FAMILY
2. TWO OR MORE FAMILY NO. OF UNITS
3. HOTEL, MOTEL, NO. OF UNITS
4. ATTACHED GARAGE
5. DETACHED GARAGE
6. OTHER

**B. NON-RESIDENTIAL**

7. AMUSEMENT
8. CHURCH, RELIGION
9. INDUSTRIAL
10. PARKING GARAGE
11. SERVICE STATION
12. HOSPITAL, INSTITUTIONAL
13. OFFICE, BANK, PROFESSIONAL
14. PUBLIC UTILITY
15. SCHOOL, LIBRARY, EDUCATIONAL
16. STORE, MERCANTILE
17. TANKS, TOWERS
18. OTHER

**COMPLETE DESCRIPTION OF PROJECT:** RESIDENTIAL AND NONRESIDENTIAL DESCRIBE IN DETAIL PROPOSED BUILDING IF RESIDENTIAL OR FOR NON-RESIDENTIAL USE OF BUILDING, E.G., FOOD PROCESSING PLANT, MACHINE SHOP, LAUNDRY BUILDING AT HOSPITAL, ELEMENTARY SCHOOL, SECONDARY SCHOOL, COLLEGE, PARISH, SCHOOL, PARKING GARAGE FOR DEPARTMENT STORE, RENTAL OFFICE BUILDING, OFFICE BUILDING AT INDUSTRIAL PLANT, IF USE OF EXISTING BUILDING IS BEING CHANGED, ENTER PROPOSED USE.

### V. SELECTED CHARACTERISTICS OF BUILDING

**A. PRINCIPAL TYPE OF FRAME**

1. MASONRY, WALL BEARING
2. WOOD FRAME
3. STRUCTURAL STEEL
4. REINFORCED CONCRETE
5. OTHER

**B. PRINCIPAL TYPE OF HEATING FUEL**

6. GAS
7. OIL
8. ELECTRICITY
9. COAL
10. OTHER

**C. TYPE OF SEWAGE DISPOSAL**

11. PUBLIC OR PRIVATE COMPANY
12. SEPTIC SYSTEM

**D. TYPE OF WATER SUPPLY**

13. PUBLIC OR PRIVATE COMPANY
14. PRIVATE WELL OR CISTERN

**E. TYPE OF MECHANICAL**

15. WILL THERE BE AIR CONDITIONING? [ ] YES [ ] NO
16. WILL THERE BE FIRE SUPPRESSION? [ ] YES [ ] NO
17. WILL THERE BE A FIREPLACE? [ ] YES [ ] NO

### F. DIMENSIONS/DATA

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<thead>
<tr>
<th>21. DIMENSIONS:</th>
<th>WIDTH</th>
<th>LENGTH</th>
<th>HEIGHT</th>
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<tbody>
<tr>
<td>EXISTING ALTERNATIONS</td>
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<tr>
<td>NEW</td>
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</tr>
<tr>
<td>a. BASEMENT</td>
<td>1592 SF</td>
<td>966 SF</td>
<td>2292 SF</td>
</tr>
<tr>
<td>b. 1ST FLOOR</td>
<td>1532 SF</td>
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<tr>
<td>c. 2ND FLOOR</td>
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<tr>
<td>d. 3RD FLOOR</td>
<td>402 SF</td>
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<tr>
<td>e. GARAGE TOTAL AREA</td>
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**NUMBER OF SHUTTERS**

<table>
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<tr>
<th>22. NUMBER OF OFF STREET PARKING SPACES</th>
<th>23. OUTDOORS</th>
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<tr>
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</tbody>
</table>
VI. APPLICANT INFORMATION

APPLICANT IS RESPONSIBLE FOR THE PAYMENT OF ALL FEES AND CHARGES APPLICABLE TO THIS APPLICATION AND MUST PROVIDE THE FOLLOWING INFORMATION.

NAME: CHRISTIAN NLSA SPENCLEY
ADDRESS: 8390 KEN LOVE CT
CITY: BRIGHTON
STATE: MI
ZIP CODE: 48116
TELEPHONE: (810) 233-7080

FEDERAL ID NUMBER:

I HEREBY CERTIFY THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD AND THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS/HER AUTHORIZED AGENT, AND WE AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE STATE OF MICHIGAN. ALL INFORMATION SUBMITTED ON THIS APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE.

SIGNATURE OF APPLICANT:

ESTIMATED CONSTRUCTION VALUE: $20,000

VII. LOCAL GOVERNMENTAL AGENCY TO COMPLETE THIS SECTION

ENVIRONMENTAL CONTROL APPROVALS

<table>
<thead>
<tr>
<th>REQUIRED?</th>
<th>APPROVED</th>
<th>DATE</th>
<th>NUMBER</th>
<th>BY</th>
</tr>
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<tbody>
<tr>
<td>A - ZONING</td>
<td>☐ YES ☐ NO</td>
<td>R2</td>
<td>0.494 acre</td>
<td></td>
</tr>
<tr>
<td>B - FIRE DISTRICT</td>
<td>☐ YES ☐ NO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C - POLLUTION CONTROL</td>
<td>☐ YES ☐ NO</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>D - NOISE CONTROL</td>
<td>☐ YES ☐ NO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E - SOIL EROSION</td>
<td>☐ YES ☐ NO</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>F - FLOOD ZONE</td>
<td>☐ YES ☐ NO</td>
<td>X:2609309452D</td>
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<td></td>
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<tr>
<td>G - WATER SUPPLY</td>
<td>☐ YES ☐ NO</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>H - SEPTIC SYSTEM</td>
<td>☐ YES ☐ NO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I - VARIANCE GRANTED</td>
<td>☐ YES ☐ NO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J - OTHER</td>
<td>☐ YES ☐ NO</td>
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VIII. VALIDATION - FOR DEPARTMENT USE ONLY

USE GROUP | TYPE OF CONSTRUCTION | SQUARE FEET | APPROVAL SIGNATURE | TITLE | DATE |
<table>
<thead>
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<tbody>
<tr>
<td>BASE FEE</td>
<td>NUMBER OF INSPECTIONS</td>
<td></td>
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Page 3
Roll Call: Wendy Hoover
Adele Neindorf, Alternate
Sarah Pearsall
Deborah Yu
Joe Weinburger

Absent: Jim Tuthill

Guests: 5

Also Present: Debra McKenzie, Zoning Administrator

APPROVAL OF AGENDA

Ms. Pearsall added Election of Officers to the agenda.

Motion by Pearsall, second by Hoover
To approve the agenda as presented.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

1. ZBA Case 01-2017, Parcel #4716-22-101-028, Located at 9038 Kemper Dr., South Lyon, Michigan 48178. Requesting a front yard variance of 19.9 feet. This variance would result in a front yard setback of 20.3 feet instead of the required 40-foot setback, Section 38-136.

Representing ZBA Case 01-2017: Mike Devine, Architect
Donald Russell
Nicole Russell

Mr. Devine explained the setback is based on the practical difficulty that the existing home is situated that it does not allow them to put on any addition or improvement to the front of the home. This particular parcel is smaller than what would be required for a lot of this type if it was parcelled off today. The house was located in this position well before the current homeowners took residence. The addition that they are proposing is an attempt to provide some standard of living that isn’t afforded to the homeowners now. The stairs are non-conforming and don’t meet code. They would like to build closer to the street and get stairs that conform with the code and to provide access that they don’t have now. The neighbor’s house to the east is far closer to the street than
what they are even proposing. There is no detriment to the neighborhood. The addition
is still behind the house. The proposed deck addition will reduce the non-conformity
they are proposing bringing the property into more conformance than what it is now.
The practical difficult is the location of the home and that there aren’t amenities that
would apply to a home of this nature.

Ms. Pearsall explained the variance goes with the land, it’s usually topographical, not
just that the house is in the wrong place, that’s not a practical difficulty. Mr. Devine
stated without razing the entire house there is no way rectify it. Ms. Pearsall stated that
they bought the house knowing it.

Ms. Hoover stated that to gain proper access to meet code is a safety issue. Mr.
Devine stated that the only thing that is replacing the sun room is a deck.

Mr. Weinburger opened and closed the public hearing at 7:12 p.m. due to no comments.

Ms. Hoover asked the location of the septic. Mr. Russell stated it is behind the house.

**Motion by Hoover, second by Yu**
To approve ZBA Case 01-2017, Parcel #4716-22-101-028, Located at 9038
Kemper Dr., South Lyon, Michigan 48178. To allow a front yard setback of
19.9 feet. The practical difficulty for allowing the variance is the sub-
standard size of the lot and the placement of the house which was placed
before the Zoning Ordinances were in place and to allow a safe entry into
the home, also the issue of the location with the septic and drain field in
the back of the home which would not allow them to expand in the back. It
would not create any harm to surrounding neighbors or to the Master Plan.

Roll Call Vote: Ayes: Yu, Hoover, Neindorf
Nays: Pearsall, Weinburger

**MOTION APPROVED**

**ELECTION OF OFFICERS**

**Motion by Pearsall, second by Hoover**
To nominate Joe Weinburger as Chairman.

Voice Vote: Ayes: Unanimous
Nays: None

**MOTION APPROVED**

**Motion by Hoover, second by Weinburger**
To nominate Sarah Pearsall as Vice Chair.

Voice Vote: Ayes: Unanimous
Nays: None
MOTION APPROVED
Motion by Pearsall, second by Weinburger
To nominate Wendy Hoover as Secretary.

Voice Vote:  Ayes: Unanimous
Nays: None

MOTION APPROVED

NEW BUSINESS – None

OLD BUSINESS - None

APPROVAL OF THE Meeting Minutes

Motion by Pearsall, second by Hoover
To approve the minutes of December 13, 2016 as presented.

Voice Vote:  Ayes: Unanimous
Nays: None

MOTION APPROVED

CORRESPONDENCE – Ms. McKenzie reported inside the packet, the reports of the 2016 cases from the Planning Commission and ZBA. Also, in the packet if they would like to take any planning and zoning or ZBA seminars they are available.

CALL TO THE PUBLIC - None

ADJOURNMENT

The Zoning Board of Appeals meeting was adjourned at 7:22 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary
AGENDA

1. Call to Order
2. The Pledge to the Flag
3. Roll Call of the Board
4. Approval of the Agenda
5. ZBA Case 02-2017, Parcel # 4716-17-101-036, Located at 8390 Ken Love Ct., Brighton, Michigan 48116. Requesting setback variance from Section 38-136. The property is located on a corner lot. This variance would allow for the addition/ garage to have a setback of 19 feet on average instead of the required 40-foot setback. Section 38-136.
   a. Applicant's Presentation of the Case – maximum of ten minutes
   b. Board members may question the Applicant
   c. Open Public Hearing – a maximum of three minutes shall be allotted to individuals, and a maximum of five minutes to a group representative
   d. Close Public Hearing
   e. Rebuttal by Applicant – a maximum of two minutes allotted
   f. Decision of the ZBA
6. New Business
7. Old Business
8. Approval of January 17, 2017 Meeting Minutes
9. Correspondence
10. Call to the Public – maximum of three minutes shall be allotted to individuals, and a maximum of five minutes to a group representative
11. Adjournment

March 14, 2017
Green Oak Charter Township
Zoning Board of Appeals
Regular Meeting Minutes
March 21, 2017

Roll Call: Wendy Hoover
Sarah Pearsall
Jim Tuthill
Deborah Yu
Joe Weinburger

Guests: 2

Also Present: Debra McKenzie, Zoning Administrator
Adele Neindorf, Alternate

APPROVAL OF AGENDA

Motion by Pearsall, second by Tuthill
To approve the agenda as presented.

Voice Vote:
Ayes: Unanimous
Nays: None

MOTION APPROVED

1. **ZBA Case 02-2017** Parcel #4716-17-101-036, located at 8390 Ken Love Ct., Brighton, MI 48116. Requesting setback variance from Section 38-136. The property is located on a corner lot. This variance would allow for the addition/garage to have a setback of 19 feet on average instead of the required 40 feet setback. Section 38-136.

Representing ZBA Case 02-2017: Christian Spencley

Mr. Spencley explained the reason he is requesting a variance is that he would like to put an addition on his home and since he has a corner lot he has a double setback. He would like to add 12’ onto the existing house and an addition to the back of the house. The extension would be to the west. He is looking for a variance to be closer to the property line. The practical difficulty is that it is a double lot setback and the house was built before the 40’ requirement. He would need a variance to be closer to the property line. Because of the configuration of the lot, the septic field is there and he is trying to put his addition in without interrupting his septic field and tank. The addition is only for a single story.

Ms. Hoover stated it looks like this isn’t even a road, it just ends. Ms. McKenzie stated it is a road and it is platted as a road, but it does have a barrier there to stop from crossing over. Ms. Hoover stated there is no traffic.
Mr. Weinburger opened the public hearing at 7:08 p.m.

**Raymond Tucker, Ken Love Court** – He commented at the end of the road there is a big barrier set into the pavement. He lives in the 2nd house and his opinion is that it's a favorable decision and he got no negative feedback from making that decision.

Mr. Weinburger closed the public hearing at 7:09 p.m. due to no further comments.

Mr. Weinburger commented that the addition did not have to be that great. Ms. Hoover stated no matter what he will need a variance. The applicant confirmed it will be a single story addition.

**Motion by Hoover, second by Tuthill**
To approve ZBA Case variance request 02-2017 Parcel #4716-17-101-036, located at 8390 Ken Love Ct., Brighton, MI 48116. The approval will allow a setback variance from Section 38-136 to allow a 31' variance from the required 40' setback. The Practical Difficulty is that it is a corner lot which creates two front yard setbacks and the location of the septic field prohibits putting the addition anywhere else on the property. There is no safety concern due to there being no traffic on the road and it is not detrimental to the Master Plan and there are not any health and/or safety issues. The addition must be a single story.

Roll Call Vote:  
Ayes: Hoover, Yu, Tuthill
Nays: Pearsall, Weinburger

**MOTION APPROVED**

**NEW BUSINESS** – None

**OLD BUSINESS** - None

**APPROVAL OF THE Meeting Minutes**

Motion by Pearsall, second by Yu
To approve the minutes of January 17, 2017 as presented.

Voice Vote:  
Ayes: Unanimous
Nays: None

**MOTION APPROVED**

**CORRESPONDENCE** - None

**CALL TO THE PUBLIC** - None

**ADJOURNMENT**
The Zoning Board of Appeals meeting was adjourned at 7:15 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto

Recording Secretary