Roll Call: Wendy Hoover
Sarah Pearsall
Deborah Sellis
Deborah Yu, Alternate
Joe Weinburger

Absent: Jim Tuthill

Guests: 16

Also Present: Debra McKenzie, Zoning Administrator

APPROVAL OF AGENDZA

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

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

1. ZBA Case 04-2016, Parcel #4716-11-200-018, Located at 12591 Emerson Drive, Brighton, MI 48116. Request two variances from Section 38-136. Schedule of Area Height and Setback Regulations for side and rear yard setbacks.

Representing ZBA Case 04-2016: Thomas Neibauer, Unilock
Brent LeVanway, Boss Engineering

Mr. LeVanway explained they are requesting a variance from Section 38-136. In the schedule of regulations it speaks to a rear yard setback of 75 feet and side yard setback of 35’. They came in last fall on behalf of Unilock for an office addition. Through the course of the site plan review it was pointed out that there is outdoor storage within the side and rear yard setbacks. They are requesting the variance on the setbacks to permit the outdoor storage to continue as it has since Unilock came to Green Oak in 1989. Unilock has invested a large amount in the Township including a 6 million dollar investment with the recent addition to the plant.

The removal of the outdoor storage would make the addition non usable. The outdoor storage capacity is required due to seasonal operations, the product can only be sold during the summer months but the production is done in the winter. Mr. Neibauer stated...
that they sell more than they can make so taking away the yard space would be very
detrimental to what they have to do.

Ms. Hoover stated that she noticed the storage is encroaching on the State park land.
Mr. Neibauer stated yes and that has happened over the past 25 years, it has been
addressed by moving it, grading the area and seeding it last fall. Mr. LeVanway stated
that they have proposed a chain link fence along the property line to prevent any
encroachment.

Mr. Weinburger stated that the applicant must supply parking. Mr. LeVanway stated
that there is parking along the side and the parking calculations will be clarified for the
employees. They will maintain the parking adjacent to the proposed office addition.

Ms. Pearsall stated that they also need the 75' to put the green belt? Mr. LeVanway
stated the expectation is that the area will be storage. Ms. Pearsall stated a greenbelt
would be part of that. Mr. Neibauer stated that they have never had a setback they
have used the full scope of the property since 1989 and they back up to the State land.
Ms. Pearsall stated that a fence is not green space. Mr. Neibauer stated they are
saying they are not doing the greenbelt.

Ms. Sellis questioned the practical difficulty. Mr. Neibauer stated they sell more than
they can produce. They produce 9 months out of the year. There is not a lot of
landscaping going on now. At a certain point they would not have enough product to
sell, the storage is needed, their storage capacity is about 2.4 million square feet in
storage and the turn that about 4 times a year. The storage aspect is very challenging,
they have always operated with that space.

Mr. Weinburger opened the public hearing at 7:20 p.m.

Bob Moran, 10877 Sparkling Waters Court – Mr. Moran explained he is the Chair of
the Planning Commission. He stated the Planning Commission does not take their
interpretation of the Zoning Ordinance lightly and they don’t typically send things to the
ZBA for a ruling. In this case, this operation is one of the primary industries within
Green Oak Township. The principal reason they are there is to put a screening in
between an activity and the people that would typically see that. In this situation when
there is nothing that separates the State land from this activity and they have operated
for years in this manner. The applicant wants a reduction of the 75’ to 35’ they are not
planning to use the reduced setback of 35’ to continue to use as storage, there will be a
greenbelt but smaller than 75’. The Planning Commission did approve it with the
condition the applicant came to the ZBA.

Mr. Weinburger closed the public hearing at 7:23 p.m.

Mr. LeVanway proposed planting evergreen plantings every 50’ feet for a 10’ foot
greenbelt around the perimeter. He proposed a 10’ greenbelt buffer for the rear and
side setbacks which would reduce the variance request to 65’ in the rear and 25’ on the
side.
Motion by Pearsall, second by Sellis
To table 04-2016, Parcel #4716-11-200-018, Located at 12591 Emerson
Drive, Brighton, MI 48116 to the next meeting based on a change in the
request.

Roll Call Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

2. ZBA Case 05-2016, Parcel #4716-22-301-248, located at 9276 Silverside Dr.,
South Lyon, Michigan 48178. Request two variances from section 38-136,
of 25.2 feet from the waterfront setback leaving the setback at 14 feet 10
inches from the water’s edge, 16 feet from rear yard setback leaving 24 feet
from the property line. These variances would allow a new home using
portions of the existing footprint.

Representing ZBA Case 05-2016: Bernard Ely, 13908 Eaton Dr. Plymouth Mi

Mr. Ely explained he purchased the property at 9276 Silverside this past summer. He
also bought the property next door to him. There are two buildings there now but there
will be one, he got permits to tear down one of the garages which was right on the lot
line and then there is another garage 3’ away from the first one also on the lot line. He
will tear that down this summer. He would also like to put up a retaining wall because
one end of the property is 11’ high and it goes down to 9’ where the garages are.
Everyone parks on the street so the cars are on the right of way, there have always
been a number of cars and that will be eliminated. The visibility is better for the property
since he removed a two trees. The variance is to go back to where the house was
existing at the street and it’s in the same line. The practical difficulty is the lot size, the
setbacks would be 40’ and 40’ so there is not enough width.

Mr. Weinburger opened the public hearing at 7:39 p.m.

Resident, 9253 Silverside Drive – She didn’t understand what “the middle” meant.
Ms. McKenzie explained the structure was torn down and the 2nd structure is currently in
the proximity of the old house but not in the exact footprint. She is concerned with the
environmental affects and questioned how the applicant will prevent any runoff into the
lake from a structure that is so close to the lake.

Larry Marshall, 12099 Pine Brook Lane – He questioned the existing structure. The
applicant will be increasing the variance with the existing structure that is still standing.
He will be moving the garages off the road within 14’ of the lake and having a boat
launch there would be a concern about materials coming from the garage and running
into the lake.

Mr. Weinburger closed the public hearing at 7:44 p.m.
Ms. Hoover asked how the applicant can contain any spills. Mr. Ely stated he has two brand new cars and he won’t get any oil spills in the garage.

Motion by Pearsall, second by Sellis
To approve ZBA Case 05-2016, Parcel #4716-22-301-248, located at 9276 Silverside Dr. South Lyon, MI. 48178. The request is for two variances from section 38-136, of 25.2 feet from the waterfront setback leaving the setback at 14 feet 10 inches from the water’s edge, 16 feet from rear yard setback leaving 24 feet from the property line. Also, this is based on decreasing some of the variance by two feet. There are exceptional and extraordinary circumstances and conditions applicable to the property that do not generally apply to other properties. The variance will allow the applicant to conform to the existing building. The variance is necessary for the preservation and enjoyment of the substantial property right possessed by others in the same district and is a condition or situation of general or reoccurring nature in the area for the following reasons: its waterfront property and on non-conforming lots.

Roll call 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 January 19, 2015 as presented.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

CORRESPONDENCE – None

CALL TO THE PUBLIC

Mike Dillon, 9338 Silverside – He explained he sat on the Zoning Board before. He questioned that the last applicant used the secondary property where the house was, the structure was gone when he bought the property so wouldn’t the grandfathering go away. Ms. McKenize stated that it is not being built on the exact footprint and he got a brand new variance.
Sally, 9271 Silverside Dr. – She would like to know what the rule is, she lives across the street and she had a feeling there would be a parking issue. Ms. McKenzie stated that parking is allowed in the road right of way. The resident asked if it is true that he got approval from the DEQ for a boat launch? Ms. McKenzie stated yes.

Debra, 9247 Silverside - She stated the Board was worried about a 35’ greenbelt in the first case but they allowed the 2nd applicant to put up a garage 14’ from the lake front. Cement is porous, and he will fertilize his lawn, we’ve spent a lot of time and money to keep the lake clean, they don’t know what will happen. It seemed to her that the time was quick and it seemed like their minds were already made up she thought it was really rushed. She felt there could be a real problem.

Ann Valley, 9300 Silverside Dr. – She agreed that the decision was already made, she was shocked how quickly it was passed. She thought it was too close to the lake and she is concerned about the parking situation. She lives next door where Doane Road meets Silverside and there have been so many accidents. There should have been more consideration.

Mr. Weinburger closed the call to the public at 7:58 p.m. due to no further comments.

ADJOURNMENT

The Zoning Board of Appeals meeting was adjourned at 7:58 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto

Recording Secretary