

Green Oak Charter Township  
Zoning Board of Appeals  
Regular Meeting Minutes  
July 21, 2015

Approved:

Roll Call: Wendy Hoover  
Sarah Pearsall, arrived at 7:20 p.m.  
Deborah Sellis  
Joe Weinburger

Absent: Jim Tuthill

Guests: 7

Also Present: Debra McKenzie, Zoning Administrator

**APPROVAL OF AGENDZA**

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

**Voice Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**

Mr. Weinburger explained that there are only 3 board members present so the vote has to be unanimous.

- 1. ZBA Case 08-2015, Parcel #4716-33-301-031 Dunlap's East Shore Subdivision Lot 32, East Shore Drive, Whitmore Lake, MI, 48189. Request a two foot variance from 38-171 Accessory Building, Structure and Uses to allow a side yard setback of three feet instead of the five foot required. The variance would allow for a 336 square foot detached garage to be built.**

Representing ZBA Case 08-2015: Dennis and Jan Staley  
Brian Staley

Mr. Staley explained that a 2 foot variance is needed because if it was in a different location then more variances would be needed due to the lot size. There is not enough room to put the structure any other way. By getting the 2' variance it would not impede being able to get into the house, if it was placed 2' foot forward it would block access. Mr. Staley stated that there would be an issue with emergency access.

Ms. Hoover asked why not shrink it up 2' and then they wouldn't need a variance. Mr. Staley stated that would make it flush with the existing garage doors. Mr. Weinburger stated that allowing the 2' feet would increase the non-conformity and it's not needed.

49 Mr. Staley stated that the size of the lot is their practical difficulty and the placement of  
50 the existing structure. Ms. McKenzie stated if they moved the structure up 2' they would  
51 still need a variance.

52  
53 Ms. Sellis questioned the parking. Mr. Staley stated they could get 6 to 8 cars across.

54  
55 Mr. Weinburger suggested if they make the garage 14' wide and move it forward 1 foot  
56 closer to the street it would be flush with the garage doors and they wouldn't need a  
57 variance and still have the 10' to the house. Mr. Staley stated that if they stopped at the  
58 garage and opened the car door it would hit the garage door.

59  
60 Ms. Hoover explained that the applicant can still have another garage but they will have  
61 to make some concessions since they already have an existing garage.

62  
63 Mr. Staley stated he would appreciate the 2' foot variance and this would allow not  
64 putting a garage on top of another garage and still would allow them access to the  
65 house.

66  
67 Mr. Weinburger opened the public hearing at 7:20 p.m.

68  
69 Richard Warden, 11836 East Shore Drive, - He stated he had no concern about the  
70 garage but more concerned with the setback. The lots are 50' wide and this is a rather  
71 large home, 6 bedroom, 5 baths and there are 6 vehicles in the driveway all the time. If  
72 cars are parked there they wouldn't be able to get out of the garage anyway. Their  
73 house sits right on the lot line on the south side and comes within 6" of his lot line. They  
74 are blocked in as it is now with no air, no light and they would like the extra breathing  
75 room with that 5' setback. There should be 10' setbacks on a 50' lot and we have about  
76 3 feet of setback. He also explained that the applicant wants to put a hydraulic lift in  
77 there to work on cars, it could be noisy. His objection is the air movement, light and the  
78 law should be followed in this case.

79  
80 Bill Risk 8929 Evergreen Road – Not a neighbor but take into consideration if they pull  
81 up to the garage they wouldn't get the passenger side door open. Give him the 2'  
82 variance. He will need all the room he can get to get into the new garage.

83  
84 David Atkins 11562 East Shore Drive – Not a neighbor, but If they move the garage  
85 forward it will be even with the house, if it's slippery at all in the winter he could hit the  
86 building.

87  
88 Richard Warden – The existing garages are used for their old cars, all of there cars are  
89 in the driveway and not in the garage, there are always 4 cars parked in the driveway  
90 and there would be no way to get in the garage. The existing garage is storage for old  
91 cars.

92  
93 Mr. Staley stated in the winter time the garage is used. Mainly storage for lawnmowers.  
94 He does not work on cars and there will not be a shop in there.

95

96 Mr. Weinburger asked if the applicant is using it for lawnmowers then why does it have  
97 to be so big. Mr. Staley stated that he would also put a car in there and it's not his fault  
98 that they live on 50' lots. He will not be able to open the passenger door. The lot size,  
99 impeded access to the garage and the size of the area are the practical difficulties.

100  
101 **Motion by Hoover, second by Pearsall**

102 **To deny the variance request 08-2015 because there are no extraordinary**  
103 **or exceptional circumstances to allow a variance for this garage. The**  
104 **applicant has an existing garage, and there is an option to modify the**  
105 **garage and make it conforming. There are no practical difficulties that**  
106 **were shown.**

107  
108 **Roll Call Vote: Ayes: Unanimous**  
109 **Nays: None**

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111 **MOTION APPROVED**

112  
113 **NEW BUSINESS - None**

114  
115 **OLD BUSINESS - None**

116  
117 **APPROVAL OF THE Meeting Minutes**

118  
119 **Motion by Pearsall, second by Hoover**  
120 **To approve the minutes of May 19, 2015 as presented.**

121  
122 **Voice Vote: Ayes: Unanimous**  
123 **Nays: None**

124  
125 **MOTION APPROVED**

126  
127 **CORRESPONDENCE - None**

128  
129 **CALL TO THE PUBLIC**

130  
131 **ADJOURNMENT**

132  
133 The Zoning Board of Appeals meeting was adjourned at 7:27 p.m. due to no further  
134 business.

135  
136  
137  
138 Respectfully Submitted,

139  
140 *Kellie Angelosanto*

141  
142 Kellie Angelosanto  
143 Recording Secretary