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

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

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

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

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

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

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

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

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

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

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

Motion by Hoover, second by Pearsall
To deny the variance request 08-2015 because there are no extraordinary or exceptional circumstances to allow a variance for this garage. The applicant has an existing garage, and there is an option to modify the garage and make it conforming. There are no practical difficulties that were shown.

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 May 19, 2015 as presented.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

CORRESPONDENCE - None

CALL TO THE PUBLIC

ADJOURNMENT

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

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary