



GREEN OAK CHARTER TOWNSHIP

Planning and Zoning Department
Zoning Board of Appeals

AGENDA

Regular Meeting
Tuesday, May 20, 2014
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 10-2014, 11439 Post Lane, South Lyon, Michigan 48178 request from section 38-171, a detached accessory building that exceeds the allowed square footage of 366 sq. feet. Section 38-171 on parcels between two (2) and five (5) acres the accessory building floor area shall not exceed one hundred (100%) percent of the living area of the principal building.
 - 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. ZBA Case 11-2014, 10274 Nine Mile Road, Whitmore Lake, Michigan 48189 request from section 38-136 to increase lot coverage to 34% for impervious surface. 38-136 Schedule of Regulations states impervious surface (maximum lot coverage) 30%.
 - 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
7. ZBA Case 12-2014, 11423 North Shore, Whitmore Lake, Michigan 48189, Request a variance to allow a 14 foot waterfront yard setback, 14 foot front yard setback and south side yard of 3 feet this would allow a new home to be built. 38-136 Schedule of Regulations states that in the R-1 zoning district waterfront and front yard setback be a minimum of 30 feet and the side yard to be a minimum of 10 feet.

ZONING BOARD OF APPEALS

Joe Weinburger, Chairperson
Sarah Pearsall, Vice Chairperson
Wendy Hoover, Secretary

Jim Tuthill, Twp. Board Rep.
Gary Gaylord, Member
Billy Lintner, Alternate

10001 Silver Lake Road, Brighton, Michigan 48116-8361

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- 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
8. ZBA Case 13-2014, 10520 Groomes Dr. and 11343 East Shore Dr., Whitmore Lake, Michigan 48189, Request a variance for a lot width of 50ft and a rear yard setback of 30ft when section 38-136 Schedule of Regulations states the required lot width is 90ft and a rear yard setback of 40ft is required this would allow a new home to be built.
- 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
9. New Business
10. Old Business
11. Approval of April 15, 2014 Meeting Minutes
12. Correspondence
13. Call to the Public – maximum of three minutes shall be allotted to individuals, and a maximum of five minutes to a group representative
14. Adjournment

Posted: April 29, 2014

ZONING BOARD OF APPEALS

Joe Weinburger, Chairperson
Sarah Pearsall, Vice Chairperson
Wendy Hoover, Secretary

Jim Tuthill, Twp. Board Rep.
Gary Gaylord, Member
Billy Lintner, Alternate

Green Oak Charter Township
Zoning Board of Appeals
Regular Meeting Minutes
April 15, 2014

Approved: May 20, 2014

The meeting was called to order by Mr. Weinburger at 7:00 p.m.

Roll Call: Gary Gaylord
Wendy Hoover
Sarah Pearsall
Jim Tuthill
Joe Weinburger

Guests: 10

Also Present: Debra McKenzie, Zoning Administrator

APPROVAL OF AGENDA

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

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

MOTION APPROVED

A. ZBA Case 09-2014, Michael and Danielle Carroll, 6500 Academy Dr., Brighton, MI 48116 request two variances, first request is for a side yard setback of 3.3 feet and the second request is to keep the existing 36% for impervious surface. This would allow a second story addition.

Representing ZBA Case 09-2014: Michael and Danielle Carroll, owners

Mr. Carroll explained the two variance requests. He explained that when they first moved to the Township they proposed a second story that was 26' wide. They attempted to alter the plans so that a variance was not needed. They went from 26' to 22' in order to maintain the current footprint. They have not done anything to add to the lot coverage but kept it as it is currently. The lot size is small. He also explained that both neighbors are in agreement and had no issue with the proposal.

Mr. Weinburger opened the public hearing at 7:07 p.m.

John Mogelnicki, 6600 Academy Dr. – Mr. Mogelnicki stated that the hardship is due to the original platting of the property and the subsequent variation of the Township's ordinance. He stated that this will allow the room for their family by building up. The vacant lot to the north of them is not buildable which is a plus since it won't cause a problem with adjacent property nor is it too close for fire emergencies.

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51 **John Connoly 6169 Island Lake Dr.** – He supported the project and asked the Board
52 for their support.

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54 **Mike Carroll, 6520 Academy Dr.** – He stated that the applicant needs a little bit more
55 room for their family and expressed how the neighbors have rallied around the applicant
56 and are in support.

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58 Mr. Weinburger closed the public hearing at 7:11 p.m. due to no further comments.

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60 **Motion by Gaylord, second by Tuthill**

61 **To approve ZBA 09-2014 because there are exceptional circumstances and**
62 **conditions applicable to this property that do not generally apply to other**
63 **properties in the area or district specifically, the non-conforming 41' lot**
64 **brought down to a 30' lot size prohibits building a home creating a practical**
65 **difficulty.**

66
67 **The variances are necessary for the preservation and enjoyment of a**
68 **substantial property right possessed by other property in the same district**
69 **or surrounding area and is not a condition or situation which is a general**
70 **or recurrent nature for the following reasons: Variations of lot sizes are**
71 **abundant in the area and the footprint shows a practical difficulty to build a**
72 **two story home.**

73
74 **The granting of the variance will not be materially detrimental to the public**
75 **welfare or adversely affect the surrounding properties in the district for**
76 **the following reasons: No negative impact is created in the surrounding**
77 **area. The practical difficulty is not self-created for the reason that the**
78 **resident is still maintaining the current distance to the neighbor's property**
79 **with no changes to the footprint.**

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81 **Roll Call Vote: Ayes: Unanimous**
82 **Nays: None**

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84 **MOTION APPROVED**

85
86 **NEW BUSINESS – None**

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88 **OLD BUSINESS - None**

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90 **APPROVAL OF MINUTES**

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92 **Motion by Pearsall, second by Tuthill**

93 **To approve the March 20, 2013 meeting minutes as presented.**

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

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98 **MOTION APPROVED**

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100 **CORRESPONDENCE** – None

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102 **CALL TO THE PUBLIC** - None

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104 **ADJOURNMENT**

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106 Mr. Weinburger adjourned the Zoning Board of Appeals meeting at 7:15 p.m. due to no
107 further business.

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109
110 Respectfully Submitted,

111
112 *Kellie Angelosanto*

113
114 Kellie Angelosanto
115 Recording Secretary
116
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