

Green Oak Charter Township
Zoning Board of Appeals
Special Meeting Minutes
November 15, 2016

Roll Call: Wendy Hoover
Sarah Pearsall
Joe Weinburger

Guests: Jim Tuthill
Deborah Yu

Also Present: Debra McKenzie, Zoning Administrator

APPROVAL OF AGENDZA

Mr. Weinburger explained that ZBA Case #14-2016 will be heard at a later date.

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

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

MOTION APPROVED

- ZBA Case 11-2016, Parcel #4716-22-301-105, Located at 9386 Silverside Dr., South Lyon, MI 48178. Request 2 variances from Section 38-136 to allow the side yard setback for the proposed addition to be 14 feet instead of the required 15 feet and the second variance to allow the side yard setback at 8 feet instead of the required 15 feet.**

Representing ZBA Case 11-2016: Rena Smith

Ms. Smith explained they would like to put a small addition on their cottage. The back part is very terraced and the steps are all broken. They would like to add indoor steps and outside ones and get a stair lift. She explained that it's all rocks. She provided a picture to the Board members which explained what she is asking for.

Ms. Pearsall felt that the practical difficulty is the elevation.

Mr. Weinburger opened the public hearing at 7:14 p.m. and closed it due to no comments.

**Motion by Hoover, second by Pearsall
To approve ZBA Case 11-2016 parcel #4716-22-301-105, Located at 9386 Silverside Dr., South Lyon, MI 48178 to allow the requested variances from**

49 **Section 38-136 to allow the side yard setback to the proposed addition to**
50 **be 14' instead of the required 15' and the second variance to be 8' instead**
51 **of the required 15'. There are exceptional or extraordinary circumstances**
52 **or conditions applicable to the property that do not apply generally to other**
53 **properties in the area or district. Specifically the narrow lot size and**
54 **topographical issues of this lot. The variance is necessary for the**
55 **preservation and enjoyment of a substantial property right possessed by**
56 **other property in the same district by allowing them to safely access their**
57 **home and bring the stairs in side will help them. The granting of the**
58 **variance will not be materially detrimental to the public welfare or adversely**
59 **affect the surrounding properties in the district. The granting of the**
60 **variance will not adversely affect the Master Plan and the practical difficulty**
61 **was not self-created.**

62
63 **Roll Call Vote: Ayes: Unanimous**
64 **Nays: Nays**

65
66 **MOTION APPROVED**

- 67
68 **2. ZBA Case 12-2016, Parcel #4716-33-301-010, Located at 11608 East Shore**
69 **Dr., Whitmore Lake, Michigan 48189. Request 2 variances form Section 38-**
70 **136 to allow a front yard setback of 20 feet instead of the required 30 feet**
71 **and a side yard setback of 2.5 feet instead of the required 10 feet for the**
72 **attached garage.**

73
74 **Representing ZBA Case 12-2016: Dennis DeShane**

75
76 Mr. DeShane explained that he has a home on Whitmore Lake for the past 25 years, it's
77 a tight lot, and he would like to put on an attached garage. They are proposing to put
78 the garage on one side of the house which gets it as far off the road as possible. The
79 challenges are meeting the setbacks. The neighbors are ok with it and he has a letter
80 from the south neighbor stating its fine.

81
82 Mr. DeShane stated the practical difficulty is to be able to attach it to the house. Ms.
83 Pearsall explained that is not a practical difficulty. Ms. Pearsall also explained the
84 garage would be too close to the road which is a safety issue.

85
86 Ms. Hoover stated she is concerned that the garage would be so close to the property
87 line on the south side.

88
89 Ms. Pearsall stated she is concerned with it being so close to the road.

90
91 Mr. DeShane asked if there is something else he can do, would he have to reapply to
92 move the lines, possible move it over 5' and have a one car garage instead of a two car
93 garage. There was brief discussion regarding making the garage a one car garage.

94
95 Mr. Weinburger opened the public hearing at 7:25 p.m. and closed it due to no
96 comments.

97 Ms. Pearsall stated that even if the garage was shortened from 32' to 24' the applicant
98 wouldn't have to worry about the variance in the front but he would still be close to the
99 property line. Mr. DeShane asked if he could request a variance of 5' on the south
100 side.

101
102 Mr. Weinburger explained if the garage didn't exceed 12 x 22 he wouldn't need a
103 variance at all. Mr. DeShane asked if he could ask for a 5.5' variance on the south side.
104 If it's possible he would ask for a variance it's a very small lot, the road is unsafe. Ms.
105 Pearsall stated there is no practical difficulty and if he has a one car garage he wouldn't
106 even need a variance. Mr. Weinburger noted that a garage is not a necessity.
107

108 Mr. DeShane stated he would like to ask for a variance of 2.5 so he could build a 15 x
109 22 garage. (2.5 foot variance).
110

111 **Motion by Pearsall, second by Hoover**
112 **To approve ZBA Case 12-2016, Parcel #4716-33-301-010, Located at 11608**
113 **East Shore Dr., Whitmore Lake, Michigan 48189. The request is for two**
114 **variances. They are only approving one variance for the side yard**
115 **amended from 8' side yard setback to a 2.5' side yard setback so there will**
116 **be 7.5' on the side. The applicant has shown a need for the following**
117 **reasons: there are circumstances or conditions applicable to the property**
118 **that do not apply generally to other properties in the area due to the narrow**
119 **lot size impacting the property. The variance is necessary for the**
120 **preservation and enjoyment of a substantial property right possessed by**
121 **other property in the same district. Granting of the variance will not be**
122 **materially detrimental to the public welfare or adversely affect the**
123 **surrounding properties in the district. The granting of the variance will not**
124 **affect the purpose or objectives of the master plan because this will be**
125 **very site specific due to the narrow lot.**
126

127 **Roll Call Vote Ayes: Unanimous**
128 **Nays: None**
129

130 **MOTION APPROVED**
131

132 **3. ZBA Case 13-2016, Parcel #4716-04-103-032, Located at 6172 Island Lake**
133 **Dr., Brighton, MI 48116. Request a variance from Section 38-136 the**
134 **applicant is request a 9 foot variance leaving a front yard setback at 21 feet.**
135 **The required front yard setback is 30 feet. The variance would allow for a**
136 **15'x24' (360 SF) sunroom addition on the east side of the home.**
137

138 **Representing ZBA Case 13-2016: Kathleen Vandenberg**
139 **Rich Simmons, Builder**
140 **Dennis Denser, Arcadia and Design**
141

142 Mr. Denser explained there is currently an elevated porch on the rear of the house.
143 They are proposing to make that slightly larger and enclose it to make a sun room. The
144 nearest 16 properties with the average front yard setback is 6'.3" and their proposal

145 would yield their setback at 21'. Also, Island Lake Drive dead ends at the end of their
146 property so they are not infringing on anyone's view of the lake. They feel it is
147 necessary for the preservation and enjoyment of their lot.

148
149 Ms. Pearsall explained the houses around them do not enter into their decision, each
150 case is reviewed on a case by case only.

151
152 Mr. Denser explained in order to move it back it will become an issue for access due to
153 the doorway. The practical difficulty is that they were unable to enjoy their property as
154 others do.

155
156 Ms. Vandenberg explained the house is brick so it wouldn't be easy to move the access
157 over or the doors.

158
159 Mr. Weinburger opened the public hearing at 7:45 p.m. and closed it due to no
160 comments.

161
162 **Motion by Hoover, second by Weinburger**
163 **To deny ZBA Case 13-2016, Parcel #4716-04-103-032, located at 6172 Island**
164 **Lake Dr., Brighton, MI 48116. Requested variance from Section 38-136 the**
165 **applicant is requesting a 9' variance leaving a front yard setback of 21' and**
166 **the required setback is 30'. The applicant has not shown a practical**
167 **difficulty for the following reasons; there are no exceptional or**
168 **extraordinary circumstances or conditions that are applicable to the**
169 **property that do not apply generally to other properties in the area or**
170 **district specifically there are no typography, wetland, woodland, adjoining**
171 **properties that negatively impact the property. The variance is not**
172 **necessary for the preservation and enjoyment of a substantial property**
173 **right possessed by other property in the same district.**

174
175 **Roll Call Vote: Ayes: Unanimous**
176 **Nays: None**

177
178 **MOTION APPROVED TO DENY**

179
180 **NEW BUSINESS –None**

181
182 **OLD BUSINESS - None**

183
184 **APPROVAL OF THE Meeting Minutes**

185
186 **Motion by Pearsall, second by Hoover**
187 **To approve the minutes of September 20, 2016 as presented.**

188
189 **Voice Vote: Ayes: Unanimous**
190 **Nays: None**

191
192 **MOTION APPROVED**

193

194 **CORRESPONDENCE** - None

195

196 **CALL TO THE PUBLIC** - None

197

198 **ADJOURNMENT**

199

200 The Zoning Board of Appeals meeting was adjourned at 7:50 p.m. due to no further
201 business.

202

203

204

205 Respectfully Submitted,

206

207 *Kellie Angelosanto*

208

209 Kellie Angelosanto

210 Recording Secretary