

Green Oak Charter Township
Zoning Board of Appeals
Regular Meeting Minutes
November 17, 2015

Roll Call: Wendy Hoover
Deborah Sellis
Deborah Yu, Alternate
Jim Tuthill

Absent: Sarah Pearsall
Joe Weinburger

Guests: 7

Also Present: Debra McKenzie, Zoning Administrator

APPROVAL OF AGENDZA

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

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

MOTION APPROVED

- 1. ZBA Case 12-2015, 9422 Peer Road, South Lyon, MI request a variance to allow a private road to be located on the north side of the easement (on the existing driveway) in order to preserve trees. The Green Oak Township Private Road Ordinance requires a private road to be located in the center of an easement.**

Representing ZBA Case 12-2015: Ray Paquette, 28393 Cottage Lane, New Hudson.

Mr. Paquette explained they were already approved for the variance once but they weren't aware that the variance would expire. He explained they are trying to preserve the established trees. The driveway was there when they purchased it the land. The hardship is to remove the trees, they bought the secluded lots and that was the whole purpose to maintain the environment and the wildlife, he thinks the trees are even more established and there is established landscaping. They would like to save everything they could to keep it more natural and a country feel.

Mr. Paquette explained he didn't know the variance had a time frame. In 2011 they found out that the variance lapsed. They are going to take extra measures to keep the trees; the plumbing will be underneath so they don't have to disrupt the trees that are there now.

49 Ms. Sellis asked if there is anything different than what was submitted in 2005. Mr.
50 Paquette stated no, everything is the same.

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52 Ms. Hoover opened the public hearing at 7:10 p.m.

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54 **Steve & Renee Russell, 9414 Peer Road** - Mr. Russell explained they live in the first
55 house on the private road. The front of the yard has over 160+ trees; most are pine
56 trees 45-50 feet high with a lot of wildlife. If the variance is not approved there would be
57 upwards of 60 trees that have to be removed and it would dislocate the wildlife. He also
58 reported that his neighbors The Edwards who live at 9148 couldn't make the meeting,
59 but their extensive landscaping would have to be removed. It is important that the
60 driveway stays where it is.

61
62 **Ryan Price, 9422 Peer Road,** - She explained that her house backs up to the property,
63 and if the road is moved, the road will come at the front of her house and the headlights
64 would be going right to the front of her home. She has young kids and then they would
65 have to cross a road to go play with the neighbors. She doesn't want a road period, but
66 definitely not in the middle of her home.

67
68 **Mark Sweet** - He explained that he owns the lot on the corner. As much as he hates to
69 see development everyone has to follow the current ordinances. He questioned the
70 date it was adopted that the road has to be in the center. Ms. McKenzie stated 2003.
71 Mr. Sweet commented it will cost quite a bit of money to remove the trees. He will have
72 a road within 4' of his property line which will mean all of the snow and salt which will kill
73 his trees. There is an ordinance to keep the road in the middle and he saw no reason to
74 change that. The house is located in the back, it was already planned, and they should
75 have known that. Safety is another concern, he questioned how the water will be
76 handled and he felt a larger green belt area is needed. One of the main things, he
77 purchased this land a year ago and he was not notified of this public meeting, he found
78 out about it this morning. He hasn't had time to prepare and he felt this variance would
79 devalue his property.

80
81 **Julie Paquette** – She explained that they the bought property a long time ago,
82 everything has already been engineered and when they bought the house they were
83 aware. They were under the understanding that the road would be pushed to the north.
84 At this point if they didn't do anything and do the road right now, the way the private
85 road it is already there and not encroaching. It wasn't a surprise to anyone.

86
87 **Jeff Douglas, 227 Oak Brooke Drive** – He explained that he is building a house and a
88 pole barn in the back of the property. There is also a telephone pole that will have to be
89 moved. It is a safety issue for his kids when he builds his house. He was already told
90 he was not allowed to use the road when his property backs up to it.

91
92 Mr. Russell stated he had asked if he could attach to the road it when he builds his
93 home and Mr. Russell explained that he said no because that is his driveway.

94
95 **Joe Morelli, 12910 Walnut Ridge** – Mr. Morelli questioned if there will be any
96 improvement to the way the road is now and if it will be wider. Mr. Paquette stated the

97 road will be widened 4' to the south. Mr. Paquette explained the road has already
98 been engineered and a ditch will be on the south side. They are not touching the north
99 side at all. Mr. Morelli stated he is concerned with his berm and evergreens and his
100 neighbor that has a privacy fence. Mr. Paquette stated the improvements will not touch
101 the north side.

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Motion by Sellis, second by Tuthill

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**To approve ZBA Case 12-2015 9422 Peer Road, South Lyon, MI parcel ID
105 #4716-23-200-077 move to allow the variance to allow a private road to be
106 located on the north side of the easement on the existing driveway having
107 found that there are extraordinary circumstances and conditions applicable
108 to the property that do not generally apply properties in the area
109 specifically there are a vast amount of mature trees that are peculiar to the
110 property. The variance will be necessary for the preservation and
111 enjoyment of a substantial property right and therefore request that the
112 variance be granted.**

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**Roll Call Vote: Ayes: Unanimous
115 Nays: None**

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MOTION APPROVED

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NEW BUSINESS – Ms. McKenzie reported that the Calendar for 2016 was provided to
120 the Board members and the next meeting is in January.

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OLD BUSINESS - None

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APPROVAL OF THE Meeting Minutes

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Motion by Tuthill, second by Sellis

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To approve the minutes of September 15, 2015 as presented.

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

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MOTION APPROVED

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CORRESPONDENCE - None

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CALL TO THE PUBLIC - None

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ADJOURNMENT

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The Zoning Board of Appeals meeting was adjourned at 7:36 p.m. due to no further
141 business.

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145 Respectfully Submitted,
146
147 *Kellie Angelosanto*
148
149 Kellie Angelosanto
150 Recording Secretary