

**NORTHFIELD TOWNSHIP
ZONING BOARD OF APPEALS
January 19, 2021 7:00 p.m.
Second Floor, Public Safety Building
8350 Main Street, Whitmore Lake, MI 48189**

The January 19, 2021 Zoning Board of Appeals meeting will be conducted virtually via Zoom. The Zoning Board of Appeals Board is allowing electronic participation in order to promote public safety and compliance with state and local health directives. The meeting will be held on:

Tuesday, January 19, 2021 at 7:00 p.m. both virtually and in person

Join the virtual board meeting by visiting: <https://zoom.us/j/97388385237>
or dialing (312) 626-6799
Webinar ID: 973 8838 5237

Public participants will be able to address the board virtually during the public comment periods on the agenda. Visit http://www.twp-northfield.org/government/how_to_join_a_virtual_meeting.php for more information.

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADOPT AGENDA**
- 5. CORRESPONDENCE**
- 6. PUBLIC HEARINGS**
- 7. OLD BUSINESS**
- 8. NEW BUSINESS:**
 - A. Introduce New Members: Nate Muchow; Adam Olney; Rachel Smith
 - B. Election of Officers
 - C. Adopt 2021 Calendar
 - D. Zoning Administrator Quarterly Report 10/1/20 – 12/31/20
- 9. APPROVAL OF MINUTES:** October 19, 2020
- 10. CALL TO THE PUBLIC**
- 11. ZBA MEMBER COMMENTS**
- 12. ANNOUNCEMENT OF NEXT MEETING:** February 16, 2021 Due to Holiday
- 13. ADJOURNMENT**

This notice is posted in compliance with PA 267 of 1976 as amended (Open Meetings Act) MCLA41.72A (2) (3) and the Americans with Disabilities Act (ADA). Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Offices at (734) 449-5000, seven days in advance.

NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS CALENDAR

January	19	2021	Holiday
February	16	2021	Holiday
March	15	2021	
April	19	2021	
May	17	2021	
June	21	2021	
July	19	2021	
August	16	2021	
September	20	2021	
October	18	2021	
November	15	2021	
December	20	2021	



January 4, 2021

Township Board of Trustees and Planning Commission
Northfield Township
8350 Main Street
Whitmore Lake, MI 48189

Subject: Zoning Administrator Quarterly Report 10/1/2020 – 12/31/2020

Dear Trustees and Commissioners:


Section 36-971(6) of the Zoning Ordinance requires the Zoning Administrator to submit to the Township Board and Planning Commission, a quarterly report in which a summary of the activities of the office is presented. Following is a concise summary of the activities of note in the LAST quarter of 2020 (October 1 through December 31, 2020).

Zoning Compliance Applications: A total of 15 applications were APPROVED.

1. Approved three (3) new dwellings.
2. Approved additions to one (1) existing dwelling.
3. Approved four (4) new accessory structures – deck, shed, pavilion, garage.
4. Approved two (2) new accessory structures – pole barns.
5. Approved four (4) new fences.
6. Approved one (1) soil fill permit for a residential use site.

Five (5) applications were approved for multiple-family/non-residential Uses:

1. **75 Barker/Kiwanis Christmas Tree Sales** - Approved use of site for temporary sales of Christmas trees as noted on application.
2. **New Sign Permit**– Resurfacing of existing sign at 9615 Main Street.
3. **240 Barker/Firearms Sales** - The site is zoned GC (General Commercial) District. Retail sales of any commodity are permitted as a principal use in the District per Section 36-390 (3) of the Zoning Ordinance. The use of the property for retail sales of firearms and sporting goods is in the same classification as the sale of archery related equipment, which was the previous use of the property. Therefore, there is no change of use and site plan approval is not required.
4. **6542 Whitmore Lake Road/TR Transport LLC** - The subject site is zoned Light Industrial (LI) District, and it is located in the Whitmore Lake North Territorial overlay district which allows for flexibility in use and greatly expands the uses allowable under the underlying zoning district. The site has existing trucking operation and repairs, which are permitted as a conditional land use in the District per Sections 36-510 (1) and (3), respectively. The site was operating under the business name of Hamlin Trucking. The applicant purchased the business and stated their intention to continue the operations, “exactly the same as the current seller’s use.” The change in business name and ownership does not warrant site plan approval.

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5. **9411 Main Street** - The subject site is zoned WLD-D district. The subject site has an existing 2-story residential dwelling on it. Single family residential dwellings are permitted only in the upper story of structures in the WLD-D district per Section 36-340 (b). The existing dwelling on the lower level is an existing non-conforming use. The site has an existing detached garage and the applicant intends to create an apartment unit above the garage. The upper story unit is permitted by right subject to administrative site plan approval.

Denied

A total of 5 applications were denied. They were for fences, pole barn, a sign and a new dwelling. The applications were denied for lack of compliance to Ordinance setback requirements and inaccurate measurements.

Administrative Site Plan Approvals:

None this quarter. A couple of applications are still in the process of being reviewed and will be listed when complete.

Zoning Board of Appeals Cases:

1. **Terra Firma/6410 Whitmore Lake Road** – The applicant requested a variance to enable the construction of a gravel parking lot for a proposed landscaping business, when the Ordinance requires a concrete or asphalt surface in all districts except agricultural. The ZBA granted approval.

Final Site Inspection:

None this quarter.


Zoning Administrator Office Hours:

Due to the ongoing pandemic, upon direction from the Township Manager, I have suspended my office hours at the Township Offices since March 2020. However, the service we provide to applicants and property owners has not been discontinued. Mary Bird, the Zoning Coordinator, consolidates all the queries received during the week into an email communication to me at the end of the day Tuesday. I call each and every applicant/property owner on that list on Wednesday and help them with their questions and concerns. I provide Mary with a written documentation on the conversations I have had with each person and the direction given to them, in order to ensure that if and when they apply for any approvals, Mary and I are on the same page with regard to the process.

I also communicate with the Township Code Enforcement officer via phone and email, as needed, to resolve any pending case issues or answer zoning related questions.

Other Items: Notwithstanding the unusual and unprecedented situation we all find ourselves in, as the Zoning Administrator, I strive to be prompt and attentive to the needs of the applicants while ensuring that they understand the process and also comply with the rules and regulations set forth in the Zoning Ordinance. I work hard to ensure that applicants and property owner's needs are met without delay.





Respectfully submitted,

McKENNA



Vidya Krishnan
Zoning Administrator/Principal Planner

Cc: Steven Aynes, Township Manager
Mary Bird, Zoning Coordinator
Jim Turner, Code Enforcement Officer
Julie Connochie, Planning Consultant



NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

Minutes of Regular Meeting October 19, 2020

1. CALL TO ORDER

The meeting was called to order by chair Kenneth Dignan at 7:30 P.M. at via tele-conference. Dignan noted technical difficulties prevented the meeting from being started on time.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL AND DETERMINATION OF QUORUM

Brad Cousino	Present
Kenneth Dignan	Present
Scott Gustafson	Present
Greg Kolecki	Present
Jacki Otto	Present
Alternate: James Balsillie	Presence not required

Also present:
Planning Consultant Vidya Krishnan
Members of the public

4. ADOPT AGENDA

- **Motion:** Otto moved, Dignan supported, that the agenda be adopted as presented.
Motion carried 5—0 on a voice vote.

5. CORRESPONDENCE

None.

6. PUBLIC HEARINGS

**6A. Case #JZBA200004; TerraFirma;
Location: 6410 Whitmore Lake Road;
Request for variance to construct a gravel
parking lot when the Ordinance requires an
asphalt or concrete paved parking area;
Parcels 02-29-200-003 & -004; zoned LI**

- **Motion:** Dignan moved, supported, that the public hearing be opened.
Motion carried 5—0 on a voice vote.

Township Planner Vidya Krishnan reviewed her report of October 8, 2020, explaining that the reason for this request is to avoid the cost of installing asphalt surfacing over a utility easement which will be excavated soon and can be excavated whenever the utility chooses. She noted the Township engineer has no objection to the proposal.

Krishnan's comments included:

- Approval of the variance will provide substantial justice to the applicant, is not adverse to the interest of other property owners, and granting of the variance is not setting a precedent as similar exemptions have been granted for other sites.
- The parcel is constrained by the location of a major utility easement across it, which is a limitation faced by other properties through which the same utility easement traverses.
- The need for the variance was not created by the applicant.
- The proposed variance is not likely to have any adverse impact on the neighborhood or on public safety.

James Korf, appearing for applicant Eric Patterson, said Krishnan explained the situation well. He said the utility company excavated the site in 2019 and they indicated the site will probably have to be excavated again next year. He noted there will be asphalt paving in front of the office, and the gravel parking area will be shielded from the view of the public.

Dignan noted no members of the public were present.

- **Motion:** Dignan moved, Kolecki supported, that the public hearing be closed.
Motion carried 5—0 on a voice vote.

7. OLD BUSINESS

None.

8. NEW BUSINESS

**8A. Case #JZBA200004; TerraFirma;
Location: 6410 Whitmore Lake Road;
Request for variance to construct a gravel
parking lot when the Ordinance requires an
asphalt or concrete paved parking area;
Parcels 02-29-200-003 & -004; zoned LI**

- **Motion:** Dignan moved, Otto supported, to approve the requested variance in Case #JZBA200004 based on the findings of fact documented in the October 8, 2020, letter from the principal planner, Vidya Krishnan.

In answer to a question, Krishnan said this proposal has not been before the ZBA previously. Dignan noted there had been discussion with the applicant last year about whether a variance should be requested.

Motion carried 5—0 on a roll call vote.

9. UNFINISHED BUSINESS

None.

10. MINUTES

Otto corrected an address.

- **Motion:** Dignan moved, Cousino supported, that the minutes of the September 21, 2020, regular meeting be approved as amended.
Motion carried 5—0 on a voice vote.

11. CALL TO THE PUBLIC

None present.

12. ZBA MEMBER COMMENTS

Otto questioned whether the zoning ordinance should be amended to eliminate the need for applications to wave paving requirements in situations similar to TerraFirma's. Cousino said in that case the utility easement covers a large portion of the site, which is unusual.

Dignan noted the Planning Commission has waived paving requirements in similar situations, including for the non-profit People's Express and for the Township's Community Center. He said in light of that it would be

appropriate for the ZBA to suggest that the Planning Commission more clearly define when the Commission can waive paving requirements or change the requirements. He said he feels TerraFirma, a private company, had a better case that existed in either of the cases.

Krishnan said the zoning ordinance allows the Planning Commission to waive paving requirements only in the AG district, and she recommended that that restriction be removed to allow the Commission to have discretion in situations such as TerraFirma's.

Board members urged the public to vote in the November 3rd general election.

13. ANNOUNCEMENT OF NEXT MEETING

November 16, 2020, at 7:00 PM at the Public Safety Building or via-teleconference was announced as the date and time of the next regular meeting of the Zoning Board of Appeals.

14. ADJOURNMENT

- **Motion:** Dignan moved, Otto supported, that the meeting be adjourned.
Motion carried 5—0 on a voice vote.

The meeting was adjourned at 7:57 P.M.

Prepared by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:
Wording removed is ~~stricken through~~;
Wording added is underlined.

Adopted on _____, 2020.

Kenneth Dignan, Chair

Greg Kolecki, Secretary

Official minutes of all meetings are available on the Township's website at
http://www.twp-northfield.org/government/zoning_board_of_appeals/