

NORTHFIELD TOWNSHIP
ZONING BOARD OF APPEALS
May 20, 2019 7:00 p.m.
Second Floor, Public Safety Building
8350 Main Street, Whitmore Lake, MI 48189

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADOPT AGENDA**
- 5. CORRESPONDENCE**
- 6. PUBLIC HEARINGS:**

- A. Case #JZBA190003 – Patricia Dallaire, 433 East Shore Dr., Whitmore Lake, MI 48189 request a variance from Article XXIII.II Whitmore Lake/Horseshoe Lake Overlay District, Section 36-695 Setbacks for a 4.41-foot east side yard setback variance and a 9.76 foot combined side yard setback variance. The applicant is proposing to build a second story addition over an existing garage. The parcel number is B-02-05-402-005 and zoned SR-2 Single Family Residential and also part of the Whitmore Lake Overlay District.
- B. Case #JZBA190002 – Jake Kerrigan, 7400 Nollar Rd., Whitmore Lake, MI 48189 requests a variance from Article VI AR-Agriculture District; Section 36-158, Regulations and Standards; sub section (4) (a) for a 20.50 foot front yard setback variance and Article VI AR-Agriculture District Section 36-158, Regulations and Standards; sub section (4) (b) for a 3.40 foot side yard setback.. The applicant is proposing to build an addition to the existing dwelling. The parcel number is B-02-16-400-011 and is zoned AR- Agriculture District.
- C. Case #JZBA190001 – Michael Terry Jr., 69 Schrum Dr., Whitmore Lake, MI 48189 requests a variance from Article IV Schedule of Regulations; Section 36-98, General Provisions; sub section (d) (2) (a) to allow a garage to be located in front of the rear line of the principal dwelling. The parcel number is B-02-08-355-015 and is zoned SR-1 Single Family Residential District.

7. OLD BUSINESS

8. NEW BUSINESS:

- A. Case #JZBA190003 – Patricia Dallaire, 433 East Shore Dr., Whitmore Lake, MI 48189 request a variance from Article XXIII.II Whitmore Lake/Horseshoe Lake Overlay District, Section 36-695 Setbacks for a 4.41-foot east side yard setback variance and a 9.76 foot combined side yard setback variance. The applicant is proposing to build a second story addition over an existing garage. The parcel number is B-02-05-402-005 and zoned SR-2 Single Family Residential and also part of the Whitmore Lake Overlay District.
- B. Case #JZBA190002 – Jake Kerrigan, 7400 Nollar Rd., Whitmore Lake, MI 48189 requests a variance from Article VI AR-Agriculture District; Section 36-158, Regulations and Standards; sub section (4) (a) for a 20.50 foot front yard setback variance and Article VI AR-Agriculture District Section 36-158, Regulations and Standards; sub section (4) (b) for a 3.40 foot side yard setback. The applicant is proposing to build an addition to the existing dwelling. The parcel number is B-02-16-400-011 and is zoned AR- Agriculture District.

D. Case #JZBA190001 – Michael Terry Jr., 69 Schrum Dr., Whitmore Lake, MI 48189 requests a variance from Article IV Schedule of Regulations; Section 36-98, General Provisions; sub section (d) (2) (a) to allow a garage to be located in front of the rear line of the principal dwelling. The parcel number is B-02-08-355-015 and is zoned SR-1 Single Family Residential District.

E. Zoning Administrator Quarterly Report 1/1/19 – 3/31/19

9. **APPROVAL OF MINUTES:** December 17, 2018
10. **CALL TO THE PUBLIC**
11. **ZBA MEMBER COMMENTS**
12. **ANNOUNCEMENT OF NEXT MEETING:** June 17, 2019
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

NOTICE OF PUBLIC HEARING

The Northfield Township Zoning Board of Appeals will hold a public hearing for 433 East Shore Drive, Whitmore Lake, MI 48189. The applicant is proposing to build a second story addition over an existing garage on the property. The parcel is zoned SR-2 Single Family Residential district and is also part of the Whitmore Lake Overlay District, with a parcel number B-02-05-402-005. The proposal will require the following variances from the Zoning Ordinance:

1. Article XXIII.II. WLHL Whitmore Lake/Horseshoe Lake Overlay District, Section 36-695. Setbacks:
Side Yard (east) Setback - 7.35 feet minimum required
 - 2.94 feet proposed
 - 4.41 foot variance requested
2. Article XXIII.II. WLHL Whitmore Lake/Horseshoe Lake Overlay District, Section 36-695. Setbacks:
Combined Side Yard Setback - 14.70 feet minimum required
 - 4.94 feet proposed
 - 9.76 foot variance requested

The public hearing will be held on **Monday, May 20th, 2019** at 7:00 p.m. on the second floor for the Northfield Township Public Safety Building, 8350 Main Street, Whitmore Lake, MI 48189. The application is on file at the Northfield Township Building/Zoning Department, 8350 Main Street, Whitmore Lake, MI 48189, and may be reviewed Monday through Friday, 8:00 a.m. to 4:30 p.m. Written comments may be submitted to the Building/Zoning Department at the Township Hall (8350 Main St.) before 12:00 p.m. on the day of the meeting.

This notice is in compliance with PA 267 of 1976 as amended (Open Meetings Act) MCLA 41.7, 2A (2) (3) and the Americans with Disabilities Act (ADA). Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Offices at 734-449-2880, seven days in advance.

Kathy Manley – Northfield Township Clerk

Publish: Sunday, May 5, 2019
Newspaper: Ann Arbor News

NORTHFIELD TOWNSHIP MICHIGAN

8350 Main Street • Whitmore Lake, Michigan 48189-0576

Telephone: (734) 449-2880 • Building Dept. (734) 449-5000 • Fax: (734) 449-0123 • Web Site: www.twp-northfield.org

ZONING BOARD OF APPEALS HEARING APPLICATION

Applicant Information:		Proprietor/Owner Information:	
Name:	Patricia Dallaire	Name:	
Address:	433 East Shore	Address:	Same
Phone:	734-953-9020	Phone:	
Email:	patdallai@aol.com	Email:	
If application is made by anyone other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.			
Proof of Ownership Attached: <input type="checkbox"/>		Non-Owner Affidavit Attached: <input type="checkbox"/>	
If applicant is not the owner, describe applicants interest in the property: _____			
1. PROPERTY DESCRIPTION:			
A.) PROJECT ADDRESS: 433 East Shore, Whitmore Lake, MI 48189			
B.) PARCEL ID(S): B-02-05-402-500		IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
C.) LEGAL DESCRIPTION: Northerly 49ft of Lot 17 Roper-Leece Sub			
2. PRESENT ZONING CLASSIFICATION:			
AR LR MR MHP SR1 <u>SR2</u> LC HC GC LI GI RTM ES PUD PSC RC RO WLD-___ W.L./N.T. Overlay OTHER:___			
3. PRESENT USE OF PROPERTY: Residential			
4. NON-CONFORMING STATUS:			
A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use):			
① Least side setback			
② Total side setbacks			
B.) State year/month Non-Conformity began (to the best of your knowledge): Constructed 1940's			
5. VARIANCE REQUEST:			
A.) Is a denial letter attached from the Zoning Administrator? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If no, identify each section of ordinance from which Variance is requested:			
Section 36-695			

Variance request information continued, page 2

Pg. 1

B.) Describe reason/need for Variance: 433 East Shore is a non-conforming lot in SR2 district that is significantly smaller than the minimum lot area and lot width. Because the setbacks are intended for lots significantly larger than this lot, the zoning requirements are considered unnecessarily burdensome.

C.) Explain existing special conditions or circumstances that are unique to the land or buildings involved which are not applicable to similar land or building in the same district:

The modest 861sf is smaller than the minimum 1,000sf dwelling now required by the ordinance, so extra storage space is valuable.

D.) Did the special condition or circumstances arise from your actions?

☐ Yes ☒ No

Describe: The house and attached garage are existing structures.

E.) Explain why interpretation of the ordinance would deprive you of rights commonly enjoyed by other property owners in the same district:

A second level over the existing garage will not increase the nonconformity. This dwelling is very small with no basement. The additional storage space over the garage will provide needed storage space.

F.) Explain why this is the minimum variance necessary to allow for a reasonable utilization of the land or structure:

The lot and house are particularly small and are not considered generally applicable to SR2 district. Also the elevation of the garage is unusually low making a 2nd floor garage lower than neighboring structures--a particularly appropriate solution.

G.) Explain how this variance would be in harmony with the intent of the ordinance and not injurious to the neighborhood or neighbors or otherwise detrimental to the public interest:

The proposed addition will be in harmony with the spirit and intent of the zoning ordinance since this is a modest addition for a modestly-sized property. 433 East Shore is smaller in size and appearance than other homes in the area.

H.) I, the applicant, request the Zoning Board of Appeals grant the following:

① Least side setback

② Total side setback

6. REQUIRED DOCUMENTS: (10 copies of application & site plans and 1 pdf file for large scale plans)

Attach a scaled and accurate drawing with the legal description and showing:

- All lot dimensions
- Dimensions and locations of all existing and proposed buildings/additions and drives
- Other improvements and easements of record
- Show distances between existing and proposed buildings and/ or additions
- Show locations and distances of wells, septic and/or sewer lines
- Locations, size, and distances of buildings/structures on adjoining lots
- All additional pertinent information as listed on the checklist on page 3

All documents must be submitted at time of application. If further information is needed, the Zoning Board of Appeals reserves the right to postpone the hearing to review new information.

7. If applicable, all lot lines and building corners must be staked out a minimum of 10 days before the hearing date.

8. The address of the property must be clearly marked and visible from the road.

9. A fee of dollars as established by the township board is attached to the application. Applicant understands that the fee will not be refunded in whole or in part regardless of the outcome of the decision.

* \$595.00 - Single unit (excludes subdivisions, site condo plans, commercial or apartment buildings greater than 4 units.)

\$795 = All others

10. THE APPLICANT:

A.) Has received and read the attached provisions of the Township Zoning Ordinance in regards to Article XXX "Zoning Board of Appeals" and understands that a public hearing will be established within 45 days of the filing date and

B.) Has also read the sections of the Township Zoning Ordinance that to pertain to this request and

C.) Has complied with the above requested information and understands that the Zoning Board of Appeals reserves the right to adjourn a meeting if the above stated information is not provided and to re-schedule it when the information is provided and

D.) Understands that any approval or denial of this application shall not relieve the applicant of compliance with all other applicable provisions of the Township Zoning Ordinance or Building Code and each variance approved shall be null and void unless authorized activity commences within 180 days after the date of approval.

AUTHORIZED SIGNATURE

All information provided in this application is, in all respects, true and correct to the best of my knowledge, and I understand that incorrect information may be grounds for denying the application or voiding any approval granted hereunder.


Applicant(s) Signature

5/3/2019
Date

APPLICANT CHECKLIST

The following information must be submitted to the Northfield Township Clerk prior to the application being scheduled for a public hearing:

- _____ Completed application form
- _____ Statement authorizing variance application if not the owner
- _____ Proof of ownership property
- _____ Legal description of property
- _____ 8 copies of site plan and required information
- _____ Review Fee

FOR ZONING BOARD OF APPEALS USE ONLY

APPEAL OF DECISION

1.) Name and Office of Official/Commission: _____

2.) Date of Decision: _____

3.) Describe Decision that is being appealed: _____

4.) Describe alternate interpretation or reason for the relief requested: _____

ACTION TAKEN

The Northfield Township Board of Appeals reviewed the above requested variance or appeal and;

☐ Approved: Date _____

☐ Denied: Date _____

Comments: _____

Signature of ZBA Chair _____

Signature of ZBA Secretary _____

Public Hearing date and time: _____

Notice sent to Newspapers: _____ for publication on: _____

(Notice shall be given not less than fifteen (15) days nor more than thirty (30) days before the date of public hearing.)

Notice sent to neighboring owners / occupants: _____

(Notice shall be sent to all persons to whom real property is assessed and to the occupants of all structures within 300 feet of the property.)

Notice sent to Zoning Board of Appeals Members: _____

Copies of Minutes sent to: _____ File _____

Applicant: _____

Building Department: _____

Ordinance Enforcement Officer: _____

Received Date: <div style="font-size: 24pt; font-weight: bold; color: blue;">RECEIVED</div> <div style="font-size: 18pt; font-weight: bold; color: blue;">MAY 06 2019</div> <div style="font-size: 12pt; font-weight: bold; color: blue;">NORTHFIELD TOWNSHIP</div>	Paid Date: <div style="font-size: 24pt; font-weight: bold; color: blue;">PAID</div> <div style="font-size: 18pt; font-weight: bold; color: blue;">MAY 06 2019</div> <div style="font-size: 12pt; font-weight: bold; color: blue;">NORTHFIELD TOWNSHIP TREASURER</div>	Existing Legal Non-Conformities: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain below: <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div>
--	--	--

ZONING COMPLIANCE CERTIFICATE:

<input type="checkbox"/> Approved: Date _____ <input type="checkbox"/> Denied: Date _____	<input type="checkbox"/> Approved As Noted: Date _____ <input type="checkbox"/> Conditional Use Required <input type="checkbox"/> Site Plan Approval Required
--	---

COMMENTS: _____

Zoning Administrator Signature _____	Date _____
--------------------------------------	------------

AREA OF CONCERN			
Landscaping:	Complies	Does Not Comply	N/A
1 Greenbelt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 Parking lot islands, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 Site Landscaping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Foundation Planting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 Dumpster Screening	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6 Comments:			

Signs:

Signs:	Complies	Does Not Comply	N/A
7 Number of Signs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 Size and area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9 Comments:			

Comments: _____

Engineering: _____

Utilities: _____ ☐ Connection fee's paid

Fire Chief: _____ ☐ Inspection Complete

Access: _____

Other Conditions of Approval: _____

Additional Comments: _____

L: 5009 P: 739 6176254 D

11/12/2013 02:24 PM Total Pages: 2
Lawrence Kestenbaum, Washtenaw Co



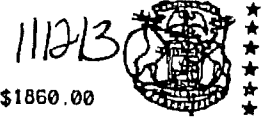
Receipt# 13-24293 6176254

11/12/2013 Washtenaw Co, Michigan

Real Estate Transfer Tax

Tax Stamp # 299218

County Tax: \$272.80 State Tax: \$1860.00



WARRANTY DEED

File No. cen86701-FAT

The Grantor(s) Beth Karneisool, a single woman, whose address is 433 East Shore Dr, Whitmore Lake, MI 48189

convey(s) and warrant(s) to Patricia Kay Dallaire, a single woman, whose address is 14892 Park St, Livonia, MI 48154

the following described premises situated in the Township of Northfield, County of Washtenaw and State of Michigan:

The Northeast 49 feet of Lot 17, ROPER-LEECE SUBDIVISION, according to the Plat thereof as recorded in Liber 17 of Plats, Page(s) 21, Washtenaw County Records.

Commonly Known As: 433 E. Shore Dr., Whitmore Lake MI 48189
Sidwell No. B-02-05-402-005

For the sum of Two Hundred Forty Seven Thousand Eight Hundred and 00/100 Dollars (\$247,800.00)
Subject to easements and building and use restriction of record, if any.

WASHTENAW COUNTY TREASURER

TAX CERTIFICATE NO. 84075C8

PR60628

Time Submitted for Recording
Date 11/12/2013 Time 2:24 PM
Lawrence Kestenbaum
Washtenaw County Clerk/Registrar

(13)

Rev. 2132 80

17-

Dated: 10-31-13

File No. cen86701-FAT

Signed in presence of:

Signed by:

Witness

Beth Karmeisool
Beth Karmeisool

Witness

STATE OF MICHIGAN
COUNTY OF WAYNE

The foregoing instrument was acknowledged before me on this 31st day of October, 2013 by Beth Karmeisool, a single woman.

SUSAN J. NAPOLITANO
Notary Public, Wayne County, MI
My Commission Expires Dec 28, 2013
Acting in County of Wayne

Susan J. Napolitano
Sign
Print

Notary Public, Wayne County, MI

My commission expires _____

Acting in the County of _____

Drafted by:
Beth Karmeisool
26870 Beck Road
Novi, MI 48374

When Recorded Mail To:
Patricia Kay Dallaire
433 E. Shore Dr.
Whitmore Lake, MI 48189



Recording Fee \$18.00

Transfer Tax \$2,132.80



focus / design
Todd Ballou, Registered Architect
(734) 276-2110
www.focusdesign.us
focusdesign@comcast.net
3300 Berry Rd, Ypsilanti, MI 48198

PROJECT:
DALLAIRE RESIDENCE
433 EAST SHORE DRIVE
NORTHFIELD TOWNSHIP, MI

TITLE: **RENDERINGS**

JOB NO:
1906



SHEET NO.

A4

DALLAIRE RESIDENCE

NORTHFIELD TOWNSHIP, MI

SHEET INDEX

SHEET NO.	SHEET TITLE
A1	SHEET INDEX, SITE PLAN, DEMO PLAN, ROOF PLAN
A2	FLOOR PLAN, SCHEDULES
A3	BUILDING ELEVATIONS & SECTION
A4	ROOF FRAMING PLAN & DETAILS
A5	ELECTRICAL & REFLECTED CEILING PLAN, KITCHEN ELEVATIONS

DESIGNED IN ACCORDANCE WITH THE MICHIGAN BUILDING CODE 2009 EDITION.

LEGAL DESCRIPTION:

OLD S/D - B 02-100-027-00 NO 52-17 B NELY 49 FT OF LOT 17 ROPER-LEECE SUBDIVISION.
NEW PROPERTY ID 8-02-05-402-500

PROJECT DESCRIPTION:

INTERIOR REMODEL TO CREATE A NEW BATHROOM AND RELOCATE KITCHEN IN EX. LIVING AREA AND CREATE A 2ND BEDROOM IN THE EX. KITCHEN SPACE. CREATE A NEW MUDROOM/ BREEZEWAY BETWEEN THE EXISTING HOUSE AND EXISTING GARAGE. INCLUDES SOME NEW WINDOWS, AND A NEW ASPHALT SHINGLE ROOF THROUGHOUT.

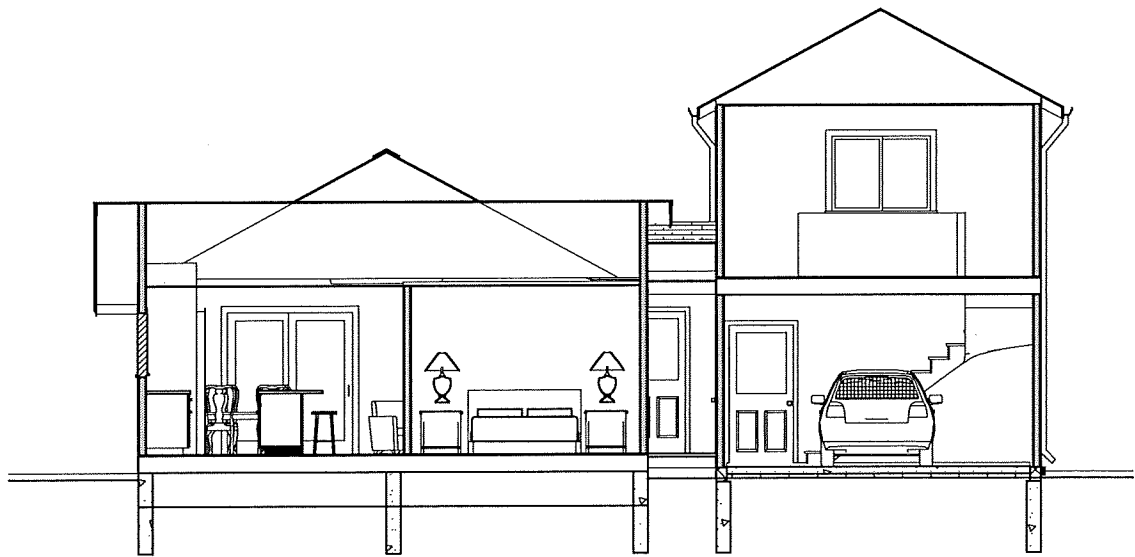
AREA ANALYSIS

EXISTING		PROPOSED	
EX. LIVING AREA	861 SF	EX. 1ST FLOOR	861 SF
EX. BREEZEWAY (UNHEATED)	70 SF	EX. BREEZEWAY (UNHEATED)	70 SF
ATTACHED GARAGE	343 SF	ATTACHED GARAGE	343 SF
EX. BLDG FOOTPRINTS	1,274 SF	EX. BLDG FOOTPRINTS	1,274 SF
EX. FLOOR AREA (INCLUDES ACCESSORY BLDGS)	1,274 SF	PROPOSED AREA OVER GARAGE	+343 SF
		PROP. FLOOR AREA (INCLUDES ACCESSORY BLDGS)	1,617 SF
PROP. LOT COVERAGE	$\frac{1,274 \text{ SF}}{4,652 \text{ SF}} = 27.4 \%$	PROP. LOT COVERAGE	$\frac{1,274 \text{ SF}}{4,652 \text{ SF}} = 27.4 \%$
PROP. FLOOR AREA RATIO	$\frac{1,274 \text{ SF}}{4,652 \text{ SF}} = 27.4 \%$	PROP. FLOOR AREA RATIO	$\frac{1,617 \text{ SF}}{4,652 \text{ SF}} = 34.8 \%$

SCHEDULE OF REGULATIONS

ZONED SR2 SINGLE FAMILY RESIDENTIAL	REQ'D	EXISTING	PROPOSED	VARIANCE
MIN LOT AREA	7,500 SF	4,652 SF	NO CHANGE	2,800 SF EX. NON-CONFORMITY
MIN LOT WIDTH	60.0 FT	49.0 FT	NO CHANGE	11 FT EX. NON-CONFORMITY
MAX LOT COVERAGE	30.0%	25.9 %	27.4 %	NONE
MAX FLOOR AREA RATIO	30.0%	25.9 %	34.8 %	4.8% VARIANCE REQ'D
MIN FRONT YARD ROAD	10.0 FT (1)	2.0 FT	NO CHANGE	16.12 FT EX. NON-CONFORMITY
MIN LEAST SIDE/ EAST	7.35 FT (2)	2.94 FT (3)(4)	NO CHANGE	4.41 FT VARIANCE REQ'D
TOTAL SIDE YARDS	14.7 FT (2)	6.04 FT	NO CHANGE	8.66 FT EX. NON-CONFORMITY
MIN LAKESIDE YARD	20.0 FT	42.09 FT(5)	NO CHANGE	NONE
MAX BLDG HEIGHT	35.0 FT	11.83 FT	19'-2"	NONE
	2 1/2 STORIES	1 STORY	2-STORIES	NONE

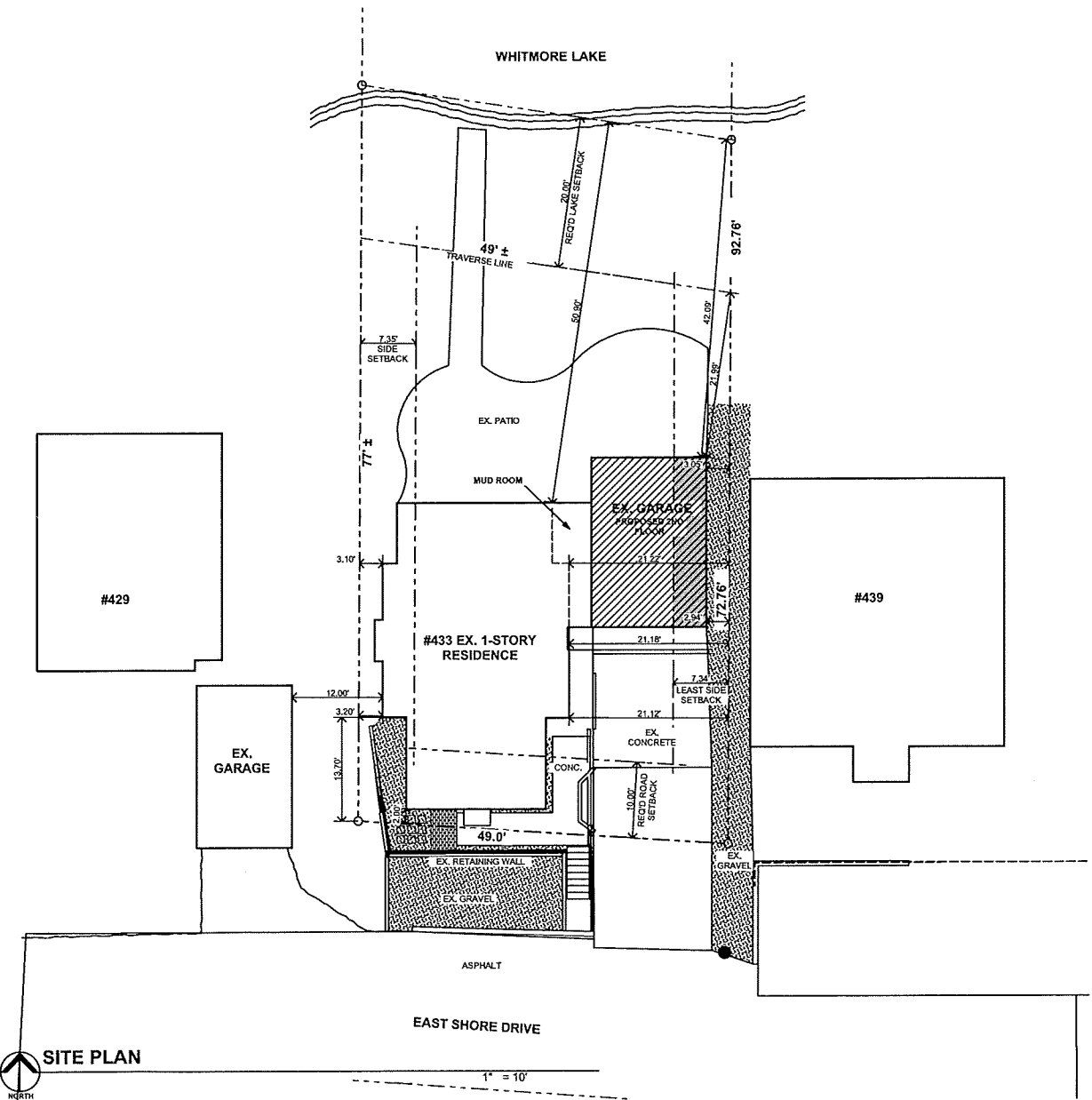
- (1) WHITMORE LAKE OVERLAY DISTRICT FRONT SETBACK (110 FT) APPLIES INSTEAD OF SR2 FRONT SETBACK (30 FT)
(2) WHITMORE LAKE OVERLAY DISTRICT SETBACK APPLIES INSTEAD OF SR2 FRONT SETBACK:
LOT WIDTH = 49 FT. 15% OF LOT WIDTH = 7.35 FT 30% OF LOT WIDTH = 14.7 FT
BECAUSE LOT DOES NOT COMPLY WITH MINIMUM LOT SIZE, LEAST SIDE SETBACK = 7.35 FT AND TOTAL OF TWO SIDES IS 14.7 FT
(3) MEASURED TO THE ATTACHED GARAGE
(4) FIRE RATED CONSTRUCTION WILL BE USED FOR STRUCTURES CLOSER THAN 5 FT FROM PROPERTY LINE, AS REQUIRED BY THE MICHIGAN BUILDING CODE
(5) MEASURED TO LOT LINE, WHICH IS SIMILAR TO WATER'S EDGE



5 SECTION THRU GARAGE

A1

1/4" = 1'-0"



SITE PLAN



1" = 10'

COPYRIGHT 2019
BALLOU ENTERPRISES PLLC

ZBA 1 FEB 2019

focus / design
Todd Ballou, Registered Architect
(734) 276-2110
www.focusdesign.us
focusdesign@comcast.net
3300 Berry Rd, Ypsilanti, MI 48198

PROJECT:
DALLAIRE RESIDENCE
433 EAST SHORE DRIVE
NORTHFIELD TOWNSHIP, MI

TITLE: SITE PLAN

JOB NO:
1906

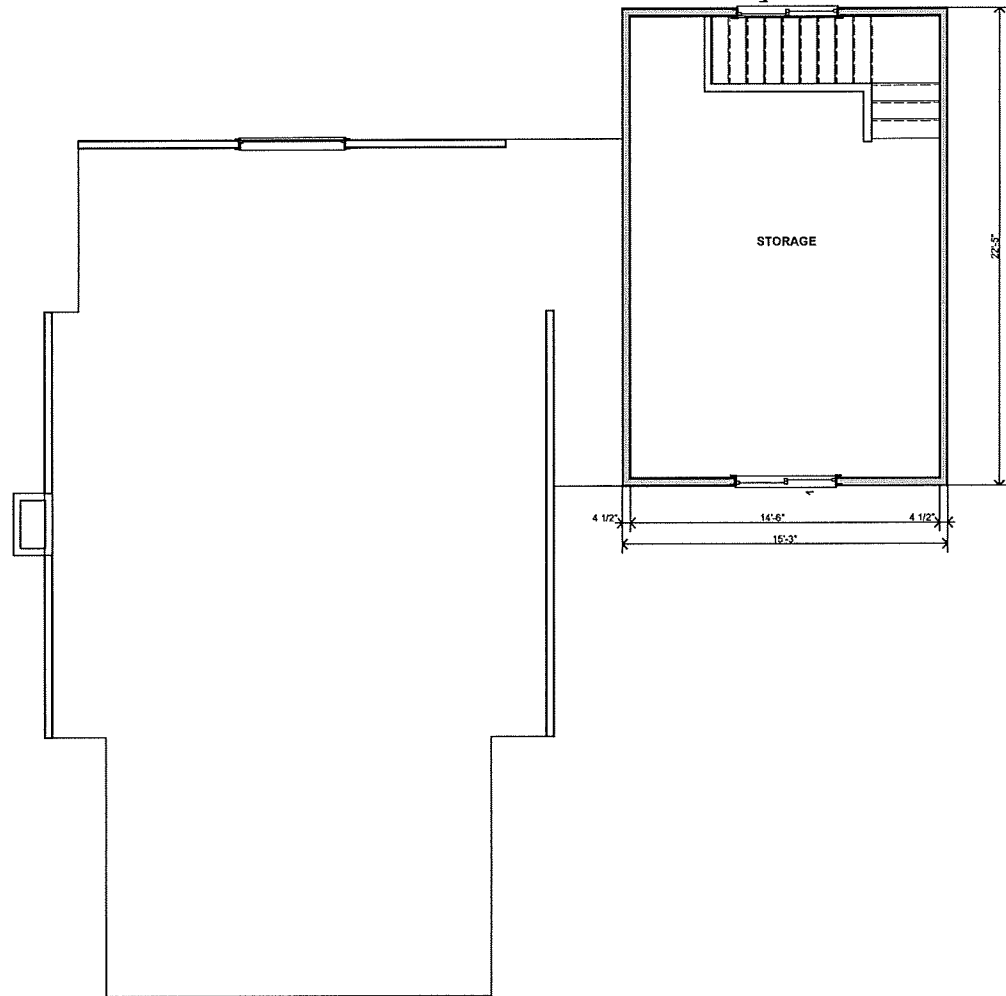
SHEET NO.

A1

4
A2

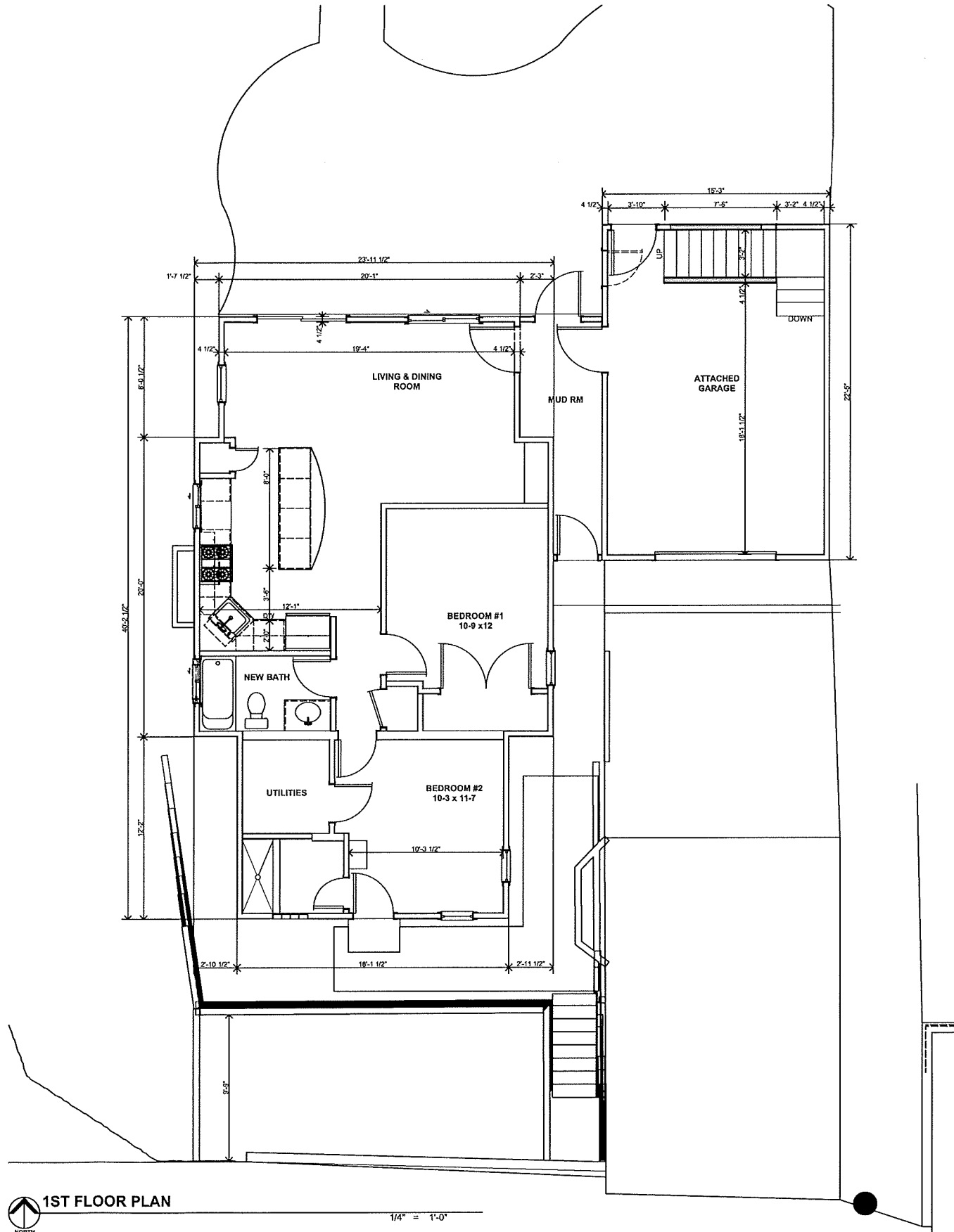
2ND FLOOR PLAN

1/4" = 1'-0"



1ST FLOOR PLAN

1/4" = 1'-0"



COPYRIGHT 2019
BALLOU ENTERPRISES PLLC

ZBA

1 FEB 2019

focus / design

Todd Ballou, Registered Architect

(734) 276-2110

www.focusdesign.us

focusdesign@comcast.net

3300 Berry Rd, Ypsilanti, MI 48198

PROJECT:

DALLAIRE RESIDENCE

433 EAST SHORE DRIVE

NORTHFIELD TOWNSHIP, MI

TITLE:

FLOOR PLAN

JOB NO:

1906

SHEET NO.

A2

focus / design
Todd Ballou, Registered Architect
(734) 276-2110
www.focusdesign.us
focusdesign@comcast.net
3300 Berry Rd. Ypsilanti, MI 48198

PROJECT:
DALLAIRE RESIDENCE
433 EAST SHORE DRIVE
NORTHFIELD TOWNSHIP, MI

TITLE: ELEVATIONS

JOB NO:
1906

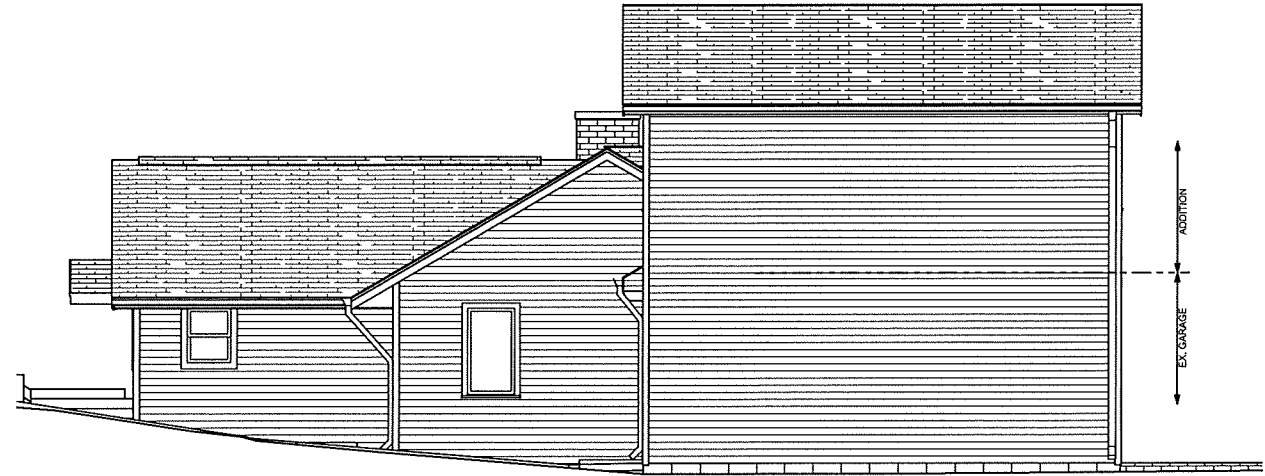
SHEET NO.

A3



4 REAR ELEVATION
A3

1/4" = 1'-0"



3 RIGHT ELEVATION
A3

1/4" = 1'-0"



2 LEFT ELEVATION
A3

1/4" = 1'-0"



1 FRONT ELEVATION
A3

1/4" = 1'-0"



COPYRIGHT 2019
BALLOU ENTERPRISES PLLC

ZBA

1 FEB 2019

focus / design
Todd Ballou, Registered Architect
(734) 276-2110
www.focusdesign.us
focusdesign@comcast.net
3300 Berry Rd, Ypsilanti, MI 48198

PROJECT:
DALLAIRE RESIDENCE
433 EAST SHORE DRIVE
NORTHFIELD TOWNSHIP, MI

TITLE: **RENDERINGS**

JOB NO:
1906

SHEET NO.

A4

Zoning Board of Appeals
Northfield Township
8350 Main Street
Whitmore Lake, MI 48189-0576

Dear ZBA Members:

VARIANCES

1. Article XXIII.II. WLHL Whitmore Lake/Horseshoe Lake Overlay District, Section 36-695. Setbacks:

2. Article XXIII.II. WLHL Whitmore Lake/Horseshoe Lake Overlay District, Section 36-695. Setbacks:

* Where the lot does not comply with the minimum required lot width, the narrowest side yard shall not be less than five feet or 15 percent of the lot width, whichever is greater, and the sum of the two side yards shall not be less than 30 percent of the lot width. The lot width is 49 feet.

Per Section 36-943 (d) of the Northfield Township Zoning Ordinance, the Board must, prior to acting on a proposed variance, consider and make findings regarding several factors, listed in bold type below. A variance shall not be granted by the ZBA unless all the following conditions are met:

- (1) ***Strict compliance with restrictions governing area, setback, frontage, height, lot coverage, density or other non-use matters will unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with those restrictions unnecessarily burdensome.*** The subject property is located in the SR-2 district and is also part of the Whitmore Lake – Horseshoe Lake Overlay District (WLHLOD). The minimum required lot area and width for SR-2 parcels is 7,500 square feet and 60 feet, respectively. With a lot area of approximately 4,652

square feet and lot width of 49 feet, the parcel is a non-conforming lot of record. The applicant is proposing to build a second story on top of an existing garage.

The applicant's justification in requesting the variances is to provide for much needed storage space. The applicant also notes that the structure was built in 1940's and the area of the dwelling is below the minimum requirement of the Ordinance.

Per Section 36-69 Of the Zoning Ordinance, the minimum floor area of a residential unit is 1,000 square feet. The dwelling, breezeway and garage on the site occupy an area of 1,274 square feet with the actually living space of the dwelling being a modest 861 square feet. The proposed addition of storage space does not add to the residential 'living' space. The existing garage is connected to the dwelling through a breezeway and previously received approval of a variance from the ZBA. The proposed second story addition is located exactly over the footprint of the existing garage, and therefore, the request for variance is the same as what was previously granted. Compliance with Ordinance standards would likely prevent the construction of the proposed second story addition. If the applicant were to comply with the setback, it would create an awkward second story, which may not even be structurally feasible based on the load bearing capacity of the ceiling below. This can be construed as being unnecessarily burdensome.

- (2) ***The variance will provide substantial justice to the applicant, as well as other property owners in the district.*** Approval of the variances will provide substantial justice to the applicant and is not adverse to the interest of other property owners. The proposed second story will bring the structure no closer to the side property line than already existing. The distance to the abutting dwelling to the east is more than 5 feet, which is adequate for access in the event of a fire or other emergency. The subject site also slopes towards the lake. Therefore, the garage is placed at a lower level and not likely to affect the views, light and air of any other property.
- (3) ***The variance requested is the minimum variance needed to provide substantial relief to the applicant and/or be consistent with justice to other property owners.*** The variance requested is the minimum possible. As noted previously, the applicant is lining up the second story addition with the wall of the existing garage.
- (4) ***The need for the variance is due to unique circumstances that are peculiar to the land, structure or building involved and not generally applicable in the area or to other properties in the same zoning district.*** There are no unique circumstances peculiar to the subject site by itself. The subject site is a smaller non-conforming lot; however, this is common to many parcels along the lake. While the overlay district provides property owners some additional relief from setback requirements compared to other SR-2 parcels, the applicant is limited by the footprint of the existing structures on the site, including a garage that was previously granted a variance.
- (5) ***The problem and resulting need for the variance has been created by strict compliance with the Zoning Ordinance, and not by the applicant or applicant's predecessors; it is not self-created.*** Per the Assessor's records, the dwelling was constructed in 1940 which pre-dates the Zoning Ordinance setback regulations. Further, the footprint of the existing garage dictates the placement of the second story. Therefore, a precedent has already been set for the subject property.
- (6) ***The variance will be in harmony with the spirit and intent of this ordinance, will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety and welfare.*** The proposed variances are not likely to have any adverse impacts on the neighborhood or on public health, safety and welfare.





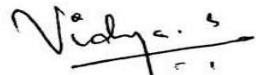
RECOMMENDATION AND FINDINGS

Based on the findings below, and subject to any additional information presented and discussed by the applicant, Board, and/or the public during the public hearing and incorporated into the record prior to any findings being made, we recommend that the Zoning Board of Appeals **approve** the requested variances for the property located at 433 East Shore Drive:

1. Compliance with ordinance standards would prevent the construction of the addition, which could be construed as being unnecessarily burdensome.
2. The variances will provide substantial justice to the applicant and is not adverse to the interests of other property owners.
3. The variance requested is the minimum possible.
4. A variance was previously granted for the placement of the garage and dictates the placement of any addition.
5. The dwelling was constructed in 1940 and predates the Zoning regulations.
6. Approval of the variances is not contrary to public health, safety and welfare.

Respectfully submitted,

McKENNA



Vidya Krishnan
Senior Planner

cc: Township Manager: Steven Aynes, Northfield Twp., 8350 Main St., Whitmore Lake, MI 48189
 Assessing/Building Asst. Mary Bird, Northfield Twp., 8350 Main St., Whitmore Lake, MI 48189
 Applicant: Patricia Dellaire, via e-mail: patdallai@aol.com



NORTHFIELD TOWNSHIP MICHIGAN

8350 Main Street • Whitmore Lake, Michigan 48189-0576

Telephone: (734) 449-2880 • Building Dept. (734) 449-5000 • Fax: (734) 449-0123 • Web Site: www.twp-northfield.org

ZONING COMPLIANCE APPLICATION / CERTIFICATION

Zoning Compliance is required prior to new construction, alterations to an existing structure, or change of use.

This application must be accompanied by two (2) copies of scaled site plans meeting the information requirements of the Zoning administrator. Plans must be dated (mo., day, yr.), including revisions, notate scale, and include a directional 'North' arrow.

Proposed and existing structures must be included in plans. For non-residential uses in any zoning district, all buildings and structures, utilities, parking area, dumpsters, landscaping, sidewalks, paved drives, fences, sign locations, etc. must be clearly visible on plans.

Site plans must also list the name, address, and parcel number of the property being reviewed on the Zoning Application.

Applications for zoning compliance certificates shall be deemed abandoned (6) months after the date of filing unless diligently pursued or a building permit or certificate of occupancy is issued. Any certificate shall become invalid if the authorized work is suspended or abandoned for a period of six (6) months after commencement of work.

PROJECT NAME: Adding 2nd floor over existing garage

PROJECT ADDRESS: 433 East Shore Drive, Whitmore Lake, MI 48189

PARCEL ID(S): B-02-05-402-500

IS THIS PROPERTY IN A FLOOD PLAIN: ☐ Yes ☒ No

Applicant Information:

Proprietor/Owner Information:

Name: Patricia Dallaire

Name:

Address: 433 East Shore, Whitmore Lake

Address:

Phone: 734-953-9020

Phone:

Email: patdallai@aol.com

Email:

If application is made by anyone other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.

Proof of Ownership Attached: ☐

Non-Owner Affidavit Attached: ☐

If applicant is not the owner, describe applicants interest in the property: _____

PROPERTY DESCRIPTION

Description of Proposed Use: Additional storage space needed

Sanitary Facilities: ☒ Sewer Sewer Tap Permit #: _____

☐ Septic; WCHD Permit #: _____

Zoning Classification(s):

AR LR MR MHP SR1 (SR2) LC HC GC LI GI RTM ES PUD PSC RC RO WLD- (W.L.) N.T. Overlay OTHER: _____

Type of Construction/Alteration: Add second floor directly above existing one car garage

Project Start Date: June 2019

Project Completion Date: July 2019

AUTHORIZED SIGNATURE

In the case of a false statement or misrepresentation of fact in the application or on the plans on which the certificate is based, any zoning compliance certificate issued thereto shall be null and void.

I hereby acknowledge the above facts and those on the attached site sketch and prints to be true to the best of my knowledge and state that said construction and/or occupancy of the structure and/or site shall occur in accordance with this certificate. Further, I agree to give permission for officials of Northfield Township, Washtenaw County and the State of Michigan to enter the property for the purposes of inspection.

Patricia Dallaire
Applicant(s) Signature

3/13/2019
Date

FOR OFFICE USE ONLY

Received Date:

Paid Date:

Existing Legal Non-Conformities:

☒ Yes ☐ No**RECEIVED**

MAR 13 2019

NORTHFIELD TOWNSHIP

PAID

MAR 13 2019

NORTHFIELD TOWNSHIP
TREASURER

If yes, explain below:

Non conforming
dwellling

ZONING COMPLIANCE CERTIFICATE:

☐ Approved: Date _____
☒ Denied: Date 4/22/19☐ Approved As Noted: Date _____☐ Conditional Use Required
☐ Site Plan Approval Required

COMMENTS:

See attached comment sheet.
ZBA approval of variances required.

Zoning Administrator Signature

Date

AREA OF CONCERN

Landscaping:

	Complies	Does Not Comply	N/A
1 Greenbelt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 Parking lot islands, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 Site Landscaping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Foundation Planting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 Dumpster Screening	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6 Comments:

Signs:

7 Number of Signs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 Size and area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9 Comments:

Comments:

Engineering: _____

Utilities: _____

☐ Connection fee's paid

Fire Chief: _____

☐ Inspection Complete

Access: _____

Other Conditions of Approval: _____

Additional Comments: _____

433 East Shore Drive

Applicant: Patricia Dellaire

Zoning: SR-2 (Single Family Residential)/Whitmore Lake-Horseshoe Lake Overlay District

Request: Second story addition

Action: **Needs Zoning Board of Appeals action** (See comments below)

Comments:

The subject property is located in the SR-2 district and is also part of the Whitmore Lake –Horseshoe Lake Overlay District (WLHLOD). Single family dwelling use is a principal permitted use per Section 36-246 (1) of the Zoning Ordinance and the proposed addition is also permitted.

The existing parcel is non-conforming with respect to minimum lot area and lot width for the district. The dwelling on the site is nonconforming with respect to some setback requirements. The applicant is proposing a second story addition on top of the existing garage. The required setbacks in the overlay district per Section 36-695, are lower than the SR-2 district itself, and are as follows: 0 front yard, 20' rear yard and 7.35' one side yard and combined 14.70' (Note: *Where the lot does not comply with the minimum required lot width, the narrowest side yard shall not be less than five feet or 15 percent of the lot width, whichever is greater, and the sum of the two side yards shall not be less than 30 percent of the lot width).

The proposed addition complies with the front and rear yard setbacks; however the proposed addition is set at a distance of 2.94' from the east property line. The existing setback on the west side is 2', is resulting in a combined side yard setback of 4.94'. Therefore, the proposal will require approval of variances from the Zoning Board of Appeals.

The applicant must apply for and obtain variances from the ZBA in order to proceed.

Zoning Administrator
4-22-2019

NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

The Northfield Township Zoning Board of Appeals will hold a public hearing for 7400 Nollar Road, Whitmore Lake, MI 48189. The applicant is proposing to build an addition to the existing dwelling. The proposed addition is to be located along the property's frontage on Nollar Road. The parcel is zoned AR Agriculture district and has a parcel number B-02-16-400-011. The proposal will require the following variance from the Zoning Ordinance:

1. Article VI. AR Agriculture District, Section 36-158. Regulations and Standards, sub-section (4) (a):
Front Yard (Nollar Frontage) Setback
 - 50.00 feet minimum required
 - 41.50 feet existing (to dwelling)
 - 29.50 feet proposed (to addition)
 - 20.50 foot variance requested
2. Article VI. AR Agriculture District, Section 36-158. Regulations and Standards, sub-section (4) (b):
Side Yard (south) Setback
 - 30.00 feet minimum required
 - 26.60 feet existing (to dwelling)
 - 26.60 feet proposed (to addition)
 - 3.40 foot variance requested

The public hearing will be held on **Monday, May 20th, 2019** at 7:00 p.m. on the second floor for the Northfield Township Public Safety Building, 8350 Main Street, Whitmore Lake, MI 48189. The application is on file at the Northfield Township Building/Zoning Department, 8350 Main Street, Whitmore Lake, MI 48189, and may be reviewed Monday through Friday, 8:00 a.m. to 4:30 p.m. Written comments may be submitted to the Building/Zoning Department at the Township Hall (8350 Main St.) before 12:00 p.m. on the day of the meeting.

This notice is in compliance with PA 267 of 1976 as amended (Open Meetings Act) MCLA 41.7, 2A (2) (3) and the Americans with Disabilities Act (ADA). Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Offices at 734-449-2880, seven days in advance.

Kathy Manley – Northfield Township Clerk

Publish: Sunday, May 5, 2019

Newspaper: Ann Arbor News

NORTHFIELD TOWNSHIP MICHIGAN

8350 Main Street • Whitmore Lake, Michigan 48189-0576

Telephone: (734) 449-2880 • Building Dept. (734) 449-5000 • Fax: (734) 449-0123 • Web Site: www.twp-northfield.org

ZONING BOARD OF APPEALS HEARING APPLICATION

Applicant Information:		Proprietor/Owner Information:	
Name: <u>Jake Kerrigan</u>	Name: <u>Jake Kerrigan</u>		
Address: <u>7400 Nollan Rd, Whitmore Lake, MI</u>	Address: <u>7400 Nollan Rd, Whitmore Lake, MI</u>		
Phone: <u>(734) 474-3613</u>	Phone: <u>(734) 474-3613</u>		
Email: <u>Jakerrigan21@gmail.com</u>	Email: <u>Jakerrigan21@gmail.com</u>		
If application is made by anyone other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.			
Proof of Ownership Attached: <input checked="" type="checkbox"/>		Non-Owner Affidavit Attached: <input type="checkbox"/>	
If applicant is not the owner, describe applicants interest in the property: _____			
1. PROPERTY DESCRIPTION:			
A.) PROJECT ADDRESS: <u>7400 Nollan Rd, Whitmore Lake, MI 48189</u>			
B.) PARCEL ID(S): <u>B-02-16-400-011</u>		IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
C.) LEGAL DESCRIPTION: <u>Part of Southeast 1/4 of Section 16, T4S, R6E, Northfield Township, Washtenaw County, MI. Lot Dimensions: 280.00 x 155.58 x 280.00 x 155.58</u>			
2. PRESENT ZONING CLASSIFICATION:			
<input checked="" type="radio"/> AR LR MR MHP SR1 SR2 LC HC GC LI GI RTM ES PUD PSC RC RO WLD-____ W.L./N.T. Overlay OTHER: _____			
3. PRESENT USE OF PROPERTY: <u>residential living</u>			
4. NON-CONFORMING STATUS:			
A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use): <u>Current Structure does not conform with front yard setback of 50ft.</u>			
B.) State year/month Non-Conformity began (to the best of your knowledge): <u>1947</u>			
5. VARIANCE REQUEST:			
A.) Is a denial letter attached from the Zoning Administrator? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If no, identify each section of ordinance from which Variance is requested: _____			

Variance request information continued, page 2

Pg. 1

4-10-19 ZA p.2.

B.) Describe reason/need for Variance: Proposed front addition does not conform with front yard set back requirements.

C.) Explain existing special conditions or circumstances that are unique to the land or buildings involved which are not applicable to similar land or building in the same district:

Current structure is non-conforming to front yard setback requirements

D.) Did the special condition or circumstances arise from your actions?

☐ Yes ☒ No

Describe:

E.) Explain why interpretation of the ordinance would deprive you of rights commonly enjoyed by other property owners in the same district: Denial of home improvements

F.) Explain why this is the minimum variance necessary to allow for a reasonable utilization of the land or structure:

Variance is only needed for proposed addition/improvements.

G.) Explain how this variance would be in harmony with the intent of the ordinance and not injurious to the neighborhood or neighbors or otherwise detrimental to the public interest:

enhances the neighborhood.

H.) I, the applicant, request the Zoning Board of Appeals grant the following:

A Variance that allows improvements to the front facade and living room.

6. REQUIRED DOCUMENTS: (10 copies of application & site plans and 1 pdf file for large scale plans)

Attach a scaled and accurate drawing with the legal description and showing:

- All lot dimensions
- Dimensions and locations of all existing and proposed buildings/additions and drives
- Other improvements and easements of record
- Show distances between existing and proposed buildings and/ or additions
- Show locations and distances of wells, septic and/or sewer lines
- Locations, size, and distances of buildings/structures on adjoining lots
- All additional pertinent information as listed on the checklist on page 3

All documents must be submitted at time of application. If further information is needed, the Zoning Board of Appeals reserves the right to postpone the hearing to review new information.

7. If applicable, all lot lines and building corners must be staked out a minimum of 10 days before the hearing date.

8. The address of the property must be clearly marked and visible from the road.

9. A fee of dollars as established by the township board is attached to the application. Applicant understands that the fee will not be refunded in whole or in part regardless of the outcome of the decision.

* \$595.00 - Single unit (excludes subdivisions, site condo plans, commercial or apartment buildings greater than 4 units.)
\$795 = All others

10. THE APPLICANT:

A.) Has received and read the attached provisions of the Township Zoning Ordinance in regards to Article XXX "Zoning Board of Appeals" and understands that a public hearing will be established within 45 days of the filing date and

B.) Has also read the sections of the Township Zoning Ordinance that pertain to this request and

C.) Has complied with the above requested information and understands that the Zoning Board of Appeals reserves the right to adjourn a meeting if the above stated information is not provided and to re-schedule it when the information is provided and

D.) Understands that any approval or denial of this application shall not relieve the applicant of compliance with all other applicable provisions of the Township Zoning Ordinance or Building Code and each variance approved shall be null and void unless authorized activity commences within 180 days after the date of approval.

AUTHORIZED SIGNATURE

All information provided in this application is, in all respects, true and correct to the best of my knowledge, and I understand that incorrect information may be grounds for denying the application or voiding any approval granted hereunder.

Applicant(s) Signature

Date

APPLICANT CHECKLIST

The following information must be submitted to the Northfield Township Clerk prior to the application being scheduled for a public hearing:

- ☒ Completed application form
- ☒ Statement authorizing variance application if not the owner
- ☐ Proof of ownership property
- ☒ Legal description of property
- ☐ 8 copies of site plan and required information
- ☐ Review Fee

FOR ZONING BOARD OF APPEALS USE ONLY

APPEAL OF DECISION

1.) Name and Office of Official/Commission:

2.) Date of Decision:

3.) Describe Decision that is being appealed:

4.) Describe alternate interpretation or reason for the relief requested:

ACTION TAKEN

The Northfield Township Board of Appeals reviewed the above requested variance or appeal and;

☐ Approved: Date _____

☐ Denied: Date _____

Comments:

Signature of ZBA Chair

Signature of ZBA Secretary

Public Hearing date and time:

Notice sent to Newspapers:

for publication on:

(Notice shall be given not less than fifteen (15) days nor more than thirty (30) days before the date of public hearing.)

Notice sent to neighboring owners / occupants:

(Notice shall be sent to all persons to whom real property is assessed and to the occupants of all structures within 300 feet of the property.)

Notice sent to Zoning Board of Appeals Members:

Copies of Minutes sent to:

File

Applicant:

Building Department:

Ordinance Enforcement Officer:

Received Date:

Paid Date:

Existing Legal Non-Conformities:

☐ Yes ☐ No

If yes, explain below:

RECEIVED

PAID

APR 09 2019

APR 09 2019

NORTHFIELD TOWNSHIP

NORTHFIELD TOWNSHIP
TREASURER

ZONING COMPLIANCE CERTIFICATE:

☐ Approved: Date _____☐ Approved As Noted: Date _____☐ Denied: Date _____☐ Conditional Use Required☐ Site Plan Approval Required

COMMENTS:

Zoning Administrator Signature _____

Date _____

AREA OF CONCERN

Landscaping:

Complies

Does Not Comply

N/A

1 Greenbelt

☐☐☐

2 Parking lot islands, etc.

☐☐☐

3 Site Landscaping

☐☐☐

4 Foundation Planting

☐☐☐

5 Dumpster Screening

☐☐☐

6 Comments:

Signs:

7 Number of Signs

☐☐☐

8 Size and area

☐☐☐

9 Comments:

Comments:

Engineering:

Utilities:

☐ Connection fee's paid

Fire Chief:

☐ Inspection Complete

Access:

Other Conditions of Approval:

Additional Comments:



3

Time Submitted for Recording

Date 11-30-2018 Time 10:52 AM

Lawrence Kestenbaum

Washtenaw County Clerk/Register

LAND CONTRACT

THIS CONTRACT, made the 11TH day of OCTOBER, 2018

BETWEEN Greg T. Stewart, survivor of himself and his deceased joint tenants Thomas H. Stewart and Jean F. Stewart, husband and wife whose death certificates are recorded in L. 5278 P. 898 * Washtenaw County Register of Deeds (the "Seller") address: 7400 Nollar Road, Whitmore Lake, Mi 48189 and Jake Kerrigan (the "Purchaser") address: 7400 Nollar Road, Whitmore Lake, Mi 48189 *AND L. 5278 P. 899. * 9109 BEATRICE, LIVONIA, MI. 48150

WITNESSETH, In consideration of the mutual covenants to be performed between the parties as hereinafter expressed and the sum of **NINETY TWO THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$92,500.00)** to be paid by the Purchaser to the Seller, as specified below, the parties agree as follows:

1. **Description.** The Seller sells and agrees to convey to the Purchaser all that certain parcel of land situated in the Township of Northfield County of Washtenaw and State of Michigan, and described as follows, to wit:

(Parcel A): Part of the Southeast 1/4 of Section 16, Town 1 South, Range 6 East, Northfield Township, Washtenaw County, Michigan, described as beginning at a point on the North and South 1/4 line of said Section 16, distant North 03 degrees 06 minutes 17 seconds East 1033.08 feet from the South 1/4 corner of said Section, and proceeding thence along the North and South 1/4 line, North 03 degrees 06 minutes 17 seconds East 280.00 feet; thence South 89 degrees 13 minutes 19 seconds East 155.58 feet; thence South 03 degrees 06 minutes 17 seconds West 280.00 feet; thence North 89 degrees 13 minutes 19 seconds West 155.58 feet to the point of beginning.

(Parcel B): Part of the Southeast 1/4 of Section 16, Town 1 South, Range 6 East, Northfield Township, Washtenaw County, Michigan, described as beginning at a point on the North and South 1/4 line of said Section 16, distant North 03 degrees 06 minutes 17 seconds East 1018.08 feet from the South 1/4 corner of said Section 16, and proceeding thence along the North and South 1/4 line of Section 16, North 03 degrees 06 minutes 17 seconds East 15.00 feet; thence South 89 degrees 13 minutes 19 seconds East 155.58 feet; thence North 03 degrees 06 minutes 17 seconds East 280.00 feet; thence South 89 degrees 13 minutes 19 seconds East 140.00 feet; thence South 03 degrees 06 minutes 17 seconds West 295.00 feet; thence North 89 degrees 13 minutes 19 seconds West 295.58 feet to the point of beginning.

Assessed for Tax Purposes as: COM AT S 1/4 POST; TH N 03-06-17 E 1018.08 FT TO POB; TH N 03-06-17 E 295 FT; TH S 89-13-19 E 295.58 FT; TH S 03-06-17 W 295 FT; TH N 89-13-19- W 295.58 FT TO POB.

Tax Id# . B -02-16-400-011. CRA: NOLLAR RD., WHITMORE LAKE, MI. 48189
7400

together with all tenements, hereditaments, improvements and appurtenances, including all lighting fixtures, plumbing fixtures, shades, venetian blinds, curtain rods, storm windows, storm doors, screens, awnings, if any, and

on the premises, and the right to make _____ division(s) under section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, subject to all recorded easements, conditions, encumbrances and limitations and to all applicable building and use restrictions, zoning laws and ordinances, if any, affecting the premises (the "Premises").

2. **Price and Terms of Payment.** The Purchaser purchases the Premises and agrees to pay the Seller the sum of **NINETY TWO THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$92,500.00)** in the following manner: ONE THOUSAND AND 00/100 Dollars on delivery of this contract, the receipt whereof is confessed and acknowledged by the Seller, and the remaining \$91,500.00 Dollars the sum which is secured by this contract, together with interest on the whole sum that shall be from time to time unpaid at the rate of 5 per cent, per annum, PAYABLE AS FOLLOWS: 5 PERCENT INTEREST FOR THE FIRST YEAR AND THEN 7 PERCENT INTEREST FOR THE SECOND YEAR PAYABLE AS FOLLOWS: MONTHLY PAYMENTS OF \$506.62 FOR THE 1ST 12 MONTHS, FIRST PAYMENT IS DUE ON APRIL 1, 2018 AND THEN \$618.77 FOR THE REMAINING LAND CONTRACT TERM, UNTIL BALLOON PAYMENT AT MATURITY DATE OF MARCH 1, 2020.

the Purchaser to have the right to pay larger installments than above provided for and to pay whole or any part of the balance remaining unpaid on this contract at any time before the same, by terms hereof, becomes due and payable.

3. **Taxes and Insurance.** The Purchaser shall promptly pay, when due, all taxes and assessments of every nature, which shall become a lien on the Premises after this date including **DECEMBER 1, 2018** and shall, during the continuance of this contract, keep insured the buildings now or hereafter placed on the Premises in the name of said Seller against loss by fire and windstorm, in such company or companies and for such amount as the Seller shall approve, and promptly deposit all policies of insurance with the Seller,

Washtenaw County Treasurer
Tax Certificate No. B4861375

with loss, if any, payable to the Seller, as Seller's interest may appear under this contract. Should the Purchaser fail to pay any tax or assessment when due or to keep said buildings insured, the Seller may pay the same and have the buildings insured and the amounts thus expended shall be a lien on the Premises and may be added to the unpaid balance on this contract and be due at once and bear interest until paid at the rate of FIVE per cent, per annum.

4. Forfeiture and Acceleration Clauses. If the Purchaser shall fail to perform any of the covenants or conditions contained in this contract, for a period of ten (10) days after the date on which such performance is required under this contract, the Seller may:

(a) give the Purchaser a written notice specifying the default which has occurred and inform the Purchaser in such notice that if such default continues for a period of fifteen (15) days after service of such notice, that the Seller will, without further notice, declare the entire balance due and payable, and proceed according to the common law or the statutes of the State of Michigan; or

(b) not declare the entire balance due and payable, and proceed according to the common law or the statutes of the State of Michigan, including but not limited to the right of Seller to declare a forfeiture in consequence of the nonpayment of any moneys required to be paid under this contract or any other breach of this contract but in the event Seller elects to proceed under this subparagraph, the Seller shall give the Purchaser a written notice of forfeiture specifying the default which has occurred and shall give the Purchaser a period of 15 days after service of such notice of forfeiture to cure the default which has occurred.

5. Maintenance of Premises. All buildings, trees or other improvements now or hereafter made or placed on the Premises shall be a part of the security for the performance of this contract and may not be removed from the Premises. Purchaser shall not commit or suffer any other person to commit, any waste or damage to the Premises or the appurtenances and shall keep the Premises and all improvements in as good condition as they are now, reasonable wear and tear excepted.

6. Conveyance and Evidence of Title. If the Purchaser shall, in the time and manner above specified, make all the payments herein provided, and observe and perform all the conditions and agreements herein made, the Seller shall, by good and sufficient warranty deed, convey the Premises to the Purchaser, and the Seller shall deliver with said warranty deed a complete abstract of title and tax history of the Premises certified to date of conveyance and showing a marketable title, subject to easements, conditions, encumbrances and limitations of record, in the Seller, or a fee simple title insurance policy guaranteeing title to the Premises in the name of the Purchaser; provided, however, that the warranty deed, the abstract and the tax history shall be limited so as to except acts or negligence of parties other than the Seller subsequent to the date of this contract. In the event an abstract is delivered, the Purchaser agrees to accept the abstract of title certified to date of conveyance, showing in the Seller a marketable title of record, subject to easements, conditions, encumbrances and limitations of record. In the event that evidence of title in the Seller, by abstract of title or title insurance, has been furnished the Purchaser current with the date of this contract, Purchaser agrees that except for costs resulting from acts, negligence, or death of the Seller, the cost of additional evidence of title shall be the obligation of the Purchaser.

7. Possession. Possession of the Premises may be taken by said Purchaser on 10/11/2018 and retained for so long as no default is made by the Purchaser in any of the terms or conditions hereof.

8. Assignments. Purchaser may assign and convey his interest in this contract or any part thereof PROVIDED, however, that such assignment or conveyance shall not be result in the probability of waste or other impairment of Seller's security in the Premises or the probability of default on behalf of Purchaser as a result of any such assignment or conveyance. Any violation by the Purchaser of this condition shall be considered a default of a condition of this contract. Under no circumstances shall any assignment or conveyance release Purchaser from Purchaser's obligations under the provisions of this contract unless Seller so releases Purchaser in writing. No such Assignment, however, shall be valid until written notice of the Assignment has been given to Seller.

9. Conveyance or Mortgage by Seller. The Seller reserves the right to convey Seller's interest in the Premises and Seller's conveyance shall not be cause for rescission.

The Seller may, during the lifetime of this contract, place a mortgage on the Premises, which shall be a lien on the Premises, superior to the rights of the Purchaser, or may continue and renew any existing mortgage thereon, provided that the aggregate amount due on all outstanding mortgages shall not at any time be greater than the unpaid balance of the contract, and provided that the aggregate payments or principal and interest, whether periodic or final, required in any one month in such new or renewal mortgage shall not exceed those named in this contract; nor shall said new or renewal mortgage restrict the time of payments thereon to a date later than is provided for similar payments in this contract. To secure the priority of lien granted to a new or renewal mortgage as provided for in this paragraph, written notice shall be given to the Purchaser within fifteen (15) days of the execution of all such new mortgages and renewal containing the name and address of the mortgage, the rate of interest of such mortgage, the amount and due date of payments and maturity of principal.

10. Pronouns. If more than one joins in the execution as Seller or Purchaser, or either be of the feminine sex, or a corporation, the pronouns and relative words herein used shall be read as if written in plural, feminine or neuter respectively.

11. Time of Essence. It is expressly understood and agreed by the parties that time shall be deemed as of the very essence of this contract and all stipulations and agreements therein contained shall apply to and bind the heirs, executors, administrators, successors and assigns of the parties.

12. Other Provisions. _____

In Witness Whereof, the parties have executed this Land Contract the day and year first above written.

Executed by Seller in the presence of

* N/A

Greg T. Stewart
Greg T. Stewart

*

Jake Kerrigan
Jake Kerrigan
JAKE

Executed by Purchaser in the presence of

* N/A

STATE OF MICHIGAN)
COUNTY OF Washtenaw)
:SS.

The foregoing instrument was acknowledged before me this 11th day of October, 2018, by Greg T. Stewart.



Dawn M Cook
Notary Public
County, Michigan
My Commission Expires: 10/06/2024
Acting in the County of WASHTENAW

STATE OF MICHIGAN)
COUNTY OF Washtenaw)
:SS.

The foregoing instrument was acknowledged before me this 11th day of October, 2018, by Jake Kerrigan.

The Name and Business Address of the Person Who Drafted this
Instrument: William F. Aert II, P.33742
2144 S. State St.
Ann Arbor MI 48104



Dawn M Cook
Notary Public
County, Michigan
My Commission Expires: 10/06/2024
Acting in the County of WASHTENAW

NOTES: *If this Contract is to be recorded, PRINT, TYPEWRITE OR STAMP Names of Persons executing this Instrument, also Names of Witnesses and Notary Public immediately underneath such signatures. In addition, the parties addresses should be printed in the recitals of this contract.

AFTER RECORDING RETURN TO:
Jake Kerrigan
835 Five Mile Rd.
Whitmore Lake, MI 48189

5518776
X **Livingston Title Agency**
645 W. Grand River, Ste 200
Howell, MI 48843

STATE STREET
TITLE AGENCY, LLC.



LIVINGSTON
TITLE AGENCY, LLC.

BILL OF SALE

Commitment No.:SS18776

Seller: Greg T. Stewart

Buyer: Jake Kerrigan

Date of Closing: 10/11/2018

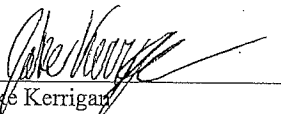
The Seller has sold to the Buyer certain real estate described as follows:
Commonly known as:NO 16-16B (003) COM AT S 1/4 POST SEC 16 TH N 03-06-17
E 1018.08 FT ALG N-S 1/4 LN FOR POB TH N 03-06-17 E 295 FT TH S 89-13-19 E
295.58 FT TH S 03-06
7400 Nollar Rd.
Whitmore Lake, MI 48189

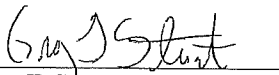
For the sum of One Dollar (\$1.00) and other good valuable consideration paid to Seller for Buyer, Seller has bargained and sold, and by these presents does grant and convey unto buyer, all of the following goods and chattels "AS IS" WITH NO WARRANTY EITHER EXPRESSED OR IMPLIED, which are owned by and in the possession of Seller at the subject property: All items on the preprinted purchase agreement and:

Refrigerator, Stove,Oven, Washer, Dryer, Generator as exists/connected to house

Seller Agrees to warrant and defend the sale of said goods and chattels against claims of any and all person or persons whomsoever.

Seller acknowledges that the consideration for the sale of said goods and chattels was actual and adequate and that said sale was in good faith for the purposes herein set forth and not for the purpose of security or for defrauding creditors.


Jake Kerrigan


Greg T. Stewart

Fwd: 7400 Nollar

1 message

Jake Kerrigan <jakerrigan21@gmail.com>
To: vnichol3@emich.edu

Tue, Mar 26, 2019 at 10:21 AM

Sent from my iPhone

Begin forwarded message:

denial letter

From: Vidya Krishnan <VKrishnan@mcka.com>
Date: March 11, 2019 at 09:15:05 EDT
To: Jake Kerrigan <jakerrigan21@gmail.com>
Cc: "birdm@northfieldmi.gov" <birdm@northfieldmi.gov>
Subject: RE: 7400 Nollar

Thank you Jake.

This survey is great. As you can see the existing dwelling has only a 41.5' front yard setback (your previous sketch showed it as 66'). Any addition you put on this structure in front, will not meet the minimum required front yard setback of 50'. Your addition will be in the setback area. I do not have the authority to approve that. You will need to apply for a variance to the Zoning Board of Appeals which has the authority to grant deviations from Ordinance standards.

In case you decide to proceed to the ZBA, please get in touch with Mary for the procedure and application.

Sincerely,
- Vidya

Vidya Krishnan

—

Senior Planner

MCKENNA**O 248.596.0920 | F 248.596.0930**

235 East Main Street, Suite 105 | Northville, MI 48167

email@mcka.com | mcka.com**FACEBOOK | LINKEDIN**

From: Jake Kerrigan [jakerrigan21@gmail.com]
Sent: Sunday, March 10, 2019 4:26 PM
To: Vidya Krishnan

DESCRIPTION

PARCEL A: Part of the SE 1/4 of Section 16, T1S, R6E, Northfield Township, Washtenaw County, Michigan, described as beginning at a point on the north and south 1/4 line of Section 16, distant north 03°06'17" E 1033.08 feet from the south 1/4 corner of Section 16, T1S, R6E, and proceeding thence along the north and south 1/4 line, N 03°06'17" E 280.00 feet; thence S 89°13'19" E 155.58 feet; thence S 03°06'17" W 280.00 feet; thence N 89°13'19" W 155.58 feet to the Point of Beginning.

PARCEL B: Part of the SE 1/4 of Section 16, T1S, R6E, Northfield Township, Washtenaw County, Michigan, described as beginning at a point on the north and south 1/4 line of Section 16, distant N 03°06'17" E 1018.08 feet from the south 1/4 corner of Section 16, T1S, R6E, and proceeding thence along the north and south 1/4 line of Section 16, N 03°06'17" E 15.00 feet; thence S 89°13'19" E 155.58 feet; thence N 03°06'17" E 280.00 feet; thence S 89°13'19" E 140.00 feet; thence S 03°06'17" W 295.00 feet; thence N 89°13'19" W 295.58 feet to the Point of Beginning.

(Quit Claim Deed, dated August 23, 2012, as recorded in Liber 5276, Page 13, Washtenaw County Records.)

TOTAL PARCEL DESCRIPTION: Part of the Southeast 1/4 of Section 16, T1S, R6E, Northfield Township, Washtenaw County, Michigan, described as: Commencing at the South 1/4 corner of said Section; thence N03°06'17"E 1018.08 feet along the North-South 1/4 line of said Section to the Point of Beginning; thence continuing N03°06'17"E 295.00 feet along the North-South 1/4 line of said Section; thence S89°13'19"E 295.58 feet; thence S03°06'17"W 295.00 feet; thence N89°13'19"W 295.58 feet to the Point of Beginning. Contains 2.00 acres. Subject to easements, restrictions and rights-of-way of record. Also subject to right-of-way for Nollar Road over the most westerly 33.00 feet thereof. (AS SURVEYED)

ZONING INFORMATION

Zoning of property: AR Agriculture
AR Zoning Requirements

- Setbacks
- A) Front Yard = 50 FT.
 - B) Side Yard = 30 FT.
 - C) Rear Yard = 50 FT.

SOURCE OF ZONING INFORMATION: Northfield Township Code of Ordinances

NOTE: This may not be a complete compilation of the zoning regulations governing the subject property, and the Northfield Township Code of Ordinances should be consulted for the accuracy and completeness of the information shown hereon.



By: *Brandon G. Parent*
Brandon G. Parent, Licensed Professional Surveyor No. 63096

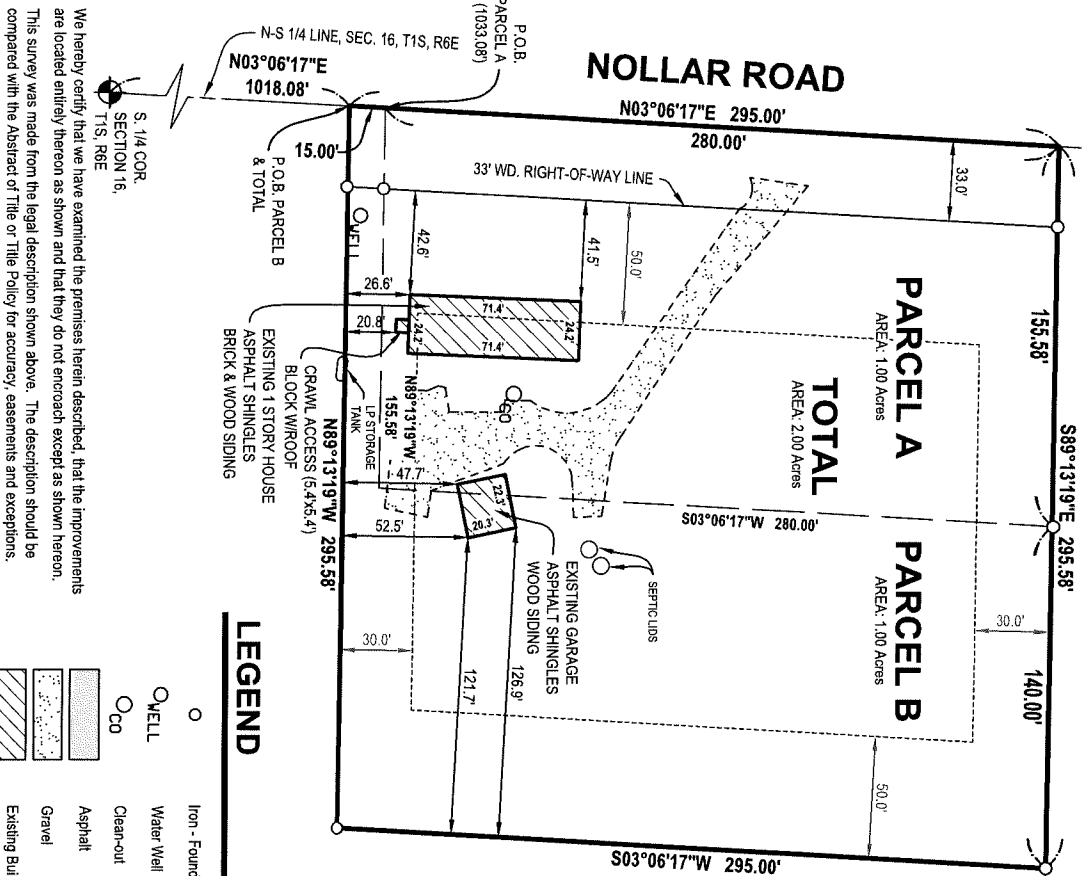
SCALE: 1" = 60'

NORTH



Jake Kergan 7400 Nollar Road Whitmore Lake, MI 48189	
DRAWN BY: RP REV. BY:	DATE: 02-25-19 REV. DATE:
7400 NOLLAR ROAD WHITMORE LAKE, MI 48189 PRJ #: 19500017	
1 OF 1	

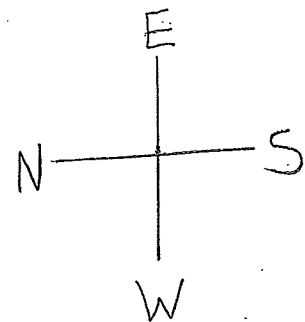
NEDERVELD
www.nederveld.com • 800.222.1888
Ann Arbor
3037 Miller Rd.
Ann Arbor, MI 48103
Surveyors: Brandon G. Parent, Brandon G. Parent



We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon. This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

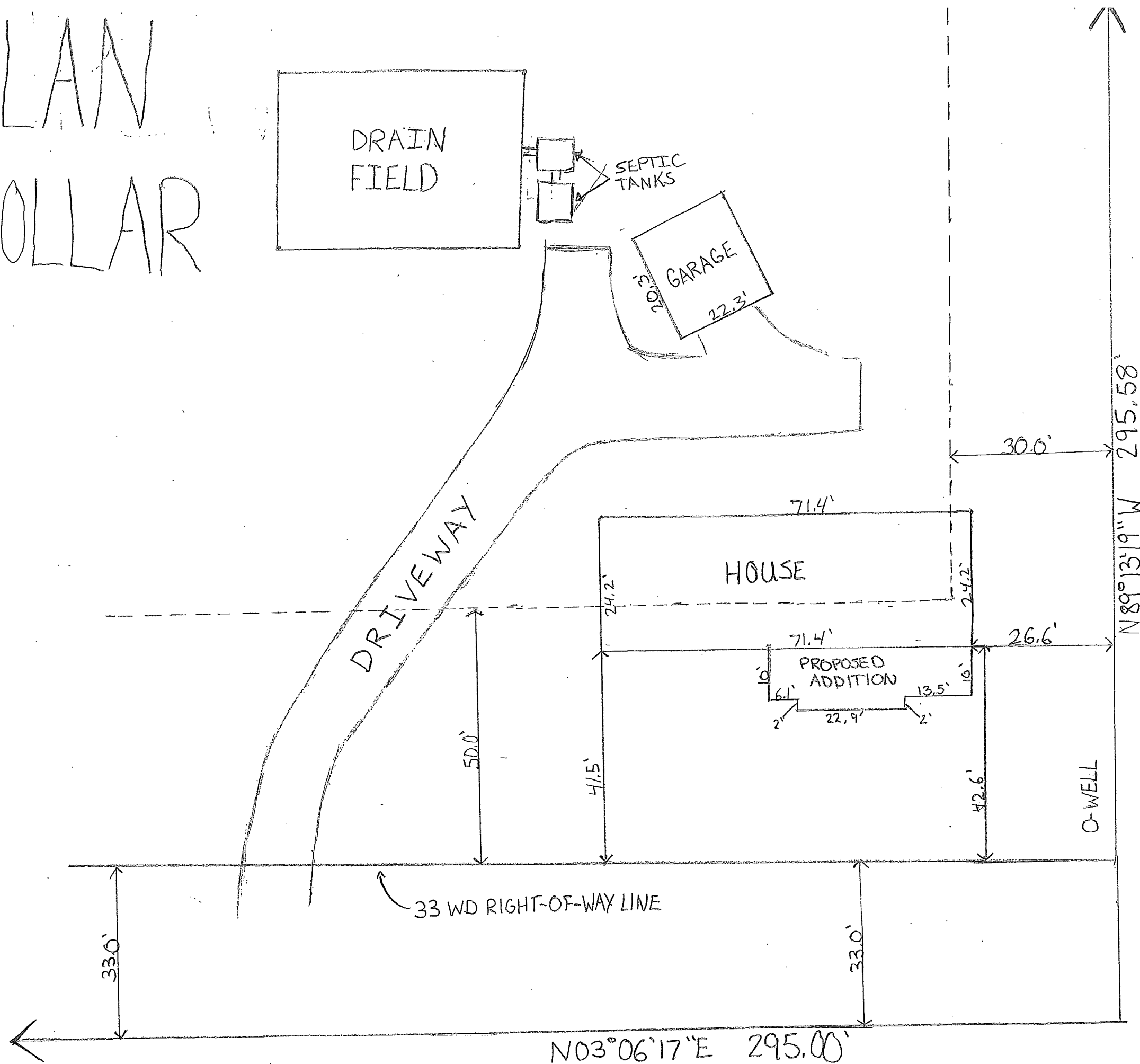
PLOT PLAN

7400 NOLLAR



SCALE
1" = 20'

ZONING:
AGRICULTURAL



S. 1/4 COR.
SECTION 16,
T1S, R6E



MCKENNA

May 7, 2019

Zoning Board of Appeals
Northfield Township
8350 Main Street
Whitmore Lake, MI 48189-0576

Subject: Jake Kerrigan/7400 Nollar Road; Variance Review (Application and materials dated 4/9/19).

Dear ZBA Members:

We have reviewed the above referenced variance application submitted by Jake Kerrigan to build an addition to an existing dwelling. The proposed addition is to be located along the property's frontage on Nollar Road. The parcel is zoned AR Agriculture district.

VARIANCES

The proposal will require the following variances from the Zoning Ordinance:


1. Article VI. AR Agriculture District, Section 36-158. Regulations and Standards, sub-section (4) (a):
Front Yard (Nollar Frontage) Setback
 - 50.00 feet minimum required
 - 41.50 feet existing (to dwelling)
 - 29.50 feet proposed (to addition)
 - 20.50 foot variance requested
2. Article VI. AR Agriculture District, Section 36-158. Regulations and Standards, sub-section (4) (b):
Side Yard (south) Setback
 - 30.00 feet minimum required
 - 26.60 feet existing (to dwelling)
 - 26.60 feet proposed (to addition)
 - 3.40 foot variance requested

COMMENTS

Per Section 36-943 (d) of the Northfield Township Zoning Ordinance, the Board must, prior to acting on a proposed variance, consider and make findings regarding several factors, listed in bold type below. A variance shall not be granted by the ZBA unless all the following conditions are met:

- (1) ***Strict compliance with restrictions governing area, setback, frontage, height, lot coverage, density or other non-use matters will unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with those restrictions unnecessarily burdensome.*** The subject site is a non-conforming lot with a lot area of only 2 acres when the minimum required lot area for parcels in the AR district is 5 acres. The existing dwelling is also non-conforming with a front yard setback of 41.50 feet, when the minimum requirement is 50 feet.

Per the applicant the dwelling was constructed in 1947, prior to the establishment of the Zoning Ordinance or district setbacks. Setbacks are measures from the future-right-way, which was also



likely established after the dwelling was constructed. The applicant proposes to build an approximately 436.80 square addition on the front (west) side facing Nollar Road. The addition is designed to follow the existing building footprint on the south side. While the applicant has not presented a floor plan, the addition appears to be designed to create additional living space for the dwelling in keeping with the existing floor plan of the dwelling.

Compliance with the Ordinance standards would eliminate the proposed addition in its entirety. In fact, any addition built could be accommodated only on the rear (east) side of the dwelling. The existing non-conforming footprint of the dwelling severely limits any additions that can be placed on this structure. Even with the proposed addition, the lot coverage is still below 5%, which is well below the permissible coverage for the lot in the AR district. Restricting the construction of any addition to the dwelling, which may or may not be functional, based on the existing floor plan, can be construed as being unnecessarily burdensome.

- (2) ***The variance will provide substantial justice to the applicant, as well as other property owners in the district.*** Approval of the variances will provide substantial justice to the homeowner by allowing for the construction of an addition to meet their needs and functionality and is not adverse to the interests of other property owners. The proposed structure will not affect line of sight for traffic on Nollar Road and will not impede any views of abutting properties.
- (3) ***The variance requested is the minimum variance needed to provide substantial relief to the applicant and/or be consistent with justice to other property owners.*** The addition proposed is 42.5' wide, 10' deep with an additional 2' projection. The variances requested could possibly be reduced if the size of the addition was reduced. However, such a reduction may not be functional or meet the applicant's needs. Based on the size of the modest existing dwelling and the addition proposed, we believe the requested size of the addition is reasonable and consistent with justice to other property owners.
- (4) ***The need for the variance is due to unique circumstances that are peculiar to the land, structure or building involved and not generally applicable in the area or to other properties in the same zoning district.*** The subject site is to some extent limited by the non-conforming lot size and placement of the original structure a long time ago and the subsequent delineation of rights-of-way. While this is a challenge, it is common to many properties in the Township. The location of the existing dwelling and floor plan limits the placement of any addition.
- (5) ***The problem and resulting need for the variance has been created by strict compliance with the Zoning Ordinance, and not by the applicant or applicant's predecessors; it is not self-created.*** The problem necessitating the variances not self-created. The structure pre-dates the Zoning Ordinance regulations for setbacks.
- (6) ***The variance will be in harmony with the spirit and intent of this ordinance, will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety and welfare.*** The requested variances are not likely to have any adverse impact on the neighborhood or on public health, safety and welfare.



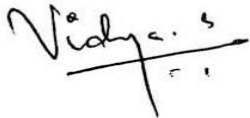
RECOMMENDATION AND FINDINGS

Based on the findings below, and subject to any additional information presented and discussed by the applicant, Board, and/or the public during the public hearing and incorporated into the record prior to any findings being made, we recommend that the Zoning Board of Appeals approve the requested variances for 7400 Nollar Road:

1. Compliance with ordinance standards would prevent the construction of the addition, which would be unnecessarily burdensome.
2. The existing historical building footprint limits the placement of new additions.
3. The existing non-conforming dwelling pre-dates the Zoning Ordinance regulations and likely rights-of-way delineation.
4. The variances will provide substantial justice to the applicant and is not adverse to the interests of other property owners.
4. The variances requested are the minimum possible.
5. The need for variances is not self-created.
6. The variances will have no detrimental impact on public health, safety or welfare.

Respectfully submitted,

McKENNA



Vidya Krishnan
Principal Planner

cc: Township Manager: Steven Aynes, Northfield Twp., 8350 Main St., Whitmore Lake, MI 48189
Assessing/Building Asst. Mary Bird, Northfield Twp., 8350 Main St., Whitmore Lake, MI 48189
Applicant: Jake Kerrigan, 7400 Nollar Road, Whitmore Lake, MI 48189



NORTHFIELD TOWNSHIP

MICHIGAN

8350 Main Street • Whitmore Lake, Michigan 48189-0576

Telephone: (734) 449-2880 • Building Dept. (734) 449-5000 • Fax: (734) 449-0123 • Web Site: www.twp-northfield.org

ZONING COMPLIANCE APPLICATION / CERTIFICATION

Zoning Compliance is required prior to new construction, alterations to an existing structure, or change of use.

This application must be accompanied by two (2) copies of scaled site plans meeting the information requirements of the Zoning administrator. Plans must be dated (mo., day, yr.), including revisions, notate scale, and include a directional 'North' arrow.

Proposed and existing structures must be included in plans. For non-residential uses in any zoning district, all buildings and structures, utilities, parking area, dumpsters, landscaping, sidewalks, paved drives, fences, sign locations, etc. must be clearly visible on plans.

Site plans must also list the name, address, and parcel number of the property being reviewed on the Zoning Application.

Applications for zoning compliance certificates shall be deemed abandoned (6) months after the date of filing unless diligently pursued or a building permit or certificate of occupancy is issued. Any certificate shall become invalid if the authorized work is suspended or abandoned for a period of six (6) months after commencement of work.

PROJECT NAME: <u>7400 Nollar Addition</u>	
PROJECT ADDRESS: <u>7400 Nollar Rd, Whitmore Lake, MI 48189</u>	
PARCEL ID(S): <u>B-02-16-400-011</u>	IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicant Information: Proprietor/Owner Information:	
Name: <u>Jake Kerrigan</u>	Name: <u>same</u>
Address: <u>C/O 835 Five Mile Rd</u>	Address:
Phone: <u>(734) 474-3613</u>	Phone:
Email: <u>Jakekerrigan21@gmail.com</u>	Email:
If application is made by anyone other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.	
Proof of Ownership Attached: <input checked="" type="checkbox"/>	Non-Owner Affidavit Attached: <input type="checkbox"/>
If applicant is not the owner, describe applicants interest in the property: _____	

PROPERTY DESCRIPTION

Description of Proposed Use: <u>Single family residence</u>
Sanitary Facilities: <input type="checkbox"/> Sewer; Sewer Tap Permit #: _____ <input checked="" type="checkbox"/> Septic; WCHD Permit #: _____
Zoning Classification(s): <input checked="" type="radio"/> LR MR MHP SR1 SR2 LC HC GC LI GI RTM ES PUD PSC RC RO WLD-____ W.L./N.T. Overlay OTHER: _____
Type of Construction/Alteration: <u>Addition to front living room. Adding 22'10" x 12' to living room with cathedral ceilings. Adding 13'6" x 10' office.</u>
Project Start Date: <u>3/1/19</u> Project Completion Date: <u>8/1/19</u>

AUTHORIZED SIGNATURE

In the case of a false statement or misrepresentation of fact in the application or on the plans on which the certificate is based, any zoning compliance certificate issued thereto shall be null and void.

I hereby acknowledge the above facts and those on the attached site sketch and prints to be true to the best of my knowledge and state that said construction and/or occupancy of the structure and/or site shall occur in accordance with this certificate. Further, I agree to give permission for officials of Northfield Township, Washtenaw County and the State of Michigan to enter the property for the purposes of inspection.

Applicant(s) Signature

Date

Pg. 1 of 2

Jake Kerrigan

12/27/18

Received Date:

Paid Date:

Existing Legal Non-Conformities:

☒ Yes ☐ No

If yes, explain below:

RECEIVED

DEC 27 2018

NORTHFIELD TOWNSHIP

PAID

DEC 27 2018

NORTHFIELD TOWNSHIP
TREASURERNON-CONFORMING LOT.
AREA - 2 AC.

ZONING COMPLIANCE CERTIFICATE:

☐ Approved: Date _____☐ Approved As Noted: Date _____☒ Denied: Date 2/8/19☐ Conditional Use Required☐ Site Plan Approval Required

COMMENTS:

See attached comment sheet.
Staked Survey required to verify
setback.

Zoning Administrator Signature

Date

AREA OF CONCERN

Landscaping:

	Complies	Does Not Comply	N/A
1 Greenbelt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 Parking lot islands, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 Site Landscaping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Foundation Planting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 Dumpster Screening	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6 Comments:

Signs:

7 Number of Signs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 Size and area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9 Comments:

Comments:

Engineering: _____

Utilities: _____

☐ Connection fee's paid

Fire Chief: _____

☐ Inspection Complete

Access: _____

Other Conditions of Approval: _____

Additional Comments: _____

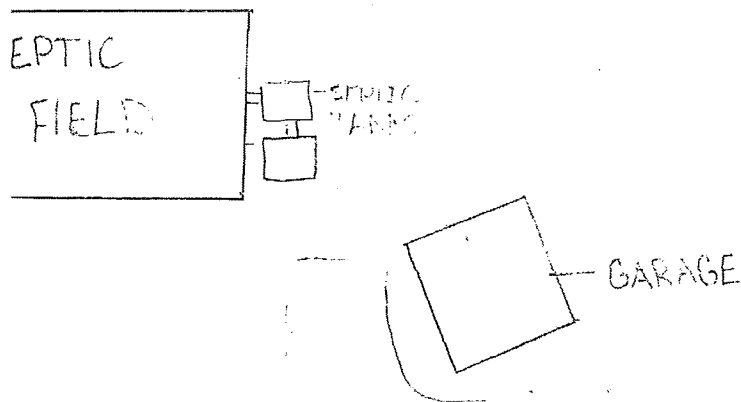
295.00

RECEIVED

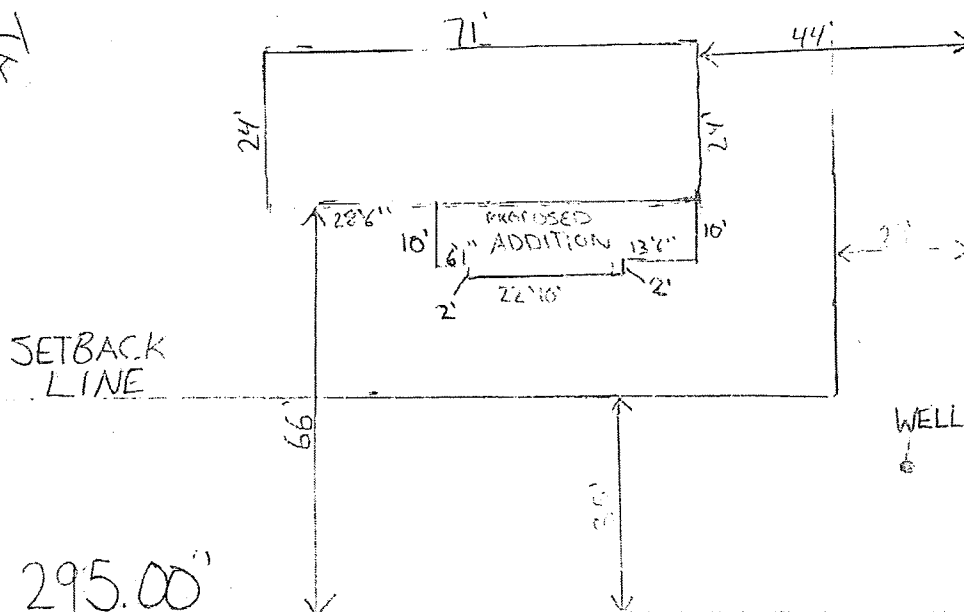
JAN 29 2019

NORTHFIELD TOWNSHIP

1 NOLLAR



DRIVEWAY



295.5' S82°16'W

S 1/4 POST
SEC 16
T1S R6E

OLLAR RD GRAVEL

7400 Nollar Road

Applicant: Jake Kerrigan
Zoning: AR (Agriculture District)
Request: Addition to Single Family Dwelling
Action: **DENIED** (See comments below)

Comments:

The applicant proposes to construct an addition to an existing single family dwelling. The proposal involves the addition of a family room and office area along the frontage of the dwelling on Nollar Road. Single-family dwelling is a permitted use in the AR zoning district per Section 36-156 (1) of the Zoning Ordinance. The existing parcel is non-conforming with an area of only 2 acres, when the minimum required lot size is 5 acres for an AR parcel.

The required setbacks in the AR district are 50' for the front yard, 30' for the side yards and 50' for the rear yard. The plot plan submitted by the applicant identifies the setbacks as 35' front yard, and 20' for the side yard, which is incorrect. The distance shown from the street to the front of the dwelling is 66'; however it is unclear if this distance is from the roadway or right-of-way. ***The setbacks must be measured from the future right-of-way.***

Without the benefit of a staked survey, it is impossible to determine if the proposed addition meets the required 50' setback from the future right-of-way or not. The drawing as submitted cannot be accepted because it may result in the approval of a structure that does not meet the setbacks.

A staked survey drawn by a licensed and registered land surveyor must be submitted to verify the accuracy of the measurements. The survey can be limited in scope to the front lot line along Nollar Road only.

- The plot plan also incorrectly notes the zoning of the parcel as LR, instead of AR.

***Zoning Administrator
2-8-2019***

NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

The Northfield Township Zoning Board of Appeals will hold a public hearing for 69 Schrum, Whitmore Lake, MI 48189. The applicant is proposing to build a detached accessory building on the property. The parcel is zoned SR-1 Single Family Residential district and has a parcel number B-02-08-355-015. The proposal will require the following variance from the Zoning Ordinance:

1. Article IV. Schedule of Regulations, Section 36-98. General Provisions, Sub-Section (d)(2)(a), to allow the garage to be located in front of the rear line of the principal dwelling, when the Ordinance requires accessory structures to be located behind the rear line of the principal building in the SR-1, SR-2 and MR District.

The public hearing will be held on **Monday, May 20th, 2019** at 7:00 p.m. on the second floor for the Northfield Township Public Safety Building, 8350 Main Street, Whitmore Lake, MI 48189. The application is on file at the Northfield Township Building/Zoning Department, 8350 Main Street, Whitmore Lake, MI 48189, and may be reviewed Monday through Friday, 8:00 a.m. to 4:30 p.m. Written comments may be submitted to the Building/Zoning Department at the Township Hall (8350 Main St.) before 12:00 p.m. on the day of the meeting.

This notice is in compliance with PA 267 of 1976 as amended (Open Meetings Act) MCLA 41.7, 2A (2) (3) and the Americans with Disabilities Act (ADA). Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Offices at 734-449-2880, seven days in advance.

Kathy Manley – Northfield Township Clerk

Publish: Sunday, May 5, 2019
Newspaper: Ann Arbor News

NORTHFIELD TOWNSHIP MICHIGAN

8350 Main Street • Whitmore Lake, Michigan 48189-0576

Telephone: (734) 449-2880 • Building Dept. (734) 449-5000 • Fax: (734) 449-0123 • Web Site: www.twp-northfield.org

ZONING BOARD OF APPEALS HEARING APPLICATION

Applicant Information:		Proprietor/Owner Information:	
Name: <u>MICHAEL TERRY</u>	Name:		
Address: <u>69 SCHRUM</u>	Address:		
Phone: <u>734 552 1393</u>	Phone:		
Email:	Email:		
If application is made by anyone other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.			
Proof of Ownership Attached: <input checked="" type="checkbox"/>		Non-Owner Affidavit Attached: <input type="checkbox"/>	
If applicant is not the owner, describe applicants interest in the property: <u>OWNER</u>			
<hr/>			
1. PROPERTY DESCRIPTION:			
A.) PROJECT ADDRESS: <u>69 SCHRUM</u>			
B.) PARCEL ID(S): <u>B-02-08-355-015</u>		IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
C.) LEGAL DESCRIPTION: <u>ATTACHED</u>			
<hr/>			
2. PRESENT ZONING CLASSIFICATION:			
AR LR MR MHP SR1 <u>SR2</u> LC HC GC LI GI RTM ES PUD PSC RC RO WLD-___ W.L./N.T. Overlay OTHER:___			
3. PRESENT USE OF PROPERTY: <u>SINGLE FAMILY HOME</u>			
<hr/>			
4. NON-CONFORMING STATUS:			
A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use): <u>NOT KNOWN</u>			
<hr/>			
B.) State year/month Non-Conformity began (to the best of your knowledge):			
<hr/>			
5. VARIANCE REQUEST:			
A.) Is a denial letter attached from the Zoning Administrator? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If no, identify each section of ordinance from which Variance is requested: <u>VARIANCE FROM ^{SEC} 36-98 D2</u>			
<hr/>			
<hr/>			

B.) Describe reason/need for Variance: POWER LINES IN REAR OF PROPERTY
PREVENT STRUCTURE FROM BEING MOVED BACK

C.) Explain existing special conditions or circumstances that are unique to the land or buildings involved which are not applicable to similar land or building in the same district:

PROPERTY IS IMPACTED BY EXISTING POWER LINES
WHICH REQUIRES A 15 FT SET BACK BY DTE

D.) Did the special condition or circumstances arise from your actions?

☐ Yes ☒ No

Describe:

E.) Explain why interpretation of the ordinance would deprive you of rights commonly enjoyed by other property owners in the same district:

BUILDING A GARAGE FOR PERSONAL USE ONLY

F.) Explain why this is the minimum variance necessary to allow for a reasonable utilization of the land or structure:

SEE ABOVE

G.) Explain how this variance would be in harmony with the intent of the ordinance and not injurious to the neighborhood or neighbors or otherwise detrimental to the public interest:

SEE ABOVE

H.) I, the applicant, request the Zoning Board of Appeals grant the following:

VARIANCE FROM SEC 3698 D2 TO ALLOW
THE GARAGE TO PROJECT IN FRONT OF THE
REAR WALL OF DWELLING AS SHOWN ON PLOT PLAN

6. REQUIRED DOCUMENTS: (10 copies of application & site plans and 1 pdf file for large scale plans)

Attach a scaled and accurate drawing with the legal description and showing:

- All lot dimensions
- Dimensions and locations of all existing and proposed buildings/additions and drives
- Other improvements and easements of record
- Show distances between existing and proposed buildings and/ or additions
- Show locations and distances of wells, septic and/or sewer lines
- Locations, size, and distances of buildings/structures on adjoining lots
- All additional pertinent information as listed on the checklist on page 3

All documents must be submitted at time of application. If further information is needed, the Zoning Board of Appeals reserves the right to postpone the hearing to review new information.

7. If applicable, all lot lines and building corners must be staked out a minimum of 10 days before the hearing date.

8. The address of the property must be clearly marked and visible from the road.

9. A fee of dollars as established by the township board is attached to the application. Applicant understands that the fee will not be refunded in whole or in part regardless of the outcome of the decision.

- * \$595.00 - Single unit (excludes subdivisions, site condo plans, commercial or apartment buildings greater than 4 units.)
\$795 = All others

10. THE APPLICANT:

- A.) Has received and read the attached provisions of the Township Zoning Ordinance in regards to Article XXX "Zoning Board of Appeals" and understands that a public hearing will be established within 45 days of the filing date and
- B.) Has also read the sections of the Township Zoning Ordinance that to pertain to this request and
- C.) Has complied with the above requested information and understands that the Zoning Board of Appeals reserves the right to adjourn a meeting if the above stated information is not provided and to re-schedule it when the information is provided and
- D.) Understands that any approval or denial of this application shall not relieve the applicant of compliance with all other applicable provisions of the Township Zoning Ordinance or Building Code and each variance approved shall be null and void unless authorized activity commences within 180 days after the date of approval.

AUTHORIZED SIGNATURE

All information provided in this application is, in all respects, true and correct to the best of my knowledge, and I understand that incorrect information may be grounds for denying the application or voiding any approval granted hereunder.

Applicant(s) Signature

Date

APPLICANT CHECKLIST

The following information must be submitted to the Northfield Township Clerk prior to the application being scheduled for a public hearing:

- _____ Completed application form
- _____ Statement authorizing variance application if not the owner
- _____ Proof of ownership property
- _____ Legal description of property
- _____ 8 copies of site plan and required information
- _____ Review Fee

APPEAL OF DECISION

1.) Name and Office of Official/Commission:

2.) Date of Decision:

3.) Describe Decision that is being appealed:

4.) Describe alternate interpretation or reason for the relief requested:

ACTION TAKEN

The Northfield Township Board of Appeals reviewed the above requested variance or appeal and;

☐ Approved: Date _____☐ Denied: Date _____

Comments:

Signature of ZBA Chair

Signature of ZBA Secretary

Public Hearing date and time:

Notice sent to Newspapers:

for publication on:

(Notice shall be given not less than fifteen (15) days nor more than thirty (30) days before the date of public hearing.)

Notice sent to neighboring owners / occupants:

(Notice shall be sent to all persons to whom real property is assessed and to the occupants of all structures within 300 feet of the property.)

Notice sent to Zoning Board of Appeals Members:

Copies of Minutes sent to:

File

Applicant:

Building Department:

Ordinance Enforcement Officer:

Received Date:

RECEIVED
APR 17 2019
NORTHFIELD TOWNSHIP

Paid Date:

PAID
APR 17 2019
NORTHFIELD TOWNSHIP
TREASURER

Existing Legal Non-Conformities:
☐ Yes
☐ No

If yes, explain below:

ZONING COMPLIANCE CERTIFICATE:

☐ Approved: Date
☐ Approved As Noted: Date

☐ Denied: Date
☐ Conditional Use Required

☐ Site Plan Approval Required

COMMENTS:

Zoning Administrator Signature

Date

AREA OF CONCERN

Landscaping:	Complies	Does Not Comply	N/A
1 Greenbelt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 Parking lot islands, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 Site Landscaping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Foundation Planting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 Dumpster Screening	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6 Comments:			

Signs:

7 Number of Signs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 Size and area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9 Comments:			

Comments:

Engineering:

Utilities:

☐ Connection fee's paid

Fire Chief:

☐ Inspection Complete

Access:

Other Conditions of Approval:

Additional Comments:

Additional Comments:

Additional Comments:

Additional Comments:

Additional Comments:

Additional Comments:

Additional Comments:

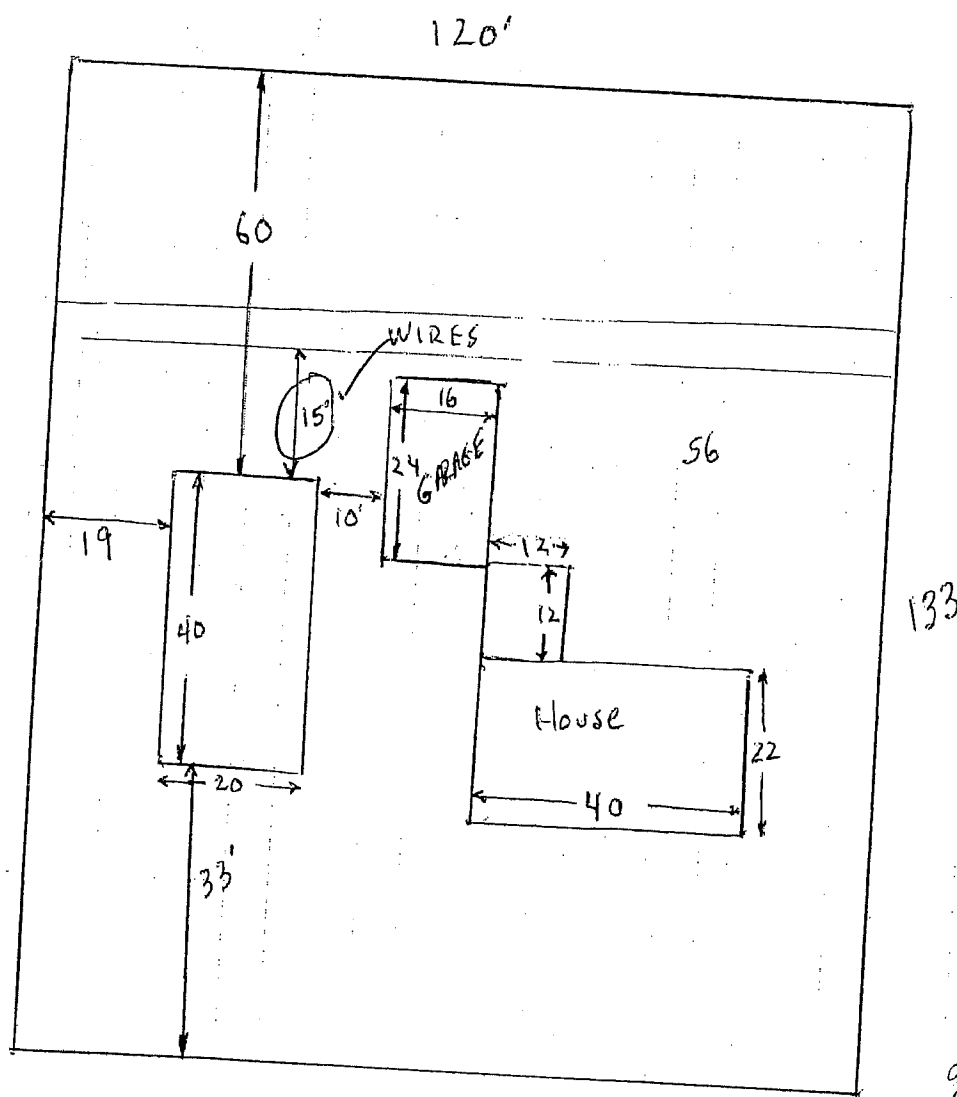
owner
Mike Terry
69 Schrum Dr.
Whitmore Lake, MI

Contractor
Daniel Crwinberry

RECEIVED

APR 04 2019

Revised
NORTHFIELD TOWNSHIP



69 Schrum Dr.

Zoning Administrator
V. S. S.
4/10/19

garage still
projects beyond
rear of dwelling
ZBA
4/17/19

L: 5003 P: 342 6169863 D

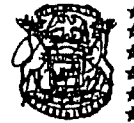
10/02/2013 09:38 AM Total Pages: 2
Lawrence Kestenbaum, Washtenaw Co



Receipt# 13-21776 6169863

10/02/2013 Washtenaw Co, Michigan
Real Estate Transfer Tax
Tax Stamp #: 292905

County Tax: \$115.50 State Tax: \$787.50



WARRANTY DEED

The Grantor(s): ^{*} Venning Curts and Kathryn Elizabeth Curts, Husband and Wife * a/k/a V. Curts

whose address is 69 Schrum Dr., Whitmore Lake, MI 48189

Convey and Warrant to: Michael A. Terry Jr., a Single Man

whose address is 7946 Grand Street, Apt. 2, Dexter, MI 48130

the following described premises situated in the Township of Northfield, County of Washtenaw and State of Michigan, to-wit:

The West 1/2 of Lot 122, all of Lots 123 and 124, Schrum's Horseshoe Lake Subdivision, as recorded in Liber 5, Page 42 of Plats, Washtenaw County Records.

Commonly known as: 69 Schrum Dr., Whitmore Lake, MI 48189

Tax parcel number: B-02-08-355-015


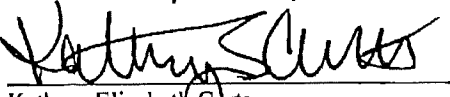
For the sum of: One Hundred Five Thousand and 00/100 Dollars (\$105,000.00)

Subject to: the existing building and use restrictions, easements, and zoning ordinances, if any.

This property may be located within the vicinity of farmland or farm operations. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act.

Dated: September 05, 2013

Seller(s):


Venning Curts, a/k/a V. Curts

Kathryn Elizabeth Curts

CAPITAL TITLE INSURANCE AGENCY

354533-31

Time Submitted for Recording
Date 10-01-2013 Time 4:07pm
Lawrence Kestenbaum
Washtenaw County Clerk/Register

WASHTENAW COUNTY TREASURER
TAX CERTIFICATE NO. 83167A_C



(Attached to and becoming a part of the Warranty Deed dated September 05, 2013, File Number 354533-31 between Venning Curts and Kathryn Elizabeth Curts, Husband and Wife, as Seller(s) and Michael A. Terry Jr., a Single Man, as Purchaser(s).)

STATE OF MICHIGAN

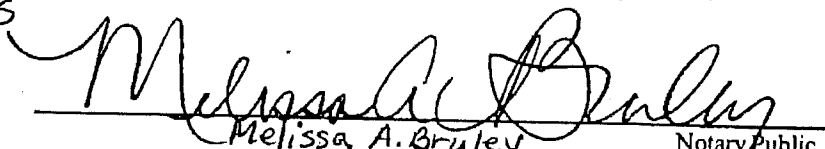
COUNTY OF

Washenaw)
)SS.

Acknowledged by Venning Curts and Kathryn Elizabeth Curts, husband and wife before me on the 5th day of September, 2013.

* a/k/a V. Curts

Melissa A. Bruley
Notary Public, Washtenaw County, MI
My Commission expires Jun 7, 2015
Acting in Washtenaw County


Melissa A. Bruley Notary Public
Washtenaw County, Michigan
Acting in Washtenaw County
My commission expires: June 7, 2015

Drafted by: Venning Curts, 69 Schrum Dr., Whitmore Lake, MI 48189

When recorded return to: Michael A. Terry Jr., 69 Schrum Dr., Whitmore Lake MI 48189

Recording Fee: \$17.00 State Transfer Tax: \$787.50 County Transfer Tax: \$115.50
County Treasurer's Certificate City Treasurer's Certificate

\$903.00



May 10, 2019

Zoning Board of Appeals
Northfield Township
8350 Main Street
Whitmore Lake, MI 48189-0576

Subject: Michael Terry/69 Schrum Road; Variance Review (Application and materials dated 4/17/19).

Dear ZBA Members:

We have reviewed the above referenced variance application submitted by Michael Terry to construct a detached garage/pole barn/accessory structure on the west side of an existing dwelling located on the north side of Schrum Road in the SR-1 (Single Family Residential) District.

VARIANCES

The proposal will require the following variance from the Zoning Ordinance:

1. Article IV. Schedule of Regulations, Section 36-98. General Provisions, Sub-Section (d)(2)(a), to allow the garage to be located in front of the rear line of the principal dwelling, when the Ordinance requires accessory structures to be located behind the rear line of the principal building in the SR-1, SR-2 and MR District.

COMMENTS

Per Section 36-943 (d) of the Northfield Township Zoning Ordinance, the Board must, prior to acting on a proposed variance, consider and make findings regarding several factors, listed in bold type below. A variance shall not be granted by the ZBA unless all the following conditions are met:

- (1) ***Strict compliance with restrictions governing area, setback, frontage, height, lot coverage, density or other non-use matters will unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with those restrictions unnecessarily burdensome.*** The subject site is a conforming parcel that meets the minimum lot area and width requirement for the SR-1 District. The property has an existing dwelling with an attached garage located in the middle of the parcel. The proposed pole barn/garage is placed to the west of the dwelling and is compliant with the SR-1 District setbacks. However, the ordinance requires that a detached accessory structure in the SR-1, SR-2 and MR districts must be placed behind the rear line of the principal dwelling.

The applicant has DTE powerlines running through the rear one-third of the parcel. The area at the rear of the dwelling is more than adequate to accommodate the proposed accessory structure, and we originally approved a plan to do so with some modifications. However, the building official brought to the Township's attention that DTE has a rule requiring a 15' setback from the powerlines for any new structure constructed. As a result, the rear one-third of the parcel is essentially unbuildable. Relocating of the proposed structure which is allowed by the Ordinance would place it in front of the rear line of the dwelling.

Compliance with the Ordinance standards would not allow the applicant to build the accessory structure to meet his storage needs even though the parcel has adequate area to accommodate one within the other standards of the Zoning Ordinance. This could be construed as being unnecessarily burdensome.


- (2) ***The variance will provide substantial justice to the applicant, as well as other property owners in the district.*** Approval of the variance will provide substantial justice to the homeowner by allowing for the construction of an accessory structure to meet the storage needs and is not adverse to the interests of other property owners. The proposed structure will not affect line of sight for traffic on Schrum Road and will not adversely affect public health, safety or welfare.
- (3) ***The variance requested is the minimum variance needed to provide substantial relief to the applicant and/or be consistent with justice to other property owners.*** The variance requested is not from a specific dimensions requirement. As noted previously, the proposed structure meets all other requirements of the Ordinance. The request for variance is to allow the structure to project beyond the rear wall of the dwelling and is the only request the applicant is making.
- (4) ***The need for the variance is due to unique circumstances that are peculiar to the land, structure or building involved and not generally applicable in the area or to other properties in the same zoning district.*** The need for the variances is due to the location of DTE power lines on the property and a setback required by DTE, which is not part of the Ordinance at this time. This is a challenge that is likely faced by several other SR-1, SR-2 and MR zoned properties.
- (5) ***The problem and resulting need for the variance has been created by strict compliance with the Zoning Ordinance, and not by the applicant or applicant's predecessors; it is not self-created.*** The problem necessitating the variance not self-created. The applicant and the Township have no control over the placement of the powerlines or the setbacks required from it.
- (6) ***The variance will be in harmony with the spirit and intent of this ordinance, will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety and welfare.*** The proposed variance is not likely to have any adverse impact on the neighborhood or on public health, safety and welfare.

RECOMMENDATION AND FINDINGS

Based on the findings below, and subject to any additional information presented and discussed by the applicant, Board, and/or the public during the public hearing and incorporated into the record prior to any findings being made, we recommend that the Zoning Board of Appeals **approve** the requested variance for the property located at 69 Schrum Road:

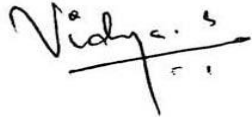
1. Compliance with ordinance standards would prevent the construction of the accessory structure proposed, which would be unnecessarily burdensome.
2. The request for variance results from regulations instituted by DTE.
3. The requirement for setback from powerlines renders a significant portion of the parcel unbuildable.
4. The variance will provide substantial justice to the applicant and is not adverse to the interests of other property owners.



- 
4. The variance requested is the minimum possible.
 5. The need for variance is not self-created.
 6. The variance will have no detrimental impact on public health, safety or welfare.

Respectfully submitted,

McKENNA



Vidya Krishnan
Principal Planner

cc: Township Manager: Steven Aynes, Northfield Twp., 8350 Main St., Whitmore Lake, MI 48189
 Assessing/Building Asst. Mary Bird, Northfield Twp., 8350 Main St., Whitmore Lake, MI 48189
 Applicant: Michael Terry



NORTHFIELD TOWNSHIP MICHIGAN

8350 Main Street • Whitmore Lake, Michigan 48189-0576

Telephone: (734) 449-2880 • Building Dept. (734) 449-5000 • Fax: (734) 449-0123 • Web Site: www.twp-northfield.org

ZONING COMPLIANCE APPLICATION / CERTIFICATION

Zoning Compliance is required prior to new construction, alterations to an existing structure, or change of use.

This application must be accompanied by two (2) copies of scaled site plans meeting the information requirements of the Zoning administrator. Plans must be dated (mo., day, yr.), including revisions, notate scale, and include a directional 'North' arrow.

Proposed and existing structures must be included in plans. For non-residential uses in any zoning district, all buildings and structures, utilities, parking area, dumpsters, landscaping, sidewalks, paved drives, fences, sign locations, etc. must be clearly visible on plans.

Site plans must also list the name, address, and parcel number of the property being reviewed on the Zoning Application.

Applications for zoning compliance certificates shall be deemed abandoned (6) months after the date of filing unless diligently pursued or a building permit or certificate of occupancy is issued. Any certificate shall become invalid if the authorized work is suspended or abandoned for a period of six (6) months after commencement of work.

PROJECT NAME: <u>TERRY POLEBARN</u>	
PROJECT ADDRESS: <u>C9 SCHRUM WHITMORE LAKE</u>	
PARCEL ID(S): <u>B-02-08-355-015</u>	IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicant Information:	
Name: <u>MICHAEL TERRY</u>	Name:
Address: <u>C9 SCHRUM WHITMORE LAKE</u>	Address:
Phone: <u>734 552 1393</u>	Phone:
Email: <u>MICHAELTERRYJR@HOTMAIL.COM</u>	Email:
If application is made by anyone other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.	
Proof of Ownership Attached: <input checked="" type="checkbox"/>	Non-Owner Affidavit Attached: <input type="checkbox"/>
If applicant is not the owner, describe applicants interest in the property: _____	
PROPERTY DESCRIPTION	
Description of Proposed Use: <u>Storage Pole Barn 20x40</u>	
Sanitary Facilities: <input type="checkbox"/> Sewer; Sewer Tap Permit #: _____ <input type="checkbox"/> Septic; WCHD Permit #: _____	
Zoning Classification(s): AR LR MR MHP <u>SR1</u> SR2 LC HC GC LI GI RTM ES PUD PSC RC RO WLD-____ W.L./N.T. Overlay OTHER: _____	
Type of Construction/Alteration: _____	
Project Start Date: _____	Project Completion Date: _____
AUTHORIZED SIGNATURE	
In the case of a false statement or misrepresentation of fact in the application or on the plans on which the certificate is based, any zoning compliance certificate issued thereto shall be null and void. I hereby acknowledge the above facts and those on the attached site sketch and prints to be true to the best of my knowledge and state that said construction and/or occupancy of the structure and/or site shall occur in accordance with this certificate. Further, I agree to give permission for officials of Northfield Township, Washtenaw County and the State of Michigan to enter the property for the purposes of inspection.	
<u>Michael Terry</u> Applicant(s) Signature	<u>3/6/19</u> Date

FOR OFFICE USE ONLY

Received Date:

RECEIVED

MAR 6 2019

PAID

Paid Date:

Existing Legal Non-Conformities:

☐

Yes

☒

No

If yes, explain below:

ZONING COMPLIANCE CERTIFICATE:

☐ Approved: Date _____☐ Approved As Noted: Date _____☐ Denied: Date _____☐ Conditional Use Required☐ Site Plan Approval Required

COMMENTS:

Needs changes based on additional
information recd. from bldg. official
See Comment sheet

Zoning Administrator Signature

Date

AREA OF CONCERN

Landscaping:

	Complies	Does Not Comply	N/A
1 Greenbelt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 Parking lot islands, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 Site Landscaping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Foundation Planting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 Dumpster Screening	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6 Comments:

Signs:

7 Number of Signs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 Size and area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9 Comments:

Comments:

Engineering: _____

Utilities: _____

☐

Connection fee's paid

Fire Chief: _____

☐

Inspection Complete

Access: _____

Other Conditions of Approval: _____

Additional Comments: _____

69 Schrum - REVISED

Applicant: Michael Terry

Request: Construction of a new 20' x 40' pole barn/accessory building

Zoning: SR-1 (Single Family Residential District)

Action: **Needs Changes** (See comments below)

Comments:

The subject site is located on the north side of Schrum Road and is occupied by an existing dwelling with attached garage. The applicant proposes to build a 20' x 40' pole barn/accessory building for storage needs on the west side of the existing dwelling.

The proposed accessory structure is permitted by right in the district per Section 36-216 (1) of the Zoning Ordinance. The existing lot meets all minimum required standards for the SR-1 district and the proposed building is in compliance with the setbacks requirements. Section 36-98(d)(7) requires a 10 foot separation distance for an accessory structure from the principal dwelling, and the proposed structure complies.

Additional Information - It was brought to my attention by the Building Official that a 15' separation distance is required between any structure and the powerlines shown on the rear of the property. The distance is not noted, but the proposed garage appears to be right next to the powerlines. This is a DTE requirement and not a requirement in the Zoning Ordinance; therefore we were unaware of it. Further, per Section 36-98 (d)(2)(a), the structure cannot extend beyond the front of the rear wall of the dwelling. The structure appears to be projecting beyond the rear wall of the dwelling a bit.

A revised drawing showing the garage located at least 15' from the powerline and not extending beyond the rear wall of the dwelling must be submitted, for approval.

Zoning Administrator
3-14-2019



April 9, 2019

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

Subject: Zoning Administrator Quarterly Report 1/1/2019 – 3/31/2019

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 FIRST quarter of 2019 (January 1 through March 31, 2019).

Zoning Compliance Applications: A total of 10 applications were APPROVED.

1. Approved one (1) new dwelling.
2. Approved six (6) new accessory structures like decks and garages.
3. Approved one (1) new pole barn.
4. Approved one (1) new swimming pool.
5. Approved one (1) solar panel array installation.

Non-residential Uses:

1031 E. North Territorial/Hardscape LLC – The applicant filed a request for Zoning Compliance approval in response to a Code Enforcement violation notice. The applicant recently purchased this business, which was formerly known as Sun and Shade Landscaping. That business never received any approvals from the Township and had been issued multiple violation notices to bring the site into compliance with the ordinance requirements. However, it appears that the business was sold to the applicant. The application lists the use as “landscaping contractor”. In addition, the site has a single family dwelling structure on it, which is listed on the Assessor’s records as “residential”. The subject site has an area of 5.91 acres and a lot width of approximately 278 feet

If the business is indeed a landscape company, it will first require approval from the Zoning Board of Appeals for lot area and lot width, neither of which meets the minimum requirements of the Ordinance.

If the ZBA grants the variances, the applicant will subsequently have to apply to the Planning Commission for site plan and conditional land use approvals under the requirements of Section 36-864.

Denied

One application for a shed and an application for an addition were denied for non-compliance with ordinance requirements for height and setback, respectively. The shed has already been constructed and the applicant was directed to apply to the Zoning Board of Appeals for consideration of an after-the-fact variance.



Administrative Site Plan Approvals:

Quality Aire Systems/328 Six Mile Road – Reviewed and granted administrative site plan approval with conditions, for the use of an existing building on a site as an “equipment services facility”. The business was originally located on an AR zoned parcel and was cited by Code Enforcement as an un-approved use for the district. The Township worked with the applicant to find a new location. The applicant has since moved the business into the subject site and made certain improvements to ensure compliance with current ordinance standards. A copy of the administrative site plan review letter is attached.

Zoning Board of Appeals Cases:

None this quarter. An application was received from a parcel on Shady Beach Lane for the construction of a new dwelling that required 3 variances. However, I discussed the proposal with the applicant and his architect and made suggestions for revisions which would eliminate the need for any variances. The applicant has since made the changes.

Final Site Inspections:

None this quarter.

Zoning Administrator Office Hours:

Upon authorization from the Township Board, I continue to have office hours at Township Hall every Wednesday for four (4) hours in the morning. I work with the Zoning Coordinator, Township Manager and Code Enforcement official to address and resolve issues by meeting with property owners and going on-site inspections. I am also available to meet by appointment with any citizen who has any questions or concerns regarding zoning matters. I continue to have meetings almost every Wednesday with property owners to help them with zoning related questions. I also meet with property owners in response to code violation notices and help guide them.


In response to some concerns I have heard regarding prompt availability of someone to answer questions, I am always available via email and phone to the Township’s Zoning Coordinator who immediately forwards queries to me, which are promptly answered. A property owner with a concern or question does not have to wait for a Wednesday to get the question answered, unless they are desirous of a sit down meeting.

The addition of a new Code Enforcement Officer has been helpful in addressing issues of long pending code violations. We are making slow progress in achieving compliance on some violators

Other Items: Some challenges remain in our interactions with property owners who are non-compliant with the regulations; however, the Code Enforcement Officer and I continue to do our best to be supportive of existing businesses in the Township, within the limits to our authority established in the Zoning Ordinance.

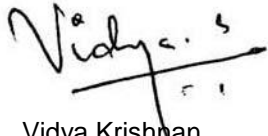
It is my understanding that the Township has received some feedback about the duration it takes to review Zoning Compliance applications. The timeline is 2 business weeks which is the standard protocol in most municipal communities; however I strive to get it done in a much shorter period and most often within 24-36 hours. It takes longer only when the application submitted has missing or inaccurate information that needs to be revised.





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.

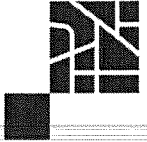
Respectfully submitted,
McKenna Associates



Vidya Krishnan
Senior Planner

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





March 6, 2019

Mary Bird
Zoning Coordinator
Northfield Township
8350 Main Street
Whitmore Lake, MI 48189-0576

Subject: Quality Aire Systems, Inc./328 Six Mile Road; Administrative Site Plan Review #2

Dear Ms. Bird:

We have reviewed the above referenced site plan approval application submitted by Chris Marinkovich to operate a HVAC business in the GC (General Commercial) District.

ZONING AND USE

The proposed use is a HVAC business involving "*interior storage of equipment and tools, exterior storage of vehicles associated with a HVAC business; interior storage and assembly of inventory and office work*" (per attachment submitted by applicant for a prior Zoning Compliance approval in June 2017). The revised site plan submitted notes that the proposed use is an "equipment services" company. HVAC business is classified by the Zoning Ordinance as an equipment service and repair type of use like radio and television, electrical appliance shop, plumber, electrician or similar service and trade, and is permitted by right in the GC district per Section 36-390 (5) of The Zoning Ordinance.

The applicant must be aware that any minor repairs of vehicles and equipment involved in the business is permitted within a completely enclosed building in the district as a conditional land only use per section 36-391 (10) of the Zoning Ordinance. If the applicant should expand the business to add such use, it will require approval from the Planning Commission and Township Board of Trustees.

Since the proposal does not add any square footage to the structure, *the change of use can be administratively granted by the Zoning Administrator under the provisions of Section 36-865.*

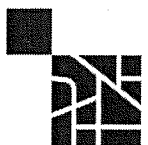
COMMENTS

I have reviewed the site plan submitted for compliance with ordinance standards listed in Section 36-342 (b) and sounds planning and design principles and have the following comments:

1. **Lot Dimensions.** The minimum lot size and width requirement in the GC district are 1 acre and 80 feet, respectively. With a lot area of 9.78 acres and lot width of 320 feet, the site complies.
2. **Setbacks.** The required front, side and rear yard setbacks are 35 feet, 20 feet and 20 feet respectively. The site has a large existing single story commercial building designed like a warehouse with an office area constructed in block along the site's frontage. The existing building is located at a front yard setback of 50+

feet, south side yard setback of 20.6 feet, north side yard setback of 187 feet and a rear yard setback of several hundred feet.

3. **Pedestrian Circulation.** The site has no sidewalk along its Six Mile Road frontage. Chapter 26, Article II, Section 26-21 of the Township Code of Ordinance requires the provision of a 5' wide concrete sidewalk along the site's frontage. The required sidewalk is proposed along the site's entire frontage. The site has existing concrete sidewalks along the east side of the building to provide pedestrian access to the office portion of the building.
4. **Vehicular circulation.** The site has an existing 24' access drive off Six Mile Road designed for two-way movement of vehicles. The access drive is curbed and the pavement is proposed to be clearly painted to show lanes of ingress and egress. The parking lot is in need of some maintenance and has areas in disrepair. We suggest that at a minimum the parking lot be seal coated and striped.
5. **Parking.** The proposed use can be classified as a contracting business for determination of required parking. Parking requirements for contractor's establishments is one space for each employee, plus one space for each vehicle stored on the premises. Per the applicant's submission the site has a total of 10 employees and 15 service vehicles, resulting in a total parking requirement of 25 spaces. The site plan notes the provision of a total of 31 parking spaces including two (2) handicap accessible spaces. Both handicap accessible spaces are designed to be van accessible i.e., 8' wide space with 8' wide cross hatch area. The edge of the parking areas are concrete curbed; however the curbing is in disrepair. The site plan notes that the curbing will be repaired, as required.
6. **Landscaping.** The site has a green lawn area along its Six Mile Road frontage and a few trees. There are additional trees along the main access drive and within the parking lot islands. The applicant has submitted a landscape plan which shows existing maple trees along the building west and rear sides, foundation plantings and a row of evergreen along the west property line to provide screening. The rear south portion of the 9+ acre parcel is heavily wooded and proposed to remain as is. The plan notes that landscaping will be maintained by on-site staff and automatic sprinkler irrigation is provided. The site also includes a brick screen wall along its frontage and west property line.
7. **Dumpster.** The site plan indicates a dumpster on the southwest corner of the developed area of the site. Based on a site visit, the enclosure appears to be constructed of masonry and provided with wooden gates as required. The enclosure wall appears to have some cracks which must be repaired. A note to this effect has not been added to the site plan, but this requirement will be enforced.
8. **Lighting.** The site has existing light poles in the parking lot which appear to be 20 feet in height and are downward directed and shielded. The building also has wall mounted light fixtures which are shoebox style and downward directed.
9. **Signage.** The revised plan includes 3 proposed signs: a wall mounted 89.81 sq. foot sign facing 6 mile, a 16.55 square foot sign mounted to the front brick screen wall on 6 Mile, and an 8.23 square foot painted wall sign on the west side screen wall. The Ordinance allows businesses in the GC district to have one wall mounted sign not to exceed 2 square feet per lineal feet of building frontage on the street, and one monument sign not to exceed 80 square feet. The proposed wall sign meets the Ordinance requirement. The sign mounted on the front screen wall can be considered as a monument sign and is within limits. However, the painted wall sign on the west screen wall is not permitted and must be removed.



10. **Architecture.** The existing building appears to be constructed of textured block and standing seam metal panels and appears to be in good conditions. The applicant has submitted photographs of all facades of the building in lieu of elevations and is acceptable.

11. **Other.** The following additional items must be addressed:

- a. We recently observed several large storage containers/trailer attachments on site which appear to be placed on the rear side of the building in an area designated as parking spaces. Outdoor storage is not permitted as part of this request. Only service related vehicles are to be parked outside. Supplies related to the business must be stored inside and cannot be placed in areas of parking or circulation.

RECOMMENDATION AND FINDINGS

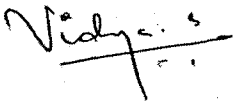
The Township has worked with the applicant for a long time to bring the business and site into compliance with the ordinance and applicable codes. At this time, most of the outstanding issues have been met with a few exceptions. Therefore, site plan approval is administratively granted for Quality Aire Systems to be located at 328 Six Mile Road, subject to:

1. Repairing the cracked dumpster enclosure wall.
2. Removal of the proposal painted sign on the west side screen wall.
3. Removal of all outside storage items, excluding service vehicles.

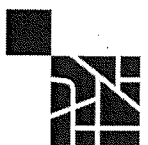
The applicant must call for and schedule a final site inspection walk-through, at which time the site will be checked for compliance with every item shown on the plan and noted in this review letter, including but not limited to sidewalk, pavement striping, parking, elimination of outdoor storage, repair of curbs and dumpster enclosure, landscaping etc. Upon finding the site in compliance, a Certificate of Occupancy will be issued by the Zoning Administrator.

Respectfully submitted,

McKENNA



Vidya Krishnan
Senior Planner



NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

Minutes of Regular Meeting December 17, 2018

1. CALL TO ORDER

The meeting was called to order by Vice-Chair Ken Dignan at 7:00 P.M. at 8350 Main Street.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL AND DETERMINATION OF QUORUM

Brad Cousino	Present
Kenneth Dignan	Present
Greg Kolecki	Present
Jacki Otto	Present
Stephen Safranek	Absent with notice
James Balsillie, Alternate	Presence not required

Also present:
Recording Secretary Lisa Lemble
Planning Consultant Vidya Krishnan
Members of the public

4. ADOPT AGENDA

- **Motion:** Dignan moved, Otto supported, that the agenda be adopted as presented.
Motion carried 4—0 on a voice vote.

5. CORRESPONDENCE

None.

6. PUBLIC HEARINGS

6A. Case #JZBA180008; Gregory and Mary Kendall; 808 E. Five Mile Road; Request for 15 foot front yard setback variance from Article VI, Section 36-158(4)(a) for a 378 square foot deck on the west side of an existing dwelling. Parcel 02-20-100-004; zoned AR-2 Agricultural.

- **Motion:** Otto moved, Cousino supported, that the public hearing be opened.
Motion carried 4—0 on a voice vote.

Mary Kendall said they have lived in their house for 25 years and would like to improve the outdoor area. She said the house was built in 1863, and the road ends just beyond their house. She said a sidewalk and well restrict the area they can build in.

Dignan noted no other members of the public were present.

In answer to a question, Kendall said she decided to set the deck posts before winter weather made it impossible, but she realizes they will have to be removed if the variance is not granted.

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

7. OLD BUSINESS

None.

8. NEW BUSINESS

8A. Case #JZBA180008; Gregory and Mary Kendall; 808 E. Five Mile Road; Request for 15 foot front yard setback variance from Article VI, Section 36-158(4)(a) for a 378 square foot deck on the west side of an existing dwelling. Parcel 02-20-100-004; zoned Ar-2 Agricultural.

Planning consultant Vidya Krishnan reviewed her reported dated December 6, 2018, and noted that the non-conforming lot and house existed prior to the Kendall's owning it. She said the deck is proposed to be placed in the only area available due to restrictions created by the driveway, sidewalk, a rock wall, and the well.

Krishnan said without a variance a deck only 110 sq. ft. in size would be possible. She said granting the variance would provide substantial justice to the applicants, it would replace an unsafe structure, and it is unlikely to have any negative effects on the surrounding neighborhood. She recommended approval with the conditions

- **Motion:** Dignan moved, Cousino supported, that the request in Case #JZBA180008 by Gregory and Mary Kendall, 808 E. Five Mile Road, for a 15 foot front yard setback variance from Article VI, Section 36-158(4)(a) for a 378 square foot deck on the west side of an existing dwelling be approved based on the recommendation and findings of fact outlined in the report from the planner dated December 6, 2018, specifically findings of fact 1, 2, 3, and 6.
Motion carried 4—0 on a voice vote.

**Northfield Township Zoning Board of Appeals
Minutes of Regular Meeting
Public Safety Building; 8350 Main Street
December 17, 2018**

8B. Adoption of 2019 Calendar

- **Motion:** Otto moved, Cousino supported, that the 2019 calendar be adopted as presented.
Motion carried 5—0 on a voice vote.

9. MINUTES

- **Motion:** Cousino moved, Otto supported, that the minutes of the November 19, 2018, regular meeting be approved as presented and to dispense with the reading.
Motion carried 5—0 on a voice vote.

11. CALL TO THE PUBLIC

No comments.

12. ZBA MEMBER COMMENTS

Krishnan said she would prefer that the Building Department not grant permits for work to be started prior to approval of required ZBA variances because it

can put the ZBA in the position of feeling pressured to approve a variance. Kendall confirmed that although she discussed the work she was going to do with the building inspector no permit was issued for the posts she installed.

There was a brief discussion about the reason for the need for the variance in Case #JZBA180008. Krishnan explained that State law requires that any additions to a non-conforming structure needs ZBA approval.

13. ANNOUNCEMENT OF NEXT MEETING

January 28, 2019, at 7:00 P.M. at the Public Safety Building was announced as the date and time of the next regular meeting of the Zoning Board of Appeals.

14. ADJOURNMENT

- **Motion:** Otto moved, Kolecki supported, that the meeting be adjourned.
Motion carried 4—0 on a voice vote.

The meeting was adjourned at 7:22 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 February 19, 2019.

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/