

**NORTHFIELD TOWNSHIP
ZONING BOARD OF APPEALS
Minutes of Regular Meeting
November 18, 2019**

1. CALL TO ORDER

The meeting was called to order by chair Kenneth Dignan at 7:07 P.M. at 8350 Main Street.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

AND DETERMINATION OF QUORUM

Brad Cousino	Absent
Kenneth Dignan	Present
Scott Gustafson	Present
Greg Kolecki	Present
Jacki Otto	Present (arrived at 7:12 P.M.)
Alternate: James Balsillie	Presence not required

Also present:

Recording Secretary Lisa Lemble
Building/Planning/Zoning Coordinator Mary Bird
Planning Consultant Vidya Krishnan, McKenna
Members of the public

4. ADOPT AGENDA

- ▶ **Motion:** Dignan moved, Kolecki supported, that the agenda be adopted as presented.
Motion carried 3—0 on a voice vote.

5. CORRESPONDENCE

None.

6. PUBLIC HEARINGS

- ▶ **Motion:** Dignan moved, Kolecki supported, that the public hearing be opened.
Motion carried 3—0 on a voice vote.

6A. Case #JZBA190008; Paul VanBuhler;
Location: 985 Seven Mile Road and vacant;
Request for variance from Chapter 14, Section 14.23, Land Divisions and Subdivisions to split into five parcels. Two parcels require depth to width ratio variances. Parcel 02-04-300-008;
Zoned SR-1, Single Family Residential.

Planning Consultant Vidya Krishnan read her report dated November 12, 2019. She explained that this action will resolve the issue of a landlocked parcel by combining it with a the parcel fronting on Seven Mile Road, and while two of the lots require depth to width ratios, all five parcels being created will have road frontage and meet all other requirements of the SR-2 district. Based on the findings of fact, including that the larger lots will be more compatible with development in the area that required by SR-2 zoning, she recommended approval.

Dignan noted that the only reason there are two separate parcels here is because the land is in two different school districts.

Paul Van Buehler, applicant, said Ms. Krishnan's report described the situation accurately and he had nothing to add.

Dignan called for comments from the public. There were none.

6B. Case #JZBA190010; Lauralyn Bottom;
Location: 8036 Lakeshore Drive;
Request for variance from Article IX, Section 36-248(4)(a) for deck setback variances from Lakeshore and Maple. Parcel 02-08-395-005;
Zoned SR-1, Single Family Residential.

Planning Consultant Vidya Krishnan read her report dated November 12, 2019. She recommended approval of the requested variance of 22.30 feet for the front deck to be located at a setback of 7.70 feet from the Lakeshore frontage, and of a reduced variance of 12.30 feet (rather than the 14 feet requested) for the rear deck to be located at a setback of 17.70 feet from the Maple frontage, unless the applicant can provide adequate justification on the need for a 14 foot deep deck.

Lauralyn Bottom, applicant, said the reason for the size of the back deck is because it faces the lake and will function as an extension of their living room. In answer to a question from Otto, Bottom said she also owns the property across Maple Road.

Dignan called for comments from the public. Mike Bottom thanked the Township staff and planners for their help with this project and said they are willing to do what is best for the community.

6C. Case #JZBA190009; Jabeen Bukhari (Maji Group);
Location: 43 Margaret Street;
Request for variance from Article IX, Section 36-248(1) and (2)(b) to develop the existing structure as a duplex. Parcel 02-05-328-006;
Zoned SR-2, Single Family Residential.

Planning Consultant Vidya Krishnan read her report dated November 12, 2019. She noted the applicant has purchased the property with the intent of rectifying code violations and improving the property, which the Township has no legal mechanism to require, and the applicant is attempting to bring the status of the house—which was converted to duplex use by a previous owner—into compliance with Township ordinances. She said based on the findings of fact she recommends approval of the requested variances,

subject to the applicant obtaining site plan and conditional land use approval.

Applicant Jabeen Bukhari said she had nothing to add to the information

Dignan called for comments from the public. Sayed Habib, Bukhari's husband, 3017 Walnut Drive, Scio Township, thanked Krishnan for her presentation and said this proposal would be an improvement for the area.

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

7. OLD BUSINESS

None.

8. NEW BUSINESS

- 8A. Case #JZBA190008; Paul VanBuhler;
Location: 985 Seven Mile Road and vacant;
Request for variance from Chapter 14, Section 14.23, Land Divisions and Subdivisions to split into five parcels. Two parcels require depth to width ratio variances. Parcel 02-04-300-008; Zoned SR-1, Single Family Residential.

There was discussion about how the proposed splits will affect the school district boundaries. VanBuhler said parcels 1 and 5 will be split between the South Lyon and Whitmore Lake school districts, and the other three will be wholly within the Whitmore Lake District. Scott Schmocker, GLA Surveyors and Engineers, said all houses will be built on the Whitmore Lake District side of the lots because the property at the rear of lots 1 and 5 is unbuildable.

- ▶ **Motion:** Dignan moved, Otto supported, that in Case JZBA190008, Parcel 02-04-300-008, in accordance from a memo from McKenna dated November 12, 2019, and based on the findings of fact documented in that memo, that the Zoning Board of Appeals approve the requested variances for 985 Seven Mile Road from Section 14.23, Minimum Requirements for approval of land divisions (a)(5), of 8.23:1 for parcels 1 (A and B), and per Section 14.23, Minimum Requirements for approval of land divisions (a)(5) of 5.02:1 for parcels 5 (A and B).
Motion carried 4—0 on a roll call vote.

- 8B. Case #JZBA190010; Lauralyn Bottom;
Location: 8036 Lakeshore Drive;
Request for variance from Article IX, Section 36-248(4)(a) for deck setback variances from Lakeshore and Maple. Parcel 02-08-395-005; Zoned SR-1, Single Family Residential.

Dignan noted that a deck only 8 foot in width is not very usable, and he has little issue with a width of 14'. Otto said Maple Avenue, which the larger deck will

face, will likely never be developed. Gustafson said he also has no problem with a 14 foot deck.

- ▶ **Motion:** Dignan moved, Otto supported, that in Case #JZBA190010 variances from Article IX, SR-2 Single Family Residential District, Section 36-248(4)(a), Regulations and Standards, be granted, as follows: for the Lakeshore Drive frontage a variance of 22.30 feet be granted, and for the front yard setback on Maple Avenue a variance of 18.3 feet be granted, based on findings of fact as documented in the November 12, 2019 report from McKenna, striking the second item #4 from the findings of fact, and based upon the facts that the rear yard of the applicant continues all the way to the lake in single ownership, Northfield Township is a recreational community where lakeside living is as essential a component as indoor living, where the size of the deck proposed by the applicant is not an unreasonable size considering that they have no immediate neighbors, and Maple Road being developed is unlikely. **Motion carried 4—0 on a roll call vote.**

- 8C. Case #JZBA190009; Jabeen Bukhari (Maji Group);
Location: 43 Margaret Street;
Request for variance from Article IX, Section 36-248(1) and (2)(b) to develop the existing structure as a duplex. Parcel 02-05-328-006; Zoned SR-2, Single Family Residential.

- ▶ **Motion:** Dignan moved, Otto supported, in Case JZBA190009, that as outlined in the November 12, 2019, memo from McKenna, variances be granted as follows: a variance of 6,672.75 square feet be granted from the requirements of Article IX, SR-2 Single Family Residential District, Section 36-248(1), Regulations and Standards; and a variance of 70 feet be granted from the requirements of Article IX, SR-2 Single Family Residential District, Section 36-248(2)(b), Regulations and Standards, based on the findings of fact, subject to the applicant applying for site plan and conditional use approval through the Planning Commission.

Dignan asked when DTE installed the second meter on this house. Ms. Bukhari and Krishnan said no information could be found out about this. Krishnan noted the house appears to have been split and used as a duplex, but Bukhari said only one portion of it was recently being lived in.

Dignan thanked the applicants for working with the Township to bring the property into compliance with ordinances.

Motion carried 4—0 on a roll call vote.

Dignan thanked all of the applicants for making an investment in the community and thanked Krishnan for her assistance to applicants.

10. MINUTES

- ▶ **Motion:** Otto moved, Kolecki supported, that the minutes of the July 15, 2019, regular meeting be approved as presented.
Motion carried 4—0 on a voice vote.

10. CALL TO THE PUBLIC

No comments.

11. ZBA MEMBER COMMENTS

Krishnan referred to her two most recent Zoning Administrator quarterly reports included in the packet. She noted that in some cases people she has met with have proceeded with projects without approvals, which is discouraging, and she commended applicants who comply or seek variances and necessary approvals.

Dignan noted that quite a few homes are being built in the Whitmore Lake School District, which is great for the district and also good for the Township.

12. ANNOUNCEMENT OF NEXT MEETING

December 16, 2019, at 7:00 PM at the Public Safety Building was announced as the date and time of the next regular meeting of the Zoning Board of Appeals.

13. ADJOURNMENT


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

The meeting was adjourned at 8:16 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 January 21, 2020.



Kenneth Dignan, Chair



Greg Kolecki, Secretary

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