

NORTHFIELD TOWNSHIP
ZONING BOARD OF APPEALS
November 18, 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 #JZBA190008 – Paul VanBuhler, 985 Seven Mile Rd., Whitmore Lake, MI 48189 and Vacant Seven Mile Rd., South Lyon, MI 48178 is requesting a variance from Chapter 14, Section 14.23 Land Divisions and Subdivisions. The applicant proposes to split into five different parcels. Two of the parcels will require variance from depth to width ratio. The parcel numbers are B-02-04-300-008 and zoned SR-1 Single Family Residential.
- B. Case #JZBA190010- Lauralyn Bottom, 8036 Lakeshore Dr., Whitmore Lake, MI 48189 is requesting front yard setback variances from Article IX, Section 36-248 (4) (a) Regulations and Standards along Lakeshore Drive and Maple Avenue. The applicant is proposing to build decks on the east and west sides of the existing dwelling, with frontages onto Lakeshore Drive and Maple (unimproved) Avenue. The parcel number is B-02-08-395-005 and zoned SR-2 Single Family Residential.
- C. Case #JZBA190009 – Jabeen Bukhari (Maji Group), 43 Margaret Street, Whitmore Lake, MI 48189 is requesting a variance from Article IX, Section 36-248 (1) and 2 (b) Regulations and Standards. The applicant is proposing to develop the existing structure on the parcel as a duplex. The parcel number is B-02-05-328-006 and zoned SR-2 – Single Family Residential.

7. OLD BUSINESS

8. NEW BUSINESS:

- A. Case #JZBA190008 – Paul VanBuhler, 985 Seven Mile Rd., Whitmore Lake, MI 48189 and Vacant Seven Mile Rd., South Lyon, MI 48178 is requesting a variance from Chapter 14, Section 14.23 Land Divisions and Subdivisions. The applicant proposes to split into five different parcels. Two of the parcels will require variance from depth to width ratio. The parcel numbers are B-02-04-300-008 and zoned SR-1 Single Family Residential.
- B. Case #JZBA190010- Lauralyn Bottom, 8036 Lakeshore Dr., Whitmore Lake, MI 48189 is requesting front yard setback variances from Article IX, Section 36-248 (4) (a) Regulations and Standards along Lakeshore Drive and Maple Avenue. The applicant is proposing to build decks on the east and west sides of the existing dwelling, with frontages onto Lakeshore Drive and Maple (unimproved) Avenue. The parcel number is B-02-08-395-005 and zoned SR-2 Single Family Residential.

- C. Case #JZBA190009 – Jabeen Bukhari (Maji Group), 43 Margaret Street, Whitmore Lake, MI 48189 is requesting a variance from Article IX, Section 36-248 (1) and 2 (b) Regulations and Standards. The applicant is proposing to develop the existing structure on the parcel as a duplex. The parcel number is B-02-05-328-006 and zoned SR-2 – Single Family Residential

- 9. **APPROVAL OF MINUTES:** June 17, 2019
- 10. **CALL TO THE PUBLIC**
- 11. **ZBA MEMBER COMMENTS**
- 12. **ANNOUNCEMENT OF NEXT MEETING:** December 16, 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 985 Seven Mile Road, Whitmore Lake, MI 48189. The site is a vacant piece of land (2 parcels) located in the SR-1 Single Family Residential district which the applicant proposes to split into 5 different parcels. The parcels have parcel numbers B-02-04-300-009 and B-02-03-300-008. Of the 5 parcels, 2 of the parcels (1 and 5) will require the following variance from Chapter 14. Land Divisions and Subdivisions:

1. Section 14.23 Minimum Requirements for approval of land divisions (a) (5); Parcel 1(A and B):
Maximum depth to width ratio - 4:1 maximum permitted
 - 12.23: 1 ratio proposed (1339.06' deep x 109.48' wide)
 - 8.23: 1 ratio variance requested
2. Section 14.23 Minimum Requirements for approval of land divisions (a) (5); Parcel 5(A and B):
Maximum depth to width ratio - 4:1 maximum permitted
 - 9.02: 1 ratio proposed (906.21' deep x 100.41' wide)
 - 5.02: 1 ratio variance requested

The public hearing will be held on **Monday, November 18, 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, October 27, 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>PAUL VANBUHLER</u> | Name: <u>SAME</u> |
| Address: <u>35245 Schoolcraft RD.</u> | Address: |
| <u>LIVONIA, MI 48150</u> | Phone: |
| Phone: <u>734-260-9122</u> | Email: |
| Email: <u>PAULV@ADVANCESTAFFINGonline.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>985 Seven Mile RD. Whitmore Lk., MI 48189</u> | |
| B.) PARCEL ID(S): <u>B0204-300-008 + 009</u> | IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| C.) LEGAL DESCRIPTION: <u>DRAWINGS + LEGAL DESCRIPTIONS ATTACHED.</u> | |
| | |
| 2. PRESENT ZONING CLASSIFICATION: | |
| 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:___ | |
| 3. PRESENT USE OF PROPERTY: <u>VACANT LAND</u> | |
| | |
| 4. NON-CONFORMING STATUS: | |
| A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use): <u>LOT #5 as proposed in my Parcel Division Plans does NOT meet the 1 to 4 ratio. A variance is sought to approve this lot as it presents the best, positive outcome of land use.</u> | |
| B.) State year/month Non-Conformity began (to the best of your knowledge): <u>Has not been non-conforming. Plan proposal is creating the situation.</u> | |
| 5. VARIANCE REQUEST: | |
| A.) Is a denial letter attached from the Zoning Administrator? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If no, identify each section of ordinance from which Variance is requested: <u>14.23.a.5</u> | |
| <u>Depth To Width Ratio Compliance for Proposed Lot #5.</u> | |
| | |
| | |

B.) Describe reason/need for Variance: Lot split Proposal allows for the most reasonable Development outcome and lot size/shape effectiveness.
Without The variance, Lot #5 would be unnecessarily shaped, which would make Lot #7 unnecessarily shaped to accommodate the regulation, That in This case presents a less sensible option. A variance helps This.

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:

Extensive wetlands, Pond, access To Acreage Across Pond.
Land Locked parcel/ Currently.

D.) Did the special condition or circumstances arise from your actions? ☒ Yes ☒ No

Describe: No-To The extent the wetlands have been There.
Yes-To The extent I am trying To improve The property,
yet maintain The integrity of The land use.

E.) Explain why interpretation of the ordinance would deprive you of rights commonly enjoyed by other property owners in the same district: - Lack of wetlands in other owners land.
- Land locked parcels from times past.

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

No larger Variance is Necessary. The variance would not
have any negative impact on land utilization, and/or The
underlying intent of such regulations.

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 Variance will not
change The amount of Lots available under current regulations. It
will only allow for a much better lot split/size arrangement for
boundaries + Developments.

H.) I, the applicant, request the Zoning Board of Appeals grant the following: To allow for The Variance
of Not conforming to section 14.23.a.5 for my proposed Lot #5.

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

pg. 3

RECEIVED

SEP 09 2019

NORTHFIELD TOWNSHIP

PAID

SEP 09 2019

NORTHFIELD TOWNSHIP TREASURER

L: 5081 P: 90 6247709 D

02/27/2015 02:42 PM Total Pages: 3

Lawrence Kestenbaum, Washtenaw Co



Receipt# 15-3951 6247709

02/27/2015 Washtenaw Co, Michigan

Real Estate Transfer Tax

Tax Stamp # 369923

County Tax: \$243.10 State Tax: \$1657.50



190060
@20

WARRANTY DEED



File No. L22378

The Grantors: Julia Wellings, f/k/a Julia H. Gordon-Lennox, a married woman JW
whose address is: 341 Lillian Court, Whitmore Lake, MI 48189

Convey and Warrant to: Paul VanBuhler, a single man

whose address is: 6555 Pontiac Trail, South Lyon, MI 48178

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

SEE ATTACHED EXHIBIT A/LEGAL DESCRIPTION RIDER

for full consideration of: \$221,000.00 (Two Hundred Twenty One Thousand and 00/100)

Subject to: Building and use restrictions and easements, if any. Liens for any tax and/or assessment which become due and payable on or after the effective date hereof.

This property may be located within the vicinity of farmland or a farm operation. 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.

The grantor grants to the grantee the right to make ____ divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967.

Subject to the rights of the public or any governmental unit in any part of subject property taken, deeded or used for road, street or highway purposes

Rights, if any, of the United States, the State of Michigan, other governmental entities, the public and other riparian owners in and with respect to the lake.

Adverse claims that a portion of the subject premises has been created by artificial means or has accreted to such portions so created.

Special Assessment for Seven Mile Sewer, which grantee agrees to assume and pay.

Dated 2, 18, 2015

Signed By:

By: Julia Wellings
Julia Wellings fka Julia H.
Gordon-Lennox

WASHTENAW COUNTY TREASURER
TAX CERTIFICATE NO. 93330 AC



Time Submitted for Recording 3:10pm
Date 2-18-2015 Time
Lawrence Kestenbaum
Washtenaw County Clerk/Register

WARRANTY DEED


(Continued)

STATE OF MICHIGAN

COUNTY OF Livingston

The foregoing instrument was acknowledged before me this 18th day of February, 2015 by Julia Wellings fka Julia H. Gordon-Lennox a married woman

JENNIFER BUTASH
Notary Public, State of Michigan
County of Livingston
My Commission Expires 09-16-2017
Acting in the County of Livingston


_____, Notary Public
_____, County
My Commission Expires: _____
Acting in the County of: _____

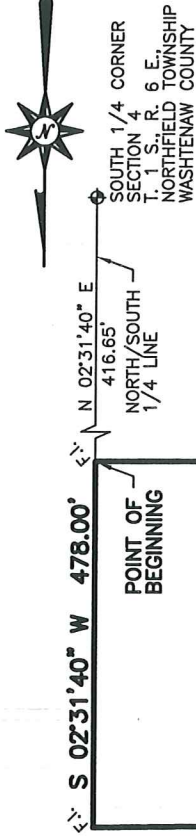
Drafted by: Thomas D. Richardson, ESQ.
111 N. Main Street
Ann Arbor, MI 48104

When recorded return to: Paul VanBuhler
6555 Pontiac Trail
South Lyon, MI 48178

Tax Code: B-02-04-300-008
B-02-04-300-009

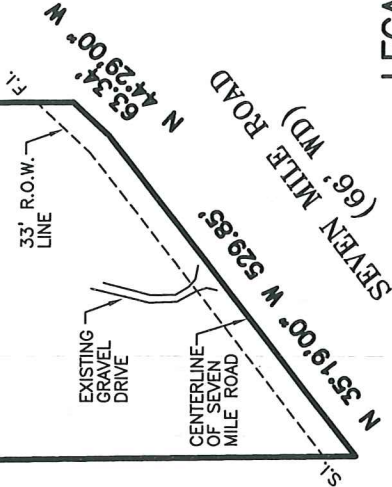
CERTIFICATE OF SURVEY

RECEIVED
SEP 12 2019
NORTHFIELD TOWNSHIP



S 88°07'57" E 2250.75'
PAUL VANBUHLER
985 SEVEN MILE ROAD
WHITMORE LAKE, MI 48189
B-02-04-300-009
14.59ac ±

PAUL VANBUHLER
985 SEVEN MILE ROAD
WHITMORE LAKE, MI 48189
B-02-04-300-008
7.82ac ±



LEGAL DESCRIPTION

SEE ATTACHED

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 1/28/16 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970 HAVE BEEN COMPLIED WITH.



Greg L. Ash
GREG L. ASH, P.L.S. #28400



GLA SURVEYORS & ENGINEERS

8495 N. TERRITORIAL RD.
PLYMOUTH, MI 48170
PHONE: (734) 416-9650
FAX: (734) 416-9657
www.glasurveyor.com

CLIENT:

PAUL VANBUHLER
6555 PONTIAC TRAIL
SOUTH LYON, MI 48178

DATE: 9/12/19
JOB NO.: 3555-001
FILE NO.: 5-SPLIT

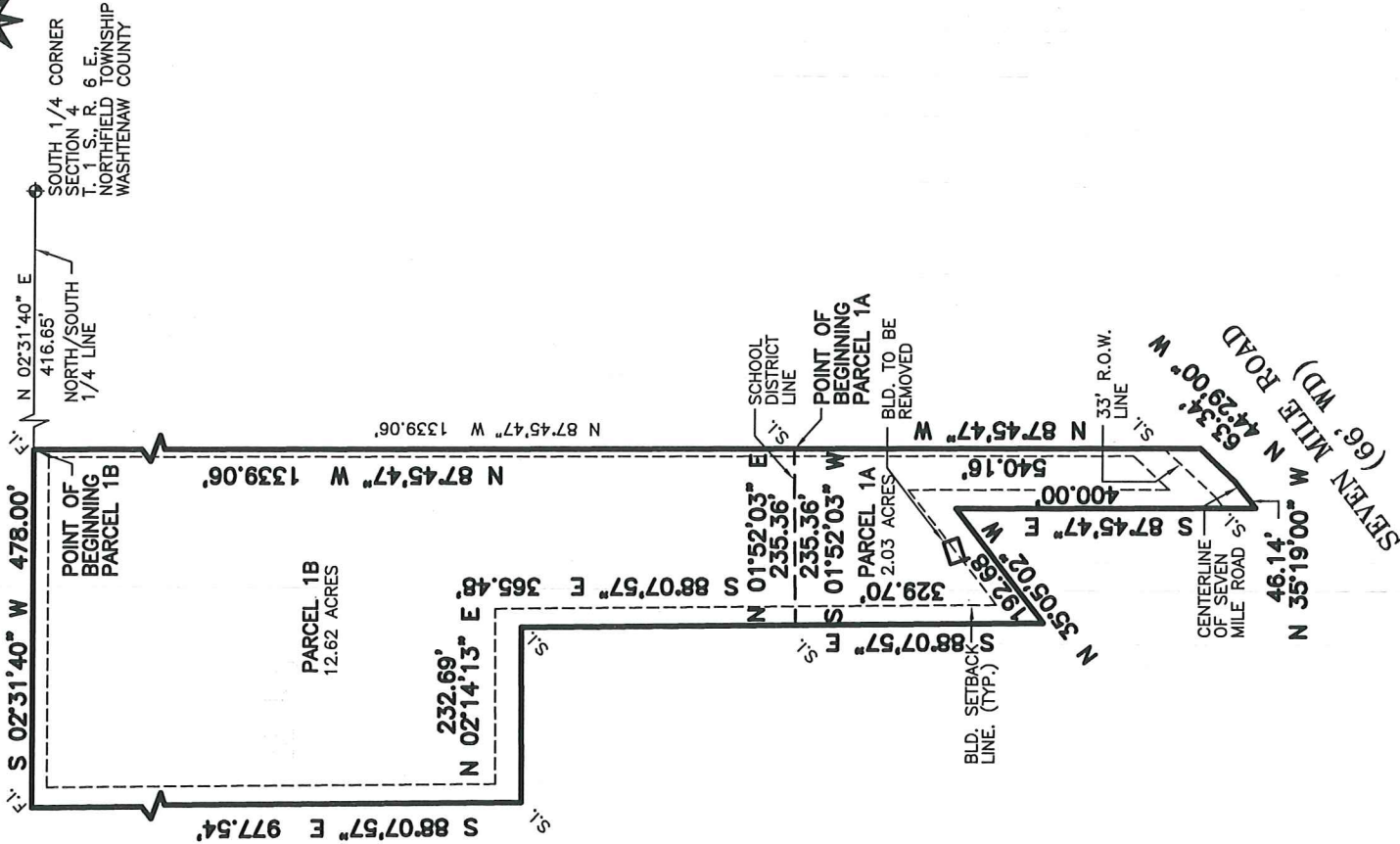
SCALE: 0' = 250', 1" = 250'



SHEET: 1 OF 9

DRAWN BY: S.A.S.

CERTIFICATE OF SURVEY



LEGAL DESCRIPTION

SEE ATTACHED

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 1/28/16 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970 HAVE BEEN COMPLIED WITH.



Greg L. Ash

GREG L. ASH, P.L.S. #28400

LEGEND

| | |
|--------------------|--------|
| RECORDED | R. |
| MEASURED | M. |
| PROPORTED | P. |
| CALCULATED | C. |
| SET IRON | S.I. |
| FOUND IRON | F.I. |
| FOUND CONC. MON. | F.C.M. |
| POINT OF BEGINNING | P.O.B. |
| ARC LENGTH | A. |
| RADIUS | RAD. |
| DELTA | D. |
| CHORD BEARING | CB. |
| CHORD LENGTH | CL. |



GLA SURVEYORS & ENGINEERS

8495 N. TERRITORIAL RD.
PLYMOUTH, MI 48170

PHONE: (734) 416-9650
FAX: (734) 416-9657
www.glasurveyor.com

CLIENT:

PAUL VANBUHLER
6555 PONTIAC TRAIL
SOUTH LYON, MI 48178

DATE: 9/12/19

JOB NO.: 3555-001

FILE NO.: 5-SPLIT

SCALE: 0' 250'

1" = 250'

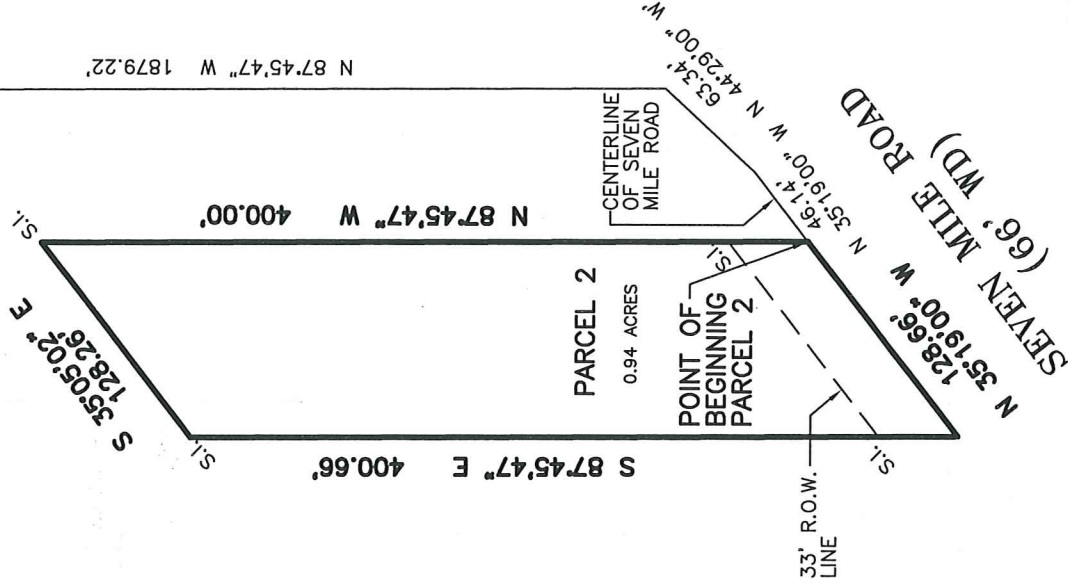
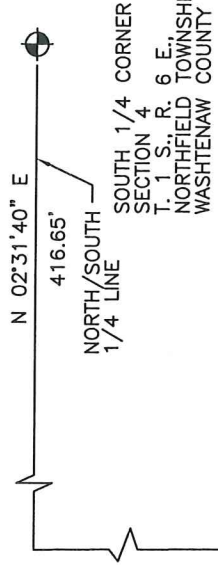


SHEET: 2 OF 9

DRAWN BY:

S.A.S.

CERTIFICATE OF SURVEY



LEGAL DESCRIPTION

SEE ATTACHED

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 1/28/16 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970 HAVE BEEN COMPLIED WITH.



Greg L. Ash

GREG L. ASH, P.L.S. #28400

LEGEND

- R. RECORDED
- M. MEASURED
- P. PRORATED
- C. CALCULATED
- S.I. SET IRON
- F.I. FOUND IRON
- F.C.M. FOUND CONC. MON.
- P.O.B. POINT OF BEGINNING
- A. ARC LENGTH
- R. RADIUS
- D. DELTA
- CB. BEARING
- CL. CHORD LENGTH



GLA SURVEYORS & ENGINEERS

8495 N. TERRITORIAL RD.
PLYMOUTH, MI 48170
PHONE: (734) 416-9650
FAX: (734) 416-9657
www.glasurveyor.com

CLIENT:

PAUL VANBUHLER
6555 PONTIAC TRAIL
SOUTH LYON, MI 48178

DATE: 9/12/19

JOB NO.: 3555-001

FILE NO.: 5-SPLIT

SCALE: 0' 100' 200'

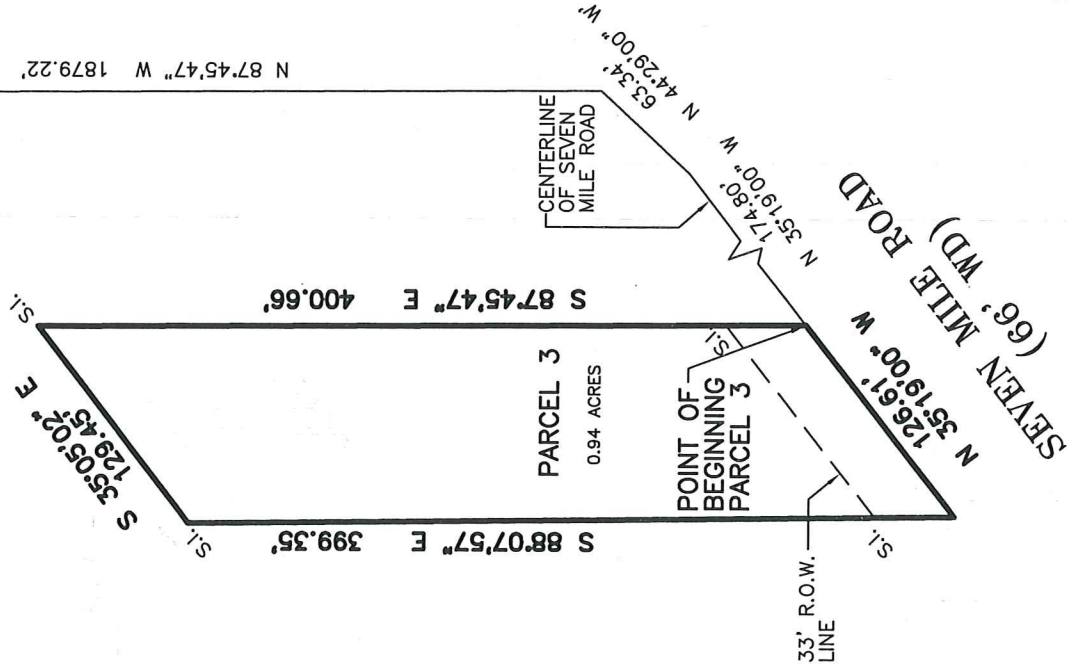
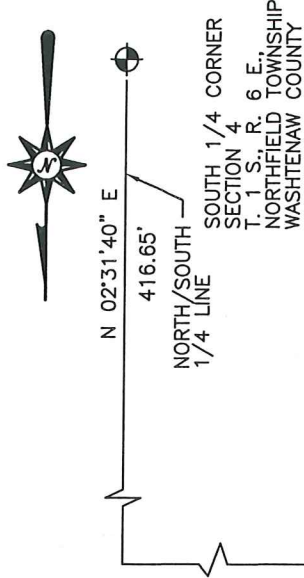


SHEET: 3 OF 9

DRAWN BY:

S.A.S.

CERTIFICATE OF SURVEY



LEGAL DESCRIPTION

SEE ATTACHED

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 1/28/16 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970 HAVE BEEN COMPLIED WITH.



Greg L. Ash
GREG L. ASH, P.L.S. #28400

LEGEND

| | |
|--------------------|--------|
| RECORDED | R. |
| MEASURED | M. |
| PRORATED | P. |
| CALCULATED | C. |
| SET IRON | S.I. |
| FOUND IRON | F.I. |
| FOUND CONC. MON. | F.C.M. |
| POINT OF BEGINNING | P.O.B. |
| ARC LENGTH | A. |
| RADIUS | RAD. |
| DELTA | D. |
| CHORD BEARING | CB. |
| CHORD LENGTH | CL. |



GLA SURVEYORS & ENGINEERS

8495 N. TERRITORIAL RD.
PLYMOUTH, MI 48170
PHONE: (734) 416-9650
FAX: (734) 416-9657
www.glasurveyor.com

CLIENT:

PAUL VANBUHLER
6555 PONTIAC TRAIL
SOUTH LYON, MI 48178

DATE: 9/12/19

JOB NO.: 3555-001

FILE NO.: 5-SPLIT

SCALE: 0' 100' 200'

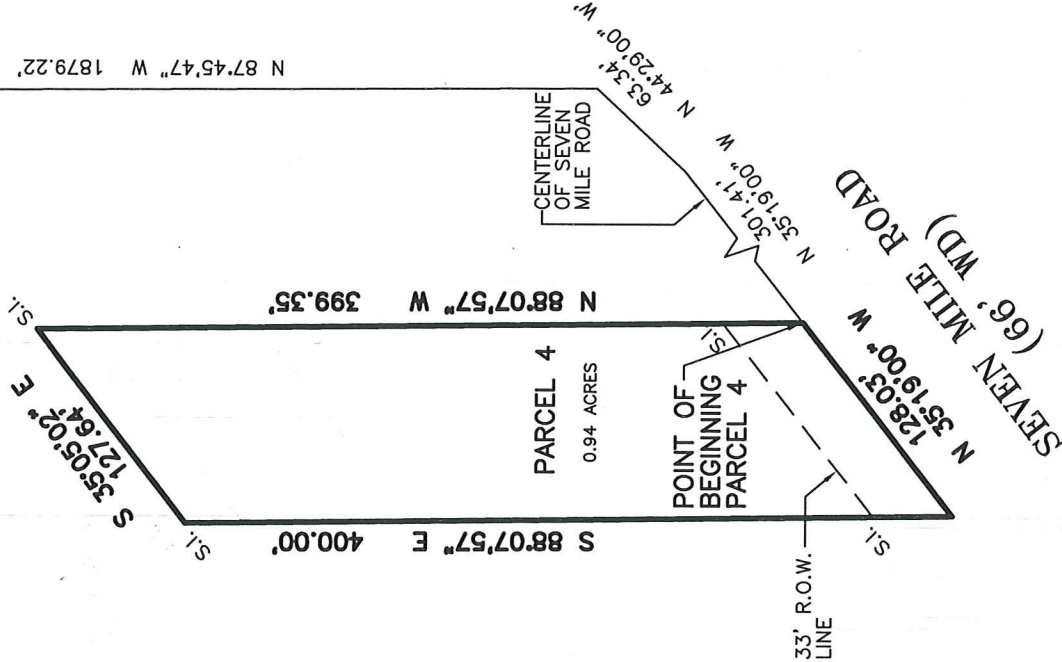
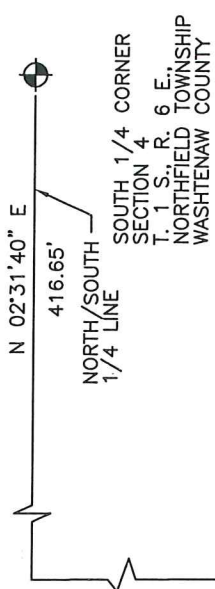


SHEET: 4 OF 9

DRAWN BY:

S.A.S.

CERTIFICATE OF SURVEY



LEGAL DESCRIPTION

SEE ATTACHED

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 1/28/16 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970 HAVE BEEN COMPLIED WITH.



| LEGEND | |
|--------------------|--------|
| RECORDED | R. |
| MEASURED | M. |
| PROPORTED | P. |
| CALCULATED | C. |
| SET IRON | S.I. |
| FOUND IRON | F.I. |
| FOUND CONC. MON. | F.C.M. |
| POINT OF BEGINNING | P.O.B. |
| ARC LENGTH | A. |
| RADIUS | RAD. |
| DELTA | D. |
| CHORD BEARING | CB. |
| CHORD LENGTH | CL |

GREG L. ASH, P.L.S. #28400



GLA SURVEYORS & ENGINEERS

8495 N. TERRITORIAL RD.
PLYMOUTH, MI 48170
PHONE: (734) 416-9650
FAX: (734) 416-9657
www.glasurveyor.com

CLIENT:

PAUL VANBUHLER
6555 PONTIAC TRAIL
SOUTH LYON, MI 48178

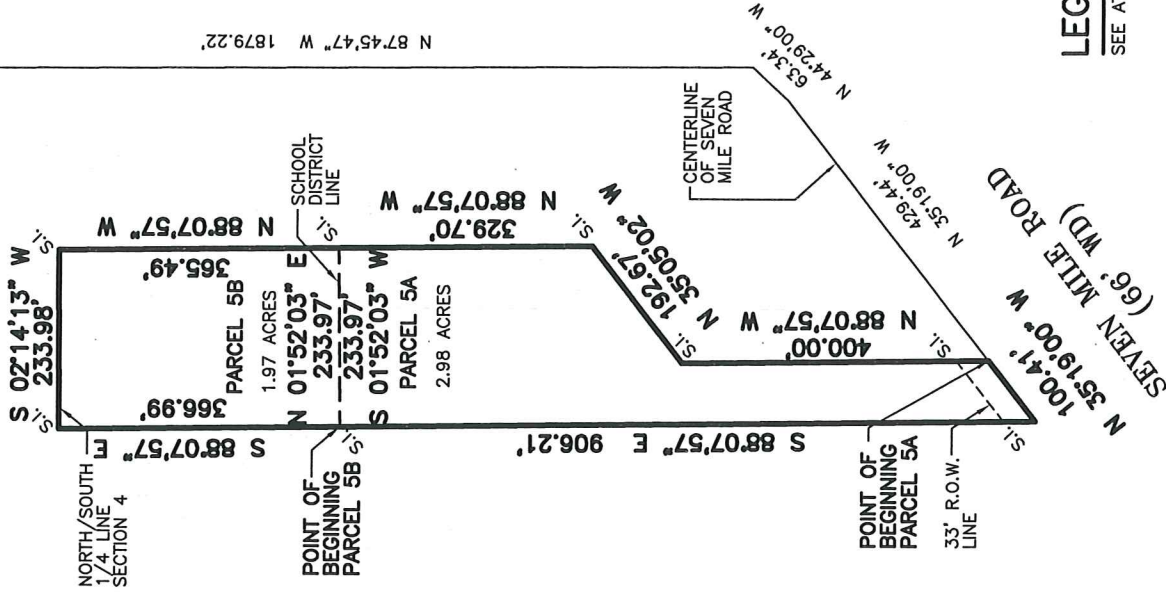
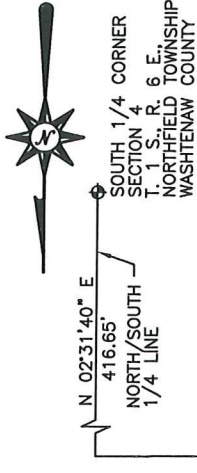
DATE: 9/12/19
JOB NO.: 3555-001
FILE NO.: 5-SPLIT

SCALE: 0' 100' 200'
1" = 100'

SHEET: 5 OF 9

DRAWN BY: S.A.S.

CERTIFICATE OF SURVEY



LEGAL DESCRIPTION

SEE ATTACHED

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 1/28/16 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970 HAVE BEEN COMPLIED WITH.



Greg L. Ash
GREG L. ASH, P.L.S. #28400

LEGEND

- | | |
|--------------------|--------|
| RECORDED | R. |
| MEASURED | M. |
| PROBATED | P. |
| CALCULATED | C. |
| SET IRON | S.I. |
| FOUND IRON | F.I. |
| FOUND CONC. MON. | F.C.M. |
| POINT OF BEGINNING | P.O.B. |
| ARC LENGTH | A. |
| RADIUS | RAD. |
| DELTA | D. |
| CHORD BEARING | CB. |
| CHORD LENGTH | CL. |



GLA SURVEYORS & ENGINEERS

8495 N. TERRITORIAL RD.
PLYMOUTH, MI 48170
PHONE: (734) 416-9650
FAX: (734) 416-9657
www.glasurveyor.com

CLIENT:

PAUL VANBUHLER
6555 PONTIAC TRAIL
SOUTH LYON, MI 48178

DATE: 9/12/19

JOB NO.: 3555-001

FILE NO.: 5-SPLIT

SCALE: 0' 250' 500'

1" = 250'



SHEET: 6 OF 9

DRAWN BY:

S.A.S.

**Legal Description
as surveyed**

Parcels B-02-04-300-008 and B-02-04-300-009 combined

Part of the Southwest ¼ of Section 4, T. 1 S., R. 6 E., Northfield Township, Washtenaw County, Michigan, described as:

Commencing at the South ¼ corner of said Section 4; thence N. 02° 31' 40" E. 416.65 feet along the North/South ¼ line of said Section 4 (as occupied) to the POINT OF BEGINNING; thence N. 87° 45' 47" W. 1879.22 feet to a point on the centerline of Seven Mile Road (66 feet wide); thence N. 44° 29' 00" W. 63.34 feet along said centerline of Seven Mile Road; thence continuing along said centerline N. 35° 19' 00" W. 529.85 feet; thence S. 88° 07' 57" E. 2250.75 feet to a point on said North/South ¼ line; and thence S. 02° 31' 40" W. 478.00 feet along said North/South ¼ line to the POINT OF BEGINNING. Containing 22.41 acres of land, more or less. Subject to the rights of the public over the Westerly 33 feet for Seven Mile Road (66 feet wide). Also subject to any and all easements or rights of way of record, if any.

Parcel 1A

Part of the Southwest ¼ of Section 4, T. 1 S., R. 6 E., Northfield Township, Washtenaw County, Michigan, described as:

Commencing at the South ¼ corner of said Section 4; thence N. 02° 31' 40" E. 416.65 feet along the North/South ¼ line of said Section 4 (as occupied); thence N. 87° 45' 47" W. 1339.06 feet to a point on the School District Line, said point also being the POINT OF BEGINNING; thence N. 87° 45' 47" W. 540.16 feet to a point on the centerline of Seven Mile Road (66 feet wide); thence N. 44° 29' 00" W. 63.34 feet along said centerline; thence continuing along said centerline N. 35° 19' 00" W. 46.14 feet; thence S. 87° 45' 47" E. 400.00 feet; thence N. 35° 05' 02" W. 192.68 feet; thence S. 88° 07' 57" E. 329.70 feet to a point on said School District Line; thence S. 01° 52' 03" W. 235.36 feet to the POINT OF BEGINNING. Containing 2.03 acres of land, more or less. Subject to the rights of the public over the Westerly 33 feet for Seven Mile Road (66 feet wide). Also subject to any and all easements or rights of way of record, if any.

Parcel 1B

Part of the Southwest ¼ of Section 4, T. 1 S., R. 6 E., Northfield Township, Washtenaw County, Michigan, described as:

Commencing at the South ¼ corner of said Section 4; thence N. 02° 31' 40" E. 416.65 feet along the North/South ¼ line of said Section 4 (as occupied) to the POINT OF BEGINNING; thence N. 87° 45' 47" W. 1339.06 feet to a point on the School District Line; thence N. 01° 52' 03" E. 235.36 feet along said School District Line; thence S. 88° 07' 57" E. 365.48 feet; thence N. 02° 14' 13" E. 232.69 feet; thence S. 88° 07' 57" E. 977.54 feet to a point on said North/South ¼ line; thence S. 02° 31' 40" W. 478.00 feet along said North/South ¼ line to the POINT OF BEGINNING. Containing 12.62 acres of land, more or less. Subject to any and all easements or rights of way of record, if any.

Parcel 2

Part of the Southwest ¼ of Section 4, T. 1 S., R. 6 E., Northfield Township, Washtenaw County, Michigan, described as:

Commencing at the South ¼ corner of said Section 4; thence N. 02° 31' 40" E. 416.65 feet along the North/South ¼ line of said Section 4 (as occupied); thence N. 87° 45' 47" W. 1879.22 feet to a point on the centerline of Seven Mile Road (66 feet wide); thence N. 44° 29' 00" W. 63.34 feet along said centerline; thence continuing along said centerline N. 35° 19' 00" W. 46.14 feet to the POINT OF BEGINNING; thence continuing N. 35° 19' 00" W. 128.66 feet along said centerline; thence S. 87° 45' 47" E. 400.66 feet; thence S. 35° 05' 02" E. 128.26 feet; and thence N. 87° 45' 47" W. 400.00 feet to the POINT OF BEGINNING. Containing 0.94 acres of land, more or less. Subject to the rights of the public over the Westerly 33 feet for Seven Mile Road (66 feet wide). Also subject to any and all easements or rights of way of record, if any.

Parcel 3

Part of the Southwest ¼ of Section 4, T. 1 S., R. 6 E., Northfield Township, Washtenaw County, Michigan, described as:

Commencing at the South ¼ corner of said Section 4; thence N. 02° 31' 40" E. 416.65 feet along the North/South ¼ line of said Section 4 (as occupied); thence N. 87° 45' 47" W. 1879.22 feet to a point on the centerline of Seven Mile Road (66 feet wide); thence N. 44° 29' 00" W. 63.34 feet along said centerline; thence continuing along said centerline N. 35° 19' 00" W. 174.80 feet along said centerline to the POINT OF BEGINNING; thence continuing N. 35° 19' 00" W. 126.61 feet along said centerline; thence S. 88° 07' 57" E. 399.35 feet; thence S. 35° 05' 02" E. 129.45 feet; and thence S. 87° 45' 47" E. 400.66 feet to the POINT OF BEGINNING. Containing 0.94 acres of land, more or less. Subject to the rights of the public over the Westerly 33 feet for Seven Mile Road (66 feet wide). Also subject to any and all easements or rights of way of record, if any.

Parcel 4

Part of the Southwest ¼ of Section 4, T. 1 S., R. 6 E., Northfield Township, Washtenaw County, Michigan, described as:

Commencing at the South ¼ corner of said Section 4; thence N. 02° 31' 40" E. 416.65 feet along the North/South ¼ line of said Section 4 (as occupied); thence N. 87° 45' 47" W. 1879.22 feet to a point on the centerline of Seven Mile Road (66 feet wide); thence N. 44° 29' 00" W. 63.34 feet along said centerline; thence continuing along said centerline N. 35° 19' 00" W. 301.41 feet to the POINT OF BEGINNING; thence continuing N. 35° 19' 00" W. 128.03 feet along said centerline; thence S. 88° 07' 57" E. 400.00 feet; thence S. 35° 05' 02" E. 127.64 feet; and thence N. 88° 07' 57" W. 399.35 feet to the POINT OF BEGINNING. Containing 0.94 acres of land, more or less. Subject to the rights of the public over the Westerly 33 feet for Seven Mile Road (66 feet wide). Also subject to any and all easements or rights of way of record, if any.

Parcel 5A

Part of the Southwest ¼ of Section 4, T. 1 S., R. 6 E., Northfield Township, Washtenaw County, Michigan, described as:

Commencing at the South ¼ corner of said Section 4; thence N. 02° 31' 40" E. 416.65 feet along the North/South ¼ line of said Section 4 (as occupied); thence N. 87° 45' 47" W. 1879.22 feet to a point on the centerline of Seven Mile Road (66 feet wide); thence N. 44° 29' 00" W. 63.34 feet along said centerline; thence continuing along said centerline N. 35° 19' 00" W. 429.44 feet to the POINT OF BEGINNING; thence continuing N. 35° 19' 00" W. 100.41 feet along said centerline; thence S. 88° 07' 57" E. 906.21 feet to a point on the School District Line; thence S. 01° 52' 03" W. 233.97 feet along said School District Line; thence N. 88° 07' 57" W. 329.70 feet; thence N. 35° 05' 02" W. 192.67 feet; and thence N. 88° 07' 57" W. 400.00 feet to the POINT OF BEGINNING. Containing 2.98 acres of land, more or less. Subject to the rights of the public over the Westerly 33 feet for Seven Mile Road (66 feet wide). Also subject to any and all easements or rights of way of record, if any.

Parcel 5B

Part of the Southwest ¼ of Section 4, T. 1 S., R. 6 E., Northfield Township, Washtenaw County, Michigan, described as:

Commencing at the South ¼ corner of said Section 4; thence N. 02° 31' 40" E. 416.65 feet along the North/South ¼ line of said Section 4 (as occupied); thence N. 87° 45' 47" W. 1879.22 feet to a point on the centerline of Seven Mile Road (66 feet wide); thence N. 44° 29' 00" W. 63.34 feet along said centerline; thence continuing along said centerline N. 35° 19' 00" W. 529.85 feet; thence S. 88° 07' 57" E. 906.21 feet to a point on the School District Line said point also being the POINT OF BEGINNING; thence continuing S. 88° 07' 57" E. 366.99 feet to a point of said North/South ¼ line of said Section 4; thence S. 02° 14' 13" W. 233.98 feet along said North/South ¼ line; thence N. 88° 07' 57" W. 365.49 feet to a point on said School District Line; and thence N. 01° 52' 03" E. 233.97 feet along said School District Line to the POINT OF BEGINNING. Containing 1.97 acres of land, more or less. Subject to any and all easements or rights of way of record, if any.



MCKENNA

November 12, 2019

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

Subject: Van Buhler/985 Seven Mile Road; Variance Review #1 (Application and materials dated received by Township on 9/9/19).

Dear ZBA Members:

We have reviewed the above referenced variance application submitted by Paul Van Buhler to split an existing 22.44 acre parcel into 5 smaller parcels. The parcel is located on the east side of Seven Mile Road, just south of East Shore Drive and is zoned SR-1 (Single Family Residential) District. The site is a vacant parcel of land.

VARIANCES

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

1. Section 14.23 Minimum Requirements for approval of land divisions (a) (5); Parcel 1(A and B):
Maximum depth to width ratio - 4:1 maximum permitted
- 12.23: 1 ratio proposed (1339.06' deep x 109.48' wide)
- 8.23: 1 ratio variance requested
2. Section 14.23 Minimum Requirements for approval of land divisions (a) (5); Parcel 5(A and B):
Maximum depth to width ratio - 4:1 maximum permitted
- 9.02: 1 ratio proposed (906.21' deep x 100.41' wide)
- 5.02: 1 ratio 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 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 has an area of 22.44 acres and comprises of 2 parcels. Parcel A with frontage onto Seven Mile Road with an area of 7.82 acres and Parcel B, a land locked parcel on the east side of Parcel A with a total area of 14.59 acres. The applicant would like to develop the property for single family residential uses. The proposal involves combining the 2 parcels into a single entity and splitting it into 5 individual single family lots with frontage onto Seven Mile. The property is zoned SR-1 which required minimum lot area and width of 10,890 square feet and 80 feet, respectively. All of the proposed parcels exceed the minimum lot width and area requirements of the district; however, the depth of the parcels results in non-compliance with the 4:1 depth to width ration on two of the parcels, which necessitates the variance request.

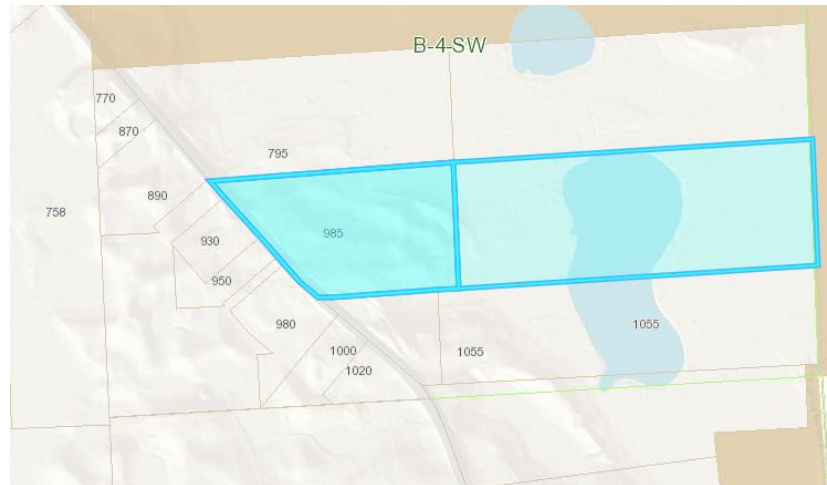
HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

○ 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.

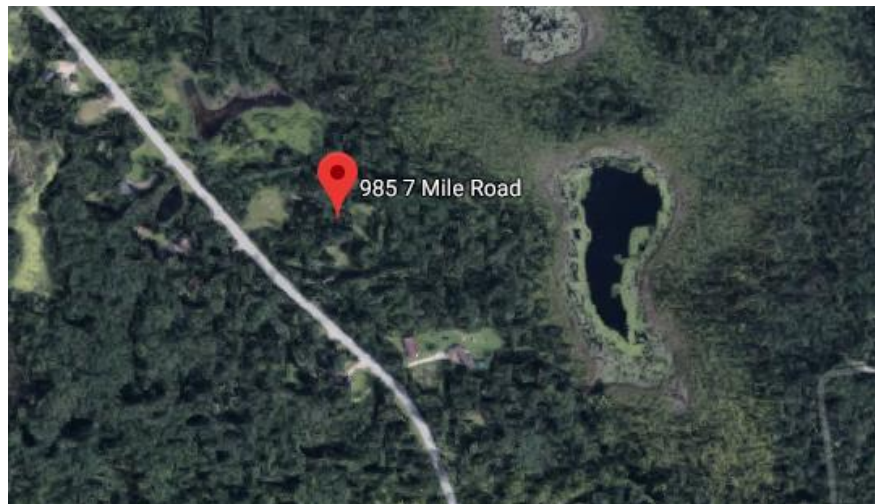


The subject site is a challenging parcel with a large pond in the rear and significant wetlands. The applicant's proposal to develop the parcel, corrects an existing non-conforming situation i.e., a land-locked parcel, and allows for the preservation of natural features on the site. The intent behind the ordinance requirement for maintaining a 4:1 depth to width ratio was to prevent the creation of long skinny lots; however, the applicant's proposal while creating unusual lot shape, does not result in an undesirable outcome.



Source: Washtenaw County GIS

Since Parcel B is land-locked, the Ordinance considers it a zoning lot of record i.e., it is considered as a developable lot only as parcel of Parcel A which has frontage. Such a requirement places a significant burden on the applicant, whose only option to develop would be to combine the parcels. A development with a private road on the subject parcel in compliance with SR-1 regulations would result in the creation of numerous lots.



Source: Google Images 2019

The applicant's proposal minimizes the development on the site and creates much larger lots which will blend in with the neighboring area. Compliance with Ordinance standards would not allow for the proposed split. The only option to develop the parcel would be the creation of a private road with new utility leads which would be a significant financial burden. While financial considerations are not material to a variance request, such a development would place a significant strain on the existing infrastructure of the area, and would not be in keeping with the development pattern of the surrounding area.

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 property owner by allowing him to build single family residential dwellings as allowed by the Ordinance in the SR-1 District, and is not adverse to the interests of other property owners. The parcel abuts AR (Agriculture) district to the north and south and LR (low density residential district) across the street on Seven Mile. The proposed larger and fewer lot proposed would be more in keeping with the existing pattern of development in the area.



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.*** As noted previously, the proposal is correcting an existing non-conforming situation of having a land locked parcel. The proposed lot split and variance request seeks a minimum reasonable number of lots for the 22.44 acre parcel. The applicant will still have to apply for Zoning Compliance approval for dwellings on the individual lots to verify compliance to setbacks and other standards. The applicant will also be required to get any necessary County approvals for driveway etc. The variance approval is not going to result in any tangible/noticeable impact on the site; therefore, there are no adverse impacts anticipated on the neighboring 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 unique in having a large land-locked section with no access or frontage. Lack of frontage makes the parcel unbuildable. The applicant is correcting the situation by combining the parcels into one entity and splitting it, so all portions of the parcel have required "frontage". We are not aware of any parcel of this size in the SR-1 district which is land-locked.
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 need for variances is not self-created. It is unclear when or how the land-locked parcel was created. The applicant is attempting to correct non-conformity and build on the parcel.
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 impact on the neighborhood or on public health, safety and welfare. The intent of zoning and land use planning is to provide for the orderly development and use of land. The applicant's proposal meets that intent. Applying for and obtaining site plan and conditional land use approval will also ensure that the site is laid out and operated in a safe and functional manner consistent with the Zoning and Building Code regulations.

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 985 Seven Mile Road:

1. The proposal corrects an existing non-conforming situation with a land-locked parcel.
2. Compliance with SR-1 regulations would allow for the creation of 40+ lots with a private road, which is not desirable.
3. The proposal preserves significant wetlands and natural features on the site.
4. The variances requested are the minimum possible.
5. The subject site is unique in having a large land-locked area, which is uncommon in similar zoning district.



6. The problem is not self-created.
7. The variances will have no detrimental impact on public health, safety or welfare.
8. The variances requested is not adverse to the spirit and intent of the ordinance.

Respectfully,

McKENNA

Vidya Krishnan
Principal Planner

cc: Township Manager:
Assessing/Building Asst.
Applicant:

Steven Aynes, Northfield Twp., 8350 Main St., Whitmore Lake, MI 48189
Mary Bird, Northfield Twp., 8350 Main St., Whitmore Lake, MI 48189
Paul Van Buhler, via e-mail: paulv@advancestaffingonline.com

NORTHFIELD TOWNSHIP

ZONING COMPLIANCE APPLICATION / CERTIFICATION

Zoning Compliance is required prior to new construction or alterations to an existing structure. Zoning Compliance is required prior to occupancy.

This application must be accompanied by two (2) copies of scale site plans meeting the information requirements of the Zoning Administrator.

Applications for zoning compliance certificates shall be deemed abandoned six (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: "WHITMORE COVE" - PARCEL SPLIT & PRIVATE ROAD.

PROJECT ADDRESS: 985 SEVEN MILE ROAD

PARCEL ID(S): B-02-04-300-008 , B-02-04-300-009

Applicant Information:

Name: PAUL VANBUHLAR

Address: 6555 PONTIAC TRAIL SOUTHLYN 48178

Phone: 734-260-9122

Email: PAULV@ADVANCESTAFFINGONLINE.COM

Owner Information:

Name: PAUL VANBUHLAR

Address: 6555 PONTIAC TRAIL SOUTHLYN 48178

Phone: 734-260-9122

Email: PAULV@ADVANCESTAFFINGONLINE.COM

If application is made by 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. PLEASE COPY DESIGN ENGINEER

Proof of ownership OR Affidavit if applicant is not owner is attached.

☒ ON ALL CORRESPONDENCE INFO ON PAGE 2.

If applicant is not the owner, describe applicant's interest in the property.

OWNER

PROPERTY DESCRIPTION

Description of Proposed Use:

LAND SPLIT & PRIVATE ROAD & UTILITY IMPROVEMENTS.

Sanitary Facilities: ☒ Sewer Sewer Tap Permit # _____ ☐ Septic WCHD Permit # _____

UNKNOWN AT THIS TIME.

Zoning Classification(s):

☐ RC ☐ AR ☐ LR ☒ SR1 ☐ SR2 ☐ MR ☐ VC ☐ LC ☐ GC ☐ ES ☐ HC ☐ GI ☐ LI ☐ Other _____

Type of Construction / Alteration:

Project Start Date:

SPRING 2019

Project Completion Date:

SPRING 2020

PC / ZBA Case #(s): _____ Action: _____ 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.

e property for the purposes of inspection.

Date: 11-7-18

FOR OFFICE USE ONLY

Application Received Date:

Existing Legal Non-Conformities:

Zoning Compliance Certificate: ☐ Approved Date: _____ ☐ Approved as Noted Date: _____

Comments / Reasons for Denial:

☐ Denied Date: _____

☐ Denied Date: _____

Zoning Administrator's Signature: _____

Date: _____

PLEASE COPY THE DESIGN/PROJECT ENGINEER ON ALL CORRESPONDENCE

GLA SURVEYORS & ENGINEERS
8495 NORTH TERRITORIAL ROAD
PLYMOUTH, MI 48170

ATTN: SCOTT SCHUMACHER

PHONE: (734) 416-9650
FAX: (734) 416-9657
EMAIL: SCOTT@GLASURVEYOR.COM

FOR OFFICE USE ONLY

Received Date:

Paid Date:

PAID

NOV 14 2018

NORTHFIELD TOWNSHIP TREASURER

Existing Legal Non-Conformities:

☐ Yes ☒ No

If yes, explain below:

RECEIVED

NOV 14 2018

NORTHFIELD TOWNSHIP

ZONING COMPLIANCE CERTIFICATE:

☐ Approved: Date _____☒ Approved As Noted: Date 11/19/2018☐ Denied: Date _____☐ Conditional Use Required☐ Site Plan Approval Required

COMMENTS:

See attached comment sheet.

Zoning Administrator Signature

Date

Nidya S.11/19/18

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: _____

985 Seven Mile Road

B-02-04-300-008 & B-02-04-300-009

Applicant: Paul Vanbuhlar
Zoning: SR-1 (Single Family Residential District)
Request: Single Family Residential Development
Action: **Approved with conditions** (See comments below)

Comments:

The subject property is a large SR-1 property with an area of approximately 22.2 acres held under 2 tax parcel ID numbers. One of the parcels (the larger 14.48 acre parcel to the east) is land locked and must be combined with the smaller parcel with frontage onto Seven Mile Road.

The applicant proposes to split the entire parcel into 7 lots for construction of single family dwellings. The lots are to be served by a private road with a cul-de-sac. The proposed lots appear to meet the minimum lot size requirement for the district. The proposed single family residential use is a principal permitted use in the district per Section 36-216 (1) of the Zoning Ordinance.

The private road requires approval from the Planning Commission, after a review by the Township Engineer and Washtenaw County. Once the private road is approved, the applicant must apply for a lot combination and split to create the 7 lots. The step after that would involve applying for Zoning Compliance approval to build homes on individual lots as and when the applicant is prepared to go ahead with construction.

Zoning Administrator
11-19-2018

NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

The Northfield Township Zoning Board of Appeals will hold a public hearing for 8036 Lakeshore Drive, Whitmore Lake, MI 48189. The applicant is proposing to build decks on the east and west sides of the existing dwelling, with frontages onto Lakeshore Drive and Maple Avenue (unimproved), respectively. The parcel is zoned SR-2 (Single Family Residential) district and has a parcel number B-02-08-395-005. The proposal will require the following variances from the Zoning Ordinance:

1. Article IX. SR-2 Single Family Residential District, Section 36-248. Regulations and Standards, sub-section (4) (a):
Front Yard (Lakeshore Drive Frontage) Setback - 30.00 feet minimum required
 - 15.70 feet existing (to dwelling)
 - 7.70 feet proposed (to deck)
 - 22.30 foot variance requested
2. Article IX. SR-2 Single Family Residential District, Section 36-248. Regulations and Standards, sub-section (4) (a):
Front Yard (Maple Avenue Frontage) Setback - 30.00 feet minimum required
 - 25.70 feet existing (to dwelling)
 - 11.70 feet proposed (to deck)
 - 18.30 foot variance requested

The public hearing will be held on **Monday, November 18, 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, October 27, 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>Lauralyn Bottom</u> | Name: <u>Lauralyn Bottom</u> |
| Address: <u>8026 Lakeshore DR</u> | Address: <u>8026 Lakeshore DR</u> |
| Phone: <u>734-660-9707</u> | Phone: <u>734-660-9707</u> |
| Email: <u>lbottom@umich.edu</u> | Email: <u>lbottom@umich.edu</u> |
| <p>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.</p> | |
| Proof of Ownership Attached: <input type="checkbox"/> | Non-Owner Affidavit Attached: <input type="checkbox"/> |
| <p>If applicant is not the owner, describe applicants interest in the property: _____</p> | |
| <p>1. PROPERTY DESCRIPTION:</p> | |
| A.) PROJECT ADDRESS: <u>8036 Lakeshore DR</u> | |
| B.) PARCEL ID(S): <u>B-02-08-345-005</u> | IS THIS PROPERTY IN A FLOOD PLAIN: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| C.) LEGAL DESCRIPTION: <u>012 SID-B-02-090-379-00 NO 40-7294 LOTS 728-731</u> | |
| <u>INC LINCOLN REALTY CO Horseshoe Lake Sub Lot 1511 120.52 x 97.12 x 120.60 x 74.67</u> | |
| <p>2. PRESENT ZONING CLASSIFICATION:</p> | |
| 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: | |
| <p>3. PRESENT USE OF PROPERTY: <u>Vacant</u></p> | |
| <p>4. NON-CONFORMING STATUS:</p> | |
| A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use): <u>Home was built in 1940 and does not conform to 30'ft back from property line.</u> | |
| B.) State year/month Non-Conformity began (to the best of your knowledge): <u>6/1940</u> | |
| <p>5. VARIANCE REQUEST:</p> | |
| 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: _____ | |
| _____ | |
| _____ | |
| _____ | |

B.) Describe reason/need for Variance: Front of house sits 15.7 feet from road, back of home sits 25.7 feet from back property line.

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:

built in 1940

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:

We would like to have a small front porch and back deck to enjoy the outdoors surrounding our house, also looking to add 20x20 room addition to back left corner of house.

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

the house was built prior to 1950's and is non-conforming to the setback standards.

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 structure would be tasteful and non-invasive to our neighbors or front road-way

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

please allow us to qualify for the overlay sub-district for Horseshoe Lake of 0 feet. Our proposed structure would be 10 ft from front road + 11 feet from an unmarked road Maple Ave.

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:

OCT 09 2019

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 | <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: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments:

Engineering: _____

Utilities: _____

☐ Connection fee's paid

Fire Chief: _____

☐ Inspection Complete

Access: _____

Other Conditions of Approval: _____

Additional Comments: _____



Receipt# 16-20717 6336547
09/19/2016 Washtenaw Co, Michigan
Real Estate Transfer Tax
Tax Stamp # 431003
County Tax: \$170.50 State Tax: \$1162.50



WARRANTY DEED - INDIVIDUAL FORM

AB 80815


Steven Aldridge and Melanie Aldridge, husband and wife, whose address is 8036 Lakeshore Road, Whitmore Lake, MI, 48189, conveys and warrants to Lauralyn Bottom and Michael Bottom, as husband and wife whose address is 7991 Lakeshore Road, Whitmore Lake, MI, 48189 the following property located in the Township of Northfield, Washtenaw County, Michigan:

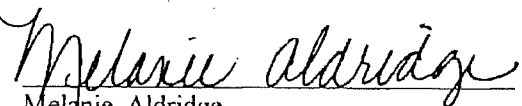
Lots 728 through 731, Lincoln Realty Company Horseshoe Lake Subdivision, as recorded in Liber 5 of Plats, Pages 19 and 20, Washtenaw County Records.

(8036 Lakeshore Road)

for the full consideration of \$155,000.00, subject to easements and restrictions of record and liens for real estate taxes not yet due and payable.

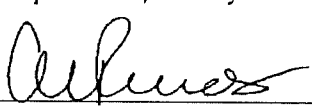
Dated: September 2, 2016


Steven Aldridge


Melanie Aldridge

Acknowledged before me in Washtenaw County, Michigan, on September 2, 2016 by Steven Aldridge and Melanie Aldridge, husband and wife.

My commission expires:


Notary Public
Washtenaw County, Michigan
Acting In Washtenaw County

This instrument drafted by:
Scott Broshar P41006
2875 W. Liberty Rd.
Ann Arbor, MI 48103

When recorded return to:
Grantee

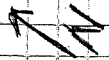
C.M.Perros
Notary Public - Washtenaw County, MI
My Commission Expires July 12, 2021
Acting in Washtenaw County

Recording Fee: \$14.00 plus \$5.00 tax certificate
Transfer Tax: \$1,333.00
Tax Parcel: B-02-08-395-005
AB File No.: 80815

Send tax bills to:
Grantee

Time Submitted for Recording
Date 9-16-2016 Time 1:34pm
Lawrence Kestenbaum
Washtenaw County Clerk/Register

WASHTENAW COUNTY TREASURER
TAX CERTIFICATE NO. 107476 PS



maple Ave (2nd from West Rd)

11.7 ft

11.7 ft

50 x 14 ft

22' x 8' 1/2'

20.1

20' x 30' Lakeshore Dr

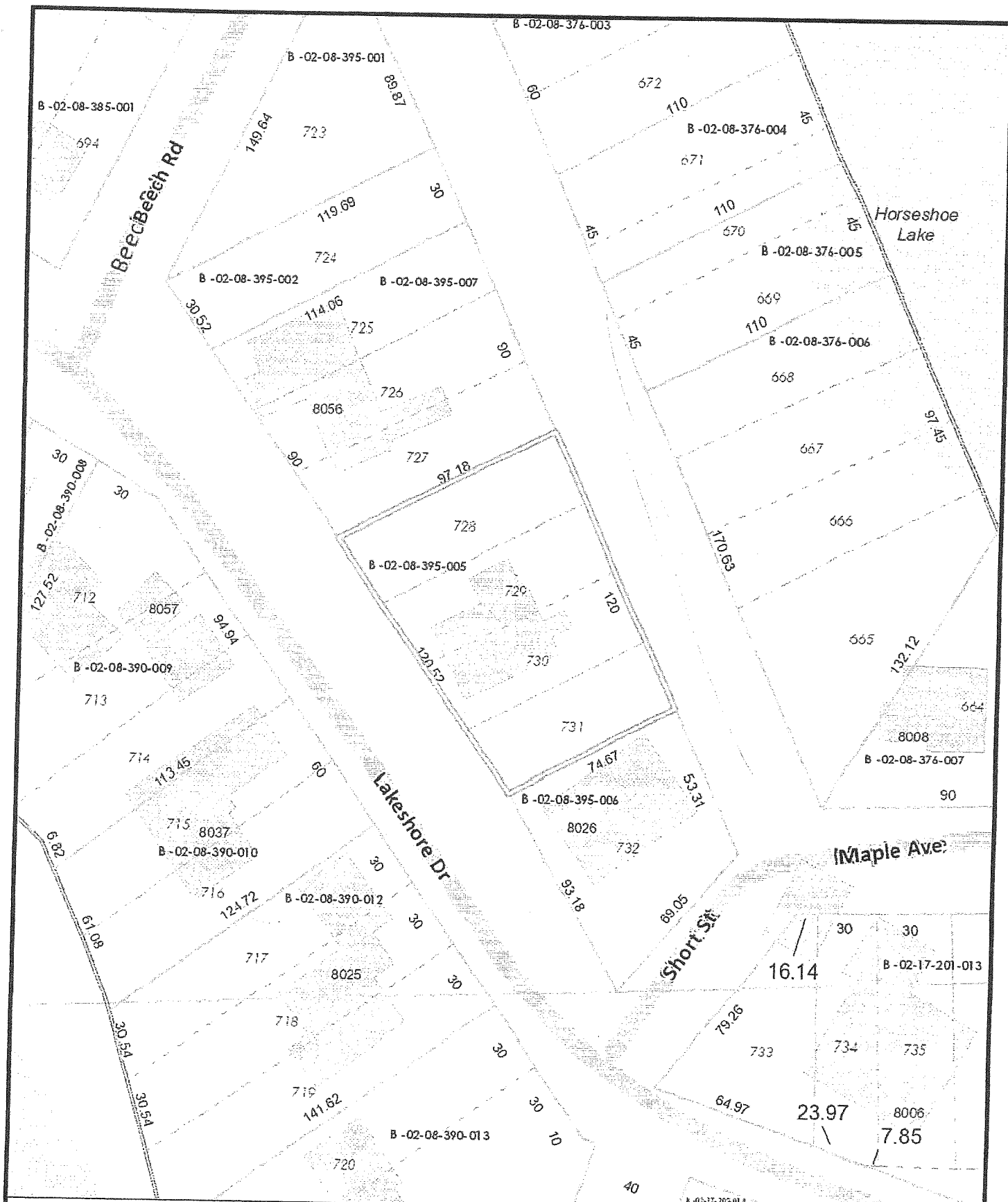
10 x 8 ft front porch

driveway

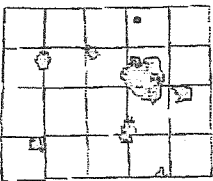
Lakeshore Dr

1" = 10 ft

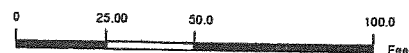
lot 727



© 2013 Washtenaw County



7/10/2019



1: 600

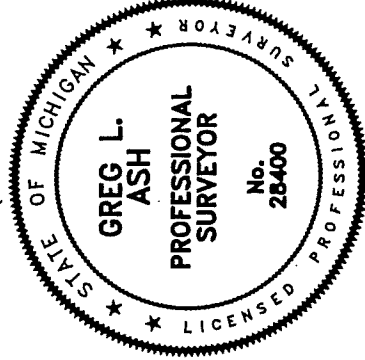
NOTE: Parcels may not be to scale.

The information contained in this cadastral map is used to locate, identify and inventory parcels of land in Washtenaw County for appraisal and taxing purposes only and is not to be construed as a "survey description". The information is provided with the understanding that the conclusions drawn from such information are solely the responsibility of the user. Any assumption of legal status of this data is hereby disclaimed.

Geographic Information System

THE MAP REPRESENTS PARCELS AT THE TIME OF PRINTING. THE OFFICIAL PARCEL TAX MAPS ARE MAINTAINED SOLELY BY THE WASHTENAW COUNTY EQUALIZATION DEPARTMENT AND CAN BE OBTAINED BY CONTACTING THAT OFFICE AT 734-222-6662.

OCT 16 2019



LOTS 728, 729, 730 AND 731 LINCOLN REALTY CO.
HORSHOE LAKE SUBDIVISION OF PART OF S.E. 1/4
OF S.W. 1/4 AND PART OF S.W. 1/4 OF S.E. 1/4 OF
SEC. 8, ALSO PART OF N.W. 1/4 OF N.E. 1/4 OF SEC
17 AND PART OF N.E. 1/4 OF N.W. 1/4 OF SEC 17,
T-1S., R-6E., NORTHFIELD TOWNSHIP, WASHNEAW
COUNTY, MICHIGAN AS RECORDED IN LIBER 5 OF PLATS,
PAGES 19-20, WASHNEAW COUNTY RECORDS.

| | R. | M. | P. | C. | S.I. | F.I. | F.C.M. | P.O.B. |
|--------------------|----|----|----|----|------|------|--------|--------|
| RECORDED | | | | | | | | |
| MEASURED | | | | | | | | |
| PRORATED | | | | | | | | |
| CALCULATED | | | | | | | | |
| SET IRON | | | | | | | | |
| FOUND IRON | | | | | | | | |
| FOUND CONC. | | | | | | | | |
| MON. | | | | | | | | |
| POINT OF BEGINNING | | | | | | | | |

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 09/19/19 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970 HAVE BEEN COMPLIED WITH.

GREG ☒ ASH, P.L.S. #28400

PHONE: (734) 416-9650
FAX: (734) 416-9657
www.qlasurveyor.com

LAURALYN BOTTOM
8036 LAKESHORE DR
WHITMORE LAKE, MI 48189

SCALE: 1" = 40'

SHEET: 1 OF 1
DRAWN BY: BGW



November 12, 2019

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

Subject: Lauralyn Bottom/8036 lakeshore Drive; Variance Review (Application and materials dated 10/4/19).

Dear ZBA Members:

We have reviewed the above referenced variance application submitted by Lauralyn Bottom to build decks on the east and west sides of the existing dwelling, with frontages onto Lakeshore Drive and Maple Avenue (unimproved), respectively. The parcel is zoned SR-2 (Single Family Residential) district and has a parcel number B-02-08-395-005.

VARIANCES

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

1. Article IX. SR-2 Single Family Residential District, Section 36-248. Regulations and Standards, sub-section (4) (a):
Front Yard (Lakeshore Drive Frontage) Setback - 30.00 feet minimum required
 - 15.70 feet existing (to dwelling)
 - 7.70 feet proposed (to deck)
 - 22.30 foot variance requested
2. Article IX. SR-2 Single Family Residential District, Section 36-248. Regulations and Standards, sub-section (4) (a):
Front Yard (Maple Avenue Frontage) Setback - 30.00 feet minimum required
 - 25.70 feet existing (to dwelling)
 - 11.70 feet proposed (to deck)
 - 18.30 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 located in the SR-2 District with minimum lot size and width requirements of 7,500 square feet and 60 feet, respectively. The subject site is a conforming lot with an area of approximately 10,367 square feet and width of 120 feet.

The subject site is a dual frontage lot, with the front of the dwelling facing Lakeshore Drive, and the rear facing Maple Avenue. Maple Avenue is an unimproved grassy area; but it is recorded on the plat maps as a "roadway". Historically it appears the dwellings with 'frontage' onto Maple have treated it as their backyard. However, setbacks have to be measured from the right-of-way line of a public/private road, irrespective of whether it is improved or unimproved.

The required front, rear and side yard setbacks for the SR-2 District are 30 feet, 10 feet and 20 feet, respectively. The proposed decks are located 7.7 feet from lakeshore Drive and 11.70 feet from Maple Avenue.

Per the Assessor's records, the dwelling was constructed in 1930 (per applicant in 1940's), prior to the establishment of the Zoning Ordinance or district setbacks. It is unclear when Maple Road was platted, but it was also likely established after the dwelling was constructed. The existing dwelling is nonconforming and set only 15.7 feet from Lakeshore and 25.7 feet from Maple. Compliance with the Ordinance standards would prevent the construction of both decks. The existing structure is a modest sized dwelling and does not have a covered front entry either. The addition of the decks would provide some additional living space. The existing non-conforming footprint of the dwelling severely limits any additions that can be placed on this structure. Even with the proposed additions, the lot coverage will be below the maximum permitted 30%. Not allowing for any additions on the existing structure 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 decks to meet their needs and functionality and is not adverse to the interests of other property owners. All of the parcels on the west side of Lakeshore and east side of Maple Avenue are located within the Horseshoe Lake Overlay District which allows them to have zero foot front yard setback. The subject site is one of a handful of properties that are outside the overlay in this area. The applicant's application states "please allow us to qualify for the overlay sub-district". However, such a change in overlay district boundary is under the purview of the Planning Commission and Board of Trustees. The ZBA cannot grant such an accommodation.
- (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 size of the proposed front (Lakeshore deck) is 15' x 8' and the size of the rear (Maple deck) is 57' x 14'. While the front deck is reasonable sized, the rear deck is substantial and could likely be reduced in depth from 14' to a smaller dimension that would reduce the setback variance requested. The applicant has not provided any written justification for the size of the decks proposed. If the deck is reduced in depth to 8' (similar to the front deck), the setback would increase to 17.70 feet.



- (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 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 subject site is also challenged by the existence of a platted but unimproved roadway, which makes it a dual frontage lot. This situation is not uncommon in the Horseshoe Lake area.
- (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 is not entirely self-created. The structure pre-dates the Zoning Ordinance regulations for setbacks; however, the extent of the variance is due to the size of the decks proposed.
- (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 take the following action on the requested variances for 8036 Lakeshore Drive:

1. Approve the requested variance of 22.30 feet for the front deck to be located at a setback of 7.70 feet.
2. Approve a reduced variance of 12.30 feet for the rear deck to be located at a setback of 17.70 feet, unless the applicant can provide adequate justification on the need for a 14 foot deep deck.

The recommendation is based on the following findings of fact:

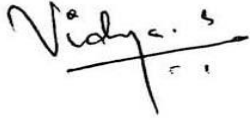
1. Compliance with ordinance standards would prevent the construction of the decks, which would be unnecessarily burdensome.
2. The existing historical building footprint limits the placement of new additions.
3. The existing non-conforming dwelling pre-dates the Zoning Ordinance regulations and likely 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 for the rear deck is not the minimum possible.
5. The need for variance is not entirely 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: Lauralyn Bottom, via e-mail: lbottom@umich.edu



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: FRONT + BACK DECK

PROJECT ADDRESS: 8036 Lakeshore Rd

PARCEL ID(S): B0208395005

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

Applicant Information:

Proprietor/Owner Information:

Name: Lauralyn Bottom

Name:

Address: 8036 Lakeshore Rd

Address:

Phone: 734.660.9707

Phone:

Email: lauralynb@cox.net

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: Front deck + back deck

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- X W.L./N.T. Overlay OTHER: _____

Type of Construction/Alteration: front + back wood deck

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.

Applicant(s) Signature

Date

Pg. 1 of 2

FOR OFFICE USE ONLY

Received Date:

Paid Date:

Existing Legal Non-Conformities:

☒ Yes ☐ No**RECEIVED**

JUL 10 2019

PAID

JUL 10 2019

If yes, explain below:

*Non-conforming dwelling
per SR-2 logs*

NORTHFIELD TOWNSHIP

NORTHFIELD TOWNSHIP
TREASURER

ZONING COMPLIANCE CERTIFICATE:

☐ Approved: Date _____☐ Approved As Noted: Date _____☒ Denied: Date 7-14-19☐ Conditional Use Required☐ Site Plan Approval Required

COMMENTS:

See attached comment sheet.

Zoning Administrator Signature

Date

7/14/2019

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: _____

8036 Lakeshore Drive

Applicant: Lauralyn Bottom
Request: Construction of front and rear deck
Zoning: SR-2 (Single Family Residential-2 District)
Action: **Denied** (see comments below)

Comments:

The applicant proposes to construct an 8' x 16' deck on the front (west side) of the dwelling facing Lakeshore Drive, and a 14' x 50' deck on the rear (east) side facing the Lake. The proposed decks are accessory uses/structures permitted by right in the district per Section 36-246 (1) of the Zoning Ordinance.

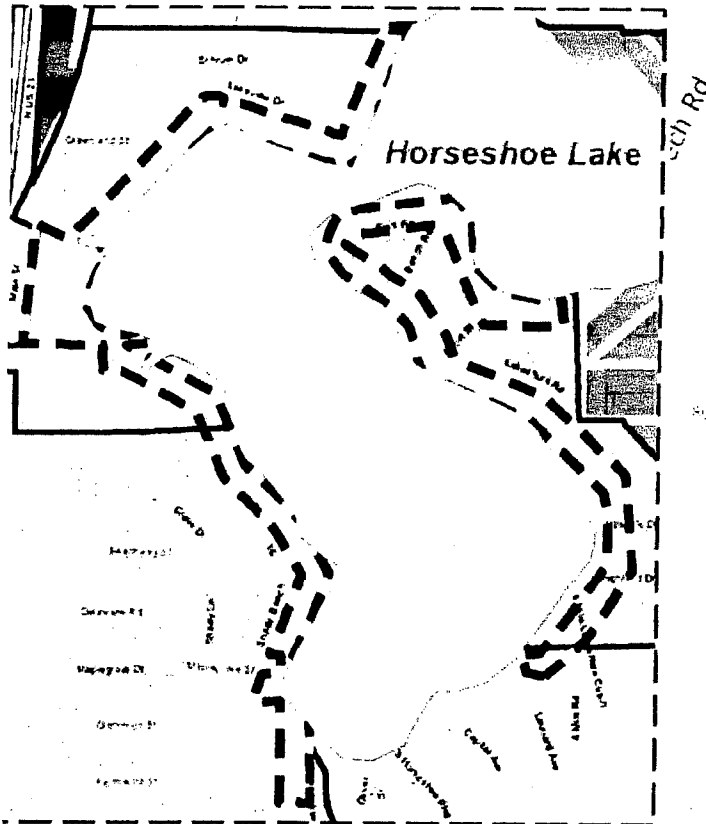
The existing lot has an area of 10,367 square feet and a width of 120'+ per the Assessor's records, making it a conforming lot with respect to the minimum lot size requirement for the SR-2 district. The required front, rear and side yard setbacks for the SR-2 District are 30 feet, 10 feet and 20 feet, respectively. The proposed front deck is noted as being located 15' from the "edge of road" per the plot plan and does not comply with the Ordinance. The rear deck is labeled as being 12' from "abandoned Road Maple Avenue" and is not complaint with the required rear yard setback either.

The proposal has several issues:

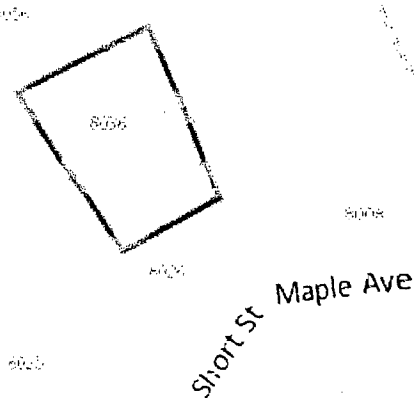
1. The applicant is the owner of the subject site and also the land to the east across the "abandoned Maple Avenue", with frontage onto the Lake. Although Maple Avenue has never been built, is not an improved right-of-way and is used exclusively by the property owners whose parcels it abuts, it is listed as a public r-o-w and has not been officially vacated. Therefore setbacks must be measured from Maple Avenue right-of-way.
2. The front yard setback is shown from the "edge of road" which is an incorrect benchmark. Setbacks must be measured from the right-of-way line. The road's edge is not necessarily the r-o-w line.
3. Horseshoe Lake has an overlay district which encompassed several parcels around the Lake (see map), and allows for reduced setbacks from the Street and side yards, when compared to the SR-2 District. The applicant's parcel on the east side of "Maple Avenue" is in the overlay but the primary parcel is not. Therefore, the parcel on which the structures are located must still comply with regular SR-2 district regulations.
4. The applicant has 2 options: seek a vacation of Maple Avenue right-of-way officially by the governing jurisdiction (Washtenaw County?), which would result in the vacated r-o-w being added to the applicant's land and connecting the 2 parcels. Then request the Township to expand the overlay boundary to include the entire parcel in it, which would allow for the construction of the decks as proposed. OR seek a variance from the Zoning Board of Appeals for the construction of the decks as proposed.

5. An application made to the Zoning Board of Appeals must be accompanied by a staked survey drawn by a licensed surveyor, which shows the exact property boundary lines with irons, setbacks to all existing and proposed structures. The ZBA is a quasi-judicial body and cannot grant setback variances without knowing the exact amount of setback being proposed or deviation requested.

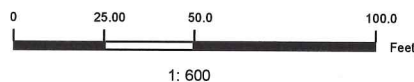
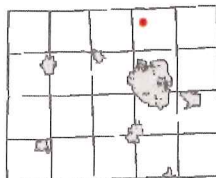
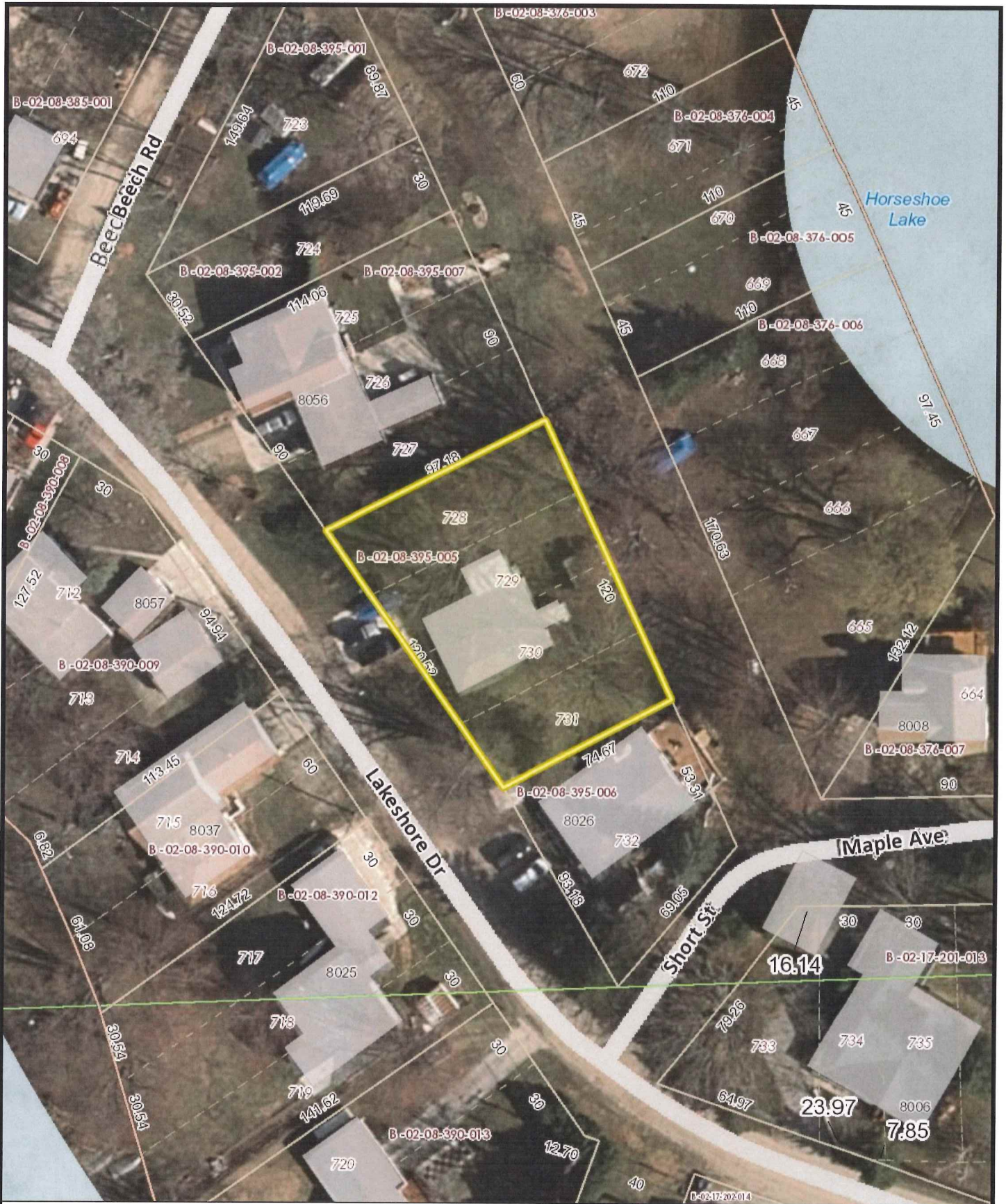
Zoning Administrator
7-14-2019



Horseshoe Lake Overlay District Boundary



Street is still an official right-of-way



10/10/2019



NOTE: Parcels may not be to scale.

The information contained in this cadastral map is used to locate, identify and inventory parcels of land in Washtenaw County for appraisal and taxing purposes only and is not to be construed as a "survey description". The information is provided with the understanding that the conclusions drawn from such information are solely the responsibility of the user. Any assumption of legal status of this data is hereby disclaimed.

THIS MAP REPRESENTS PARCELS AT THE TIME OF PRINTING. THE OFFICIAL PARCEL TAX MAPS ARE MAINTAINED SOLELY BY THE WASHTENAW COUNTY EQUALIZATION DEPARTMENT AND CAN BE OBTAINED BY CONTACTING THAT OFFICE AT 734-222-6662.

NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

The Northfield Township Zoning Board of Appeals will hold a public hearing for 43 Margaret Street, Whitmore Lake, MI 48189. The applicant, Jabeen Bukhari, is proposing to develop the existing structure on the parcel as a duplex. The parcel is zoned SR-2 Single Family Residential district and has a parcel number B-02-05-328-006.

The subject site is an existing non-conforming lot of record with a legal non-conforming single family dwelling. However, duplexes are permitted as a conditional land use in the SR-2 district per Section 36-247 (1) of the Zoning Ordinance, and are subject to specific requirements. The proposal will require the following variances from the Zoning Ordinance:

1. Article IX. SR-2 Single Family residential District, Section 36-248 Regulations and Standards, sub-section (1):

Minimum Lot Area for two-family dwelling - 12,500.00 square feet minimum required

- 5,827.25 square feet existing and proposed
- 6,672.75 square feet variance requested

2. Article IX. SR-2 Single Family residential District, Section 36-248 Regulations and Standards, sub-section (2) b:

Minimum Lot Width for two-family dwelling - 120.00 feet minimum required

- 50.00 feet existing and proposed
- 70.00 foot variance requested

The public hearing will be held on **Monday, November 18, 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, October 27, 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>Jabeen Bukhari / MAJI Group</u> | Name: <u>Maji Group LLC CEO: Jabeen Bukhari</u> |
| Address: <u>3017 Walnut Ridge Drive, Ann Arbor</u> | Address: <u>Same</u> |
| Phone: <u>989-745-5140</u> | Phone: <u>Same</u> |
| Email: <u>bukhari.jabeen@gmail.com</u> | Email: <u>Same</u> |
| <small>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.</small> | |
| Proof of Ownership Attached: <input checked="" type="checkbox"/> | Non-Owner Affidavit Attached: <input type="checkbox"/> |
| <small>If applicant is not the owner, describe applicants interest in the property:</small> | |
| 1. PROPERTY DESCRIPTION: | |
| A.) PROJECT ADDRESS: <u>43 Margaret Street, Whitmore Lake, MI, 48189</u> | |
| B.) PARCEL ID(S): <u>81-B-02-05-328-006</u> IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| C.) LEGAL DESCRIPTION: <u>At the bottom of page.</u> | |
| 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>Property has two separate units with two entrances, 2 Electricity Meters, 2 separate furnaces.</u> | |
| 4. NON-CONFORMING STATUS: | |
| A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use): <u>Lot is 50' wide & 11.5 Feet deep, making it a non conforming lot for duplex requirement.</u> | |
| B.) State year/month Non-Conformity began (to the best of your knowledge): | |
| 5. VARIANCE REQUEST: | |
| A.) Is a denial letter attached from the Zoning Administrator? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If no, identify each section of ordinance from which Variance is requested: <u>With 50' width & 11.5' deep, it does not meet the minimum lot size or width requirement for duplex.</u> | |

Variance request information continued, page 2

So much of the Northwest 1/4 of the Southwest 1/4 of Section 5, Town 1 South, Range 6 East as would be bounded by a line commencing ten rods south of and 403.0 feet East and the west 1/4 Post of said section 5, and running thence South 7 rod then East 50.0 feet; thence North 7 rod; then West 50 feet to the place

B.) Describe reason/need for Variance: As the house is already set up as two units variance approval will result in 2 updated 2 units which will provide residence to two young families. There are more duplex present in the neighborhood area. 4-5 car parking spaces are available in the 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:

It is already divided into two units.

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: None.

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

As it is already divided into two units. There are car parking 4 spaces are present in the back including garage spaces.

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:

There are more duplex present in the neighborhood.

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

To allow 2 units on this lot. This lot does not meet the requirement for a duplex. As 2 units are already present so there will be no change in the foot print or building area.

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.

Tabeen Bukhari CEO MAJI Group LLC
Applicant(s) Signature

9/24/19.
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: 2em; font-weight: bold; color: blue;">RECEIVED</div> <div style="font-size: 1.2em; font-weight: bold; color: blue;">OCT 30 2019</div> <div style="font-size: 0.8em; font-weight: bold; color: blue;">NORTHFIELD TOWNSHIP</div> | Paid Date: <div style="font-size: 2em; font-weight: bold; color: blue;">PAID</div> <div style="font-size: 1.2em; font-weight: bold; color: blue;">SEP 24 2019</div> <div style="font-size: 0.8em; 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: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> |
|---|---|--|

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: _____

Receipt# 19-20959 6484585
08/29/2019 Washtenaw Co, Michigan
Real Estate Transfer Tax
Tax Stamp # 450465
County Tax: \$121.00 State Tax: \$825.00



6484585 L: 5317 P: 842 D

Total Pages: 2 08/30/2019 09:42 AM

Lawrence Kestenbaum

Washtenaw County, Michigan



WARRANTY DEED

282552 TAA

KNOW ALL PERSONS BY THESE PRESENTS: That Lauren Kenny whose address is 43 Margaret St. Northfield Township, MI 48189 Convey(s) and Warrant(s) to MAJI Group LLC whose address is 3017 Walnut Ridge Dr., Ann Arbor, MI 48103 the following described premises situated in the Township of Northfield, County of Washtenaw, and State of Michigan to-wit:

So much of the Northwest 1/4 of the Southwest 1/4 of Section 5, Town 1 South, Range 6 East, as would be bounded by a line commencing ten rods South of and 403.0 feet East and the West 1/4 post of said Section 5, and running thence South 7 rods; thence East 50.0 feet; thence North 7 rods; thence West 50.0 feet to the Place of Beginning, Northfield Township, Washtenaw County, Michigan.

Commonly known as: 43 Margaret St., Whitmore Lake, MI 48189
Tax Parcel # 81-B -02-05-328-006

for the consideration of: One Hundred Ten Thousand and 00/100 Dollars (\$110,000.00)

subject to easement, use, building, and other restrictions of record, if any.

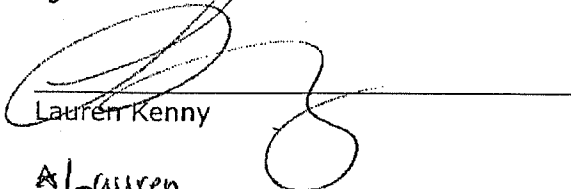
Grantee herein is prohibited from conveying captioned property for any sales price for a period of 30 days from the date of this deed. After this 30 day period, Grantee is further prohibited from conveying the property for a sales price greater than 132,000.00, 120% of short sale price, until 90 days from the date of this deed. These restrictions shall run with the land and are not personal to the Grantee.

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.

The grantor grants to the grantee the right to make 0 division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967.

Dated: August 26, 2019

Signed and Sealed:


Lauren Kenny
A Lauren
CS Kenny

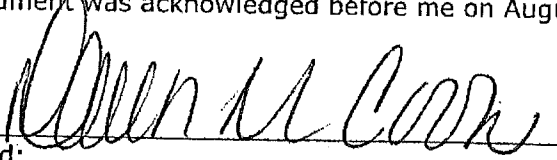
Washtenaw County Treasurer
Tax Certificate NO: 124519 KM

(Warranty Deed (page 2) dated: August 26, 2019
between Lauren Kenny, Seller(s) and MAJI Group LLC, Purchaser(s).)

STATE OF MICHIGAN

COUNTY OF Washtenaw

The foregoing instrument was acknowledged before me on August 26, 2019, by Lauren Kenny.

Notary Signature: 

Notary Name Printed:

Notary County, Michigan

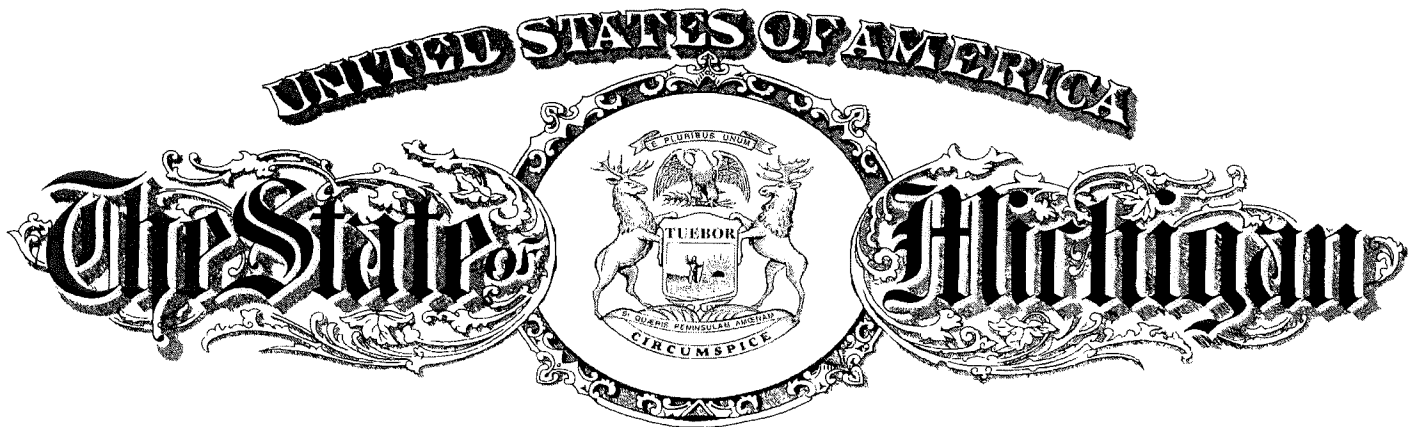
Acting in County

My commission expires:

DAWN M. COOK
Notary Public, State of Michigan
County of Oakland
My Commission Expires 10-06-2024
Acting in the County of *Washtenaw*

File No. 282552TAA

| | |
|--|--|
| Drafted by: | Return to: |
| William F. Ager, III P33742 2750 S. State Street Ann Arbor, MI 48104 | MAJI Group LLC 3017 Walnut Ridge Dr. Ann Arbor, MI 48103 |
| County Treasurer's Certificate | City Treasurer's Certificate |



Department of Licensing and Regulatory Affairs

Lansing, Michigan

This is to Certify That

MAJI GROUP LLC

was validly authorized on October 2 , 2018, as a Michigan DOMESTIC LIMITED LIABILITY COMPANY, and said limited liability company is validly in existence under the laws of this state and has satisfied its annual filing obligations.

This certificate is issued pursuant to the provisions of 1993 PA 23 to attest to the fact that the company is in good standing in Michigan as of this date.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.



In testimony whereof, I have hereunto set my hand,
in the City of Lansing, this 5th day of August , 2019.

Julia Dale, Director

Corporations, Securities & Commercial Licensing Bureau

Sent by electronic transmission

Certificate Number: 19084619010

Verify this certificate at: URL to eCertificate Verification Search <http://www.michigan.gov/corpverifycertificate>.

LARA Corporations
Online Filing System
Department of Licensing and Regulatory Affairs

ID Number: 802241721

[Request certificate](#)[New search](#)

Summary for: MAJI GROUP LLC

The name of the DOMESTIC LIMITED LIABILITY COMPANY: MAJI GROUP LLC

Entity type: DOMESTIC LIMITED LIABILITY COMPANY

Identification Number: 802241721

Date of Organization in Michigan: 10/02/2018

Purpose: All Purpose Clause

Term: Perpetual

The name and address of the Resident Agent:

Resident Agent Name: JABEEEN BUKHARI

Street Address: 3017 WALNUT RIDGE DRIVE

Apt/Suite/Other:

City: ANN ARBOR

State: MI

Zip Code: 48103

Registered Office Mailing address:

P.O. Box or Street Address:

Apt/Suite/Other:

City:

State:

Zip Code:

Act Formed Under: 023-1993 Michigan Limited Liability Company Act

Acts Subject To: 023-1993 Michigan Limited Liability Company Act

Managed By:

Members

View filings for this business entity:

ALL FILINGS
ANNUAL REPORT/ANNUAL STATEMENTS
CERTIFICATE OF CORRECTION
CERTIFICATE OF CHANGE OF REGISTERED OFFICE AND/OR RESIDENT AGENT
RESIGNATION OF RESIDENT AGENT
CERTIFICATE OF ASSUMED NAME

[View filings](#)**Comments or notes associated with this business entity:**

CL MARGARET ST.

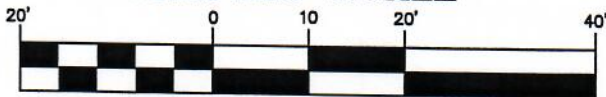
FD PIPE N 86°17'25" E 49.76 FD PIPE N 86°17'25" E 50.01 FD PIPE

8.8 5.1

GRAVEL DR.

43 MARGARET ST.

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

N 02°16'34" W 116.52

PARCEL # 02-05-328-006

4.2'

4.2

S 02°16'34" E 116.57

GARAGE

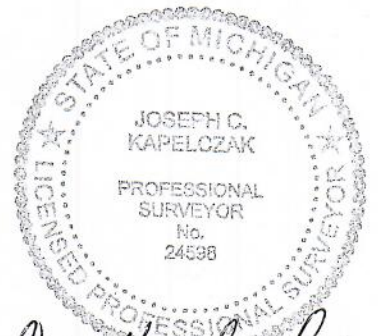
FD PIPE

S 86°20'21" W 50.00

SET CAPPED IRON

FDIR N 86°20'21" E 382.58'

4.7'



Joseph C. Kapelczak

©

Scale:
1"=20'
Date:
10/15/19
Job No.:
10742
Sht. No.:
1 OF 1

43 MARGARET ST.
WHITMORE LAKE
MICHIGAN 48189

P.I. 02-05-328-006
EXISTING STRUTURE
LOCATIONS

TRI-COUNTY SURVEYING, INC.
8615 RICHARDSON RD
COMMERCE TWP., MICHIGAN 48390
248-363-2550



November 12, 2019

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

Subject: Jabeen Bukhari/Maji Group/43 Margaret; Variance Review #1 (Application and materials dated 9/24/2019).

Dear ZBA Members:

We have reviewed the above referenced variance application submitted by Jabeen Bukhari to develop an existing structure on the subject site as a duplex. The parcel is zoned SR-2 Single Family Residential district and has a parcel number B-02-05-328-006.

The subject site is an existing non-conforming lot of record with a legal non-conforming single family dwelling. However, duplexes are permitted as a conditional land use in the SR-2 district per Section 36-247 (1) of the Zoning Ordinance, and are subject to specific requirements.

VARIANCES

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

1. Article IX. SR-2 Single Family residential District, Section 36-248 Regulations and Standards, sub-section (1):

Minimum Lot Area for two-family dwelling - 12,500.00 square feet minimum required
- 5,827.25 square feet existing and proposed
- 6,672.75 square feet variance requested


2. Article IX. SR-2 Single Family residential District, Section 36-248 Regulations and Standards, sub-section (2) b:

Minimum Lot Width for two-family dwelling - 120.00 feet minimum required
- 50.00 feet existing and proposed
- 70.00 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 property is located in the SR-2 district which has minimum required lot area and width for single family residential uses of 7,500 square feet and 60 feet, respectively. The minimum lot area and width for two-family dwellings increases to 12,500 square feet and 120 feet,



respectively. With a lot area of 5,827 square feet and lot width of 50 feet, the parcel is a non-conforming lot of record. The site has an existing single family dwelling, which is a non-conforming structure.

Per the applicant and verified by the Building Official, the existing structure has two (2) separate entrances, 2 separate units, 2 electric meters and 2 separate furnaces, essentially making it a duplex. However, all of those modifications were made by the prior owner with no approvals. The applicant intends to make changes to comply with required building codes and establish the duplex use legally.

Compliance with Ordinance standards would let the structure remain as is, but to be used only as a single family dwelling. The existing code violations would likely remain uncorrected. To our knowledge as long the use was not a duplex, there is nothing the Township could do to force the removal of a second meter, furnace, entrance etc. While such a limitation is not preventing the use of the property as zoned, it is not in the interest of sound planning. The applicant is proposing no changes to the footprint of the structure and no expansion of the structure. The proposal would result in changes to the structure to comply with any Building Codes and site design requirements.

- (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. As noted above, the existing structure is already set up as a duplex, but without approvals. Approval of the variances will still require the applicant to apply for site plan and conditional land use approval from the Planning Commission and Board of Trustees. The subject site is in close proximity to Downtown, and the provision of additional housing opportunities for young families is in keeping with the vision of the WLD-D to create a more pedestrian friendly and walkable district.
- (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. The applicant is seeking approval for an established lot area and width with no scope for expansion of lot area or size at this time.
- (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 on Margaret Street. There are other SR-2 zoned areas within the Township that have complaint lot sizes; however, some areas like the subject size are characterized by non-conforming lot sizes which were likely established before the Ordinance standards were adopted.
- (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 non-conforming lot size and width likely pre-dates the Zoning Ordinance regulations. The existing duplex situation was created by the prior owner of the dwelling. The applicant is attempting to correct an existing non-conforming use by getting approval through the proper process and also attempting to bring the building up to code.
- (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. Making changes to the structure to comply with applicable building codes is in the interest of safety and welfare of future residents of the structure.

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 43 Margaret:

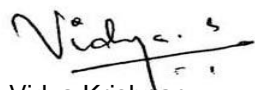
1. The existing structure is already set up as a duplex with no approvals, which the applicant is attempting to correct.
2. Compliance with ordinance standards would let the structure remain as is, with no corrections, which is not in the interest of sound planning.
3. The variances will provide substantial 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 non-conforming lot size and width likely pre-date the Zoning Ordinance standards.
6. Approval of the variances will allow the applicant to make changes to bring the structure into compliance with applicable building codes.
7. The site is in close proximity to Downtown, which encourages more pedestrian traffic.
8. Approval of the variances is not contrary to public health, safety and welfare.

The variances are recommend for approval subject to the following condition:

1. The applicant shall apply for and seek site plan and conditional land use approval.

Respectfully,

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: Jabeen Bukhari, via e-mail: bukharijabeen@gmail.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:

PROJECT ADDRESS: 43 Margaret Street, Northfield Township MI-48189

PARCEL ID(S): 81-B-02-05-328-00 IS THIS PROPERTY IN A FLOOD PLAIN: ☐ Yes ☐ No

Applicant Information:

Name: Tabeen Bukhari
Address: 3017 Walnut Ridge Drive
Phone: 989-745-519
Email: T.medico@hotmail.com

Proprietor/Owner Information:

Name: MAJI Group LLC
Address: Same
Phone: _____
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: This property has two entrances, wants to change the property to duplex. Car parking is ample.

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: Internal changes, up gradewp/ Painting 1/2 bath addition.

Project Start Date: 8/27/19

Project Completion Date: 3/27/20.

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.

Tabeen Bukhari
Applicant(s) Signature

8/27/19
Date

RECEIVED
AUG 27 2019
NORTHFIELD TOWNSHIP

FOR OFFICE USE ONLY

Received Date:

Paid Date:

PAID

AUG 27 2019

NORTHFIELD TOWNSHIP TREASURER

Existing Legal Non-Conformities:

☒ Yes ☐ No

If yes, explain below:

New conforming lot
area & lot width

ZONING COMPLIANCE CERTIFICATE:

☐ Approved: Date _____

☐ Denied: Date _____

☒ Approved As Noted: Date 8/28/19

☒ Conditional Use Required

☒ Site Plan Approval Required

COMMENTS: See attached comment sheet.

ZBA action required first.

Nicholas

Zoning Administrator Signature

Date

8/28/19

AREA OF CONCERN

Landscaping:

1 Greenbelt

2 Parking lot islands, etc.

3 Site Landscaping

4 Foundation Planting

5 Dumpster Screening

6 Comments:

Complies

Does Not Comply

N/A

☐

☐

☐

☐

☐

☐

☐

☐

☐

☐

☐

☐

☐

☐

☐

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:

43 Margaret Street

Applicant: Jabeen Bukhari/ MAJI Group LLC
Zoning: SR-2 (Single Family Residential District)
Request: Use of property as duplex
Action: **Approved – ZBA action/Site and Conditional Land Use Approval Required**
(See comments below)

Comments:

The subject site is zoned SR-2 (Single Family Residential). Per the applicant, the structure has 2 entrances and the previous owner had made modifications to the structure to convert it to a duplex, but never obtained permits or completed the change. Duplexes are permitted as a conditional land use in the district per Section 36-247 (1) of the Zoning Ordinance.

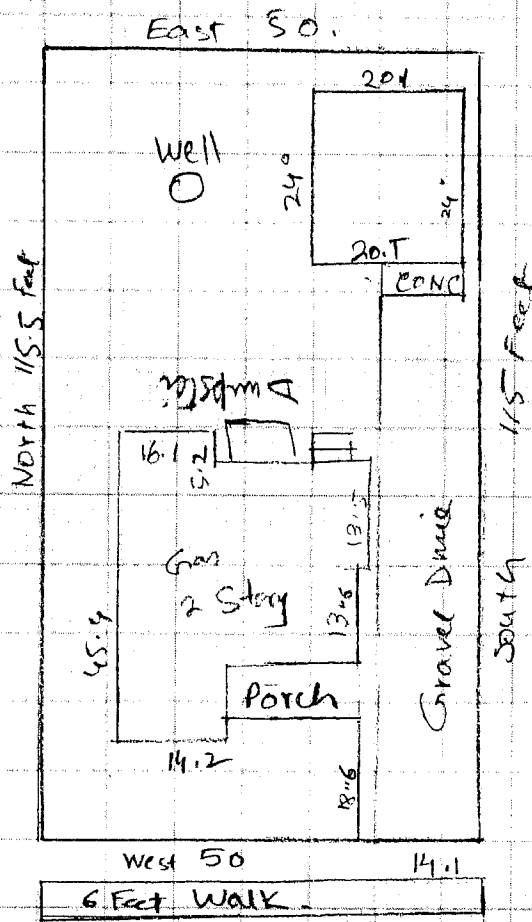
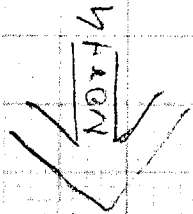
The minimum required lot area and width for a two-family dwelling/duplex is 12,500 square feet and 120 feet, respectively. The existing lot has a width of 50' and depth of 115', resulting in a lot area of approximately 5,750 square feet. This makes it a non-conforming lot. While the single family residential use would be allowed on a non-conforming lot of record, the use of the property as a duplex will require approval of variances from the Zoning Board of Appeals for lot area and lot width.

If the ZBA grants approval of the variances, the applicant will then need to apply for site plan and conditional land use approval from the Planning Commission and Board of Trustees. Conditional uses require a recommendation from the Planning Commission and are subject to final approval by the Township Board of Trustees, and cannot be administratively approved.

The next step would be to submit an application and fees for consideration of variances by the Zoning Board of Appeals.

Zoning Administrator
8-28-2019

43 Margaret Street Whitman Lake, HI



Municipal Sewers

Margaret Street



1 square 10 Feet

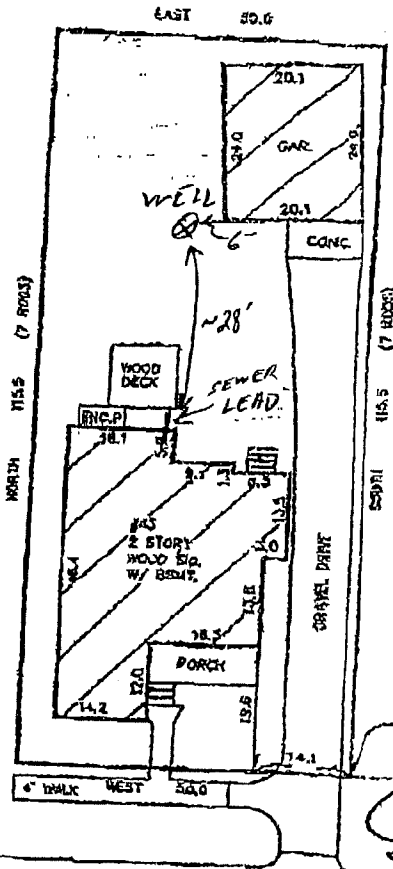
MORTGAGE SURVEY

Certified to: FIRST HORIZON HOME LOAN CORP.

Applicant: JOEL HENRY-FISHER

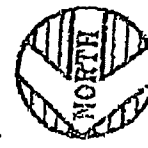
Property Description:

Land located in the Township of Northfield, County of Washtenaw, State of Michigan, described as follows:
So much of the Northwest 1/4 of the Southwest 1/4 of Section 8, Town 1 South, Range 8 East, as would be bounded by a line commencing 10 rods South of and 403 feet East of the West 1/4 post of said Section 8, and running from thence South 7 rods; thence East 59 feet; thence North 7 rods; thence West 59 feet to the Place of Beginning, all in Northfield Township, Washtenaw County, State of Michigan.



- LOCATE + PROPERLY ABANDON OLD WELL

- MUNICIPAL SEWERS SERVICE THIS PROPERTY



RECEIVED
JUL 11 2001
DEIS

MARGARET STREET
22' ASPHALT PAVEMENT

WEL 2001-0527C
LOCATION OF WELL

APPROVED (NO. _____)
WASHTENAW COUNTY
HEALTH DEPARTMENT
DATE: 7/24/01
BY: TW

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the hereinbefore mentioned applicant, mortgagee, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property hereinafter described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

JOB NO: 01-64510 SCALE:
DATE: 06-27-01 DR BY: D.R.U.

KEM-TEC
LAND SURVEYORS

25355 GRAFT AVENUE
P.O. BOX 100
ANN ARBOR, MI 48106-0100
(313) 722-4222
FAX (313) 722-4048



KEM-TEC WEST
LAND SURVEYORS

1000 E. 37TH AVE
ANN ARBOR, MI 48106-1000
(734) 331-4000 • FAX (734) 331-4000
FAC (734) 331-4000



July 9, 2019

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

Subject: Zoning Administrator Quarterly Report 4/1/2019 – 6/30/2019

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 SECOND quarter of 2019 (April 1 through June 30, 2019).

Zoning Compliance Applications: A total of 34 applications were APPROVED.

1. Approved four (4) new dwellings.
2. Approved one (1) addition requiring ZBA approval.
3. Approved seven (7) new accessory structures like decks and garages.
4. Approved six (6) new pole barns.
5. Approved two (2) new swimming pools.
6. Approved five (5) new fence applications.

Nine (9) applications were approved for Non-residential Uses:

1. ***Wireless Equipment Upgrade*** - at existing tower at 85 Six Mile Road
2. ***Wireless Equipment Upgrade*** – at existing tower at 9835 South Rushton Road
3. ***9531 Main Street/Restaurant*** – A restaurant is proposed at an existing vacant storefront in the WLD-D District. Proposed change of use/new use is approved pending application for Administrative Site Plan approval.
4. ***58 Barker/Massage Parlor*** - A personal service establishment i.e, massage parlor is proposed in the WLD-D District. The Township has no clear prior records of any approvals for the site. Proposed use is approved pending application for Administrative Site Plan approval.
5. ***7418 Earhart/Bed & Breakfast*** – The use is permitted as a conditional land use in the AR district. Approval was granted subject to site plan approval and conditional land use approval from the Planning Commission and Board of Trustees.

- 
6. **8711 Main/Finishing Services** – The residential and commercial painting and finishing service qualifies as an equipment services use, which is allowed as a principal use in the GC District. Since no square footage is being added, approval was granted subject to Administrative Site Plan Approval.
 7. **9230 Main/Small Potatoes Catering** – The proposed food service use is permitted as a conditional land use in the WLD-W District. Approval was granted subject to site plan approval and conditional land use approval from the Planning Commission and Board of Trustees.
 8. **0 Main Street/Yellowbox Fireworks** – Approved a temporary land use for firework sales not to exceed 30 days in a calendar year.
 9. **75 Barker/Kiwanis** – Approved a temporary land use for retail/rummage sales not to exceed 30 days in a calendar year.

Denied

One application for a deck and an application for a fence were denied for non-compliance with ordinance requirements for setbacks and placement. The applicant for the fence has already applied for ZBA approval. Three (3) other applications were denied for incorrect information, inaccurate data and/or unverifiable data, prior to being revised and resubmitted. They were subsequently approved.


Administrative Site Plan Approvals:

Cantelon Finishers/8711 Main Street – 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 site is zoned GC (General Commercial) and the applicant proposed no increase in square footage on the site. The administrative site plan approval review included improvements to parking, striping, light fixture shielding, landscaping and removal of non-conforming signage. A copy of the administrative site plan review letter is attached.

Zoning Board of Appeals Cases: A total of five (5) cases were reviewed by the ZBA this quarter

1. **7400 Nollar** - Proposed addition to an existing non-conforming dwelling on a non-conforming lot in the AR District. The addition was not in compliance with required setbacks for the district. Applicant received ZBA approval for setback variances.
2. **433 East Shore** – Proposed addition to an existing non-conforming dwelling with attached garage in the WLD-W District. The addition was not in compliance with required setbacks for the district. Applicant received ZBA approval for setback variances.
3. **69 Schrum** – Proposed detached accessory building was placed in front of the rear wall of the principal dwelling. The issue was a result of existing DTE powerlines in the rear of the property requiring a 15’ setback, which is not part of Zoning regulations. Variance was approved by the ZBA.
4. **9411 Main Street** – Proposed addition to an existing nonconforming single family residential dwelling in the ground story of a parcel in the WLD-D District. Single family residential uses are permitted as a conditional land use on the ground level; however, the applicant applied for zoning compliance prior to adoption of the new ordinance and preferred seeking ZBA approval under the nonconformities provision.



- 
5. **1031 W. North territorial** – Landscape Business is allowed as a conditional land use in the AR district. The business has been on the site for a long time with no approvals from the Township and was issued multiple notices of violation. The business was recently sold to the applicant who was previously leasing space from the former owner and was under the assumption that the business was legal. The applicant was directed to follow the process and get approvals. The applicant applied for and was granted a variance from minimum parcel size for landscape businesses and minimum lot width. We have been working closely with the applicant to ensure the operation of a legally approved business while allowing them to continue operations during the process.

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 multiple meetings 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.

Other Items: The addition of the 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. 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.

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



Vidya Krishnan
Principal Planner

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





October 9, 2019

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

Subject: Zoning Administrator Quarterly Report 7/1/2019 – 9/30/2019

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 THIRD quarter of 2019 (July 1 through September 30, 2019).

Zoning Compliance Applications: A total of 14 applications were APPROVED.

1. Approved two (2) new dwellings.
2. Approved three (3) additions to single family dwellings.
3. Approved three (3) new accessory structures like decks and garages.
4. Approved two (2) new pole barns.
5. Approved one (1) new swimming pool.
6. Approved one (1) solar panel array installation.
7. Approved two (2) new fence applications.

Seven (7) applications were approved for Non-residential/Duplex Uses:

1. ***Wireless Equipment Upgrade*** – at existing tower at 9835 South Rushton Road
2. ***7440 S. Kearney Road/Bed & Breakfast*** – The applicant wants to use the site as a short-term rental facility, and for gatherings and events such as weddings, corporate events and other similar occasions, which is permitted under the category of “Bed and Breakfast Operation”. A bed and breakfast use is permitted only as a conditional use in the AR district. Approval was granted subject to site plan approval and conditional land use approval from the Planning Commission and Board of Trustees.
3. ***6410 Whitmore Lake Road/Terra Firma*** – The applicant proposes to operate a landscape contracting company with outdoor storage. The site is located in the WLNT overlay district. The applicant is in the process of seeking rezoning to the Master Plan designation of industrial for the site which would facilitate outdoor storage.
4. ***43 Margaret/Duplex*** – The applicant proposes to use the existing structure as a duplex. Duplexes are conditional land uses in the SR-2 district. The parcel does not meet the minimum size requirements established for such use. Approval was granted subject to the applicant

obtaining approval of variances from the ZBA and subsequently site plan and conditional land use approval.

5. **9412 Main Street/Community Garden** – The applicant was granted approval for a garden shed and a fence for the community garden.
6. **9859 Main/Real Estate and Equipment Services** – The subject site is located in the WLD-W district and is occupied by an existing building. The site is subject to a code violation for a fence which was installed without approval. The owner also made multiple changes to the site and building as “maintenance”. The building has 2 suites. The applicant proposes to operate one as a real estate office, which is a principal permitted use, while the second suite is to be operated as offices and related equipment storage for an equipment services company, which is a conditional land use in the district. Approval was granted subject to site plan approval and conditional land use approval from the Planning Commission and Board of Trustees. The unauthorized fence is subject to review as part of PC approval.
7. **9615 Main/ Family Video** – The subject site is located in the WLD-D district. The applicant's request to use the commercial property as a single family dwelling was approved subject to site plan approval and conditional land use approval from the Planning Commission and Board of Trustees.

Denied

1. **62715 Eight Mile/Lean-to** – The code enforcement officer brought to my attention the operation of a farm co-op store on the subject site from a newly constructed (unapproved) addition to the pole barn. The owner was directed to apply for a zoning compliance. At the time of review, I determined that the addition built is likely non-conforming and does not meet the required setback, which must be verified. Further, the operation of the farm co-op store is not exempt and requires site plan approval. The request was denied pending a staked survey to show if the structure is non-complaint and if necessary apply to the ZBA for a variance, followed by Administrative site plan approval.
2. Two applications for decks were denied due to non-compliance with setback and easement issues.

Violation

3. One application for fence from Horseshoe Lake HOA was denied, since the boundary markers (defined as a fence by the Ordinance) were placed within a platted private road right-of-way. The applicant was asked to petition the Planning Commission for approval of improvements to a private Road. However, it is our understating that at this time the fence posts are placed within a utility easement and close to a gas line and the right-of-way has been covered with wood chips to create a “path”. The applicant (the representative for the HOA) has refused to comply with the Ordinance and has chosen to continue more improvements in violation of the ordinance procedures.

Administrative Site Plan Approvals:

None this quarter.



Zoning Board of Appeals Cases: A total of two (2) cases were reviewed by the ZBA this quarter

1. **212 Glenmoor** – The homeowner installed a 6' privacy fence in the front yard with no approvals. A variance was granted to have a fence height of 6' when the ordinance allows only for 3' in the required front yard along Main Street. The homeowner was issued a violation notice almost 2 years ago, and finally followed through on the corrective process.
2. **6684 Whitmore Lake Road/Absolute Storage** – The applicant is in the process of seeking site plan approval for the construction of a large warehouse and new storage units at the existing facility. The applicant sought and obtained approval of a variance from the total number of parking spaces and approval to provide partial masonry on the exterior of the building. The ZBA approved the extent of masonry shown on the concept elevations but deferred to the Planning Commission on what the specific masonry material should be. The plan is currently before the PC for approval and to determine which material would be considered as "masonry".

Final Site Inspections:

1. **Littlefish Design/8425 Main Street** – Conducted final site inspection for compliance to Planning Commission approved plans and granted approval.

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 multiple meetings 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.

Other Items: The addition of the 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. 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.

Over the past few weeks I have encountered several applicants who have been belligerent about Ordinance requirements and frequently dis-respectful and insulting. My role as the Zoning Administrator is to apply the Ordinance as written. I do not have the authority to deviate from the written code or disregard them. If an applicant is dissatisfied with the Ordinance, they are at a liberty to petition the Planning Commission and Township Board of Trustees for a change. While I understand people when

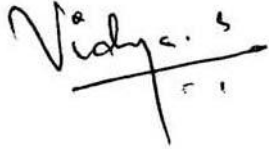


they are upset with regulations, I expect to be treated with respect and courtesy and draw the line at personal attacks.

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

A handwritten signature in black ink, appearing to read "Vidya Krishnan", with a horizontal line drawn across the middle of the signature.

Vidya Krishnan
Principal Planner

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



NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

Minutes of Regular Meeting July 15, 2019

1. CALL TO ORDER

The meeting was called to order by Vice-Chair
Jacki Otto 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 | Absent with notice |
| Scott Gustafson | Present |
| Greg Kolecki | Present |
| Jacki Otto | Present |
| Alternate: James Balsillie | Presence not required |

Also present:
Recording Secretary Lisa Lemble
Building/Planning/Zoning Coordinator Mary Bird
Planning Consultant Vidya Krishnan
Members of the public

4. ADOPT AGENDA

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

5. CORRESPONDENCE

None.

6. PUBLIC HEARINGS

- 6A. Case #JZBA190007; Thomas Hahn
Location: 212 Glenmoor
Request for variance from Article XXIV, Supplementary District Regulations, Section 36-715(d)(1) to allow a 6 foot tall fence in the front yard on Main Street. Parcel 02-17-262-012. Zoned SR-2.

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

Thomas Hahn explained that he constructed a 6' privacy fence and would like to leave it in place because it blocks the view and sound from US-23,

keeps out trash, and keeps in his large dog. He said he it does not interfere with any lines of sight.

Planning consultant Vidya Krishnan read her report dated June 28, 2019. She noted the property has two front yards—on both Glenmoor and Main Street, no lines of sight are obstructed, 6' is the standard for residential privacy fences, there is no detrimental effect on the neighborhood caused by the height of the fence, and setting the fence 30' in from the Main Street frontage would significantly reduce the usable area of the rear yard because of the bend in Main Street.

In answer to a question from Gustafson, Mr. Hahn said the four foot fence shown on the survey belongs to the neighbor, and while it is possible his dog could jump over that fence, it would then simply be in the neighbor's yard. In answer to other questions from Gustafson, Krishnan said a 6' fence would be allowed on a side yard and any variances approved go with the land.

In answer to a question from Cousino, Hahn said he built the fence two years ago, and did not know at the time that he needed a permit for it.

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

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

- 6B. Case #JZBA190006; Whitmore Lake Climate Storage LLC; Location: 6684 Whitmore Lake Road; Request for variances from Article XXIV, Supplementary District Regulations, Section 36-736(7), and from Article XXV, Off Street Parking Loading and Unloading Requirements, Section 36-764(24), to allow for partial use of masonry and to provide less than the requirement number of parking spaces. Parcel 02-20-300-016. Zoned LI within the WLNT Overlay District.

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

Jeff Evans appeared for his parents, owner of the subject property.

**Northfield Township Zoning Board of Appeals
Minutes of Regular Meeting
Public Safety Building; 8350 Main Street
July 15, 2019**

Krishnan noted the owners applied in 2017 to the Planning Commission, and the Commission referred them to the ZBA for these two variances. She reviewed her June 28, 2019, report, noting that the applicants are requesting permission for partial coverage of the building with masonry, rather than full coverage, and are requesting a reduction from the required 69 parking spaces to 42 spaces,

Krishnan said the proposed use of masonry will not detract from the overall appearance due to the location in an industrial area and the landscaping provided. Regarding parking, she said most other ordinances required only a very few parking spaces because the nature of mini-storage is such that customers do not park on the site and traffic levels are low.

Krishnan said the applicant will be afforded substantial justice by approval of the variances and there will be no detrimental impacts on neighboring properties or public health and safety as a result. She said while the request for variances are self-created, the Township does not want to create more impervious surface than is required, and the ordinance does not give the Planning Commission the ability to modify the requirement for exterior building materials. She recommended approval of the requests.

In answer to a question from Otto, Evans said none of the parking spaces will be used for any other purposes including renting them out for boat or vehicle storage, and if they wish to use any of the parking area for buildings in the future they understand they would need to request another variance.

Evans displayed samples of the masonry material proposed to be used, which he said will be 18" x 24" in size. Gustafson questioned whether this artificial material meets the definition of masonry.

In answer to a question, Evans said there will a total of 270 storage units of varying sizes. There was a discussion of how other ordinances classify this use for parking requirements, and Krishnan said the parking requirements in the Northfield Township zoning ordinance are outdated.

In answer to questions from Krishnan, Evans said they hope to have Phase I constructed before winter. Cousino noted there is room on the site for all of the required parking. Evan said he is concerned that providing excess striped parking spots will lead customers to think they can leave cars overnight, which is not allowed.

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

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

7. OLD BUSINESS

None.

8. NEW BUSINESS

- 8A. Case #JZBA190007; Thomas Hahn**
Location: 212 Glenmoor
Request for variance from Article XXIV, Supplementary District Regulations, Section 36-715(d)(1) to allow a 6 foot tall fence in the front yard on Main Street. Parcel 02-17-262-012. Zoned SR-2.

Planning consultant Vidya Krishnan recommended approval of the requested variance based on findings of fact listed in her written report dated June 28, 2019, including that corner lots present a challenge for fence setbacks and there will be no negative effects on the neighborhood.

- **Motion:** Gustafson moved, Cousino supported, that the findings of fact presented in the report dated June 28, 2019 in Case #JZBA190007 by Thomas Hahn at 212 Glenmoor, for variance from Article XXIV, Supplementary District Regulations, Section 36-715(d)(1) to allow a 6 foot tall fence in the front yard on Main Street, Parcel 02-17-262-012, zoned SR-2 be accepted and the variances be approved.

In answer to a question from Cousino, Krishnan said Laurie Bater at 230 Glenmoor, who wrote a letter in opposition to the request, lives next door to the east of Ms. Hahn.

Motion carried 4—0 on a roll call vote.

- 8B. Case #JZBA190006; Whitmore Lake Climate Storage; Location: 6684 Whitmore Lake Road; Request for variances from Article XXIV, Supplementary District Regulations, Section 36-736(7), and from Article XXV, Off Street Parking Loading and Unloading Requirements, Section 36-764(24), to allow for partial use of masonry and to provide less than the requirement number of parking spaces. Parcel 02-20-300-016. Zoned LI within the WLNT Overlay District.**

Planning consultant Vidya Krishnan reviewed her written findings of fact in her report dated June 28, 2019, and recommended approval of the variances requested, noting that the requests are reasonable, and will have no detrimental effects on the surrounding area. She noted that the actual masonry material to be

**Northfield Township Zoning Board of Appeals
Minutes of Regular Meeting
Public Safety Building; 8350 Main Street
July 15, 2019**

used will be subject to approval by the Planning Commission as part of the final proposal which must still be submitted.

- ▶ **Motion:** Gustafson moved, Cousino supported, that the variances requested in Case #JZBA190006; Whitmore Lake Climate Storage; Location: 6684 Whitmore Lake Road; Request for variances from Article XXIV, Supplementary District Regulations, Section 36-736(7), and from Article XXV, Off Street Parking Loading and Unloading Requirements, Section 36-764(24), to allow for partial use of masonry and to provide less than the required number of parking spaces be granted.
Motion carried 4—0 on a roll call vote.

9. MINUTES

- ▶ **Motion:** Koleccki moved, Cousino supported, that the minutes of the June 17, 2019, regular meeting be approved as presented.
Motion carried 4—0 on a voice vote.

10. CALL TO THE PUBLIC

None present.

11. ZBA MEMBER COMMENTS

None.

12. ANNOUNCEMENT OF NEXT MEETING

August 19, 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:** Otto moved, Cousino supported, that the meeting be adjourned.
Motion carried 4—0 on a voice vote.

The meeting was adjourned at 8:00 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 _____, 2019.

Kenneth Dignan, Chair

Greg Koleccki, Secretary

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