

**NORTHFIELD TOWNSHIP  
ZONING BOARD OF APPEALS  
Minutes of Regular Meeting  
August 15, 2016**

**1. CALL TO ORDER**

The meeting was called to order by chair Amy Steffens at 7:00 P.M. at 8350 Main Street.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL  
AND DETERMINATION OF QUORUM**

Marlene Chockley	Present
Doug Del Favero	Present
Greg Kolecki	Absent with notice
Jacqueline Otto	Present
Amy Steffens	Present
Gary Wellings, Alternate	Absent

Also present:

Recording Secretary Lisa Lemble  
Township Manager Howard Fink  
Mary Bird, Assessing & Building Assistant  
Planning Consultant Vidya Krishnan  
Members of the public

**4. ADOPT AGENDA**

Steffens added Item 8B, discussion of a zoning compliance permit application.

- ▶ **Motion:** Del Favero moved, Chockley supported, that the agenda be adopted as amended.  
**Motion carried 4—0 on a voice vote.**

**5. CORRESPONDENCE**

None.

**6. PUBLIC HEARINGS**

- 6A. Case #JZBA150007;  
**Applicants:** Giulio Cogo and Judy Hayward  
**Location:** 600 East Shore Drive  
**Request for variance from Land Division Ordinance Section 14.23.a.5 to allow for a proposed lot split resulting in two parcels (A and B) with proposed parcel B having a width:depth ratio of 1:4.47 instead of 1:4 as required by the State Land Division Act. Parcel 02-04-200-006; Zoned SR-1**

- ▶ **Motion:** Chockley moved, Del Favero supported, that the public hearing be opened.  
**Motion carried 4—0 on a voice vote.**

Giulio Cogo, 983 Marshall Road, South Lyon, explained that he is planning on renovating the house on this lot, which is in disrepair, and splitting the lot to allow construction of a second house. He said the purpose of the State law regarding width:depth ratio is to prevent extremely narrow lots, but if this lot were 20 feet shallower no variance would be required.

Planning Consultant Vidya Krishnan reviewed her report, noting that the minimum lot size and setback requirements for both lots being created are met. She said strict compliance with the State restrictions would prevent the owner from using the property for a permitted purpose, substantial justice will be provided by granting of the variance, the variance requested is the minimum required, and the variance will be in harmony with the spirit and intent of the ordinance and will not be injurious to the neighborhood.

In answer to a question from Otto, Krishnan said the vacant lot being created is large enough to allow construction of a home without requiring variances.

In answer to a question from Chockley, Krishnan said the existing house front yard setback and the north setback for the garage are not in compliance with the SR-2 setbacks.

Loren Wallace, 2225 Seven Mile Road, said it sounds like the applicant is improving the property, and supported the application.

Thomas Sweda, 574 E. Shore Drive, said he has lived next to this property for 30 years, and he considered developing it at one point. He presented a drawing showing a way to split the property using a private road that would be in compliance with the State regulations. He said a flag-shaped lot will be created in either situation, and he would have no objection to the split as he proposed. In answer to a question from Steffens, Krishnan said the minimum lot width in this district at the front setback line is 80 feet, and that requirement would not be met with the plan proposed by Sweda. She added that a private road is not allowed for a single dwelling.

Mr. Cogo said his intention is to build a single-family dwelling on the new lot sometime in the future, and the renovations to the existing house will require replacing the foundation.

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

## 7. OLD BUSINESS

None.

## 8. NEW BUSINESS

### 8A. Submittal Requirements; Variance for 2225 Seven Mile Road.

Planning consultant Vidya Krishnan explained that Loren Wallace, owner of this property, submitted a zoning compliance permit application after constructing an addition to the house. She said the side yard setback is shown as 29' rather than the required 30', which means he will have to submit a variance request. She said, however, while a survey is not required for a zoning compliance application, it is required for a ZBA application, so the question before the ZBA is whether to allow the ZBA application without a survey. Krishnan said her concern is setting a precedent for future requests.

Wallace said the required survey would cost \$3,100, and he explained that for the zoning compliance permit he submitted drawings showing a 29' setback measured from the existing fence, which he assumes is on the property line.

Wallace noted he will be requesting a 1'-2' variance on a five acre parcel that is zoned agricultural. Chockley said a survey could show the fence is not on the property line and the setback of the addition is 30' or more. Wallace acknowledged that he created this problem when he failed to get a building permit to build the addition.

Steffens said she understands surveys are expensive, but they make the situation clear, help the Township act on requests, and help avoid problems in the future. Otto said without a survey the ZBA would not know how large or small a variance it is granting. Krishnan said which County GIS information is available, it is just one type of data and the Township does not like to rely on it for establishing property lines.

Del Favero said the entire Board sympathizes with Wallace regarding the cost of the survey, but he has also unexpectedly benefitted from having a survey of his property performed, and he agreed that the ZBA would have difficulty determining what variance to grant without it. Fink said he and Krishnan understand both sides of this issue.

Wallace asked whether he could take the measurements again and—if it turns out his original measurements had been wrong and there actually is a 30' setback—submit a revised zoning compliance application.

Otto questioned whether the ZBA has the authority to change the submittal requirements. Steffens asked if there are any existing survey pins on his property. Wallace said he has not looked. Fink said the only way staff would be comfortable accepting revised

measurements is if Wallace were to find an existing pin, and he recommended looking with a metal detector.

In answer to a question from Steffens, Fink said a motion pertaining only to this property is appropriate, and Krishnan said the motion will establish a precedent.

- ▶ **Motion:** Otto moved, Del Favero supported, that regarding the request by Loren Wallace at 2225 Seven Mile Road, the Zoning Board of Appeals require a survey in accordance with Section 36-943(c)2. **Motion carried 4—0 on a voice vote.**

### 8B. Case #JZBA150007; Applicants: Giulio Cogo and Judy Hayward Location: 600 East Shore Drive Request for variance from Land Division Ordinance Section 14.23.a.5 to allow for a proposed lot split resulting in two parcels (A and B) with proposed parcel B having a width:depth ratio of 1:4.47 instead of 1:4 as required by the State Land Division Act. Parcel 02-04-200-006; Zoned SR-1

Otto said she appreciates the information provided by Mr. Sweda, but it does not provide a solution since a private road cannot serve a single home. In answer to a question from Krishnan, Sweda said he had once considered building more than one home on the rear of the proposed new lot. Krishnan said in that case a private road would be required. Cogo said a private road would give Sweda access to property Sweda owns, but he does not need a private road for the single house he wants to build on the new lot being created by the split.

- Motion:** Chockley moved, Otto supported, that the request in Case #JZBA150007 by Giulio Cogo and Judy Hayward at 600 East Shore Drive for variance from Land Division Ordinance Section 14.23.a.5 to allow for a proposed lot split resulting in two parcels (A and B) with proposed parcel B having a width:depth ratio of 1:4.47 instead of 1:4 as required by the State Land Division Act, Parcel 02-04-200-006, Zoned SR-1 be approved subject to the findings of fact stated in the letter from McKenna Associates dated August 4, 2016. **Motion carried 4—0 on a roll call vote.**

## 9. UNFINISHED BUSINESS

None.

## 10. MINUTES

- ▶ **Motion:** Del Favero moved, Otto supported, that the minutes of the July 18, 2016, regular meeting be approved as presented. **Motion carried 4—0 on a voice vote.**

**11. CALL TO THE PUBLIC**

None present.

**12. ZBA MEMBER COMMENTS**

Del Favero thanked the staff for their assistance during the meeting.

**13. ANNOUNCEMENT OF NEXT MEETING**

**September 19, 2016**, 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.

**14. ADJOURNMENT**

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

The meeting was adjourned at 8:10 P.M.

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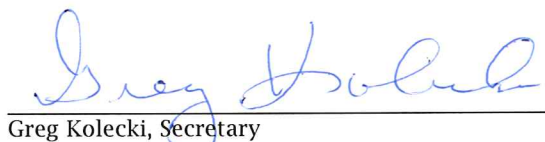
Prepared by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:

Wording removed is ~~stricken through~~;  
Wording added is underlined.

Adopted on October 17, 2016.

  
\_\_\_\_\_  
Amy Steffens, Chair

  
\_\_\_\_\_  
Greg Kolecki, Secretary

Official minutes of all meetings are available on the Township's website at  
[http://www.twp-northfield.org/government/zoning\\_board\\_of\\_appeals/](http://www.twp-northfield.org/government/zoning_board_of_appeals/)