

**NORTHFIELD TOWNSHIP  
ZONING BOARD OF APPEALS  
Minutes of Regular Meeting  
July 18, 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	Present
Jacqueline Otto	Present
Amy Steffens	Present
Gary Wellings, Alternate	Absent
(presence not required)	

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

**4. ADOPT AGENDA**

- ▶ **Motion:** Chockley moved, Del Favero supported, that the agenda be adopted as presented.  
**Motion carried 5—0 on a voice vote.**

**5. CORRESPONDENCE**

None.

**6. PUBLIC HEARINGS**

- 6A. Case #JZBA160005; Gregory Yarrington; Location: 5450 Hellner Road. Request for variance from Section 36-719(d)(3), Private Roads and Driveway Regulations to construct a 15 foot wide driveway with a total length of 1,400 feet. Parcel 02-31-100-007. Zoned AR.**

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

Gregory Yarrington said he has owned this land for almost 18 years and they are now ready to build on it. He said the high water table on the property prevents them from building closer to the road, so the building site is at the rear of the property where the elevation is highest. He said they are doing their best to preserve as many natural elements as possible, although they removed many dead elm streets and will do some dredging to create a dry hydrant.

Krishnan reviewed her June 23<sup>rd</sup> report noting that the site is challenged by the high water table which is not the result of any action on the part of the applicant,

without the requested variance a home with a basement could not be built, the variance is the minimum that can be requested, granting the request will not confer any special privileges on the applicant, and the request is not adverse to the public interest. She recommended approval of the request.

Brynn Raupagh, 5445 Hellner Road, said she lives across the road and spoke in favor of the request.

- ▶ **Motion:** Otto moved, Del Favero supported, that the public hearing be closed.  
**Motion carried 5—0 on a voice vote.**

- 6B. Case #JZBA160006; Richard Bonello; Location: 981 Main Street. Request for variance from Section 36-902(6), Non-conforming Uses, to construct a 30' x 40' pole barn intended for vehicle parking and storage. Parcel 02-06-105-018. Zoned WLD-D (Whitmore Lake Downtown)**

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

Richard Bonello said he would like to build a pole barn to store cars, gardening tools, etc. He said the house was built in the 1930s and he is in the process of cleaning it up.

Krishnan reviewed her report of June 16, 2016, and explained that ZBA approval is required because construction of a pole barn would be expansion of a non-conforming use. She noted the principal use—a house—is a legal, non-conforming use, not allowing storage area could be construed as a hardship, the proposed barn is clearly an accessory use to the house, and the addition will not have any negative public effects. She recommended approval of the request.

In answer to a question from Del Favero, Krishnan said there is no side yard setback requirement in the WLD-D district.

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

**7. OLD BUSINESS**

None.

**8. NEW BUSINESS**

- 8A. Case #JZBA160005; Gregory Yarrington; Location: 5450 Hellner Road. Request for variance from Section 36-719(d)(3), Private Roads and Driveway Regulations to construct a 15 foot wide driveway with a total length of 1,400 feet. Parcel 02-31-100-007. Zoned AR.**

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Del Favero thanked Yarrington for investing in the Township on a difficult piece of property. In answer to a question from Chockley, Yarrington described the plans for the dry hydrant and driveway design.

Steffens asked if Yarrington has had a wetlands delineation survey done. Yarrington said he has submitted a DEQ application and a representative from the State of Michigan has already inspected the site and indicated he does not see a problem with his plans.

- **Motion:** Steffens moved, Chockley supported, that the request in Case #JZBA160005 by Gregory Yarrington, 5450 Hellner Road, for a variance from Section 36-719(d)(3), Private Roads and Driveway Regulations, to construct a 15 foot wide driveway with a total length of 1,400 feet, when the ordinance permits a maximum length of 1,000 feet, Parcel 02-31-100-007, Zoned AR-Agriculture, meets the findings of fact included in the ordinance and per the discussion tonight and in the report dated June 16th, subject to a dry hydrant being place on the site per Fire Department specifications.  
**Motion carried 5—0 on a roll call vote.**

- 6B. Case #JZBA160006; Richard Bonello;  
Location: 981 Main Street. Request for variance from Section 36-902(6), Non-conforming Uses, to construct a 30' x 40' pole barn intended for vehicle parking and storage. Parcel 02-06-105-018. Zoned WLD-D (Whitmore Lake Downtown)

In answer to questions, Krishnan said the barn will be 46 from the front property line, and Bonello said the peak of the barn will not be higher than the house, but he does not have a drawing of the barn or know what the roof pitch is. He said it will having vinyl siding, a cement floor, and standard doors and will look like a typical garage. Bonello said the color will a gray to match the house with white trim. In answer to a question from Del Favero, Bonello said this will be his primary residence. Del Favero said it is nice to see this property being improved.

Steffens said consideration of this request is confusing because the findings do not address the ordinance language about either retention or removal of the non-conforming uses, neither one of which is proposed. Krishnan agreed it is confusing, but said the intent behind the ordinance must also be considered. She said it is an interpretation, but it is reasonable to consider whether it would be a hardship for a legal dwelling not to have a garage.

Steffens said it seems like consideration of a use variance is implied. Krishnan said this is definitely not a use variance because residential use is allowed in the district and the application is not saying that the property is no longer useful for any of the allowed uses. Steffens expressed concern about the proposed accessory structure being larger than the dwelling because the ordinance states accessory uses must be subordinate to the principal use. Krishnan says the garage is clearly a subordinate use to the principal structure, and the ordinance does limit the size of the proposed structure.

- **Motion:** Del Favero moved, Chockley supported, that the request in Case #JZBA160006 by Richard Bonello, 9681 Main Street, for a variance from Section 36-902(6), Non-conforming Uses, to construct a 30' x 40' pole barn intended for vehicle parking and storage, Parcel 02-06-105-018, zoned WLD-D (Whitmore Lake Downtown District), be approved based on the findings of fact listed in the letter dated June 16, 2016, from McKenna Associates. **Motion carried 5—0 on a roll call vote.**

## 9. MINUTES

- **Motion:** Otto moved, Del Favero supported, that the minutes of the May16, 2016, regular meeting be approved as presented.  
**Motion carried 5—0 on a voice vote.**

## 11. CALL TO THE PUBLIC

No comments.

## 12. ZBA MEMBER COMMENTS

No comments.

## 13. ANNOUNCEMENT OF NEXT MEETING

**August 15, 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:** Chockley moved, Otto supported, that the meeting be adjourned.  
**Motion carried 5—0 on a voice vote.**

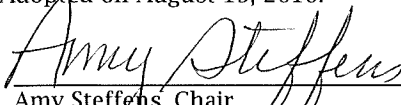
The meeting was adjourned at 7:43 P.M.


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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 August 15, 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/)