

**NORTHFIELD TOWNSHIP
ZONING BOARD OF APPEALS
Minutes of Regular Meeting
March 21, 2016**

1. CALL TO ORDER

The meeting was called to order by Chair Amy Steffens at 7:06 P.M. at 8350 Main Street.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

AND DETERMINATION OF QUORUM

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

Also present:

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

4. ADOPT AGENDA

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

5. CORRESPONDENCE

None.

6. PUBLIC HEARINGS

- 6A. Case #JZBA160002; Judy M. Munch;
Location: 82 East Shore Drive;
Request for variance from Article IX, SR-2 Single-family residential district, Section 346-228, subsection 4, front yard setback, to remove an existing closed porch on the east side of the home and replace it with a three season room, and to build a porch on the north and west sides of the dwelling. Parcel 02-05-378-014.

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

William Munch and Thomas Slider of Slider Builders, Inc. of Webberville appeared for the applicant and described the dimensions of the proposed porch. It was noted that the porch would result in the house encroaching 16' into the required 30' setback.

Fink questioned whether the new porch as it extends to the west side of the house would leave sufficient space

for the driveway, but said a building permit would not be issued until that is verified. In answer to a question from Steffens, Slider said the east side of the new porch will be enclosed and the west side will be open.

In answer to a question from Otto, Munch said there is a sidewalk right along the road.

Vidya Krishnan of McKenna Associates reviewed the site plan, noting that the house currently extends 6' into the front yard setback, and the proposal would extend the north side of the house an additional 8' in that 30' setback.

Krishnan reviewed the findings of fact in her written report, noting that while there are no special conditions or circumstances, the existing pattern of development in the area shows that most homes extend into the required front yard setback. She said a strict interpretation of the ordinance would deprive the applicant of rights commonly enjoyed by other property owners in the area, and approving the variance would not give the applicant special rights not enjoyed by others in the area. She also noted that the Planning Commission is working on a developing less stringent setback requirements for lake areas, and deferred to the ZBA to make a decision based on the information provided.

Chockley acknowledged that the Planning Commission is considering revised setbacks for lake areas, but she thought those new regulations would be for areas of lower traffic. She said she is concerned about safety by increasing the footprint of the house toward the road.

Wellings said many homes along East Shore should be the pride and joy of the community, but are not, and said he applauds the applicant for taking steps to improve this property. In answer to questions from Munch, he said his neighbors told him they do not object to this proposal and the existing side porch needs serious work. He said an 8' porch is not excessive and it would extend the building out only 2' further than the existing stoop. Otto said this proposal also makes the property more symmetrical.

In answer to a question from Steffens, Munch said he would have no objection if a condition of approval were that the open part porch as shown in the plans be required to stay open.

Steffens noted no members of the public were present.

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

7. OLD BUSINESS

None.

8. NEW BUSINESS

8A. Case #JZBA160002; Judy M. Munch;
Location: 82 East Shore Drive;
Request for variance from Article IX, SR-2 Single-family residential district, Section 346-228, subsection 4, front yard setback, to remove an existing closed porch on the east side of the home and replace it with a three season room, and to build a porch on the north and west sides of the dwelling. Parcel 02-05-378-014.

► **Motion:** Wellings moved, Otto supported, that in Case #JZBA160002; Judy M. Munch; 82 East Shore Drive; Parcel 02-05-378-014, zoned SR-2 Single-Family Residential, that the ZBA grant an 8' variance from the front yard setback based on the recommendations and findings that:

- there are no special conditions or circumstances peculiar to the site or the structure on it; however, the request is in keeping with the existing pattern of development in the area/neighborhood,
- the existing pattern of development with non-compliant front yard setbacks likely precedes the Zoning Ordinance setback regulation from which the variance is requested,
- the variance is not adverse to the public interest,
- the proposal would add taxable value to the Township,
- there have been no neighbor complaints,
- it improves the appearance of the neighborhood and the community,

with the conditions that the front porch will be enclosed and that the driveway and access be reviewed for public safety. **Motion carried 5—0 on a roll call vote.**

9. MINUTES

February 16, 2016

Steffens asked that the statement, "Mr. Nowatzke declined tabling this hearing for additional research into the parcel the billboard sits on." be added.

► **Motion:** Kolecki moved, Otto supported, that the minutes of the February 16, 2016, regular meeting be approved as amended.
Motion carried 5—0 on a voice vote.

10. CALL TO THE PUBLIC

None present.

11. ZBA MEMBER COMMENTS

ZBA Training Materials. Chockley offered to share information from a ZBA training session she attended.

Revising the Standards for Determination. Steffens said she would like the Planning Commission to review and consider revising the Standards of Determination in Section 36-943. Planning consultant Krishnan agreed this would be advisable because currently the ZBA has no flexibility in approving variances that do not strictly comply with these standards. Wellings agreed, noting that variances have had to be denied in the past that the ZBA would have liked to approve.

► **Motion:** Steffens moved, Kolecki supported, that the Zoning Board of Appeals recommends that the Planning Commission review and amend Section 36-943(D)1-5, the Standards for Determination, for variance requests with input from the members of the ZBA. **Motion carried 5—0 on a voice vote.**

Plans Required for Variance Requests. Steffens said plans submitted for variance requests often do not include the minimum information required for ZBA members to understand the request and make informed decisions. She said Krishnan will work on preparing a sample plot plan to help applicants understand what is required, including existing and proposed setbacks.

12. ANNOUNCEMENT OF NEXT MEETING

April 18, 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.

13. ADJOURNMENT

► **Motion:** Otto moved, Chockley supported, that the meeting be adjourned.
Motion carried 5—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 May 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/