

**NORTHFIELD TOWNSHIP**  
**ZONING BOARD OF APPEALS**  
October 15, 2018 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 #JZBA180006 - Request of Antonio Green, 7900 Shady Beach Drive, Whitmore Lake, MI 48189. The applicant is proposing to demolish an existing cottage and build a new single family dwelling with an attached garage on the lot. The applicant is requesting the following variances from Article XXIII.II WLHL, Section 36-695: side yard (west) setback variance of 4.45 feet and a side yard (east) setback variance of 4.15 feet and a combined side yard setback variance of 8.60 feet. The applicant is seeking a lot coverage variance of 3.92% from Article IX, SR-2 Single Family Residential District, Section 36-248 (3). The parcel is zoned SR-2 Single Family Residential District and is also part of the Whitmore Lake–Horseshoe Lake Overlay District (WLHL) with a parcel number of B-02-17-226-014.
  - B. Case #JZBA180007 – Request of Park Builders, Inc. on behalf of Theresa Bower, 379 Delaware, Whitmore Lake, MI 48189. The applicant is proposing to build a 24' x 24' garage attached to an existing single-family dwelling. The applicant is requesting a front yard (east) setback variance of 5.70 feet from Article IX, Section 36-248 4(a). The parcel is zoned SR-2 Single Family Residential and is a corner lot with dual frontage with a parcel number of B-02-17-231-043.
7. **OLD BUSINESS**
8. **NEW BUSINESS:**
  - A. Case #JZBA180006 - Request of Antonio Green, 7900 Shady Beach Drive, Whitmore Lake, MI 48189. The applicant is proposing to demolish an existing cottage and build a new single family dwelling with an attached garage on the lot. The parcel is zoned SR-2 Single Family Residential District and is also part of the Whitmore Lake–Horseshoe Lake Overlay District (WLHL) with a parcel number of B-02-17-226-014.
  - B. Case #JZBA180007 – Request of Park Builders, Inc. on behalf of Theresa Bower, 379 Delaware, Whitmore Lake, MI 48189. The applicant is proposing to build a 24' x 24' garage attached to an existing single-family dwelling. The parcel is zoned SR-2 Single Family Residential and is a corner lot with dual frontage with a parcel number of B-02-17-231-043.
9. **APPROVAL OF MINUTES:** August 20, 2018
10. **CALL TO THE PUBLIC**
11. **ZBA MEMBER COMMENTS**
12. **ANNOUNCEMENT OF NEXT MEETING:** November 19, 2018
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.

# NOTICE OF PUBLIC HEARING

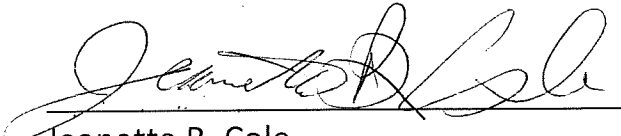
The public hearing will be held on **Monday, October 15<sup>th</sup>, 2018** at 7:00 p.m. on the second floor for the Northfield Township Public Safety Building, 8350 Main Street, Whitmore Lake, MI 48189. The application is on file at the Northfield Township Building/Zoning Department, 8350 Main Street, 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: Thursday, September 27, 2018  
Newspaper: [legalads@mlive.com](mailto:legalads@mlive.com)

I, Jeanette B. Cole, give my grandson, Antonio Green, permission to act on my behalf in all matters regarding 7900 Shady Beach. This approval includes the executing of documents, and making decisions regarding the use of the property.

  
Jeanette B. Cole

8/17/2018  
Date

# NORTHFIELD TOWNSHIP MICHIGAN

SZBA180006

RECEIVED

AUG 23 2018

PAID

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](http://www.twp-northfield.org)

## ZONING BOARD OF APPEALS HEARING APPLICATION

Applicant Information:	Proprietor/Owner Information:
Name: ANTONIO GREEN	Name: JEANETTE B. COLE
Address: 52635 TRAILWOOD DR SOUTHLYN, MI 48178	Address: 52635 TRAILWOOD DR SOUTHLYN, MI 48178
Phone: 313-215-0841	Phone: 734-420-2648
Email: DETROITSIGMA@YAHOO.COM	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: <input type="checkbox"/>	Non-Owner Affidavit Attached: <input checked="" type="checkbox"/>
If applicant is not the owner, describe applicants interest in the property: ANTONIO GREEN IS THE GRANDSON OF JEANETTE COLE AND HE WILL BE HANDLING THE REDEVELOPMENT OF THE PROPERTY	
1. PROPERTY DESCRIPTION:	
A.) PROJECT ADDRESS: 7900 SHADY BEACH	
B.) PARCEL ID(S): LOT 19	IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input type="checkbox"/> No
C.) LEGAL DESCRIPTION: Lot 19, Horseshoe Lake Development Co's Shady Beach Sub-division of part of the Northwest 1/4 of Section 17, and part of the Northeast 1/4 of Section 18, Northfield Township, Washtenaw County, Michigan	
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: COTTAGE * NOT A PRIMARY RESIDENCE	
4. NON-CONFORMING STATUS:	
A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use): <u>Current structure does not conform with current setbacks</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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If no, identify each section of ordinance from which Variance is requested:	

Variance request information continued, page 2

Pg. 1

B.) Describe reason/need for Variance: \_\_\_\_\_

EXISTING STRUCTURE IS FOUNDATIONALLY FAILING AND ACCORDING TO OUR CONTRACTOR MAY NOT BE REPAIRABLE FOR A REASONABLE  
COST IN CONSIDERATION OF THE OVERALL VALUE OF THE REALESTATE

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:

OVER RECENT YEARS THE STRUCTURE HAS BEEN SLOWLY SINKING. WE HAVE HAD WORK DONE  
MULTIPLE TIMES TO ADD SUPPORT TO THE FOUNDATION AND RAISE PORTIONS OF THE HOME  
BACK TO A LEVEL POSITION; BUT THESE FIXES HAVE NOT HELD UP OVER TIME, AND WE NEED A  
VIABLE LONGTERM SOLUTION

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:

CURRENT SETBACKS WILL NOT ALLOW US ENOUGH ROOM TO BUILD A VIABLE STRUCTURE  
CURRENT STRUCTURE PLACEMENT DOES NOT ALLOW FOR ACCESS TO WATER FOR WATER CRAFT LOADING VIA THE STREET / LOT  
CURRENT STRUCTURE SETBACKS DO NOT EVEN ALLOW FOR A WALKWAY TO BE INSTALLED TO REAR OF LOT WITHOUT EASEMENT FROM NEIGHBOR

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

CURRENT SETBACKS MAKE IT NEARLY IMPOSSIBLE TO DESIGN A SUITABLE REPLACEMENT STRUCTURE ONCE THE FAILING STRUCTURE IS REMOVED

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:

1. THE NEW STRUCTURE DESIGN IS NOT GOING TO OBSTRUCT NEIGHBORING PROPERTIES VIEWS AS THEY CURRENTLY EXIST.
2. THE STRUCTURE WILL BE ARCHITECTURALLY DESIGNED TO BLEND WITH MANY OF THE OTHER NEWER COTTAGES WITHIN THE DEVELOPMENT
3. REMOVAL OF CURRENT FAILING STRUCTURE WILL ENHANCE OVERALL PROPERTY VALUES CONSIDERING THE FINISHED PRODUCT OF THIS PROJECT
4. NEW FOOTPRINT ACTUALLY IMPROVES UPON THE EXISTING STRUCTURE PLACEMENT WHICH ALREADY VIOLATES THE CURRENT ORDINANCE

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

MODIFY THE EXISTING SETBACKS OF THE SITE TO ALLOW US TO DESIGN AND BUILD A MORE SUITABLE COTTAGE FOR OUR FAMILY.  
SEE ATTACHED PROPOSED NEW STRUCTURE AND SETBACKS REQUESTED  
POTENTIALLY MODIFY THE OVERALL PERCENTAGE OF LAND TO STRUCTURE RATIO

**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.)

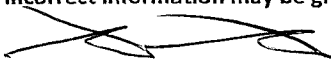
\$795 = All others

**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 to 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

8/17/2018  
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="text-align: center; color: blue; font-weight: bold; font-size: 1.2em;">RECEIVED</div> <div style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">AUG 23 2018</div> <div style="text-align: center; color: blue; font-weight: bold; font-size: 1.2em;">PAID</div>	Paid Date:	Existing Legal Non-Conformities: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain below: <hr/> <hr/> <hr/> <hr/>
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**ZONING COMPLIANCE CERTIFICATE:**

<input type="checkbox"/> Approved: Date _____  <input type="checkbox"/> Denied: Date _____	<input type="checkbox"/> Approved As Noted: Date _____  <input type="checkbox"/> Conditional Use Required <input type="checkbox"/> Site Plan Approval Required
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COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Zoning Administrator Signature _____	Date _____
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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

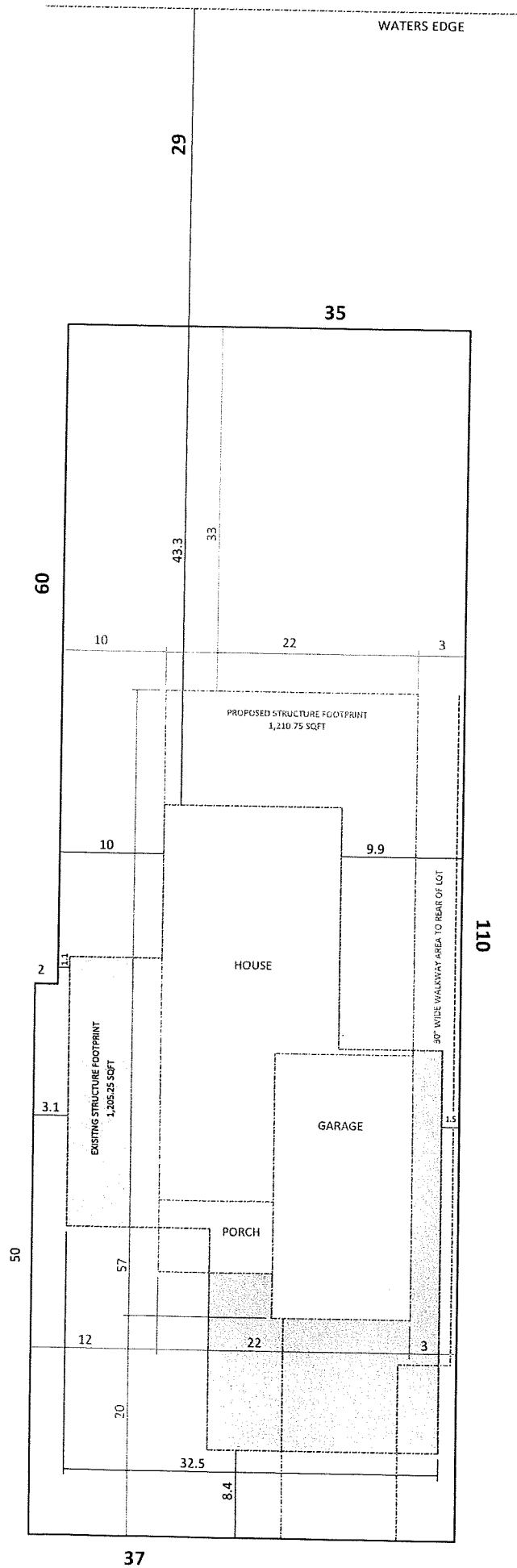
**Access:** \_\_\_\_\_

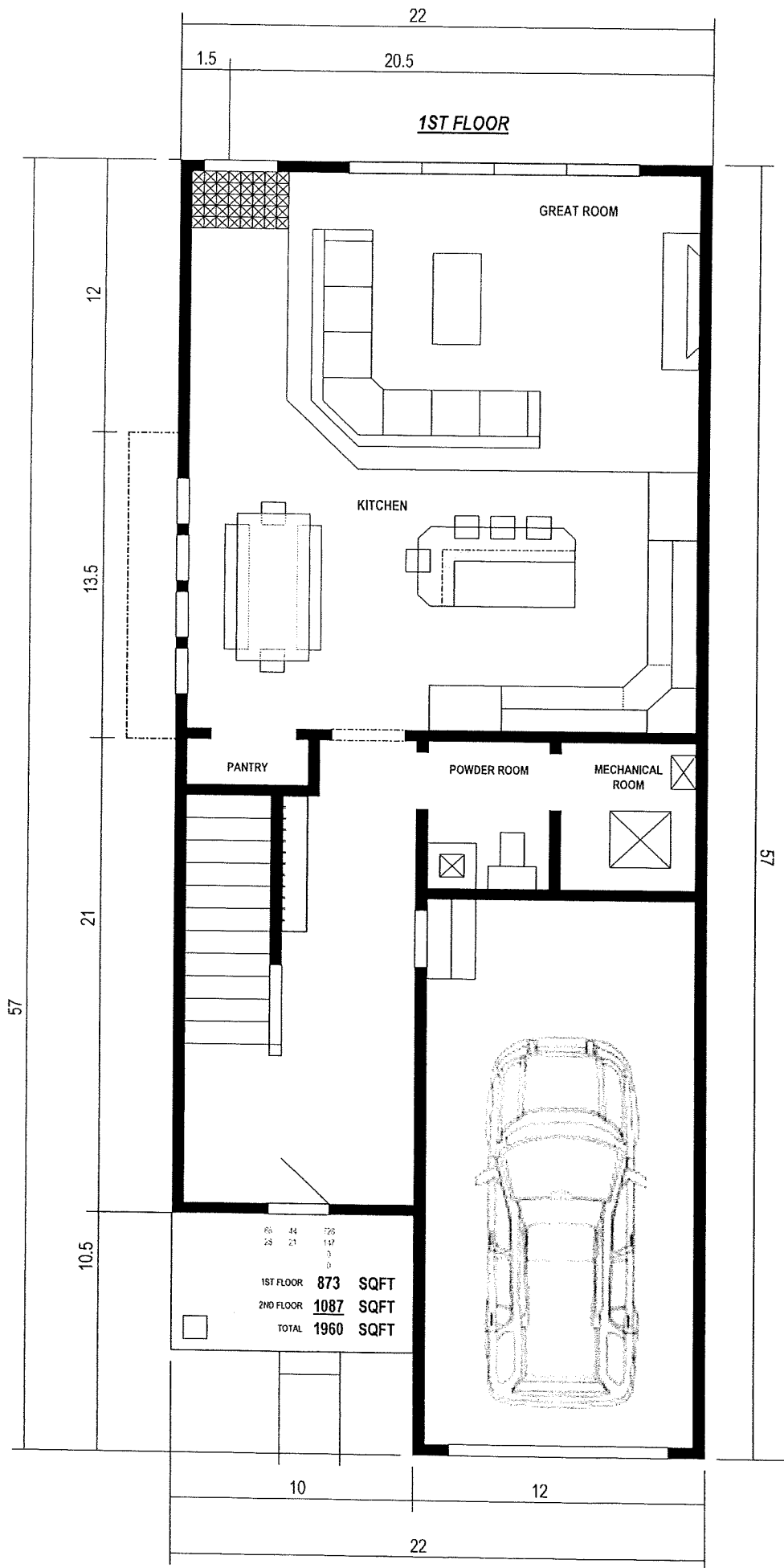
**Other Conditions of Approval:** \_\_\_\_\_

\_\_\_\_\_

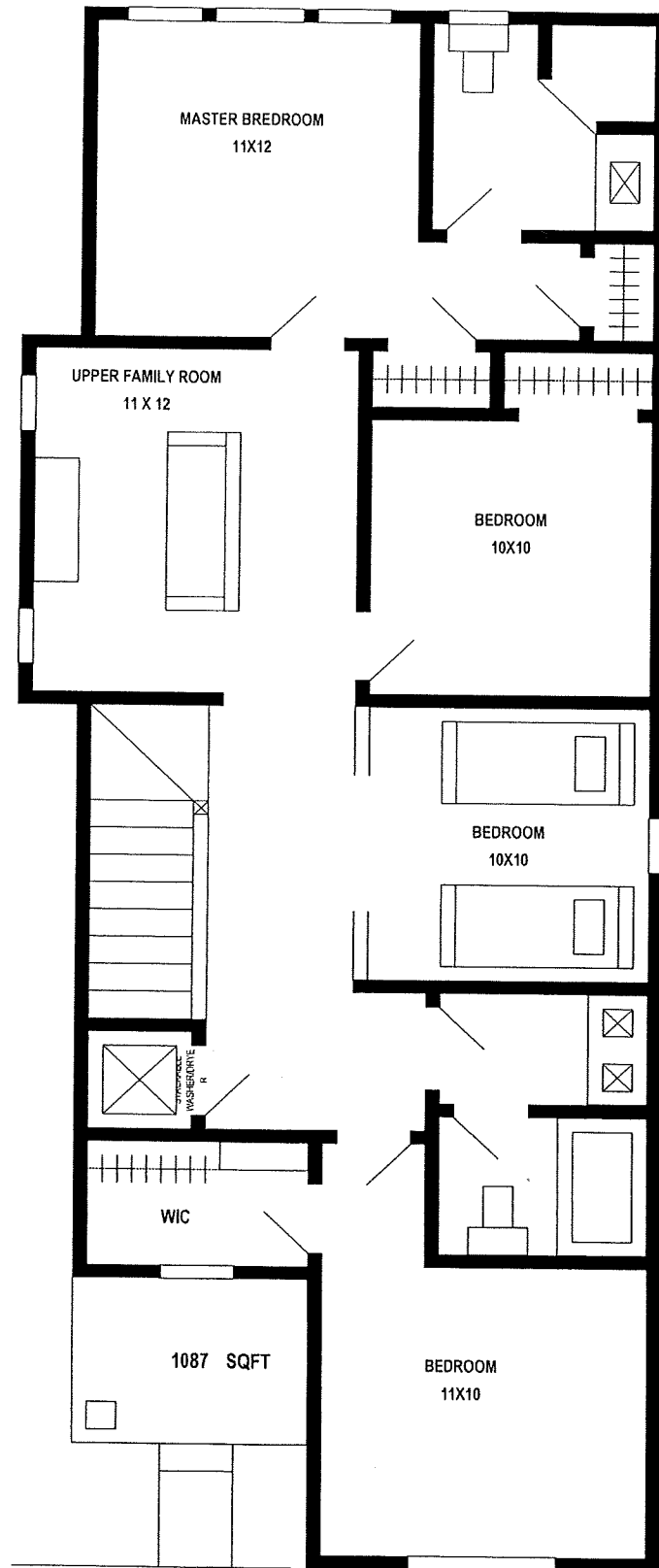
**Additional Comments:** \_\_\_\_\_

\_\_\_\_\_





2ND LEVEL



## Lawyers Title Insurance Corporation

Form 361 5-71  
WARRANTY DEED—Statutory Form  
C.L. 1948, 565.151 M.S.A. 26.571

KNOW ALL MEN BY THESE PRESENTS: That GERHARDT A. JABS and ESTHER R. JABS, husband and wife,  
whose address is 3068 Bluett, Ann Arbor, Michigan

Convey(s) and Warrant(s) to JAMES H. COLE, JR., and JEANETTE B. COLE, husband and wife  
whose address is 18915 Sorrento, Detroit, Michigan

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

Lot 19 and Lot 123, Horseshoe Lake Development Co's Shady Beach Sub-division of part of the Northwest 1/4 of Section 17, and part of the Northeast 1/4 of Section 18, Northfield Township, Washtenaw County, Michigan, according to the plat thereof as recorded in Liber 6 of Plats, Page 17, Washtenaw County Records.

RECEIVED  
FOR RECORD

SEP 30 1 55 PM '74

PATRICIA HEWKIRK HARDY  
REGISTER OF DEEDS  
WASHTENAW COUNTY, MICH.

for the full consideration of Twenty-Five Thousand Three Hundred (\$25,300.00) Dollars  
subject to easements and restrictions of record and a mortgage held by the Down River  
Federal Savings which the purchasers agree to assume and pay.

Dated this 13th day of August 1974

Witnesses:

Signed and Sealed:

Larry L. Burgess  
LARRY L. BURGESS  
Elma J. Yankee  
ELMA J. YANKEE

Gerhardt A. Jabs (L.S.)  
Gerhardt A. Jabs  
Esther R. Jabs (L.S.)  
Esther R. Jabs

STATE OF MICHIGAN  
COUNTY OF Washtenaw

The foregoing instrument was acknowledged before me this 13th day of August 1974  
by GERHARDT A. JABS and ESTHER R. JABS, husband and wife

My commission expires

January 30, 1976

Instrument Drafted by Lonnie R. Snowden, Esquire

LARRY L. BURGESS  
Notary Public, Washtenaw County, Michigan  
Address 2915 Cadillac Tower, Detroit, MI. 48226

County Treasurer's Certificate

Washtenaw County Treasurer  
Tax Certificate No. 2805

STATE OF MICHIGAN REAL ESTATE \*  
LUXATION SEP 30 1974 \*  
28.00 \*

Recording Fee 29.05

State Transfer Tax 29.05

Tax Parcel # 2152

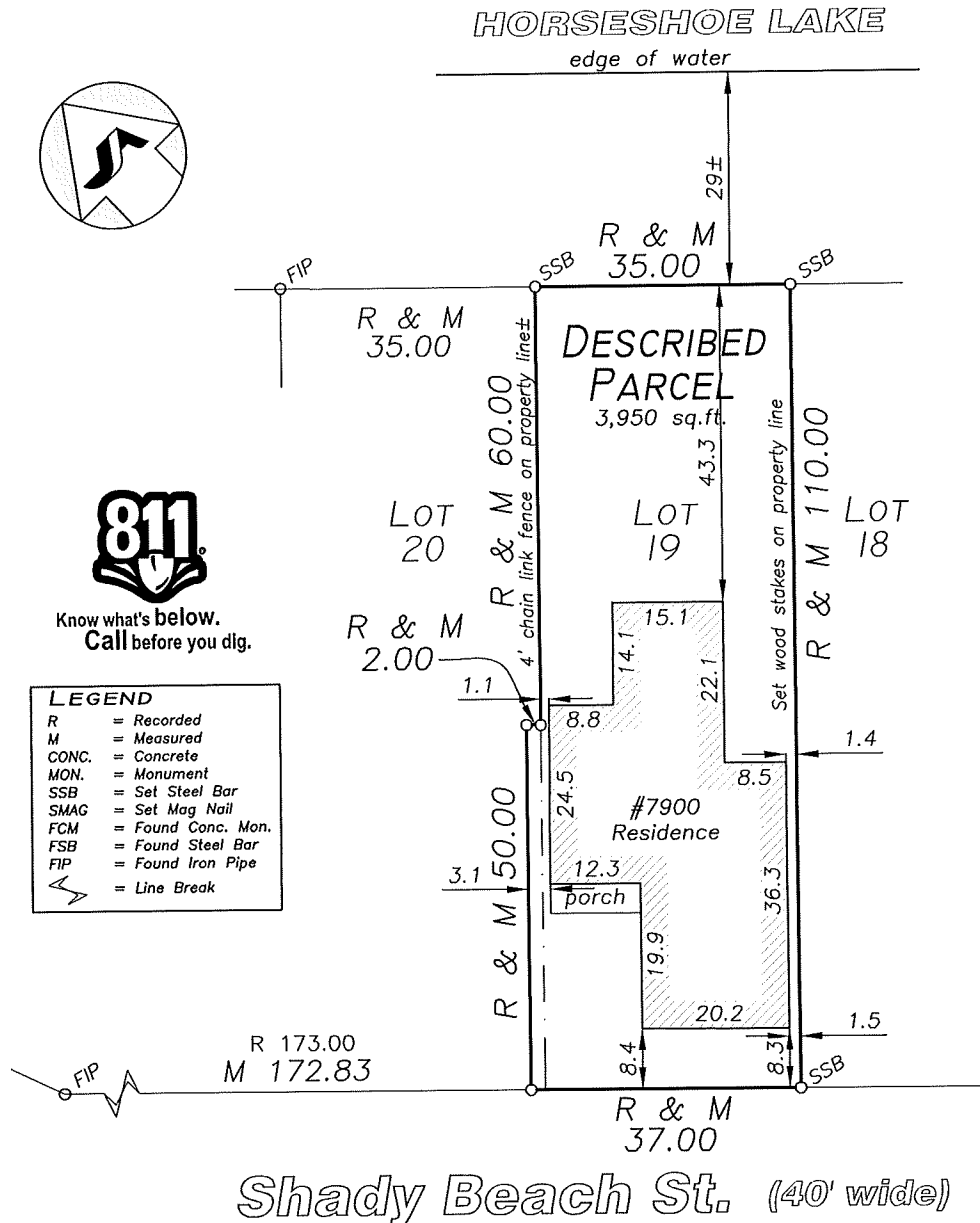
When recorded return to Lonnie R. Snowden, Esquire  
2915 Cadillac Tower, Detroit, MI. 48226

Send subsequent tax bills

to James H. Cole, Jr.  
18915 Sorrento, Detroit, Michigan

# LEGAL DESCRIPTION

LOT 19 AND THE SOUTHERLY 2 FEET OF THE NORTHERLY 50 FEET OF LOT 20 OF, "HORSESHOE LAKE DEVELOPMENT COMPANY'S SHADY BEACH SUBDIVISION", A PART OF THE NORTHWEST QUARTER OF SECTION 17, AND A PART OF THE NORTHEAST QUARTER OF SECTION 18, NORTHFIELD TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, AS RECORDED IN LIBER 6 OF PLATS ON PAGE 7, WASHTENAW COUNTY RECORDS. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.



## CERTIFICATE OF SURVEY

A PART OF THE NORTHWEST QUARTER OF SECTION 17, AND A PART OF THE NORTHEAST QUARTER OF SECTION 18, NORTHFIELD TOWNSHIP, WASHTENAW COUNTY, MICHIGAN.

PREPARED FOR: WICKHAM HOMES, INC.

**JEKABSON & ASSOCIATES, P.C.**  
Professional Land Surveyors  
1320 Goldsmith, Plymouth, MI 48170  
(734) 414-7200 (734) 414-7272 fax  
by



DATE  
14 July 2018

JOB NO.  
18-05-020

SCALE  
1" = 20'

DRAWN  
JRN

CHECKED  
IJJ

SHEET  
1 OF 1

MCKENNA

September 25, 2018

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

**Subject:** Jeanette Cole/7900 Shady Beach Road; Variance Review #1 (Application and materials dated 8/17/18).

Dear ZBA Members:

We have reviewed the above referenced variance application submitted by Antonio Green, on behalf of Jeanette Cole to demolish an existing cottage and build a new dwelling on it. The subject site is located on the east side of Shady Beach lane and is zoned SR-2 Single Family Residential district and is also part of the Whitmore Lake –Horseshoe Lake Overlay District (WLHL).

## VARIANCES

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

1. Article XXIII.II. WLHL Whitmore Lake/Horseshoe Lake Overlay District, Section 36-695.  
Setbacks:  
Side Yard\* (West) Setback
  - 5.55 feet minimum required
  - 1.10 feet proposed
  - 4.45 foot variance requested
2. Article XXIII.II. WLHL Whitmore Lake/Horseshoe Lake Overlay District, Section 36-695.  
Setbacks:  
Side Yard\* (East) Setback
  - 5.55 feet minimum required
  - 1.40 feet proposed
  - 4.15 foot variance requested
3. Article XXIII.II. WLHL Whitmore Lake/Horseshoe Lake Overlay District, Section 36-695.  
Setbacks:  
Combined Side Yard\* Setback
  - 11.10 feet minimum required
  - 2.50 feet proposed
  - 8.60 foot variance requested
4. Article IX. SR-2 Single Family Residential District, Section 36-248. Regulations and Standards;  
sub-section (3)  
Lot Coverage\*\*
  - 30% Maximum Permitted (1,185 sq. ft)
  - 33.92% coverage proposed (1,340 sq. ft)
  - 3.92% variance requested (155 sq. ft)

\* Where the lot does not comply with the minimum required lot width, the narrowest side yard shall not be less than five feet or 15 percent of the lot width, whichever is greater, and the sum of the two side yards shall not be less than 30 percent of the lot width. The lot width is 37 feet.

\*\* Lot size is 3,950 square feet. Coverage determined through data on survey.

HEADQUARTERS  
235 East Main Street  
Suite 105  
Northville, Michigan 48167

O 248.596.0920  
F 248.596.0930  
MCKA.COM

Communities for real life.

## 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:

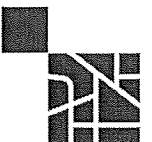
- (1) ***Strict compliance with restrictions governing area, setback, frontage, height, lot coverage, density or other non-use matters will unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with those restrictions unnecessarily burdensome.*** The subject property is located in the SR-2 district and is also part of the Whitmore Lake – Horseshoe Lake Overlay District (WLHLOD). The minimum required lot area and width for SR-2 parcels is 7,500 square feet and 60 feet, respectively. With a lot area of approximately 3,965 square feet and lot width of 37 feet, the parcel is a non-conforming lot of record. The applicant proposes to demolish an existing non-conforming cottage on the site and replace it with a new larger dwelling.

The applicant's justification in requesting the variances is that the current structure has a failing foundation and is not possible to 'reasonably' repair the structure. The proposed dwelling is to be placed 1.1 feet from the west and 1.4 feet from the east property line. The applicant notes that the existing structure does not allow for installation of a walkway for lakeside access and does not allow for placement of any structures for watercraft loading via the street. It is unclear how lakeside access can be achieved from the street with a 1.1'-1.5' wide side yard. In fact, the access from the street would be even more difficult than currently existing.

The overlay district was created with significantly less regulations to encourage investment in the lakeside lots. The regulations for construction of dwellings are lesser than for a parcel located elsewhere within the Township in an SR-2 area. Exceeding the lesser required setbacks and lot coverage indicates that the parcel is being over-built. While we acknowledge the parcel is small, due to the overlay district, the applicant will still be able to build a 25.9 foot wide dwelling and comply with the side yard setbacks. Per the floor plan submitted, the dwelling has 4 bedrooms and two living spaces in addition to kitchen, dining and bathroom areas.

Compliance with Ordinance standards would require a modification of the floor plan proposed to accommodate the living space desired by the applicant. The footprint of the dwelling can be designed as a rectangle that conforms to the setbacks rather than have several jogs in the wall which reduce the side yards proposed. Such compliance would not deprive the applicant of their ability to use the parcel and enjoy it, and is not considered to be unnecessarily burdensome.

- (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 applicant by allowing them to have a much larger dwelling on the parcel than allowed by the Ordinance, but is not in the interest of the other property owners in the neighborhood. Typically the minimum separation distance required between structures on abutting parcels for fire and emergency access is 10 feet, with 5' feet being the setback on each property. With a reduced setback, and any construction on the abutting properties even in compliance to ordinance standards, there will be inadequate area for access to the lakeside of the property in the event of a fire or other emergency. The location of structures on the abutting properties is not shown; however it appears that an existing structure on the property to the north will be in close proximity to the proposed dwelling creating a narrow and unsafe passage between the structures. Fire Chief's input on the safety implications must be obtained. The lack of side yard setbacks also blocks the view of the lake from the street almost entirely along the site's frontage.



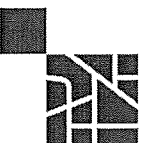


- (3) ***The variance requested is the minimum variance needed to provide substantial relief to the applicant and/or be consistent with justice to other property owners.*** The variance requested is not the minimum possible. As noted previously, the variances could be eliminated by redesigning the floor plan of the dwelling to avoid several jogs in the proposed walls and marginally reducing the footprint of the structure.
- (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. With a location in the overlay district, the applicant's property is subjected to less restrictive setbacks than SR-2 parcels located in other parts of the Township and within the same residential neighborhood 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 variance is entirely self-created by the applicant's desire to build a larger structure with a varied footprint than can be accommodated in compliance with the setbacks.
- (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 variance could likely have adverse impact on the neighborhood and on public health, safety and welfare with the lack of adequate side yards for emergency access and firefighting abilities.

## RECOMMENDATION AND FINDINGS

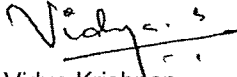
Based on the findings below, and subject to any additional information presented and discussed by the applicant, Board, and/or the public during the public hearing and incorporated into the record prior to any findings being made, we recommend that the Zoning Board of Appeals deny the requested variance for the property located at 5073 Eric Court:

1. Compliance with ordinance standards would result in the applicant being able to construct a reasonable dwelling as desired, and is not considered to be unnecessarily burdensome.
2. The variances will provide substantial justice to the applicant but is likely adverse to the interests of other property owners.
3. The variances requested can be eliminated by modifying the proposed footprint and marginally reducing it.
4. There are no unique circumstances associated with the parcel.
5. The need for the variances is self-created.
6. The variance will likely have a detrimental impact on public health, safety or welfare.



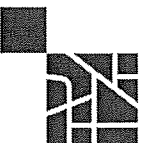
Respectfully submitted,

**McKENNA ASSOCIATES**



Vidya Krishnan  
Senior 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:      Antonio Green, via e-mail: [detroitsigma@yahoo.com](mailto:detroitsigma@yahoo.com)



REVISED 7/30/18  
RECEIVED

JUL 30 2018

8350 Main Street • Whitmore Lake, Michigan 48189-0576

Telephone: (734) 449-2880 • Building Dept. (734) 449-5000 • Fax: (734) 449-0123 • Web Site: www.townshipofnorthfield.org

NORTHFIELD TOWNSHIP  
ASSESSOR'S OFFICE

## 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: COLE \* COTTAGE \* HORSESHOE LAKE

PROJECT ADDRESS: 7900 SHADY BEACH STREET \* Northfield Twp MI \* 48189-9577

PARCEL ID(S): B00217226014

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

Applicant Information:

Proprietor/Owner Information:

Name: Jeanette Cole

Name: Jeanette Cole

Address: 52635 Trailwood South Lyon, MI 48178

Address: 52635 Trailwood Dr. South Lyon, MI 48178

Phone: 313-215-0841

Phone: 313-215-0841

Email: detroitsigma@yahoo.com

Email: detroitsigma@yahoo.com

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: Family Cottage

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: \_\_\_\_\_

REMOVAL OF EXISTING STRUCTURE (OLD FAMILY COTTAGE) & REPLACE WITH A NEW STRUCURE (NEW FAMILY COTTAGE)

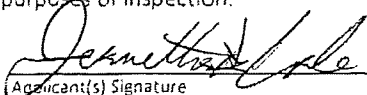
Project Start Date: TBD

Project Completion Date: TBD

### 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

4/1/2018

Date

Page 1 of 2

added to V104A 5/2/18

## FOR OFFICE USE ONLY

Received Date:  
**RECEIVED**

MAY 02 2018

NORTHFIELD TOWNSHIP

Paid Date:  
**PAID**

MAY 2 2018

NORTHFIELD TOWNSHIP TREASURER

CK# 10669

Existing Legal Non-Conformities:

☒ Yes ☐ No

If yes, explain below:

NON CONFORMING LOT  
NON-CONFORMING EXISTING  
STR.

## ZONING COMPLIANCE CERTIFICATE:

☐ Approved: Date \_\_\_\_\_☐ Approved As Noted: Date \_\_\_\_\_☐ Denied: Date \_\_\_\_\_☐ Conditional Use Required☐ Site Plan Approval Required

## COMMENTS:

See attached comment sheet.  
ZBA approval of variances required to  
proceed.

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: \_\_\_\_\_

## **7900 Shady Beach**

### **Vacant Parcel**

Applicant: Jeanette Cole

Zoning: SR-2 (Single Family Residential)/Whitmore Lake-Horseshoe Lake Overlay District

Request: New Dwelling

Action: **Needs Zoning Board of Appeals action** (See comments below)

#### **Comments:**

The subject property is located in the SR-2 district and is also part of the Whitmore Lake –Horseshoe Lake Overlay District (WLHLOD). The minimum required lot area and width for SR-2 parcels is 7,500 square feet and 60 feet, respectively. With a lot area of approximately 3,965 square feet and lot width of 37 feet, the parcel is a non-conforming lot of record. The applicant proposes to demolish an existing cottage on the site and replace it with a new dwelling.

The proposed single family dwelling use is a principal permitted use per Section 36-246 (1) of the Zoning Ordinance. The required setbacks in the overlay district per Section 36-695, are lower than the SR-2 district itself, and are as follows: 0 front yard, 20' rear yard and 5.55' one side yard and combined 11.10' (Note: \*Where the lot does not comply with the minimum required lot width, the narrowest side yard shall not be less than five feet or 15 percent of the lot width, whichever is greater, and the sum of the two side yards shall not be less than 30 percent of the lot width).

The proposed setbacks are: 8.3' front yard, 43.3' rear yard and 1.1' west side yard/2.5' combined side yard. The proposed structure does not meet the side yard or combined side yard setback, and will require approval of variances from the Zoning Board of Appeals. In addition, maximum permitted lot coverage is 30%. Calculations must be noted and if necessary a variance must be applied for lot coverage too.

The existing structure appears to be non-conforming (per Washtenaw County GIS maps). Since the applicant is eliminating an existing non-conforming structure and replacing it with another non-conforming structure, a variance will also be required from Section 36-901 (b).

The applicant must apply for and obtain variances from the ZBA in order to proceed.

***Zoning Administrator***

**8-7-2018**

RECEIVED

JUL 30 2018

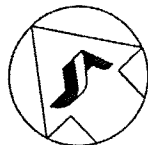
NORTHFIELD TOWNSHIP  
ASSESSOR'S OFFICE

# LEGAL DESCRIPTION

LOT 19 AND THE SOUTHERLY 2 FEET OF THE NORTHERLY 50 FEET OF LOT 20 OF, "HORSESHOE LAKE DEVELOPMENT COMPANY'S SHADY BEACH SUBDIVISION", A PART OF THE NORTHWEST QUARTER OF SECTION 17, AND A PART OF THE NORTHEAST QUARTER OF SECTION 18, NORTHFIELD TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, AS RECORDED IN LIBER 6 OF PLATS ON PAGE 7, WASHTENAW COUNTY RECORDS. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

## HORSESHOE LAKE

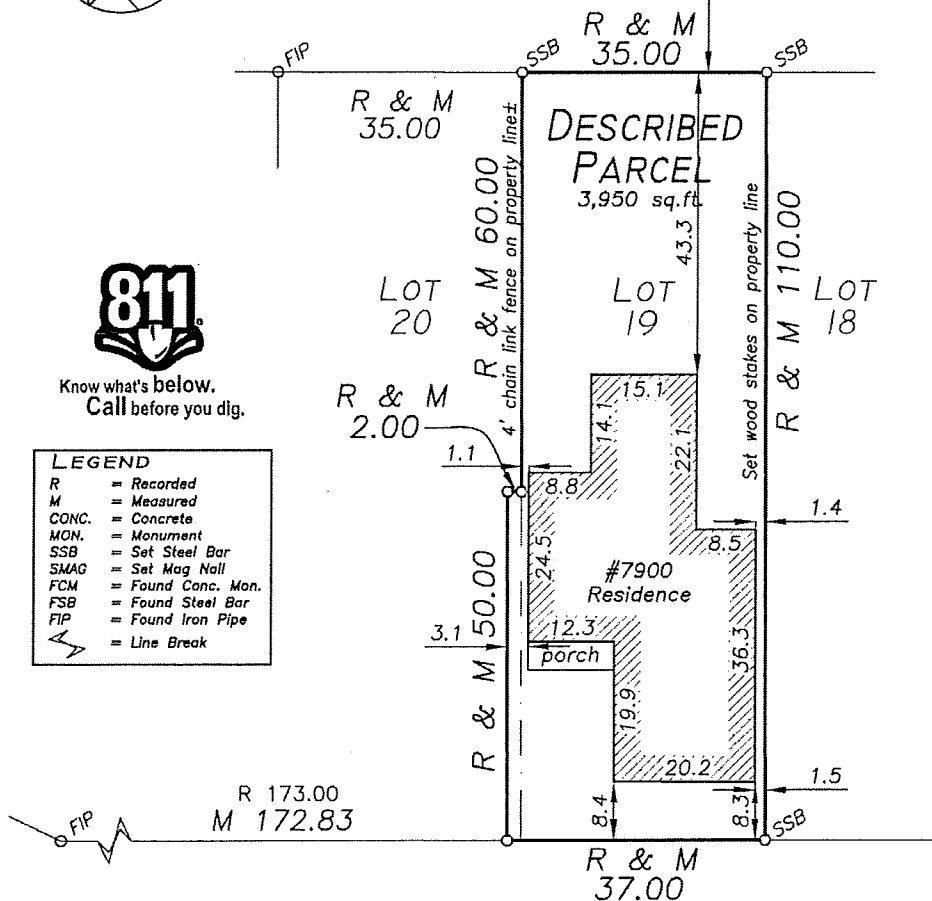
edge of water



Know what's below.  
Call before you dig.

### LEGEND

- R = Recorded
- M = Measured
- CONC. = Concrete
- MON. = Monument
- SSB = Set Steel Bar
- SMAG = Set Mag Nail
- FCM = Found Conc. Mon.
- FSB = Found Steel Bar
- FIP = Found Iron Pipe
- = Line Break



Shady Beach St. (40' wide)

## CERTIFICATE OF SURVEY

A PART OF THE NORTHWEST QUARTER OF SECTION 17, AND A PART OF THE NORTHEAST QUARTER OF SECTION 18, NORTHFIELD TOWNSHIP, WASHTENAW COUNTY, MICHIGAN.

PREPARED FOR: WICKHAM HOMES, INC.

JEKABSON & ASSOCIATES, P.C.

Professional Land Surveyors

1320 Goldsmith, Plymouth, MI 48170

(734) 414-7200 (734) 414-7272 fax

by



DATE  
14 July 2018

JOB NO.  
18-05-020

SCALE  
1" = 20'

DRAWN  
JRN

CHECKED  
IJJ

SHEET  
1 OF 1

## NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

### NOTICE OF PUBLIC HEARING

The Northfield Township Zoning Board of Appeals will hold a public hearing at the request of Park Builders, Inc., on behalf of Theresa Bower, owner of 379 Delaware Street, Whitmore Lake, MI 48189. The applicant is proposing to build a 24' x 24' garage attached to an existing single family dwelling. The parcel is zoned SR-2 Single Family Residential district and is a corner lot with dual frontage. The parcel has a parcel identification number B-02-17-231-043. The proposal will require the following variance from the Zoning Ordinance:

1. Article IX. SR-2 Single Family Residential District, Section 36-248. Regulations and Standards, Sub-Section 4 (a):
  - Front (East) Yard Setback
    - 30.00 feet minimum required
    - 24.30 feet proposed
    - 5.70 foot variance requested

The public hearing will be held on **Monday, October 15<sup>th</sup>, 2018** 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: Thursday, September 27, 2018  
Newspaper: Ann Arbor News

9/11/2018

I Theresa Bower approve for Terri Adams to apply for a Zoning Variance on my behalf for authorization to build garage at 379 Delaware Rd Whitmore Lake Mi 48189.

Theresa Bower  
734-645-0664

RECEIVED

SEP 12 2018

NORTHFIELD TOWNSHIP



# NORTHFIELD TOWNSHIP MICHIGAN

JZBA 180007

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](http://www.twp-northfield.org)

## ZONING BOARD OF APPEALS HEARING APPLICATION

Applicant Information:	Proprietor/Owner Information:
Name: <u>PARK BUILDERS INC.</u>	Name: <u>THERESA BOWER</u>
Address: <u>4413 KENSINGTON RD MILFORD MI 48380</u>	Address: <u>379 DELAWARE ST. WHITMORE LAKE MI 48189</u>
Phone: <u>313-220-7759</u>	Phone: <u>734-645-3198</u>
Email: <u>PARKBUILDERSINC1954@GMAIL.COM</u>	Email: <u>MONEYMIKE6574@GMAIL.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: <u>I WILL BE BUILDING THE GARAGE</u>	

### 1. PROPERTY DESCRIPTION:

A.) PROJECT ADDRESS: 379 DELAWARE ST.B.) PARCEL ID(S): B-02-17-231-043IS THIS PROPERTY IN A FLOOD PLAIN: ☐ Yes ☒ NoC.) LEGAL DESCRIPTION: SEE ATTACHED SURVEY

### 2. PRESENT ZONING CLASSIFICATION:

AR LR MR MHP SR1 (SR2) LC HC GC LI GI RTM ES PUD PSC RC RO WLD-\_\_\_ W.L./N.T. Overlay OTHER:\_\_\_3: PRESENT USE OF PROPERTY: RESIDENTIAL SINGLE FAMILY

### 4. NON-CONFORMING STATUS:

A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use): \_\_\_\_\_

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? ☒ Yes ☐ No

If no, identify each section of ordinance from which Variance is requested: \_\_\_\_\_

B.) Describe reason/need for Variance: THERE WOULD NOT BE ENOUGH ROOM FOR 2 CARS UNLESS THE GARAGE WAS 24' WIDE BECAUSE OF THE STAIRWAY INTO THE HOUSE. SAFETY + SECURITY, KEEP VEHICLES OUT OF THE WEATHER, ALSO MEDICAL REASONS: HOMEOWNER HAS BEEN DIAGNOSED WITH RUMANOID ARTHRITIS AND IN DIRE NEED OF SHELTER WHEN ENTERING + EXITING HER VEHICLE.

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:

THERE IS NOT ENOUGH ROOM FOR THE GARAGE ON THE EAST SIDE OF THE PROPERTY TO BE COMPLAINT WITH CURRENT SIDE YARD SETBACKS. IT IS IMPORTANT TO GET THE PROPER SIZE OF A GARAGE FOR PROPER USE.

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:

THERE IS A NEED TO HAVE BOTH CARS IN THE GARAGE BECAUSE OF YEAR AROUND WEATHER CONDITIONS. ALSO FOR SAFETY REASONS AND SECURITY.

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

IN ORDER TO HAVE ROOM FOR BOTH CARS PARKED IN THE GARAGE WITH THE STAIR GOING INTO THE HOUSE, THIS WILL ALLOW PROPER USE AND ENOUGH ROOM TO OPEN CAR DOORS.

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:

THIS WILL NOT INTERFERE WITH ANY NEIGHBOR OR THEIR VIEW OF THE LAKE. THIS WILL ALSO IMPROVE THE AESTHETIC VALUE OF THE PROPERTY AND THE NEIGHBORHOOD.

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

PLEASE GRANT A SETBACK VARIANCE OF 5.7' ON THE EAST SIDE OF THE PROPERTY.

**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 to 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.

Tony Delane Q.O. PARK BUILDERS INC  
Applicant(s) Signature

9-7-18  
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="text-align: center; font-size: 1.5em; color: blue; font-weight: bold;">RECEIVED</div> <div style="text-align: center; color: red; font-weight: bold;">SEP 12 2018</div> <div style="text-align: center; font-size: 1.5em; color: blue; font-weight: bold;">PAID</div>	Paid Date: _____	Existing Legal Non-Conformities: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain below: _____ _____ _____ _____
---	------------------	---

**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:** \_\_\_\_\_

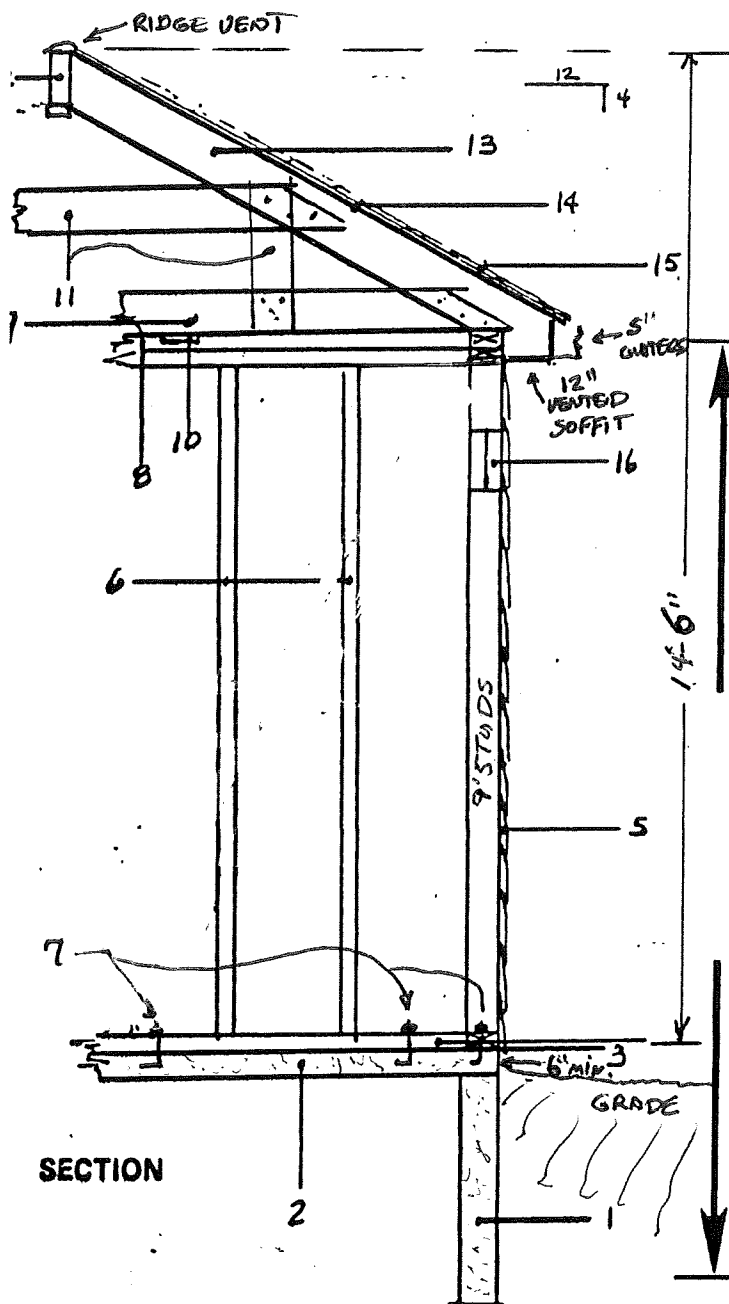
**Utilities:** \_\_\_\_\_
 ☐ Connection fee's paid

**Fire Chief:** \_\_\_\_\_
 ☐ Inspection Complete

**Access:** \_\_\_\_\_

**Other Conditions of Approval:** \_\_\_\_\_

**Additional Comments:** \_\_\_\_\_



SECTION

SHOW OTHER EXISTING BUILDINGS (IF ANY)

SHOW EASEMENTS

SEE FLOOR PLAN

- 1 - 12" x 42" <sup>POURED CONC.</sup> foundation
- 2 - 4" concrete floor - 4000# AIR ENTRAINED TRANSIT MIX - 6 BAG  
COMPACTED SAND BASE
- 3 - expansions under plates
- 4 - 2 x 4 bottom plate - TREATED + EXPANSION SILL SEAL
- 5 - siding TEXTURED PINE - 8" OC
- 6 - 2 x 4 studs 16" O.C. - 9'
- 7 - 1/2" BOLTS - 6' O.C. + 2 @ EACH CORNER + 2 IN SHORT WALLS
- 8 - double 2 x 4 top plates
- 9 - 48" OC, 2 x 6 cross ties
- 10 - 2, 2 x 6 reverse ties
- 11 - collar ties - 1 x 6 - 32" O.C. + STRINGERS
- 12 - 2 x Ridge
- 13 - 2 x 6 rafters 16" O.C.
- 14 - Plyscore roofing 7/16" OSB
- 15 - FIBERGLASS shingles - COMPOSITE + 15# FEL  
METAL DRIP EDGE
- 16 - 1-3/4" 2 x 11-7/8" LVL headers - FULL WIDTH

**PARK BUILDERS, INC.**  
4418 Kensington Road  
MILFORD, MI 48060

Customers Name \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

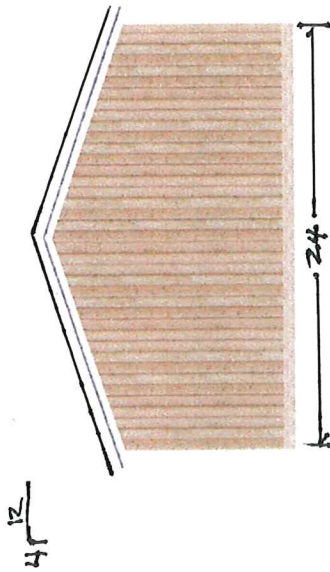
Lot No. \_\_\_\_\_

Subdivision \_\_\_\_\_

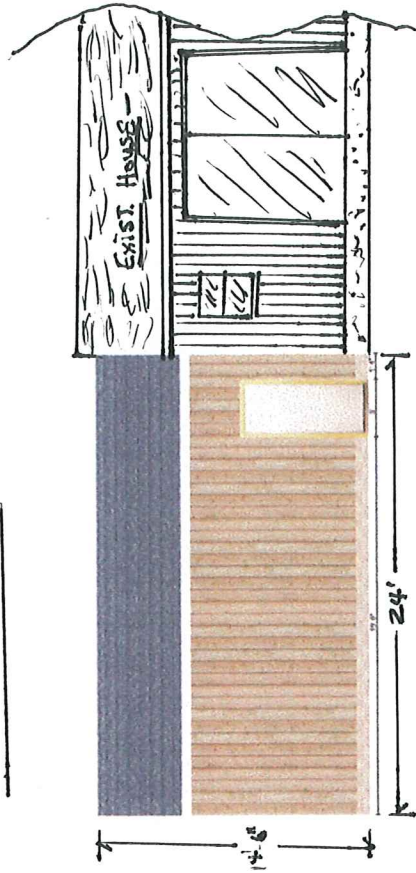
Between \_\_\_\_\_

Est. Cost \_\_\_\_\_

# EAST ELEVATION

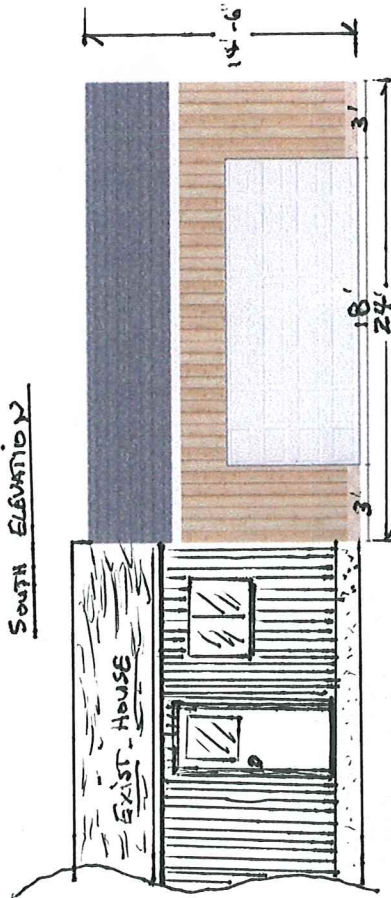


# NORTH ELEVATION



(1) - Mastercraft® Primed Steel 6-Panel Prehung Exteri...

# SOUTH ELEVATION



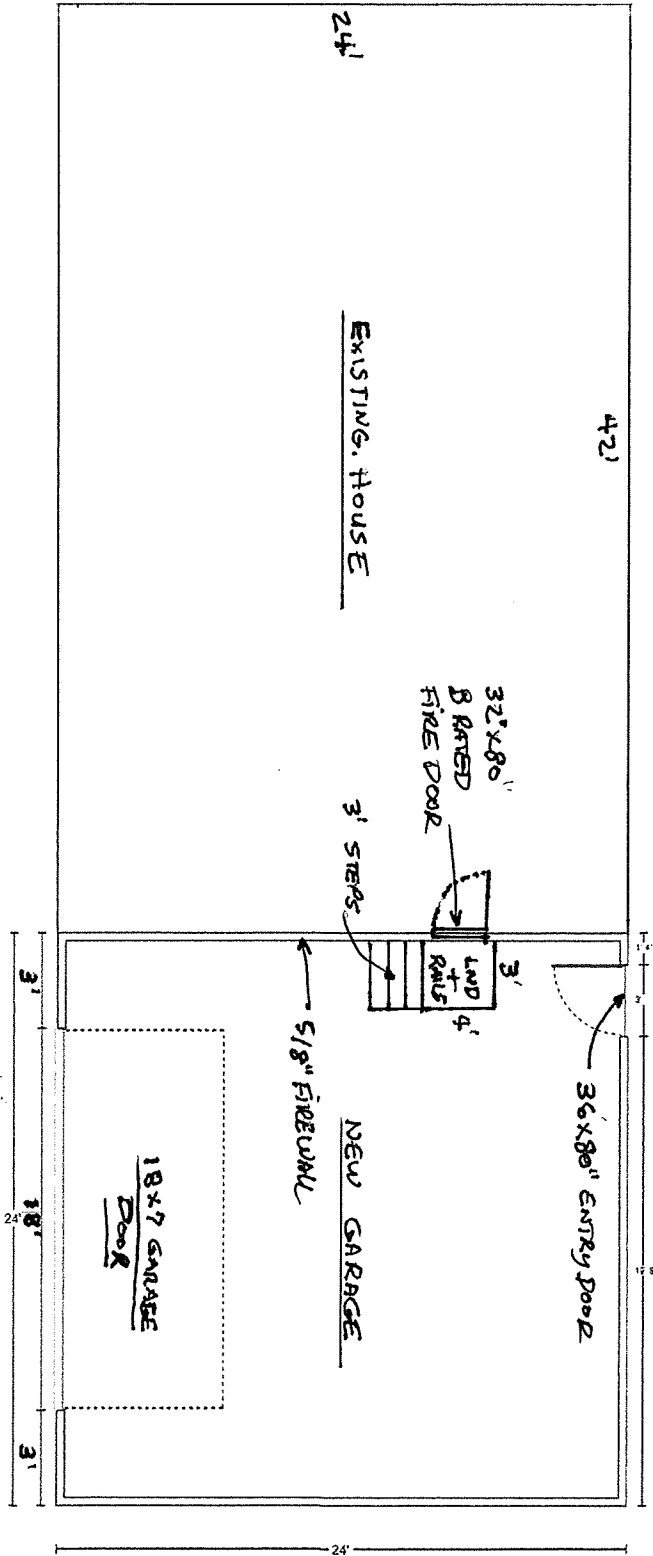
(1) - Ideal Door® 3-Star 16' x 7' White Standard Value N...



WALL ELEVATIONS  
379 DELAWARE DR. WHITMORE LAKE MT 48189

Floor Plan

379 DECAWAKE DR.  
WHITMORE LAKE, MI 48189





# NORTHFIELD TOWNSHIP MICHIGAN

August 28, 2018

Theresa Bower  
379 Delaware Road  
Whitmore Lake, MI 48189

RE: COMBINATION OF PARCELS B-02-17-231-026 and B-02-17-231-027

Property Address: 379 Delaware Road and Vacant Delaware Road

Dear Ms Bower,

The Parcel Combination Application submitted to the Assessing Department on 7/26/2018 has been approved and will be reflected in the 2019 Assessment and Tax Roll.


Please be advised that the parcel combination will not affect the 2018 tax bills. Therefore, you must pro-rate any 2018 property taxes for parcels that may be transferred prior to payment of the 2018 property tax bills.

The new parcel identification number for the 2019 Assessment roll is:  
B-02-17-231-043 (Lots 388,389, & 390)

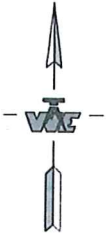
If a tax service or mortgage escrow is used for payment of tax bills, the responsible entity should be notified of this change, in order for them to request the correct tax bill(s) for the 2019 tax year.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Thomas D. Monchak  
Northfield Township Assessor



# CERTIFICATE OF SURVEY

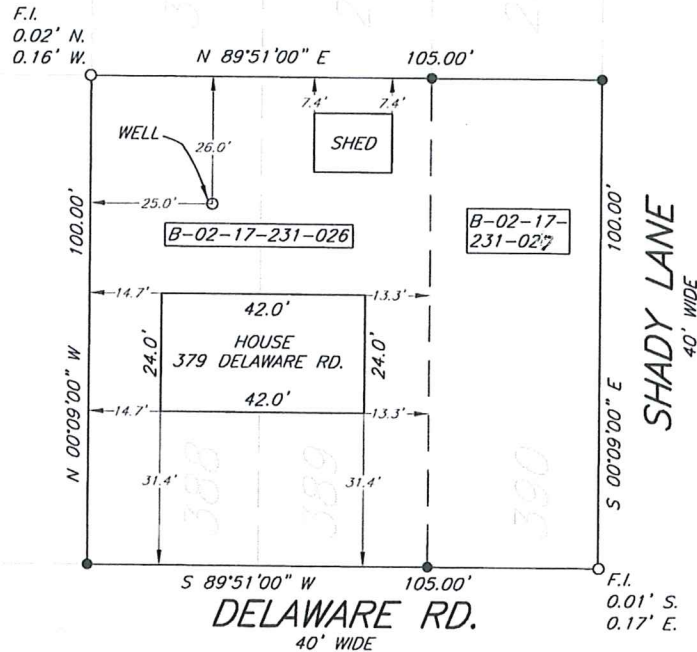


## LEGEND

- SET IRON
- FOUND IRON

BASIS OF BEARING: HORSESHOE LAKE DEVELOPMENT  
COMPANY'S SHADY BEACH SUBDIVISION, AS RECORDED IN LIBER  
6 OF PLATS, WASHTENAW COUNTY RECORDS.

## EXISTING SITE



## LEGAL DESCRIPTIONS

PARCEL B-02-17-231-026:

LOTS 388 & 389, HORSESHOE LAKE DEVELOPMENT COMPANY'S SHADY BEACH SUBDIVISION, AS RECORDED IN LIBER 6 OF PLATS, WASHTENAW COUNTY RECORDS.

PARCEL B-02-17-231-027:

LOT 390, HORSESHOE LAKE DEVELOPMENT COMPANY'S SHADY BEACH SUBDIVISION, AS RECORDED IN LIBER 6 OF PLATS, WASHTENAW COUNTY RECORDS.

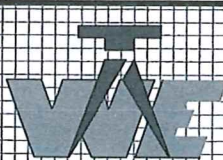
## CERTIFICATION STATEMENT

I, DONALD J. BENDZINSKI, PROFESSIONAL SURVEYOR #35989, CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION, THAT ALL CORNERS HAVE BEEN MARKED AS SHOWN, THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS WAS 1:5000 OR BETTER, AND THAT ALL THE REQUIREMENTS OF PUBLIC ACT 132, AS AMENDED, HAVE BEEN COMPLIED WITH.



*Donald J. Bendzinski*

7/26/18  
DATE

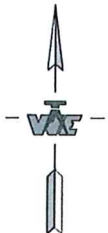


**WOLVERINE**  
Engineers & Surveyors, Inc.

312 North Street  
Mason, Michigan 48854  
Ph: 517-676-9200  
Fx: 517-676-9396  
<http://www.wolveng.com>

PART OF THE NORTHWEST 1/4 OF  
SECTION 17, T1S, R6E,  
NORTHFIELD TOWNSHIP,  
WASHTENAW COUNTY, MICHIGAN

Scale: 1" = 30'	Date: 7-26-18	SHT 1 OF 1
Drawn: MNV	Checked: DJB	Job: 18-0428



# CERTIFICATE OF SURVEY

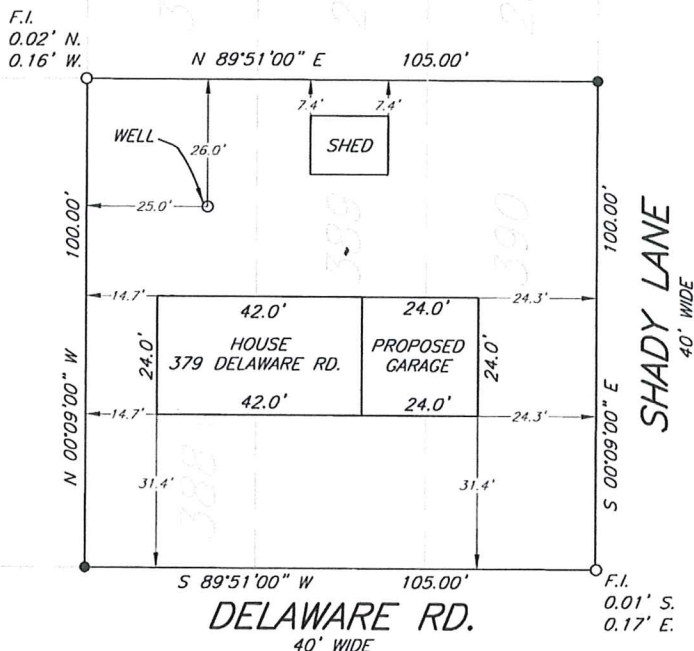
## LEGEND



- SET IRON
- FOUND IRON

BASIS OF BEARING: HORSESHOE LAKE DEVELOPMENT  
COMPANY'S SHADY BEACH SUBDIVISION, AS RECORDED IN LIBER  
6 OF PLATS, WASHTENAW COUNTY RECORDS.

## PROPOSED SITE



### LEGAL DESCRIPTION

LOTS 388, 389, AND 390, HORSESHOE LAKE DEVELOPMENT COMPANY'S SHADY BEACH SUBDIVISION, AS RECORDED  
IN LIBER 6 OF PLATS, WASHTENAW COUNTY RECORDS.

### CERTIFICATION STATEMENT

I, DONALD J. BENDZINSKI, PROFESSIONAL SURVEYOR #35989, CERTIFY THAT THIS SURVEY WAS MADE UNDER MY  
DIRECTION, THAT ALL CORNERS HAVE BEEN MARKED AS SHOWN, THAT THE RATIO OF CLOSURE OF THE UNADJUSTED  
FIELD OBSERVATIONS WAS 1:5000 OR BETTER, AND THAT ALL THE REQUIREMENTS OF PUBLIC ACT 132, AS  
AMENDED, HAVE BEEN COMPLIED WITH.



*Donald J. Bendzinski*

7/25/18  
DATE



**WOLVERINE**  
Engineers & Surveyors, Inc.

312 North Street  
Mason, Michigan 48854  
Ph: 517-676-9200  
Fx: 517-676-9396  
<http://www.wolveng.com>

PART OF THE NORTHWEST 1/4 OF  
SECTION 17, T1S, R6E,  
NORTHFIELD TOWNSHIP,  
WASHTENAW COUNTY, MICHIGAN

Scale: 1" = 30'	Date: 7-25-18	SHT 1 OF 1
Drawn: MNV	Checked: DJB	Job: 18-0428



Theresa Bower  
379 Delaware Rd  
Whitmore Lake, MI 481899298

**PATIENT PLAN for Theresa Bower on August 7, 2018,  
with Stephanie Peterson MD at IHA Internal Medicine Livingston**

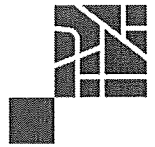
Thank you for choosing us for your healthcare needs. The following is a summary of the outcome of today's visit and other instructions and information we hope you find helpful. If you have a question regarding the information contained on this document, please contact your provider's office.

**Reason(s) for Visit**

annual Physical  
Preventive Medicine

**Assessment/Plan**

#	Detail Type	Description
1.	Assessment Patient Plan	<p>Routine adult health maintenance (Z00.00).</p> <p>Overall, you seem to be doing well. I have recommended a book called the Obesity Code; I think it will be helpful for you. Continue to work on eating a healthy diet (rich in vegetables and fruit) as well as getting daily aerobic exercise. Getting enough sleep is also important. Keep alcohol consumption in moderation. Great job on being a non-smoker!</p> <ul style="list-style-type: none"><li>- We will check blood tests for kidneys, blood counts and cholesterol.</li><li>- Mammogram will be done next year.</li><li>- As we discussed, your pap smear can be repeated in 5 years and will be due again in 2020 as long as it's normal.</li><li>- Look into when your last tetanus was; you may be due for that. Flu shot recommended in the fall. You are up to date with vaccinations otherwise.</li></ul> <p>I'd recommend returning to the office if something comes up or changes, or again in 1 year for an annual physical.</p> <p>Plan Orders</p> <p>CBC * to be performed in 2 Weeks, Lipid Panel * to be performed in 2 Weeks, Panel CMP to be performed in 2 Weeks and Vit D (25 Hydroxy) * to be performed in 2 Weeks. She is to schedule a follow-up visit for As needed and She is to schedule a follow-up visit for Preventive visit in 1 Year.</p>
2.	Assessment Patient Plan	<p>Rheumatoid arthritis of multiple sites without organ or system involvement with positive rheumatoid factor (M05.79).</p> <p>Follow up with Dr. Dowd as instructed and continue your current medications.</p>



September 24, 2018

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

**Subject: Theresa Bower/379 Delaware Street; Variance Review #1 (Application and materials dated 9/7/18).**

Dear ZBA Members:

We have reviewed the above referenced variance application submitted by Park Builders, Inc., on behalf of Theresa Bower to construct a 24' x 24' garage attached to an existing dwelling located at the northwest corner of Delaware Street and Shady Beach Lane intersection in the SR-2 (Single Family Residential) District.

## VARIANCES

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

1. Article IX. SR-2 Single Family Residential District, Section 36-248. Regulations and Standards, Sub-Section 4 (a):
  - Front (East) Yard Setback
    - 30.00 feet minimum required
    - 24.30 feet proposed
    - 5.70 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 meets the minimum lot size and width requirements for the SR-2 District and is a conforming parcel. The existing dwelling also meets all the setback requirements.

The applicant's justification in requesting the variances is the need for a 2-car garage to store vehicles and accommodate stairs providing access from the garage to the existing dwelling. The application also notes that the homeowner has existing medical needs which makes the garage a necessity.

The existing dwelling with an area of approximately 1,008 square feet is a modest structure occupying less than 10% of the entire parcel. The proposed garage would have a width of 21' to accommodate 2 vehicles with the additional 3' width being occupied by stairs providing access to the dwelling. The subject site is a corner lot which necessitates the provision of a 30' front yard setback along both street frontages. The proposed setback of 24.3' is 5.7' short of the minimum requirement. Parcels located in the SR-2 district with only single street frontage are required to have side yard setbacks of only 10 feet. Per a conversation with the applicant, the residents of the dwelling have

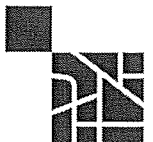
multiple cars which currently park in tandem and require the use of the public street to maneuver in and out of. The applicant also stated the possibility of creating an interior ramp in the future to facilitate access to the dwelling from the garage.

Compliance with the Ordinance standards would mean a reduction in the width of the garage proposed which would then allow for the parking of only a single vehicle. While a single car garage can be considered to be adequate to meet the parking needs; in case of the subject site the presence of several vehicles, parking around a street corner and the personal needs of the applicant paper to necessitate a larger garage. Therefore, the ZBA can make a determination that such compliance would be unnecessarily burdensome.

- (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 applicant by allowing them to have a two-car garage as desired and is not adverse to the interests of other property owners in the neighborhood. Even with the reduced front yard setback, the proposed structure will be outside the clear vision triangle at the southeast corner intersection of Delaware and Shady Beach, which allows for adequate sight distance and safety for vehicles on the abutting streets. The proposed garage also does not abut any existing structures on adjoining properties. Even with the addition of the garage, the lot coverage will be approximately 16% and well within the maximum permitted coverage of 30%.
- (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 not the minimum possible. The variance would allow the applicant to build a two-car garage. By reducing the width of the proposed garage to 18.6', the applicant can accommodate a one-car garage with stairs and storage, and eliminate the need for any variances. However, as noted in comment (1) above, compliance with the Ordinance standards is burdensome.
- (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. There are several SR-2 zoned corner lots with two front yards, in the same neighborhood and within the Township.
- (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 variance is self-created by the applicant's desire to build a larger garage than can be accommodated in compliance with the setbacks.
- (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 variance is not likely to have any adverse impact on the neighborhood or on public health, safety and welfare.

## RECOMMENDATION AND FINDINGS

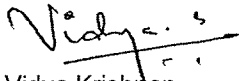
Based on the findings below, and subject to any additional information presented and discussed by the applicant, Board, and/or the public during the public hearing and incorporated into the record prior to any findings being made, we recommend that the Zoning Board of Appeals approve the requested variance for the property located at 379 Delaware Street:



1. Compliance with ordinance standards would result in the applicant being able to construct only a one-car garage, which would not support the medical or personal needs of the homeowner and could be construed as being unnecessarily burdensome.
2. The variance will provide substantial justice to the applicant and is not adverse to the interests of other property owners.
3. The proposed garage will be located outside the clear vision corner and will not exceed lot coverage standards.
4. The variance will have no detrimental impact on public health, safety or welfare.

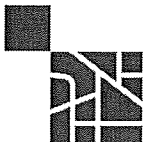
Respectfully submitted,

**McKENNA ASSOCIATES**



Vidya Krishnan  
Senior 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: Theresa Bower, via e-mail: [moneymike6574@gmail.com](mailto:moneymike6574@gmail.com)  
Park Builders, inc., via e-mail: [parkbuildersinc1954@gmail.com](mailto:parkbuildersinc1954@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](http://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: <u>BOWER</u>	
PROJECT ADDRESS: <u>379 DELAWARE DR STREET</u>	
PARCEL ID(S):	IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicant Information:	Proprietor/Owner Information:
Name: <u>PARK BUILDERS INC</u>	Name: <u>THERESA BOWER</u>
Address: <u>4413 KENSINGTON RD MI 48380</u> <sup>MILFORD</sup>	Address: <u>379 DELAWARE DR WHITMORE LAKE MI 48189</u>
Phone: <u>313-220-7759</u>	Phone: <u>734-645-3198</u>
Email: <u>PARKBUILDERSINC1954@GMAIL.COM</u>	Email: <u>MONEYMIKE6574@GMAIL.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: _____	
<b>PROPERTY DESCRIPTION</b>	
Description of Proposed Use: <u>CAR + STORAGE - 24x24 ATTACHED GARAGE</u>	
Sanitary Facilities: <input checked="" type="checkbox"/> Sewer; Sewer Tap Permit #: _____ <input type="checkbox"/> Septic; WCHD Permit #: _____	
Zoning Classification(s): 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: _____	
Type of Construction/Alteration: <u>FRAME GARAGE - ATTACHED</u>	
Project Start Date: <u>9-18</u> Project Completion Date: <u>10-18</u>	
<b>AUTHORIZED SIGNATURE</b>	
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: <u>TERRA ADAMS</u> <sup>Q.D. PARK BUILDERS INC.</sup>	Date: <u>8-28-18</u>



## FOR OFFICE USE ONLY

Received Date:

Paid Date:

Existing Legal Non-Conformities:

☐ Yes☒ No

If yes, explain below:

**RECEIVED**  
AUG 28 2018  
NORTHFIELD TOWNSHIP

**PAID**

AUG 28 2018

NORTHFIELD TOWNSHIP TREASURER

## ZONING COMPLIANCE CERTIFICATE:

☐ Approved: Date \_\_\_\_\_☐ Denied: Date \_\_\_\_\_☒ Needs ZBA approval/review☐ Approved As Noted: Date \_\_\_\_\_☐ Conditional Use Required☐ Site Plan Approval Required

## COMMENTS:

See attached comment sheet  
- Obtain ZBA variance for F7 setback OR  
- reduce width of garage by 6'.

Zoning Administrator Signature

Date

Nidya.S

9/4/2018

## 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: \_\_\_\_\_

## **379 Delaware Street**

Applicant: Park Builders, Inc. (Owner: Theresa Bower)  
Zoning: SR-2 (Single Family Residential District)  
Request: Construction of new garage  
Action: **Needs ZBA approval** (See comments below)

### **Comments:**

The applicant proposes to construct a new 24' x 24' attached garage to an existing dwelling. The proposed garage is permitted per Section 36-246 (1) of the Zoning Ordinance. The existing parcel meets the minimum lot size and width requirement for the SR-2 District and the existing dwelling is compliant with the required setbacks.

The proposed garage is to be placed on the east side of the dwelling. The site is located at the northwest corner of Delaware Street and Shady Lane intersection, and the required front yard setback of 30' must be maintained along **both** street frontages (Section 36-29. Definitions for front yard on corner lot). The proposed garage is placed 31.4' from Delaware Street, but is located only 24.3' from Shady Beach Lane.

### **The applicant has 2 options:**

1. Revise drawing to show an 18' wide garage, which would comply with the required 30' setback along Shady Beach Lane (a previous proposal submitted was for an 18' garage), or
2. Apply for and obtain a setback variance from the Zoning Board of Appeals.

***Zoning Administrator***  
***9-4-2018***

L: 5186 P: 556 6353193 0  
01/09/2017 03:03 PM Total Pages: 3  
Lawrence Kestenberg Washtenaw Co



Receipt# 17-598 6353193  
01/09/2017 Washtenaw Co Michigan  
Real Estate Transfer Tax  
Tax Stamp # 432952  
County Tax: \$152.90 State Tax: \$1042.50



WARRANTY DEED

Date December 2 2016

Know all persons by these presents, that **KRISTEN SHANKLAND, WHO ACQUIRED TITLE AS KRISTEN M. BOWER**, whose post office address 1434 Osborn Lake Dr, Brighton, MI 48116, Grantor(s), convey(s) and warrant(s) to **THERESA BOWER**, whose address is 379 Delaware Rd, Whitmore Lake, MI 48189, Grantee(s), the following described premises situate in the Township of Northfield, the County of Washtenaw, State of Michigan, described as follows:

SEE COMPLETE LEGAL ATTACHED AS EXHIBIT "A"

PROPERTY ADDRESS: 379 Delaware Rd, Whitmore Lake, MI 48189

Property Tax IDs: B-02-17-231-026 AND B-02-17-231-027

Being all of the same Property conveyed to Grantor by virtue of a Deed recorded 5-11-2014 among the Official Property Records of Washtenaw County, Michigan as 2, 3rd 30.33 & 6 1/2

For the full consideration of \$149,000.00, subject to existing building and use restrictions, easements and zoning ordinances of record, if any, Grantor(s) does hereby remises(s), releases(s) and warrants(s) unto the Grantee(s) forever, all the rights, title, interest, claim and demand which the said Grantor(s) has have in and to the following described lot, piece or parcel of land:

To have and to hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever, of the part, either in law or in equity, to the only proper use, benefit and behalf of the said Grantee(s) forever.

Whenever used, the singular name shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WASHTENAW COUNTY TREASURER  
TAX CERTIFICATE NO. 11284

FILE F 17-1364-16

Time Submitted for Recording  
Date 12-13-2016 Time 2:52 PM  
Lawrence Kestenberg  
Washtenaw County, Michigan Registrar  
Time Submitted for Recording  
Date 12-13-2016 Time 2:54 PM  
Lawrence Kestenberg  
Washtenaw County, Michigan Registrar

In witness whereof, first party has hereunto set a hand and seal the day and year first written above

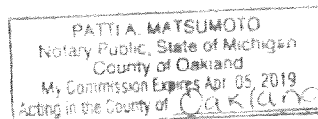
  
Kristen Shankland

STATE OF MICHIGAN  
COUNTY OF Oakland


The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of December  
2016 by Kristen Shankland

  
Notary Public

Printed Name PATTI A. MATSUMOTO  
County of Oakland  
My commission expires 04-05-2019  
Acting in the County of Oakland



Prepared By: BRUCE CLARK  
Certified Document Solutions  
c/o Attorney Bruce Clark  
17345 Civic Drive, Unit 1961  
Brookfield, WI 53045

Return To After Recording:  
Theresa Bower   
379 Delaware Rd  
Whitmore Lake, MI 48189  
Reference Number: 154509

Mail Tax Statements To:  
Theresa Bower  
379 Delaware Rd  
Whitmore Lake, MI 48189

No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and/or their agents; no boundary survey was made at the time of this conveyance.

**NORTHFIELD TOWNSHIP  
ZONING BOARD OF APPEALS  
Minutes of Regular Meeting  
August 20, 2018**

**1. CALL TO ORDER**

The meeting was called to order by chair Stephen Safranek 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	Present
Greg Kolecki	Present
Jacki Otto	Absent with notice
Stephen Safranek	Present
James Balsillie, Alternate	Absent
(presence not required)	

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

**4. ADOPT AGENDA**

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

**5. CORRESPONDENCE**

None.

**6. PUBLIC HEARINGS**

- 6A. Case #JZBA180003; Cindy Huss  
Location: 330 Delaware; Request for variance to allow 6' privacy fence; Parcel 02-17-232-031; zoned SR-2; Single-Family Residential.

- Motion: Dignan moved, Cousino supported, that the public hearings be opened.  
Motion carried 5—0 on a voice vote.

Cindy Huss said she replaced a four foot high chain link fence with a six foot wood fence and apologized for doing so without a permit. She noted when she received the notice of violation she applied for a zoning compliance permit and was denied. She explained her lot has street frontages on the front and back. She noted that two neighbors were present in support of her request.

- 6B. Case #JZBA180004; Kurt and Laura Hammond;  
Location: 5073 Eric Court; Request for variance

to construct an above-ground pool and deck on non-conforming lot of record;  
Parcel 02-36-400-022; Zone AR-Agricultural.

Kurt Hammond explained he is requesting a variance to allow him to install an above-ground 28' diameter pool and attached deck. He said other locations on the property are not available because of the location of the septic field. In answer to questions he said the lot is on a cul-de-sac and he is the original owner, but the builder thought the property line was further to the north than it is. He said if they had known that they would have built the house closer to the cul-de-sac.

Krishnan said there is a consent judgement in effect for the five lots on Eric Court allowing the lots to be developed.

Safranek called for additional public comment. There was none.

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

**7. OLD BUSINESS**

None.

**8. NEW BUSINESS**

- 8A. Case #JZBA180003; Cindy Huss  
Location: 330 Delaware  
Request for variance to allow 6' privacy fence;  
Parcel 02-17-232-031; zoned SR-2; Single-Family Residential.

Planning consultant Krishnan noted that privacy fences are limited to 3' in height in front yards, and because this lot has two street frontages—the only lot like this in the area—the fence in the rear of the house along Maple Grove is technically in a front yard.

Krishnan said:

- While the 6' high fence does look a little different than other fences in the area it does not appear to impact health, safety, or quality of life.
- The double street frontage places a definite limitation on some of the development aspects of the parcel.
- She recommends that the variance be approved subject to the findings of fact in her memo.

Northfield Township Zoning Board of Appeals  
Minutes of Regular Meeting  
Public Safety Building; 8350 Main Street  
August 20, 2018

In answer to a question, Krishnan said there is no place in the yard facing Maplegrove that a 6' high fence could legally be placed.

- **Motion:** Dignan moved, Kolecki supported, that in the request for variance in Case #JZBA180003 by Cindy Huss, 330 Delaware, to allow a 6' privacy fence; Parcel 02-17-232-031, the ZBA adopt the recommendation of the senior planner citing the conditions and findings of fact in her letter dated June 19 2018.

David Maw, 321 Delaware, said there is one lot to the east that comes all the way through to Delaware and it has had a 6' high stockade fence for as long as he can remember. He said he is in favor of approval of the variance.

Safranek said it would be nice if there was some landscaping between the fence and the road, although he knows that cannot be required as part of the variance.

Motion carried 4—0 on a roll call vote.

**8B. Case #JZBA180004; Kurt and Laura Hammond;  
Location: 5073 Eric Court; Request for variance to construct an above-ground pool and deck on non-conforming lot of record;  
Parcel 02-36-400-022; Zone AR-Agricultural.**

Krishnan said a rear yard setback of 50' is required for the proposed pool and deck; 26.68 feet is proposed.

She said:

- The placement of the house in the rear yard of the property, the slope of the property, and the septic field also limits the location of the pool, and the only alternate location for the pool would be far from the house which would not be practical or visually appealing.
- Approval of the variance will allow substantial justice to the applicant and will not adversely affect the interest of other property owners in the neighborhood.
- The variance is not likely to have any adverse impact on the neighborhood of public health, safety, and welfare.

- The pool is being proposed for the best location possible without having adverse effects on the neighborhood.
- She recommended approval of a variance of 23.32 feet for the rear yard setback.

In answer to a question, Krishnan said structures anchored to the ground, including pools, are structures, require permits, and must comply with zoning regulations.

- **Motion:** Safranek moved, Cousino supported, that the request for variance in Case #JZBA180004; be approved for the reasons stated on the record and for the reasons stated in Krishnan's report.  
Motion carried 4—0 on a roll call vote.

## 9. MINUTES

- **Motion:** Dignan moved, Kolecki supported, that the minutes of the June 18, 2018, regular meeting be approved as presented.  
Motion carried 4—0 on a voice vote.

## 10. CALL TO THE PUBLIC

No comments.

## 11. ZBA MEMBER COMMENTS

Dignan, member of the school board, thanked the community for its support of the school millage on August 7<sup>th</sup>.

## 12. ANNOUNCEMENT OF NEXT MEETING

**September 17, 2018**, at 7:00 PM at the Public Safety Building was announced as the date and time of the next regular meeting of the Zoning Board of Appeals.

## 13. ADJOURNMENT

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

The meeting was adjourned at 7:33 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 \_\_\_\_\_, 2018.

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Stephen Safranek, Chair

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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/)