

**NORTHFIELD TOWNSHIP
ZONING BOARD OF APPEALS
February 17, 2015 – 7:00 PM
Second Floor, Public Safety Building
8350 Main St., Whitmore Lake, MI 48189**

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADOPT AGENDA**
- 5. CORRESPONDENCE**
- 6. PUBLIC HEARINGS:**

William and Kathryn Creal, 573 East Shore Dr., Whitmore Lake MI 48189

Parcel #: B-02-05-103-009, SR-2 District

Request for variances from Article 22.0 of the Northfield Twp. Zoning Ordinance

7. NEW BUSINESS:

- a. William and Kathryn Creal, 573 East Shore Dr., Whitmore Lake MI 48189

Parcel #: B-02-05-103-009, SR-2 District

Request for variances from Art 22.0 of the Northfield Twp. Zoning Ordinance

- b. Training

8. UNFINISHED BUSINESS

9. APPROVAL OF MINUTES: January 20, 2015

10. CALL TO THE PUBLIC

11. ZBA MEMBER COMMENTS

12. ANNOUNCEMENT OF NEXT MEETING: March 16, 2015

13. ADJOURNMENT

This notice is posted in compliance with PA 267 of 1976 as amended (Open Meetings Act) MCL41.72A (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)449-2880, seven days in advance.

Dear Northfield Township Zoning Board of Appeals,

We are appearing before you to seek a variance for our property on Whitmore Lake at 573 East Shore Drive. We have had an initial review of our proposed building plans by Kurt Weiland, Northfield Township Zoning Administrator. Based on that review and some initial cost estimates, we have decided to not proceed with our work on the second floor of the current home. We will be leaving the second floor intact and therefore will not be seeking any variance from the south property line.

However, we would like to proceed with the changes proposed to attach a two-car garage to the home and add a second bedroom behind the garage. Therefore, we will continue to need your approval for a variance from the north property line. Our Zoning Board of Appeals Hearing Application contains the specific information for this request, including a site plan and building elevations.

Thank you for your consideration of this request.

Sincerely,

Handwritten signatures of William and Kathryn Creal in cursive script.

William and Kathryn Creal
January 14, 2015

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CC: Kurt Weiland
Mary Kendall

Zoning Board of Appeals Hearing Application

✓ # 5949

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Applicant:

Owner:

\$ 325.00

Name William + Kathryn Creal

Name

NORTHFIELD TOWNSHIP

Address 4631 Rocky Hill Drive

Address

Williamston, MI 48895

Phone: 517-655-2373 / 517-282-8812

Phone:

*If applicant is not the owner then a statement of authorization from owner must be attached

☒ Owner is Applicant

☐ Statement Attached

1.) Property Description and Location

A.) Property Address 573 East Shore Drive, Whitmore Lake, MI

B.) Parcel Identification B-02-05-103-009

C.) Legal Description Lot 23 and 1/2 of Lot 22 of Widenmann's Point

(description attached)

attach.) _____ (or

2.) Present Zoning District of Property SR2

3.) Present Use of Property Residential Home

4.) Non-Conforming Status

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

(attached)

B.) State year/month Non-Conformity began (to the best of your knowledge): 1930

5.) Variance Request (Applicant must completely answer 5A. through 5H.)

A.) Is denial letter attached from the Zoning Administrator? Yes X No _____. If no, identify each section of ordinance from which Variance is requested:

B.) Describe reason/need for Variance:

Attached.

C.) Explain existing special conditions or circumstances that are unique to the land or buildings involved which are not applicable to similar land or buildings in the same district:

Attached.

D.) Did the special condition or circumstances arise from your actions? Yes ____ No X. Please describe briefly:

Attached.

E.) Explain why interpretation of the ordinance would deprive you of rights commonly enjoyed by other property owners in the same district:

Attached.

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

Attached.

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:

Attached.

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

Attached.

6.) **Attach a scaled and accurate drawing (8 copies) correlated 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 5

All documents must be submitted at time of application. If further information needs to be submitted, 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.

X 9.) A fee of ^{325.00}~~850.00~~ 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.**

10.) The Applicant:

A.) Has received and read the attached provisions of the Township Zoning Ordinance in regards to Article 66.0 "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 reschedule it when the information is provided and

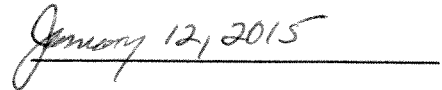
D.) Understands that any approval or denial of this application shall not relieve the applicant of compliance with all other applicable provisions of the Township Zoning Ordinance or Building Code and each

variance approved shall be null and void unless authorized activity commences within 180 days after the date of approval.

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.



Signature of Applicant



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

NA Statement authorizing variance application if not the owner

☒ Proof of ownership of property

☒ Legal Description of property

☐ 8 copies of site plan and required information

☐ Review Fee

For Zoning Board of Appeal 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 Zoning Board of Appeals reviewed the above requested variance or appeal and on _____, 20____ APPROVED / DISAPPROVED the following:

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 five (5) days nor more than fifteen (15) 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:

Copy of Minutes sent to: _____ File _____
Applicant _____

Building Department _____ Ordinance Enforcement Officer _____

Zoning Board of Appeals Hearing Application
William and Kathryn Creal
January 2015

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4.) **Non-Conforming Status**

A.) The current residential structure does not conform with the property line setback on the south side of the structure, as it is about 3 feet from the property line. This was done as part of the original structure in 1930. This will not be changed or modified.

5.) Variance Request

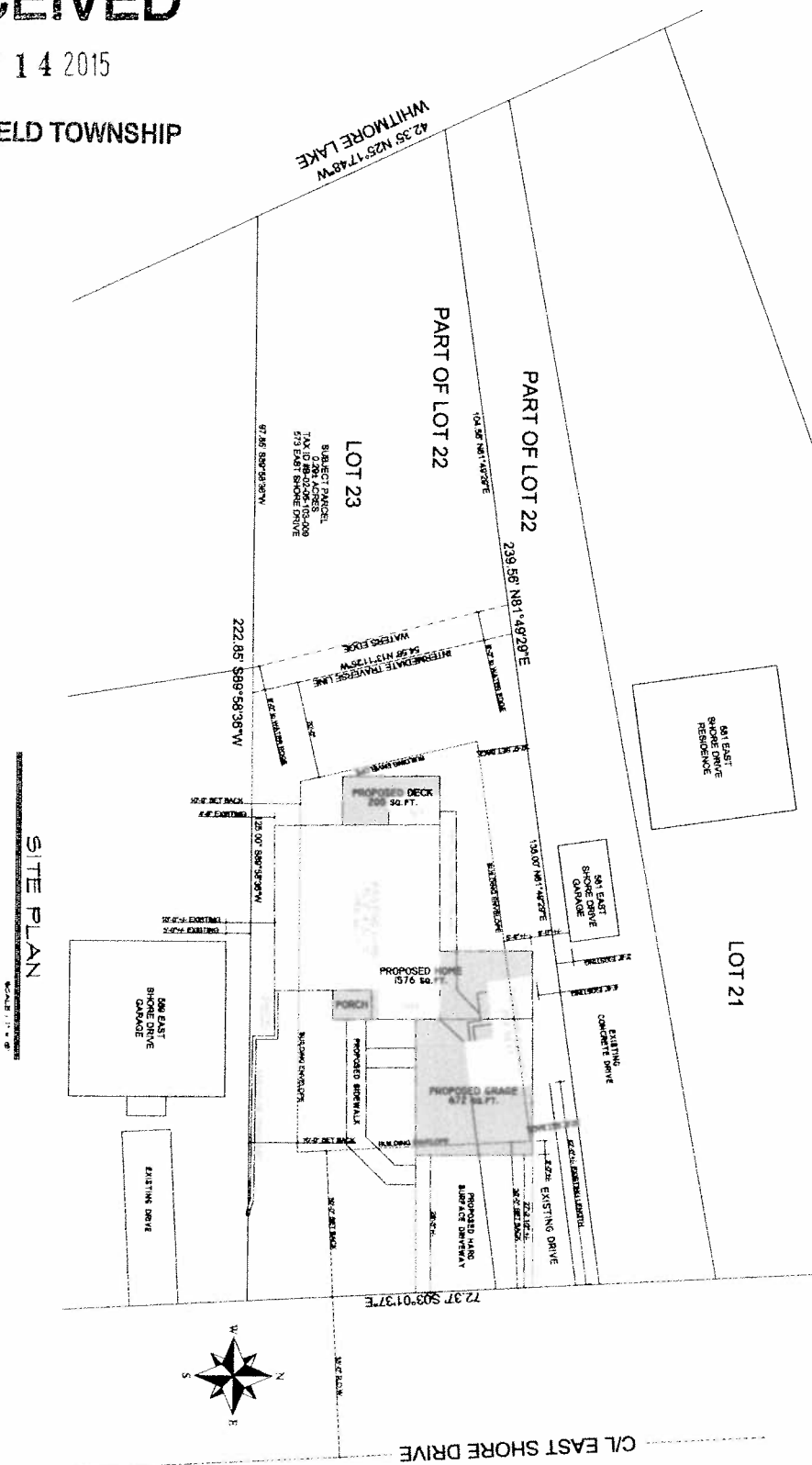
- B.) **Describe reason/need for Variance:** The variance is needed to allow the garage to be a 2 car attached garage with a bedroom behind it. We would provide additional setback from the present situation, as the garage would be parallel with the house, rather than the north lot line. This addition will allow us to age in place in a single story livable area.
- C.) **Explain existing special conditions or circumstances that are unique to the land or buildings involved which are not applicable to similar or buildings in the same district:** This lot is on Whitmore Lake, where there are many lakefront properties that have trouble with these property setbacks. The lots are generally smaller and narrower than typical lots. These circumstances make it difficult to put proper residential structures in place.
- D.) The lots have existed in this situation since about 1930. My Great Grandparents built the original

structure on Lot 23. Subsequently, a house that was on Lot 22 was moved off the lot, and Lot 22 was split between the 2 adjoining properties.

- E.) We desire to move into this residential house and age in place in this home. We would need a livable single level with attached garage. This would be a significant improvement to the existing structure, and would provide more setback on the north side than currently exists.
- F.) We have worked with a home designer to put together a minimum of change to have a home with a livable single level with attached garage. This version is scaled back from the previous version after discussion and review by Kurt Weiland, Zoning Administrator. We have eliminated the major work on the second floor so we would not need a variance on the south side of the property.
- G.) This will be a residential home, similar to what it is today, but updated in many ways, and will be in harmony with the other surrounding residential homes. This request for a variance on the north property line will provide more setback than currently exists. We are also requesting a variance of up to 3 feet from the east 30 feet setback line. We have discussed this with our adjacent neighbors to the north (Jim and Janice Camillerie), south (Mr. Thomas Creal), and east (Mr. John Sweda). They are all in support of these proposed changes, and letters of support have been provided by Mr. Thomas Creal, and Mr. John Sweda.
- H.) Variance from Section 22.04-D(2) side yard setback, for a portion of the new attached garage and bedroom

on the north side of the structure, as described in Mr. Kurt Weiland's memo (attached). Variance of up to 3 feet from Section 22.04-D(2) front yard setback of 30 feet for a portion of the new attached garage on the east side of the structure (this was not in the original building plans but is a result of adding a stairway in the garage to access a sewing room)

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FLOOR PLAN : MAIN LEVEL

CONCRETE APPROACH

CODES

FLOOR PLAN : UPPER LEVEL

WALL MENU

A-3

2014.85

01-06-2015
12-23-2014
DATE

DESIGN STUDIO INC.
DAVE JONES : PROJECT DESIGNER
PO BOX 188
EAGLE, MICHIGAN 48822-0182
PHONE (517) 867-4884
email davejones@designstudioinc.com

COTTAGE RENOVATION
BILL & KATHY CREAL
875 EAST GORING DRIVE
WILLIAMSTON, MI 48895
PHONE (517) 855-2051

REVISION

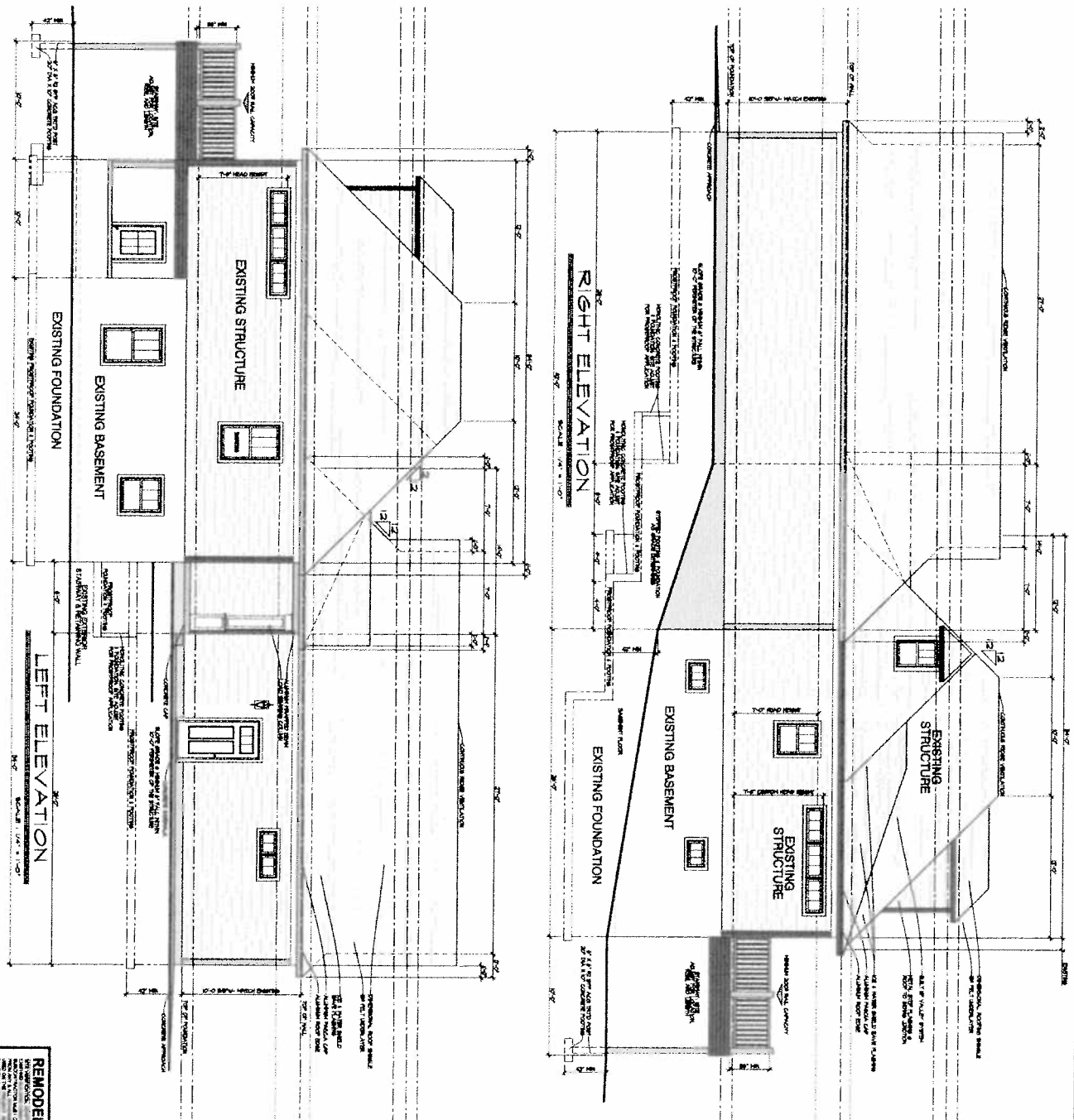
REMODEL AND RENOVATION PROJECT:
DATE: 01-06-2015
BY: DAVE JONES
PROJECT: COTTAGE RENOVATION
SHEET: 1 OF 1
SCALE: AS SHOWN
NOTES:
1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE 2012 INTERNATIONAL RESIDENTIAL CODE (IRC) AND THE 2012 INTERNATIONAL MECHANICAL, ELECTRICAL AND PLUMBING CODE (IMC/IPC/UPC).
2. THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.

DATE: BY:

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NORTHFIELD TOWNSHIP



REMODEL AND RENOVATION PROJECT:

DATE: 01-06-2015

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DESIGN STUDIO INC.
DAVE JONES : PROJECT DESIGNER
PHONE: (517) 662-4488
EAGLE, MICHIGAN 48822-0122

COTTAGE RENOVATION
BILL & KATHY CREAL
373 EAST BAYVIEW DRIVE
WILLOW LAKE, MI 48895
PHONE: 517-662-2873

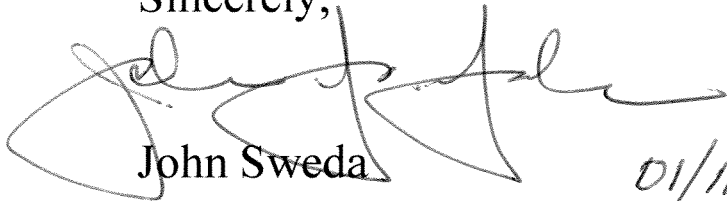
REVISION
DATE: 01/14/2015

Dear Northfield Township Zoning Board of Appeals

I am writing in regard to the request for a variance of the north property line setback at the 573 East Shore Drive property to construct an attached two car garage and room, as requested by Bill and Kathy Creal. My property is across the street from this property on the East (574 East Shore Drive).

I have discussed this variance request and the work that will be done on this property with Bill and Kathy Creal, and support this request.

Sincerely,



John Sweda

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NORTHFIELD TOWNSHIP

01/11/15

574 E SHORE DRIVE
WHITMORE LAKE, MI 48189
PH: (734)-649-2111 (CELL)



The Hunter Group for Global Security

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JAN 14 2015

NORTHFIELD TOWNSHIP

**Thomas & Diane Creal
569 East Shore Drive
Whitmore Lake, MI 48189**

January 2, 2015

Dear Northfield Township Zoning Board of Appeals:

I am writing in regard to the request for a variance of the north property line setback at the 573 East Shore Drive property to construct an attached two car garage and room. My property adjoins this property on the South (569 East Shore Drive).

I have discussed this variance request and the work that will be done on this property with Bill and Kathy Creal, and support this request.

Should you desire further information or wish to contact me, please email me at tcreal@hunterforensics.net or call me at 312-505-9872.

Thank you for your consideration of this request.

Sincerely,

Thomas Creal

Washtenaw County Legal Description

This data is received from local cities, villages, and townships. For additional information or verification, please contact your local city, village or township assessor, the Washtenaw County Clerk/Register of Deeds at (734)222-6710 or the Washtenaw County Department of Equalization at (734)222-6662.

Parcel Identification

Parcel Number: B -02-05-103-009

Property Address
Street Number,
Name & Direction

573 EAST SHORE DR

City, Village, or
Township:

TOWNSHIP OF NORTHFIELD

Legal Description: *OLD SID - B 02-120-021-00 NO 46-22B BEG IN ELY LINE OF LOT 22 ATA POINT WHICH IS 24 FT NLY FROM SE COR OF LOT 22, TH SLY 24 FT TO SE COR OF LOT 22, TH WLY TO SW COR OF LOT 22, TH NLY 14.50 FT IN WLY LINE OF LOT 22, TH ELY TO PLOF BEG, BEING PART OF LOT 22, ALSO ALL OF LOT 23 WIDENMANN'S POINT.

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NORTHFIELD TOWNSHIP

4/20/2013

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L: 4976 P: 654 6143199 D
05/09/2013 03:43 PM Total Pages: 1
Lawrence Kestenbaum, Washtenaw Co



Receipt# 13-10547 6143199
05/09/2013 Washtenaw Co, Michigan
Real Estate Transfer Tax
Tax Stamp # 266509
County Tax: \$154.00 State Tax: \$1050.00



WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS: That BARBARA J. CREAL, a married woman,

whose address is: 20308 Harding Ave., Olympia Fields, IL 60461

Conveys and Warrants to: WILLIAM S. CREAL and KATHRYN A. CREAL, husband and wife,
whose address is: 4631 Rocky Hill Drive, Williamston, MI 48895

Land situated in the Township of Northfield, County of Washtenaw and State of Michigan,
described as:

Lot 23 and the Southerly 1/2 of Lot 22, Widenmanns Point Subdivision as recorded in Liber
5 of Plats, Page 46, Washtenaw County Records.

Commonly known as: 573 East Shore Drive, Whitmore Lake, MI 48189

Tax I.D. No.: B-02-05-103-009

Subject to easements and restrictions of record and any special assessments hereafter levied.

for the consideration of ONE HUNDRED FORTY THOUSAND (\$140,000.00) DOLLARS

Dated this 26th day of April, 2013

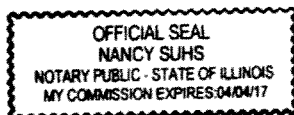
WASHTENAW COUNTY TREASURER
TAX CERTIFICATE NO. 798620

Signed and Sealed:

Barbara J. Creal (L. S.)
Barbara J. Creal

ILLINOIS
STATE OF ~~MICHIGAN~~)
) ss.
COUNTY OF COOK)

The foregoing instrument was acknowledged before me this 26th day of April, 2013, by
BARBARA J. CREAL, a married woman



Nancy Suhs
Nancy Suhs, Notary Public
Cook County, Illinois
My Commission Expires:
Acting in Cook County

DRAFTED BY: Robert B. Creal, Attorney at Law, 18 W. Main St., P. O. Box 53, Milan, MI 48160-0053

Time Submitted for Recording
Date 5-9-2013 Time 3:34pm
Lawrence Kestenbaum
Washtenaw County Clerk/Register



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NORTHFIELD TOWNSHIP ZONING COMPLIANCE APPLICATION/CERTIFICATE

NORTHFIELD TOWNSHIP

- Certificate required prior to new construction or alterations of existing structures. Certificates also required prior to occupancy.
- Application must be accompanied by 2 copies of scaled site plan meeting information requirements of Zoning Administrator.
- Applications for zoning compliance certificates shall be deemed abandoned six (6) months after the date of filing unless diligently pursued or a building permit or certificate of occupancy is issued.
- Any certificate shall become invalid if the authorized work is suspended or abandoned for a period of six (6) months after commencement of work.

Parcel Identification Number: B-02- 55-1-55-009

Site Address: 573 E. State Drive

Lot #: 22-1-23 Subdivision: Northfield East

Property Size: 0.21

Property

Owner: William C. Smith 573 E. State Dr Northfield MI (517) 655-2373

Full Name

Address

City/State

Phone

Lessee/

Applicant: Smith, William C. 573 E. State Dr Northfield MI (517) 655-2373

Full Name

Address

City/State

Phone

If application is made by other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.

Zoning (Circle Classification or list other): RC AR LR SR1 SR2 MR VC LC GC ES HC GI LI Other: _____

Type of Construction/Alteration: Removal of existing structure and construction of new structure

Use of Site/Structure: Residential # Units: 1

Sewer Available? Yes, Northfield Twp. Sewer Tap Permit # _____ No, WCHD Sewage Permit # _____

Project Start Date: April 2015 Projected Completion Date: October 2015

PC/ZBA Case #: _____ Action: _____ Date: _____

In case of any 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 deemed 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 the municipality, county and the State of Michigan to enter the property for purposes of inspection.

William C. Smith 11/12/2014
Authorized Signature Date

- Office Use Only -

I hereby certify that I have reviewed the plans for the purpose of zoning compliance only and not for construction.
Existing legal non-conformities: N/Y, _____

Zoning Compliance Certificate: Approved Approved as noted Denied

Comments/Reasons for denial: date not set back has not been provided

Section 22.04-15(2)
[Signature]

Zoning Administrator

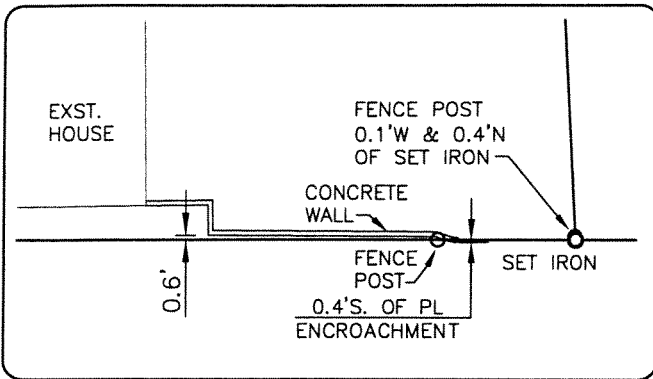
Date

12/17/14

P. O. Box 576 • 8350 Main Street, Whitmore Lake, MI 48189-0576

Telephone: (734) 449-5000 • Fax: (734) 449-0123 • Web Site: www.twp.northfield.mi.us

SKETCH OF SURVEY



DETAIL

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JAN 14 2015

NORTHFIELD TOWNSHIP

"WIDENMANN'S POINT"
REC'D L.5, P.46, W.C.R.

LOT 6

LOT 7

179.5' TO FOUND
MONUMENT

DUE NORTH

EAST LINE OF SECTION 5

EAST SHORE DRIVE
(33 FEET WIDE R.O.W.)

LOT 26

LOT 25

LOT 24

LOT 20

LOT 21

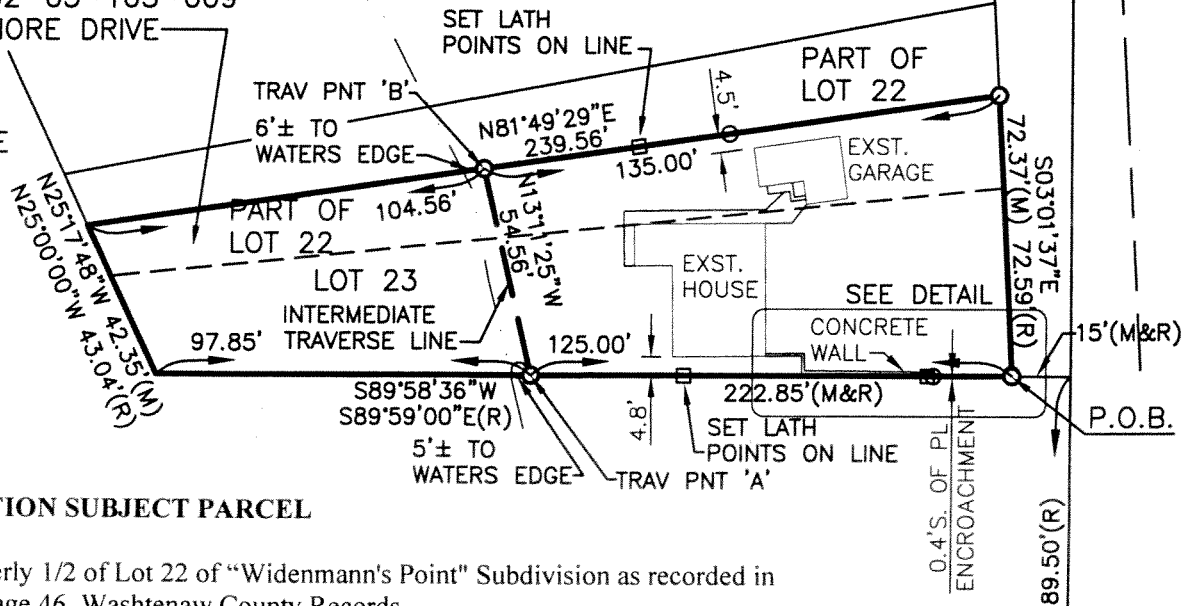
SUBJECT PARCEL

0.29± ACRES

TAX ID #B-02-05-103-009

573 EAST SHORE DRIVE

WHITMORE LAKE



LEGAL DESCRIPTION SUBJECT PARCEL

Lot 23 and the Southerly 1/2 of Lot 22 of "Widenmann's Point" Subdivision as recorded in Liber 5 of Plats, on Page 46, Washtenaw County Records.

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JAN 14 2015

NORTHFIELD TOWNSHIP
Northfield Township

Building & Zoning Department

To: Northfield Township Zoning Board of Appeals

From: Kurt Weiland, Zoning Administrator

Re: 573 East Shore Drive, Creal Residence, Parcel #B-02-05-103-009

Date: December 17, 2014

The property owners have requested a permit to do major renovations to their lake front home located at 573 East Shore Drive. The project will consist of the replacing of the existing garage with one that is larger and attached to the home. The entire existing structure will be renovated and they will be adding a second floor. The end result would be a significant improvement to the existing home but in order to complete this project the owner will need the following variances from the Northfield Township Zoning Board of Appeals. The property is located in an SR2 Zoning District which requires not less than thirty feet for a front yard, a minimum ten feet for the side yards and a minimum twenty feet for the rear yard. Two off street parking spaces will be provided in the garage.

1. A variance from Section 22.04-D(2) Side yard setback, for the expansion of the second floor on the left side of the home will be required. This will add to the amount of structure located in the side yard setback but it will not extend any further than the existing legal non-conforming structure on that side. It appears that a six (6) foot variance is required on the left side of the structure.

2. A variance from Section 22.04-D(2) Side yard setback, for a portion of the new attached garage on the right side of the structure. The front corner of the new garage appears to meet the minimum the ten foot setback requirement but the property narrows as it goes toward the lake leaving the rear of the garage in the ten foot setback area by four foot eight inches (4'8"). This leaves us with a triangular shape portion of the 38 foot deep new garage, approximately 88.54 square feet that will be located within the side yard setback area and need a variance in order to build.

01/15/15

NORTHFIELD TOWNSHIP

8350 MAIN STREET, P O BOX 576

WHITMORE LAKE, MI 48189

(734) 449-2880

WWW.TWP.NORTHFIELD.MI.US

Receipt: 52805

Cashier: PAM

Received Of:

ZBA - KATHRYN CREAL

VARI

325.00

101-412-608

325.00

Total

325.00

TENDERED:

CHECK

5949

325.00

Signed:

M. Kendall

Kathryn A. Creal
William S. Creal
4631 Rocky Hill
Williamston, MI 48895
517-655-2373

LUIS
FITCH

5949

74-5/724

1-14 2015

CHECK ARMOR
TRAUD PROTECTION

Pay to the Order of Northfield Township \$ 325.00
Three Hundred Twenty Five and 00/100 Dollars

Fifth Third Bank
(Western Michigan)
Grand Rapids, Michigan

For _____

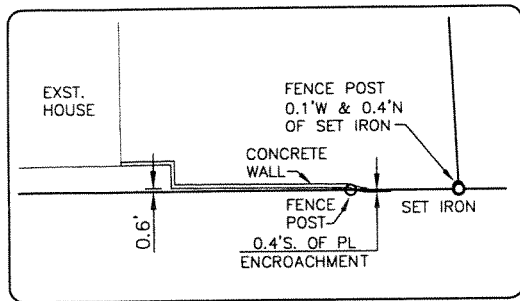
Kathryn A. Creal

⑆072400052⑆

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© Luis Fitch, Courtesy of MPYS Licensing

SKETCH OF SURVEY



DETAIL

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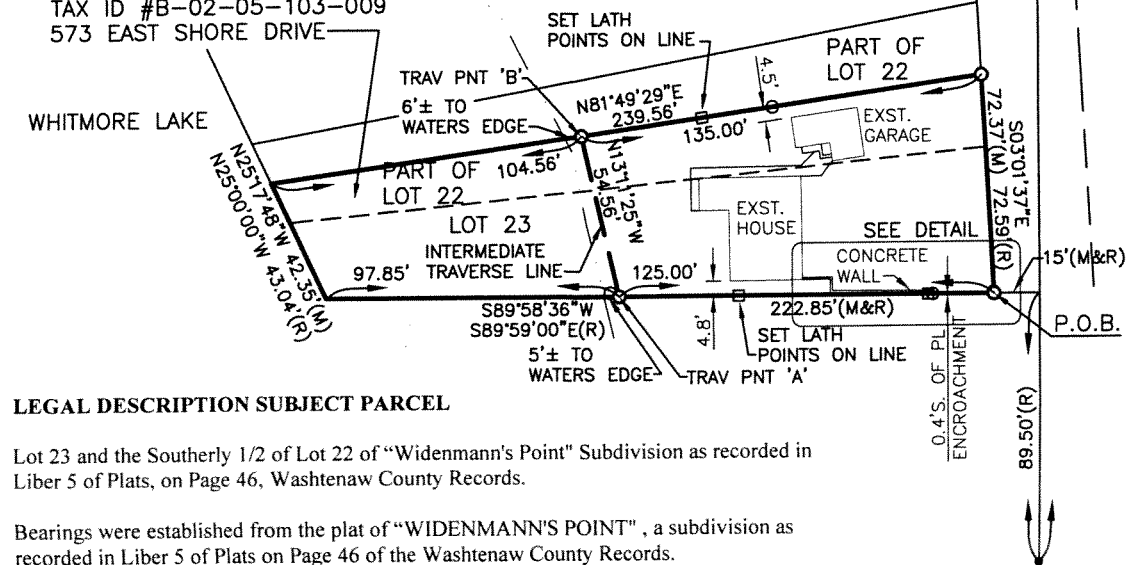
JAN 14 2015

NORTHFIELD TOWNSHIP

"WIDENMANN'S POINT"
REC'D L.5, P.46, W.C.R.

SUBJECT PARCEL
0.29± ACRES
TAX ID #B-02-05-103-009
573 EAST SHORE DRIVE

WHITMORE LAKE



LEGAL DESCRIPTION SUBJECT PARCEL

Lot 23 and the Southerly 1/2 of Lot 22 of "Widenmann's Point" Subdivision as recorded in Liber 5 of Plats, on Page 46, Washtenaw County Records.

Bearings were established from the plat of "WIDENMANN'S POINT", a subdivision as recorded in Liber 5 of Plats on Page 46 of the Washtenaw County Records.

LEGEND
 SECTION CORNER
 FENCE
 SET IRON ROD
 FOUND IRON ROD/PIPE
 FOUND MONUMENT
 SOIL BORING



LIVINGSTON ENGINEERING
 CIVIL ENGINEERING SURVEYING PLANNING
 3300 S. OLD U.S. 23, BRIGHTON, MICHIGAN 48114

INTERNET: WWW.LIVINGSTONENG.COM

PHONE: (810) 225-7100

FAX: (810) 225-7899

CLIENT BILL & KATHY CREAL

DESCRIPTION NORTHEAST 1/4
 SECTION 5, T1S, R6E, NORTHFIELD TOWNSHIP
 WASHTENAW COUNTY, MICHIGAN

0' 50' 100'

SCALE 1"=50'

SHEET No. 1 of 1

JOB No. 13161

DRAWN R.PARAMO

DATE 06-28-13

REV.

CREW RA

CHECK

FILE: G:\13161 Creal Northfield Twp\dwg\survey\13161SU.dwg

William R. Strebing



Northfield Township

Building & Zoning Department

To: Northfield Township Zoning Board of Appeals

From: Kurt Weiland, Zoning Administrator

Re: 573 East Shore Drive, Creal Residence, Parcel #B-02-05-103-009

Date: December 17, 2014

The property owners have requested a permit to do major renovations to their lake front home located at 573 East Shore Drive. The project will consist of the replacing of the existing garage with one that is larger and attached to the home. The entire existing structure will be renovated and they will be adding a second floor. The end result would be a significant improvement to the existing home but in order to complete this project the owner will need the following variances from the Northfield Township Zoning Board of Appeals. The property is located in an SR2 Zoning District which requires not less than thirty feet for a front yard, a minimum ten feet for the side yards and a minimum twenty feet for the rear yard. Two off street parking spaces will be provided in the garage.

1. A variance from Section 22.04-D(2) Side yard setback, for the expansion of the second floor on the left side of the home will be required. This will add to the amount of structure located in the side yard setback but it will not extend any further than the existing legal non-conforming structure on that side. It appears that a six (6) foot variance is required on the left side of the structure.

2. A variance from Section 22.04-D(2) Side yard setback, for a portion of the new attached garage on the right side of the structure. The front corner of the new garage appears to meet the minimum the ten foot setback requirement but the property narrows as it goes toward the lake leaving the rear of the garage in the ten foot setback area by four foot eight inches (4'8"). This leaves us with a triangular shape portion of the 38 foot deep new garage, approximately 88.54 square feet that will be located within the side yard setback area and need a variance in order to build.

FENCE
POST(TYP)

LOT 20

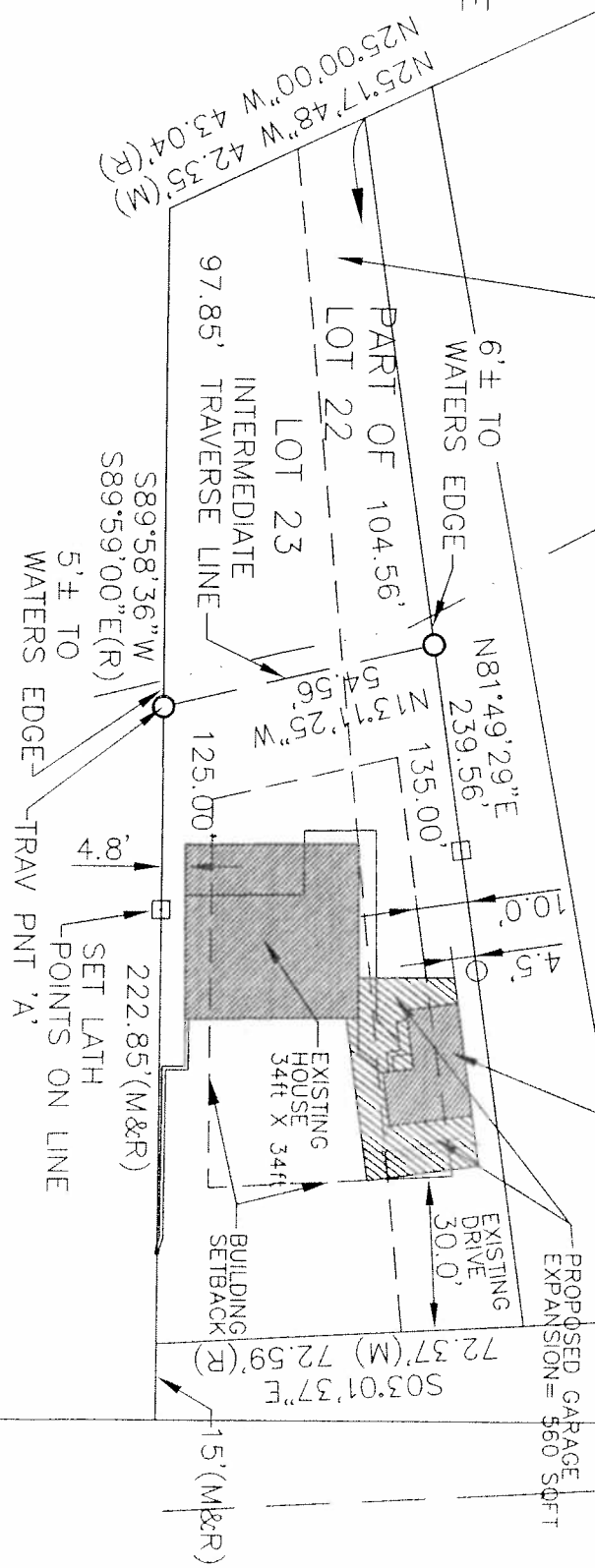
LOT 24

EAST SHORE
(33 FEET WIDE)

LOT 21

SUBJECT PARCEL
0.29± ACRES
TAX ID #B-02-05-103-009
573 EAST SHORE DRIVE

WHITMORE LAKE



NORTHFIELD TOWNSHIP
ZONING COMPLIANCE APPLICATION/CERTIFICATE

- ▶ Certificate required prior to new construction or alterations of existing structures. Certificates also required prior to occupancy.
- ▶ Application must be accompanied by 2 copies of scaled site plan meeting information requirements of Zoning Administrator.
- ▶ Applications for zoning compliance certificates shall be deemed abandoned six (6) months after the date of filing unless diligently pursued or a building permit or certificate of occupancy is issued.
- ▶ Any certificate shall become invalid if the authorized work is suspended or abandoned for a period of six (6) months after commencement of work.

Parcel Identification Number: B-02- 05-103-009

Site Address: 573 East Shore Drive

Lot #: 22-1/2 23 Subdivision: Widenman's Point Property Size: 0.30 A

Property

Owner: William and Kathryn Creal 4631 Rocky Hill Dr. Williamston, MI (517) 655 2373
Full Name Address City/State Phone

Lessee/

Applicant: Same as above

Full Name Address City/State Phone

If application is made by other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.

Zoning (Circle Classification or list other): RC AR LR SR1 SR2 MR VC LC GC ES HC GI LI Other: _____

Type of Construction/Alteration: Re model main structure, demolish existing garage, add two car garage, bedroom

Use of Site/Structure: Residential Home # Units: 1

Sewer Available? Yes, Northfield Twp. Sewer Tap Permit # _____ No, WCHD Sewage Permit # _____

Project Start Date: April, 2015 Projected Completion Date: October, 2015

PC/ZBA Case #: _____ Action: _____ Date: _____

In case of any 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 deemed 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 the municipality, county and the State of Michigan to enter the property for purposes of inspection.

William Creal Kathryn Creal 11/12/2014
Authorized Signature Date

- Office Use Only -

I hereby certify that I have reviewed the plans for the purpose of zoning compliance only and not for construction.

Existing legal non-conformities: N/Y, _____

Zoning Compliance Certificate: Approved Approved as noted Denied

Comments/Reasons for denial: side yard setback has not been provided
section 22.04-15(2)

[Signature] 12/17/14
Zoning Administrator Date

P. O. Box 576 • 8350 Main Street, Whitmore Lake, MI 48189-0576

Telephone: (734) 449-5000 • Fax: (734) 449-0123 • Web Site: www.twp.northfield.mi.us

Northfield Township

Building & Zoning Department

To: Northfield Township Zoning Board of Appeals

From: Kurt Weiland, Zoning Administrator

Re: 573 East Shore Drive, Creal Residence, Parcel #B-02-05-103-009

Date: December 17, 2014

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RECEIVED

NOV 10 2014

NORTHFIELD TOWNSHIP

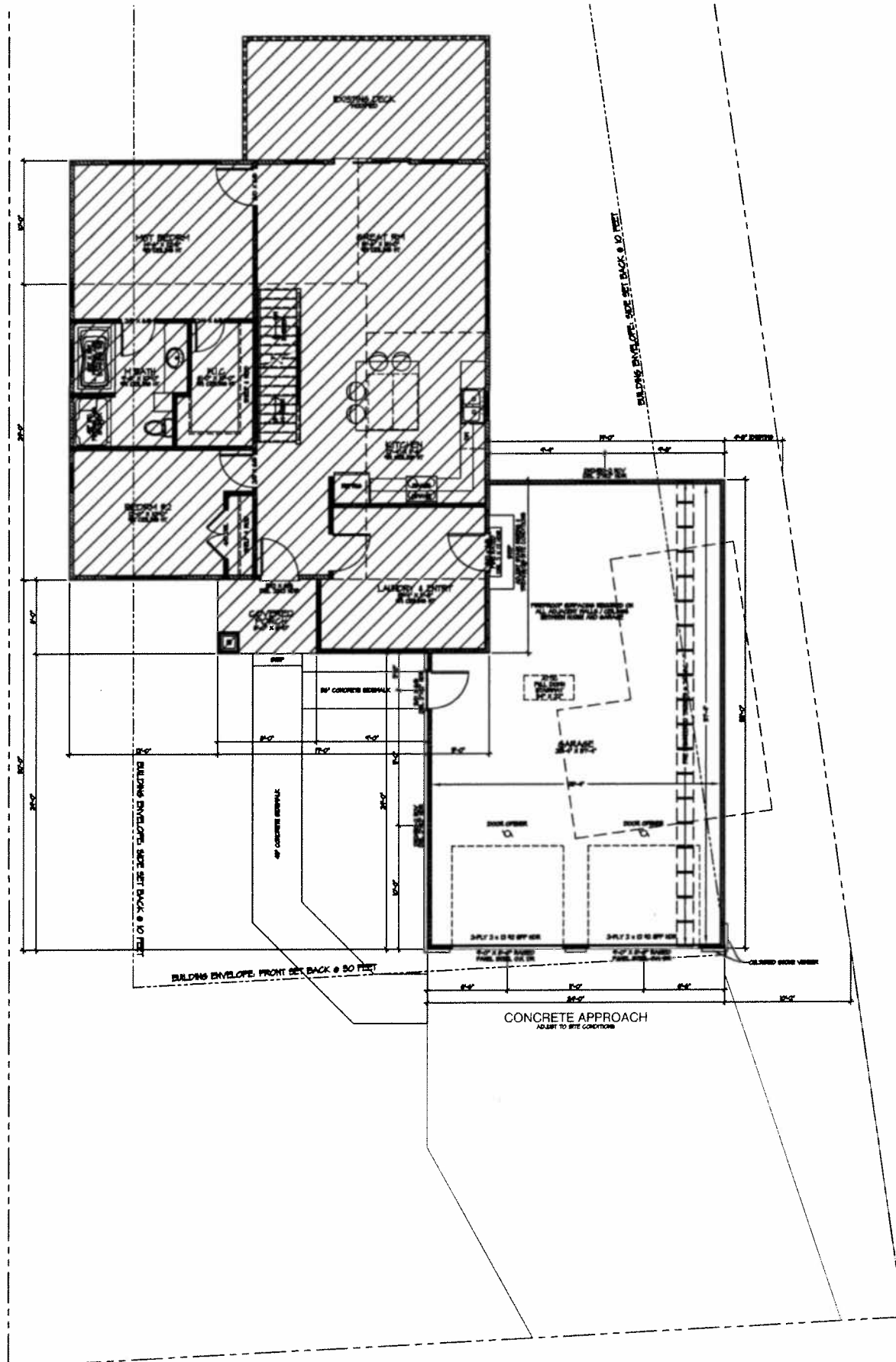
STATE OF MICHIGAN-DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPS, SECURITIES & COMM LIC BUR
RESIDENTIAL BUILDER
LICENSE

WILLIAM SCOTT CREAL
4631 ROCKY HILL
WILLIAMSTON MI 48895

PERMANENT I.D. NO.
2101208267

EXPIRATION DATE
05/31/2017

AUDIT NO
2914136



Dear Northfield Township Zoning Board of Appeals

We are writing in regard to the request for a variance of the north property line setback at the 573 East Shore Drive property to construct an attached two car garage and room, as requested by Bill and Kathy Creal. Our property adjoins this property on the North (581 East Shore Drive).

We have discussed this variance request and the work that will be done on this property with Bill and Kathy Creal, and support this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim and Janice Camilleri", written in dark ink. The signature is fluid and stylized, with the first name "Jim" being more prominent.

Jim and Janice Camilleri

Northfield Township

Zoning Board Appeals Bylaws

The following rules of procedure are hereby adopted by the Northfield Township Zoning Board of Appeals to facilitate the performance of its duties as outlined in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, MCL 125.3101, et seq. These rules are enacted pursuant to Township Ordinance 66.01, et seq., providing for the creation of a Board of Zoning Appeals and the appointment of members thereto. Nothing herein shall be construed to give or grant the ZBA the power or authority to alter or change the Zoning Ordinance, including the Zoning Map, which authority is reserved for the legislative body.

SECTION 1: Membership and Term

- A. **Board Composition** – The Northfield Township Zoning Board of Appeals (ZBA) shall consist of five (5) members. One (1) ZBA member shall also serve as a member of the Northfield Township Planning Commission.
- B. **Township Board of Trustees Representation** – One (1) member of the ZBA may be a current member of the Northfield Township Board of Trustees (Board).
- C. **Qualifications** – All members shall be electors of Northfield Township (Township) and be representative of the community.
- D. **Appointment** – Any Township Board member can bring forth a potential ZBA member for appointment. All ZBA appointments shall be approved by the Board.
- E. **Vacancies** – All vacancies shall be filled in the same manner as the regular appointment process (Section 1, D) and shall only be for the balance of the uncompleted term.
- F. **Term** - The term of each permanent member shall be three (3) years, except for members serving because of their membership on the Planning Commission or the Board, whose terms shall be limited to the time they are members of those bodies. Terms shall be staggered in a reasonable and practical manner.
- G. **Alternates** – The Board may appoint two (2) alternate members for the same term as regular ZBA members. An alternate member may be called to serve as a member of the ZBA in the absence of a regular member if the regular member will be unable to attend one (1) or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching a decision on a case in which the member has abstained for reasons of conflicting of interest. The alternate member appointed shall serve in the case until a final decision is made. An alternate member serving on the ZBA has the same voting rights as a regular member.

SECTION 2: Officers

- A. Selection and Tenure** – At the first regular meeting of the year, the ZBA shall select from its membership a Chairperson, Vice Chairperson and Secretary. An elected township official shall not serve as an officer of the ZBA. All offices shall have a one (1)-year term. If any office is vacated between terms, the member selected to fill the vacated office shall only serve for the balance of the unexpired term. Officers may serve consecutive terms for the same office.

The presiding officer at the first regular meeting of the year shall be the previous year's Chairperson if still a member and present, if not; a ZBA member shall preside to the following order:

1. Previous year's Vice Chairperson
2. Previous year's Secretary
3. Zoning Board of Appeals member with the longest period of service.

- B. Chairperson** – The Chairperson shall preside at all meetings, appoint committees subject to ZBA approval, prepare the meeting agenda, sign documents on behalf of the ZBA along with the Secretary, administer oaths regarding the cases before the ZBA, compel the attendance of witnesses and perform such other duties authorized by the ZBA or Northfield Township Board of Trustees (Board).
- C. Vice Chairperson** – The Vice Chairperson shall act in the capacity of the Chairperson in his or her absence, and shall automatically succeed to the unexpired term of the Chairperson in the event the office of Chairperson becomes vacant. The ZBA shall select a successor to the office of Vice Chairperson for the unexpired term when that office is vacated.
- D. Secretary** – The Secretary shall execute documents in the name of the ZBA, perform the duties hereinafter listed below and shall perform such other duties as the ZBA may determine. The Secretary may delegate certain duties to a staff member without transfer of final responsibility.
1. **Minutes** – The Secretary shall be responsible for a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records retained by the Clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.
 2. **Correspondence** – The Secretary shall be responsible for issuing formal written correspondence with other groups or persons, as directed by the ZBA. All communications, petitions, reports or other written materials received by the Secretary shall be brought to the attention of the ZBA membership.
 3. **Attendance** – The Secretary shall be responsible for maintaining an attendance record for each ZBA member.

- 4. **Notices** – The Secretary shall issue such notices as may be required by the ZBA.
- 5. **Roll Call** – The Secretary shall call roll for roll call votes.
- E. **ZBA / Planning Commission Representative** – One (1) Planning Commission Member shall serve as a liaison to the ZBA. The ZBA liaison shall report the actions of the ZBA to the Planning Commission and update the ZBA on actions by the Planning Commission that relate to the functions and duties of the ZBA. A member of the board who is currently an officer on the Planning Commission may not simultaneously serve as an officer of the ZBA.

SECTION 3: Regular Meetings

- A. **Meetings** – Regular meetings of the ZBA shall be held on the third Monday of each month, or as noted below. One (1) regular meeting shall be held in January each year, and as needed for the remainder of the year. All meetings shall take place at the Northfield Township Public Safety Building at 7:00PM; if there is no business to be conducted, than a meeting shall not be held. When the regular meeting day falls on a legal holiday, the ZBA shall select a suitable alternate date in the same month. Regularly scheduled meetings may only be cancelled by either a majority vote at any prior meeting or the Chairperson by notification to the Zoning Board of Appeals members in a timeframe outlined by the Open Meetings Act – the reason for cancellation will be included in the notice.
- B. **Meeting Notice** – All meeting notices shall be made in accordance with the requirements of the zoning ordinance and the Open Meetings Act.
- C. **Public Records** – All meetings, records, documents, correspondence and other materials of the ZBA shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- D. **Quorum** – Three (3) members of the total five (5) members serving constitutes a quorum for transacting business and taking official action for all matters. The ZBA shall not conduct business unless a majority of the regular members is present.
- E. **Voting** – To pass or deny any variance, appeal or other official action required by the zoning ordinance, an affirmative vote of the majority of the total membership (3 members) of the ZBA is required. Voting shall be by voice vote. However, a follow-up roll call vote shall be taken if requested by any ZBA member or directed by the Chairperson to clarify a vote. All ZBA members, including the Chairperson, shall vote on all matters, but the chairperson shall vote last. The ZBA / Planning Commission Representative shall not participate in a public hearing or vote on the same matter that the member voted on as a member of the Planning Commission.

All votes shall be recorded in the minutes clearly identifying how each member voted. All members are expected to exercise their obligation to vote upon a question unless a conflict of interest is present.

- F. Motions** – Motions shall be restated before a vote. The name of the member making a motion and the member supporting shall be recorded. Motions deciding the issue on appeal may include conditions of approval imposed by the ZBA.
- G. Time Limit** – The ZBA shall hear and decide upon all matters properly before it within thirty (30) days. The decision of the ZBA shall be in the form of a resolution containing a full record of its findings and determinations in each case. The time limit may be extended by written agreement between the applicant and the ZBA.
- H. Agenda** – The Chairperson shall be responsible for preparing an agenda for ZBA meetings. The order of business for meetings shall be as follows, or as amended by the Board through resolution or practice:

 - 1. Call to Order
 - 2. Pledge of Allegiance
 - 3. Roll Call
 - 4. Adopt Agenda
 - 5. Correspondence
 - 6. Public Hearings
 - 7. New Business
 - 8. Unfinished Business
 - 9. Approval of Minutes from the last meeting.
 - 10. Call to the Public
 - 11. ZBA Member Comments.
 - 12. Announcement of Next Meeting.
 - 13. Adjournment
- a. Placing Agenda Items by ZBA Members** - Any member of the ZBA may request items to be placed on the agenda by contacting the Chairperson at least twenty-one (21) days prior to the meeting or hearing. Requests should be accompanied by explanatory or background information when possible. The ZBA member may also propose additions at the time of agenda approval during the meeting.

b. **Maximum Number of Public Hearings per Meeting** – In order to allow good conduct of business and careful review of all cases, the ZBA shall limit its agenda to no more than two (2) hearings on new cases per meeting. In the event more than two (2) applications are received by the deadline for submittal for the subsequent meeting, the Chair may elect to schedule an additional meeting in the same month to accommodate the additional hearings. The limit of two (2) new hearings per meeting may only be waived at the discretion of the Chairperson.

I. **Meeting Minutes** – The Secretary shall be responsible for the preparation and presentation of minutes of the proceedings of all meetings of the ZBA according to the Open Meetings Act, and for depositing with the Township Clerk a copy of said minutes for retention. If this duty is delegated to a staff person, the Secretary must sign the minutes.

The minutes of the preceding meeting shall be acted upon by the ZBA and signed by the Secretary and Chairperson at the next meeting. A copy of all motions shall be carefully recorded. The names of those who make motions, those who support motions and the vote shall be recorded in the minutes in a manner which clearly conveys how each member voted.

The official minutes shall be retained by the Township Clerk as proscribed by law. Copies of proposed and approved minutes shall be available to the public at a reasonable charge or according to Township Board policy.

Proposed minutes shall be available to the public by the eighth (8th) calendar day after the meeting. Approved minutes shall be available by five (5) calendar days after that meeting when approved.

J. **Governing Procedures** – Michigan statutes, ZBA by-laws, and Roberts Rules of Order Revised shall govern the order of business before the ZBA. Roberts Rules shall not apply when they conflict with Michigan Statutes or they deny a member his/her constitutional rights.

K. **Public Hearings** – All public hearings held by the ZBA shall be held as part of a regular or special meeting of the ZBA. The following rules of procedure shall apply to public hearings held by the ZBA:

1. Chairperson opens public hearing by announcing the subject of the appeal, the petition by identifying the applicant's name, case number, specified request, and the general location of the subject property.
2. Chairperson summarizes procedures/rules to be followed during the hearing.
3. Chairperson will call on the appellant or their representative to present their statements in support of the appeal along with any supporting evidence.

4. Chairperson will call on the Zoning Administrator to present the substance of the appeal, staff reports facts about the appeal, including site conditions, uses of adjacent lands, utility and street capacities, and other pertinent matters and to answer questions of the ZBA.
5. Chairperson will call on other persons interested in speaking in support of the appeal.
6. Chairperson will call on persons wishing to speak in opposition to the appeal.
7. Chairperson may, within limits, permit the appellant a rebuttal.
8. Chairperson will, upon their motion or the motion of any ZBA member, announce the close of the hearing or announce continuation of the public hearing to another specified time and date if the hour is late or additional pertinent information must be obtained.
9. ZBA deliberates the request and decides the issue or, if a majority of members decide more information or clarification is needed, the issue may be postponed to a future meeting.

To ensure that everyone has the opportunity to speak, the ZBA may elect to limit the time permitted for each person to speak. However, the applicant may be afforded additional time as determined by the Chairperson. The Chairperson may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the Chairperson, in his or her discretion, may permit additional comments.

General Rules for Conduct at Hearings –

1. Statements or questions by the audience shall be addressed to the Chairperson.
2. ZBA members may question the appellant, others in support and those in opposition during presentations.
3. ZBA members shall refrain from debating or arguing with persons commenting.
4. If a large number of individuals wish to voice the same position either in support of or in opposition to the appeal, they may designate one (1) person to be the spokesperson for the group.
5. The Chairperson has the authority to restrict each speaker to a reasonable length of time for presenting their comments.
6. During the hearing, the ZBA shall not be bound by the strict rules of evidence and may take into consideration any evidence it deems relevant and material or exclude any evidence it deems irrelevant and immaterial.

- L. Special Meetings** – Special Meetings of the ZBA may be called by the Chairperson to handle organizational issues or may be requested by an applicant due to an applicant’s request or timing issue. If the applicant makes the request and the Special Meeting is called for that purpose, the applicant shall be responsible for any and all additional costs. If there is more than one applicant’s request addressed at a Special Meeting, the costs shall be shared equally between all applicants. The business conducted by the ZBA shall be conducted at a public meeting held in compliance with the Open Meetings Act. Special Meetings shall also be noticed as required by the Michigan Zoning Enabling Act, as amended, the Open Meetings Act and these bylaws.

- M. Committees and Committee Meetings** – The ZBA shall create committees and make appointments to these as it considers advisable. Committees shall consist of no more than two (2) ZBA members. Standing Committees shall be recommended by the Chairperson and appointments approved by the ZBA.

The ZBA may authorize such special committees as deemed necessary and provide a timeline for the committee to report its recommendations. A special committee shall be dissolved when its final report is accepted by the ZBA. Committees shall be limited to recommendations to the ZBA on appropriate matters that reflect on the scope and charge of that committee. Committees have no authority to take administrative action or act on behalf of the ZBA.

- N. Closed Meetings** – Closed meetings may be held for the purposes outlined in the Open Meetings Act.

- O. Communication between the ZBA and the Township Board** – All decisions made during the ZBA meetings shall be communicated to the Township Board and Planning Commission – included within the meeting minutes.

SECTION 4: Duties of the ZBA

The ZBA shall perform the following duties:

- A.** Act on applications for variances, appeals, interpretations, or other matters as required by the zoning ordinance and the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, MCL 125.3101 et seq.
- B.** Attend local training sessions or meetings, as needed to properly fulfill the duties of a ZBA member.
- C.** Attend conferences and/or workshops that are approved and funded by the Board.
- D.** Perform other duties and responsibilities as requested by the Board or as may be specified in another Township ordinance.
- E.** Conduct site visits as deemed necessary to evaluate an application and supporting material.

SECTION 5: Notice of Appeal, Time for Appeal, Stay of Proceedings, Dismissal and Reinstatement of Appeal

- A. Notice of Appeal** – All Notices of Appeal to the ZBA shall be made in writing on notice forms provided for that purpose and adopted by the ZBA. Notices of appeal shall be serviced upon the administrative official from whom the appeal is taken, and such official shall transmit to the ZBA all papers constituting the record upon which the action of appeal was taken. The notice of appeal shall be accompanied by such fee as established by the Township Board.
- B. Time for Appeal** – Every appeal shall be filed by the appellant within sixty (60) days of the date of a permit refusal, a requirement, a decision, or a determination of such official from which the appeal is taken, provided the ZBA may in exceptional cases for good reason grant additional time.
- C. Stay of Proceedings** – Filing an appeal stays all further enforcement proceedings by the Zoning Administrator or other official unless the Zoning Administrator or other official certifies to the ZBA a stay would cause imminent peril to life or property, in which case proceedings shall not be stayed unless the appellant obtains a restraining order which may be granted by the ZBA or by the circuit court, on notice to the Zoning Administrator or other official and on due cause shown.
- D. Dismissal and Reinstatement of Appeal** – When an appellant fails to appear at a properly scheduled meeting on the ZBA, the Chairperson may entertain a motion from the ZBA to dismiss the case for want of prosecution; the appellant will be furnished written notice of the action by the Secretary of the Board. The appellant shall have seven (7) days from the date of notice of dismissal to apply for reinstatement of the case. In such cases, the appellant must file a written request with the Secretary for reinstatement. Reinstatement shall be at the discretion of the Chairperson for good cause shown, and upon payment of a fee established by the Township Board. The Township Board may waive the reinstatement fee upon a showing of extenuating circumstances. In all cases, reinstated in the above described manner, the case will be docketed and re-advertised in the usual manner prescribed for new cases.

SECTION 6: Absences, Removals, Resignations and Vacancies

- A.** To be excused from a meeting of the ZBA, a ZBA member shall notify the Clerk's office, ZBA Chairperson or other individual as designated by the ZBA. Failure to make this notification prior to a meeting shall result in an unexcused absence.
- B.** Members of the ZBA may be removed by the Board for misfeasance, malfeasance or non-feasance in office upon written charges and after a due process hearing. A member shall disclose when there is or may be a conflict of interest prior to the matter being considered by the ZBA. Failure of a member to disclose that there is or may be a conflict of interest to allow the Board to disqualify the member from a vote shall constitute

malfeasance in office. A member shall first be given the opportunity to resign prior to removal by the Board.

- C. A member may resign from the ZBA by sending a letter of resignation to the Supervisor, Board or ZBA Chairperson. Unless otherwise indicated in the letter, the resignation shall be effective on the date the letter is received.
- D. Vacancies shall be filled by the Board within thirty (30) days of resignation or removal of a ZBA member. Successors shall serve out the unexpired term of the member being replaced.

SECTION 7: Conflict of Interest

- A. ZBA members shall declare a conflict of interest and abstain from participating in a hearing or deliberations on a request when:
 - 1. The ZBA member, member's relative or other family member is involved in any request for which the ZBA is asked to make a decision.
 - 2. The ZBA member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant's company, agency or association.
 - 3. The ZBA member owns or has a financial interest in neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the zoning ordinance or other applicable ordinance.
 - 4. There is a reasonable appearance of a conflict of interest, as determined by the ZBA member declaring such conflict. However, declaring a conflict of interest should not be used as a means of avoiding a difficult or uncomfortable decision.
- B. The ZBA member declaring a conflict of interest should state the nature of the conflict to the board. The ZBA shall consider a motion to excuse the declared member through the vote. Once formally excused, the member should vacate his or her seat during all proceedings involving the matter that lead to the member's declared conflict of interest. The member declaring conflict may also choose to leave the room in which the discussion takes place, unless doing so would violate his or her constitutionally protected rights to participate. Further, he or she should not make any presentations to the ZBA as a representative of the proposal.

SECTION 8: Annual Report and Budget Request

The annual report will be prepared at the end of the year under the direction of the Chairperson and presented in written form in early January to the Township Board. The report shall include the ZBA operations, a report on appeals and recommendations regarding actions by the Township Board and Planning Commission as related to zoning.

The ZBA budget request for appropriation shall be prepared under the direction of the Chairperson at the first meeting after January 1 each year and shall be presented to the Planning Commission for inclusion in the department budget.

SECTION 9: Suspension and Amendments

These rules may be temporarily suspended at any regular or special meeting by a majority vote of the total members appointed (3 of 5).

These bylaws may be amended at any meeting by a vote of a majority of the membership of the ZBA.

Adopted by the Northfield Township at a regular meeting, held on _____
_____, 2015.

Secretary,
Northfield Township Zoning Board of Appeals.