

NORTHFIELD TOWNSHIP
ZONING BOARD OF APPEALS
December 18, 2017 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 #JZBA170006 – To consider a request from Al Hobbs, 442 East Shore Drive, Whitmore Lake, MI 48189 to replace a non-conforming garage with a new garage. The subject site has no principal dwelling, only a garage. Garages are accessory structures per Section 36-29 definitions of the Zoning Ordinance. The existing garage/storage shed on the site is a non-conforming use of the property. Per Section 36-98 (8), no accessory building shall be used prior to the principal building or use, except as a construction facility for the principal building. The applicant is seeking a variance from this provision to allow for the replacement of the existing non-conforming accessory structure with a new accessory structure and no associated principal dwelling. The parcel number is B-02-05-401-004 and is zoned – SR-1 Single Family Residential.
7. **OLD BUSINESS**
8. **NEW BUSINESS:**
 - A. Case #JZBA170006 – To consider a request from Al Hobbs, 442 East Shore Drive, Whitmore Lake, MI 48189 to replace a non-conforming garage with a new garage. The subject site has no principal dwelling, only a garage. Garages are accessory structures per Section 36-29 definitions of the Zoning Ordinance. The existing garage/storage shed on the site is a non-conforming use of the property. Per Section 36-98 (8), no accessory building shall be used prior to the principal building or use, except as a construction facility for the principal building. The applicant is seeking a variance from this provision to allow for the replacement of the existing non-conforming accessory structure with a new accessory structure and no associated principal dwelling. The parcel number is B-02-05-401-004 and is zoned – SR-1 Single Family Residential.
 - B. Adopt 2018 Meeting Schedule Dates
- A. **APPROVAL OF MINUTES:** October 16, 2017
- B. **CALL TO THE PUBLIC**
- C. **ZBA MEMBER COMMENTS**
- D. **ANNOUNCEMENT OF NEXT MEETING:** January 22, 2018
- E. **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.

NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

The Northfield Township Zoning Board of Appeals will hold a public hearing for:

- A. Case #JZBA170006 – To consider a request from Al Hobbs, 442 East Shore Drive, Whitmore Lake, MI 48189 to replace a non-conforming garage with a new garage. The subject site has no principal dwelling, only a garage. Garages are accessory structures per Section 36-29 definitions of the Zoning Ordinance. The existing garage/storage shed on the site is a non-conforming use of the property. Per Section 36-98 (8), no accessory building shall be used prior to the principal building or use, except as a construction facility for the principal building. The applicant is seeking a variance from this provision to allow for the replacement of the existing non-conforming accessory structure with a new accessory structure and no associated principal dwelling. The parcel number is B-02-05-401-004 and is zoned – SR-1 Single Family Residential.

The public hearing will be held on **Monday, December 18, 2017** 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: Sunday, December 3, 2017
Newspaper: legalads@mlive.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

ZONING BOARD OF APPEALS HEARING APPLICATION

Applicant Information:		Proprietor/Owner Information:	
Name: <u>AL Hobbs</u>	Name: <u>AL Hobbs</u>		
Address: <u>POB-354-439 E. Shore DR.</u>	Address: <u>POB-354-439 E. Shore DR.</u>		
Phone: <u>734-417-0777</u>	Phone: <u>734-417-0777</u>		
Email: <u>hayden0777@charter.net</u>	Email: <u>hayden0777@charter.net</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: _____			
1. PROPERTY DESCRIPTION:			
A.) PROJECT ADDRESS: <u>442 EAST Shore DR. W.L.</u>			
B.) PARCEL ID(S): <u>B-02-05-401-004</u>		IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
C.) LEGAL DESCRIPTION: <u>Attached Sheet.</u>			
2. PRESENT ZONING CLASSIFICATION:			
AR LR MR MHP <u>SR1</u> SR2 LC HC GC LI GI RTM ES PUD PSC RC RO WLD-___ W.L./N.T. Overlay OTHER: _____			
3. PRESENT USE OF PROPERTY: <u>GARAGE</u>			
4. NON-CONFORMING STATUS:			
A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use): <u>NO</u> <u>Residence, my Home is A CROSS The Road.</u>			
B.) State year/month Non-Conformity began (to the best of your knowledge): <u>?</u>			
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: _____			

B.) Describe reason/need for Variance:

The existing parcel is non-conforming for use.

C.) Explain the special conditions and circumstances that are peculiar to the land, structure or building involved, and are not applicable to other lands, structures or buildings in the same district:

There is an existing structure. (24' x 30' garage). It is located across the street from the principle structure.

D.) Explain if the problem and resulting need for the variance(s) has been created by strict compliance with the Zoning Ordinance, and not by the applicant or applicant's predecessors, i.e., it is not self-created:

The garage has existed since the 1950's. Variances have been created and changed since.

E.) Is the variance requested the minimum variance needed to provide substantial relief? Describe why:

Yes.

F.) Explain why a literal interpretation of the Ordinance would deny the applicant of rights commonly enjoyed by other property owners in the same district:

There are many properties throughout the district that do not comply with the ordinance and still exist.

G.) Explain why granting of the variance(s) requested will not confer upon the applicant any special privilege that is denied to other lands, structures or buildings in the same district:

Because it has been approved for others. (i.e. Ken Johnson 8856 Lake Shore) in 2015.

H.) 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:

In keeping with the true intent of the ordinance, the goal is to improve the appearance of the entire neighborhood and township.

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

To grant the authorization to construct a new building to replace the existing structure.

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

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="position: absolute; top: 0; left: 0; color: blue; font-weight: bold; transform: rotate(-45deg); opacity: 0.5;"> RECEIVED NOV 21 2017 NORTHFIELD TOWNSHIP </div>	Paid Date: _____ <div style="position: absolute; top: 0; left: 0; color: blue; font-weight: bold; transform: rotate(-45deg); opacity: 0.5;"> PAID NOV 21 2017 NORTHFIELD TOWNSHIP TREASURER </div>	Existing Legal Non-Conformities: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain below: _____ _____ _____ _____
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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 |
|--|---|

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: _____

G. My residence at 439 East Shore Drive is across the street from the existing structure. The lot where my home is located is unsuitable to expand or add a structure due to set back requirements that cause hardship. The lot size with the existing garage is not buildable for a home, so the proposed use is reasonably necessary for continuation of activities on the property. Ultimately, the improved nonconforming building or structure will not adversely affect public welfare and will significantly improve the appearance of the neighborhood.

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

11/20/2017 12:53 PM

Parcel:	B -02-05-401-004	Current Class:	401.RESIDENTIAL IMPROVED
Owner's Name:	HOBBS, RICHARD ALAN	Previous Class:	401.RESIDENTIAL IMPROVED
Property Address:	442 EAST SHORE DR WHITMORE LAKE, MI 48189	Gov. Unit:	B -02 NORTHFIELD TOWNSHIP
		MAP #	
		School:	81140 WHITMORE LAKE (81140)
		Neighborhood:	46521 UNPLATTED LAKEVIEW SR1/SR2
Liber/Page:	L5068/P268	Created:	/ /
Split:	/ /	Active:	Active
Public Impr.:	Paved Road, Sewer, Electric, Gas		
Topography:	Level		
Mailing Address:		Description:	
HOBBS, RICHARD ALAN PO BOX 354 WHITMORE LAKE MI 48189		*OLD SID - B 02-005-221-00 NO 5-168D COM AT E 1/4 POST OF SEC, THS 151 FT IN E LINE OF SEC FOR PL OF BEG, TH E 48.63 FT, TH S 25 DEG 10'40" W 66.3 FT, TH W 171.93 FT, TH NELY ALONG E LINE OF HWY 66.87 FT, TH EAST 121.8 FT TO PL OF BEG, BEING PART OF SW 1/4, SEC 4 & PART OF SE 1/4, SEC 5 T1S-R6E 0.24 AC.	

Most Recent Sale Information

Sold on 11/13/2014 for 25,000 by CARR PATRICIA.

Terms of Sale: ARMS-LENGTH

Liber/Page: L5068/P268

Most Recent Permit Information

None Found

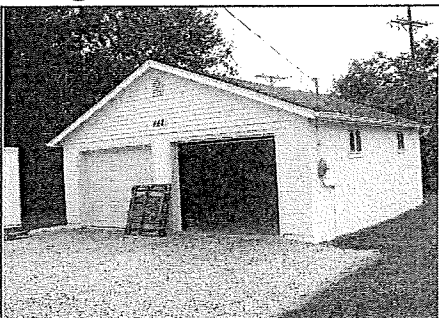
Physical Property Characteristics

2018 S.E.V.:	Tentative	2018 Taxable:	Tentative	Lot Dimensions:	
2017 S.E.V.:	13,800	2017 Taxable:	13,800	Acreage:	0.24
Zoning:	SR1-SINGLE FAM	Land Value:	Tentative	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	Tentative	Average Depth:	0.0

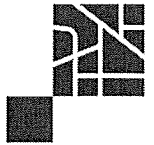
Improvement Data

of Residential Buildings: 1
Year Built: 0
Occupancy: Single Family
Class: D
Style: RANCH
Exterior: Alum., Vinyl
% Good (Physical): 73
Heating System: Forced Air w/ Ducts
Electric - Amps Service: 0
of Bedrooms: 0
Full Baths: 1 Half Baths: 0
Floor Area: 0
Ground Area: 0
Garage Area: 720
Basement Area: 0
Basement Walls:
Estimated TCV: Tentative

Image



MCKENNA



December 11, 2017

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

Subject: AI Hobbs/442 East Shore Drive; Variance Review #1 (Application and materials dated received by Township on 11/30/17).

Dear ZBA Members:

We have reviewed the above referenced variance application submitted by AI Hobbs to replace an existing non-conforming garage on a parcel with a new garage and no principal dwelling. The parcel is located on the east side of East Shore Drive in the SR-1 (Single Family Residential) District.

VARIANCES

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

1. ARTICLE IV. SCHEDULE OF DISTRICT REGULATIONS, Section 36-98 (8), to allow for the construction of an accessory structure (a garage) on a parcel with no principal dwelling, when the ordinance does not allow for any accessory building to be used prior to the principal building or use, except as a construction facility for the use.

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 applicant is the owner of 439 and 442 East Shore Drive, which are two (2) separate parcels located on the west and east sides of East Shore Drive, respectively. 439 East Shore Drive is occupied by a dwelling, while 442 has an accessory structure the garage, serving 439, located on it. The existing use of 442 is nonconforming; however per the applicant, the garage has remained on the lot since the 1950's, likely predating the Zoning Ordinance. At this time the applicant proposes to remove the existing 24' x 30' garage and replace it with a new 36' x 32' garage.

442 East Shore Drive is zoned SR-1 (Single Family Residential) District and is non-conforming with respect to lot area and lot width. 439 East Shore is located in the SR-2 (Single Family Residential) district and is also nonconforming with respect to lot area and width. While the applicant could build a principal dwelling and accessory structure on 442 East Shore Drive in compliance with the ordinance requirements, 439 East Shore drive with an area of approximately 4,200 square feet (minimum lot size required is 7,500 square feet) cannot accommodate any additional accessory structure on it. Therefore, 442 East Shore Drive serves as an extension to the principal use on 439 East Shore Drive, by fulfilling the need for a garage.

Compliance with the strict provisions of the Ordinance would prevent the applicant from replacing the existing non-conforming garage with a new structure, but would not eliminate the non-conforming use of the parcel. The applicant would be allowed to retain and use the garage as long as it exists, but not replace or expand it. While enforcement of the ordinance provisions is not unnecessarily

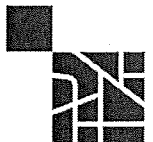
burdensome to the applicant (they will still have a garage), it does not do anything to enhance the community. Should the applicant or a future owner choose to construct a dwelling in compliance with all the setbacks on 442 East Shore Drive in the future, the use of the property would no longer be non-conforming.

- (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 him to replace the garage with a new structure to serve the dwelling, and is not adverse to the interests of other property owners in the neighborhood. Based upon the GIS maps many of the parcels located along the lake are nonconforming in size and width. Several of them appear to have garages located across the street to serve them. This appears to be a long established pattern of development in the area.
- (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 would allow the applicant to replace the existing garage with a new one. *The proposed garage shown on the plot plan does not meet the required setbacks for the SR-1 district and is not being reviewed for compliance with ordinance standards as part of this application.*
- (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.*** While there is no unique circumstance peculiar to the subject site by itself, the variance relates to its use for another parcel held in common ownership, which has several challenges. The unusual situation involving the use of 442 East Shore Drive to serve the needs of 439 East Shore Drive is found in several other properties on that stretch of East Shore Drive and is a situation that likely needs to be addressed in the Zoning Ordinance by the Planning Commission.
- (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 due to the existing non-conforming use of the parcel which likely pre-dates the zoning ordinance. The smaller lot sizes along the lake resulting in the use of the parcels across from it to serve their storage needs appears to be an long existing pattern of development, not self-created by the applicant.
- (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. Provided, the plot plan for the proposed garage is revised to comply with the required front yard setback of 35' and side yard setback of 10' and 15' respectively, the intent of zoning and land use planning to provide for the orderly development and use of land will be met.

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 442 East Shore Drive:

1. Compliance with ordinance standards would prevent the construction of a new garage, but would not eliminate the existing non-conforming use of the parcel.

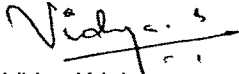


2. Approval of the variance would still not prevent the applicant or future owner from constructing a principal dwelling on the subject site and making it a fully confirming use.
3. The variance will provide substantial justice to the applicant and is not adverse to the interests of other property owners.
4. The variance requested is the minimum possible.
5. The variance will have no detrimental impact on public health, safety or welfare, provided the new garage complies with the required setbacks.
6. The variance is due to an established pattern of development in the area of nonconforming lots, which likely pre-dates the Zoning Ordinance.
7. The need for the variance is not entirely self-created and results from an existing pattern of unusual development.

Subsequent to the approval of the variance, the applicant must submit an application for Zoning Compliance approval for the garage in conformance to the front, rear and side yard setbacks. As submitted, the garage is non-compliant.

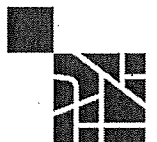
Respectfully submitted,

McKENNA ASSOCIATES



Vidya Krishnan
Senior Planner

cc: Township Manager: Steven Ayness, Northfield Twp., 8350 Main St., Whitmore Lake, MI 48189
 Assessing/Building Asst. Mary Bird, Northfield Twp., 8350 Main St., Whitmore Lake, MI 48189
 Applicant: Al Hobbs, 439 East Shore Drive, Whitmore Lake, MI



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

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:	
PROJECT ADDRESS: 442 EAST Shore Dr. W.L. 48189	
PARCEL ID(S): B-02-05-401-004	IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicant Information:	Proprietor/Owner Information:
Name: AL Hobbs	Name: AL Hobbs
Address: POB: 354-439 E. Shore Dr.	Address: 439 E. Shore Dr. W.L.
Phone: 734-417-0777	Phone: 734-417-0777
Email: hayden0777@charter.net	Email: hayden0777@charter.net
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: _____	
PROPERTY DESCRIPTION	
Description of Proposed Use: _____	
Sanitary Facilities: <input type="checkbox"/> Sewer; Sewer Tap Permit #: _____ <input type="checkbox"/> 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: New GARAGE	
Project Start Date: APR: 1-01-17	Project Completion Date: Aug. 2017
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	Feb-14-2017 Date

FOR OFFICE USE ONLY

Received Date:

Paid Date:

PAID

Existing Legal Non-Conformities:

☒ Yes ☐ No

If yes, explain below:

FEB 14 2017

NORTHFIELD TOWNSHIP
TREASURER

THE EXISTING PARCEL IS NON-
CONFORMING WITH REGARD TO
LOT AREA & LOT WIDTH.
EXISTING NON-CONFORMING USE
ON SITE.

ZONING COMPLIANCE CERTIFICATE:

☐ Approved: Date _____☒ Denied: Date 2/21/17☐ Approved As Noted: Date _____☐ Conditional Use Required☐ Site Plan Approval RequiredCOMMENTS: SEE ATTACHED COMMENT SHEET

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:

442 East Shore Drive

Applicant: Al Hobbs
Zoning: SR-1 (Single Family Residential District)
Request: New Garage
Action: **DENIED** (See comments below)

Comments:

The subject site is a parcel on the east side of East Shore Drive with an existing garage on it and NO principal structure i.e., dwelling. Garages are accessory structures per Section 36-29 of the Zoning Ordinance. An accessory structure is defined as:

Accessory use, building or structure means a use, building, or structure which is clearly incidental to, customarily found in connection with, subordinate to, and is located on the same zoning lot as the principal use to which it is exclusively related. An accessory structure shall not include dwellings, or be used for residential or lodging purposes or sleeping quarters for human beings.

The existing garage/storage shed is therefore a non-conforming use of the property which is not allowed. Further, Section 36-98. Sub-section (8) states "***No accessory building shall be used prior to the principal building or use, except as a construction facility for the principal building. An accessory building attached to the principal building of a lot shall be made a structural part thereof and shall comply with the provisions of this chapter.***"

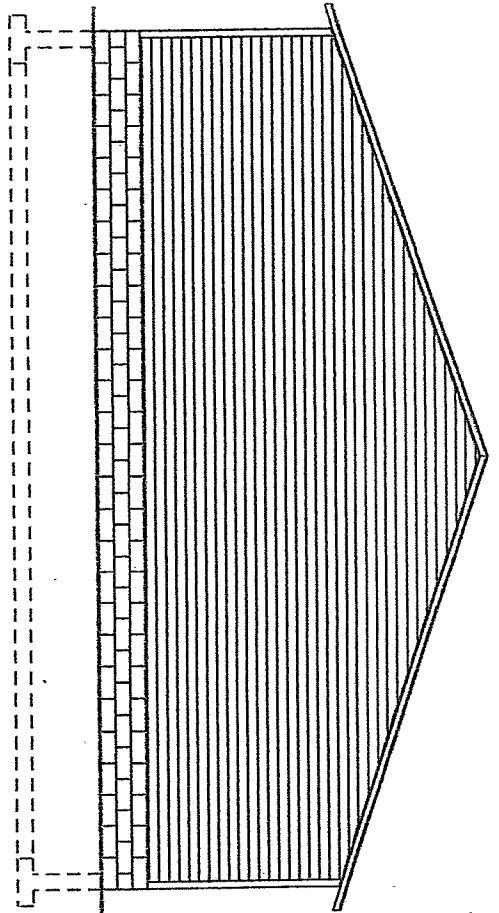
The replacement of the non-conforming garage with a new non-conforming use i.e., garage is not permitted. Therefore, the request is denied.

Construction of a principal dwelling on the subject site in the future will make the garage a legal accessory structure, as allowed under the ordinance provisions.

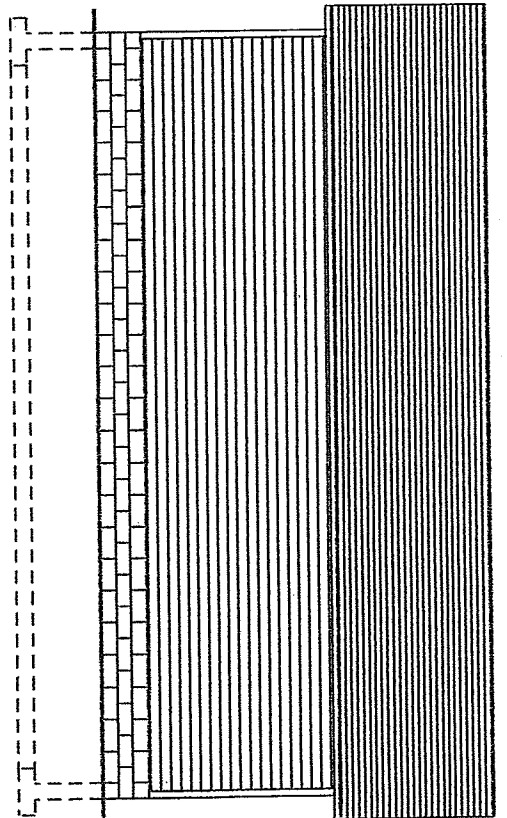
Zoning Administrator

2-21-17

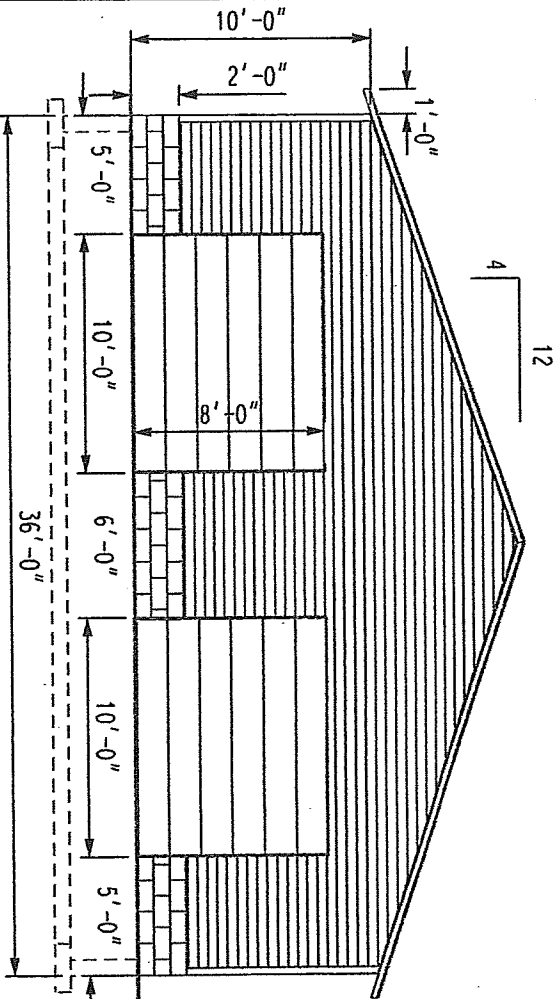
East Elevation



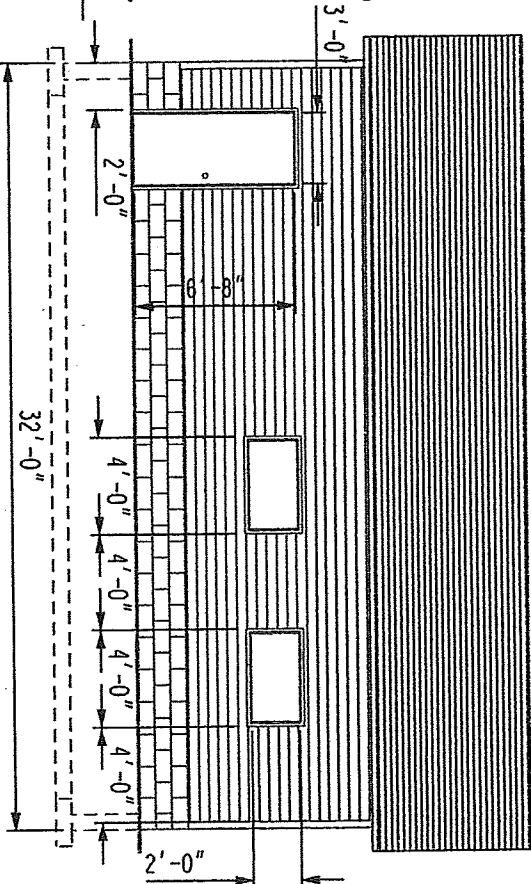
North Elevation



West Elevation



South Elevation



Notes:

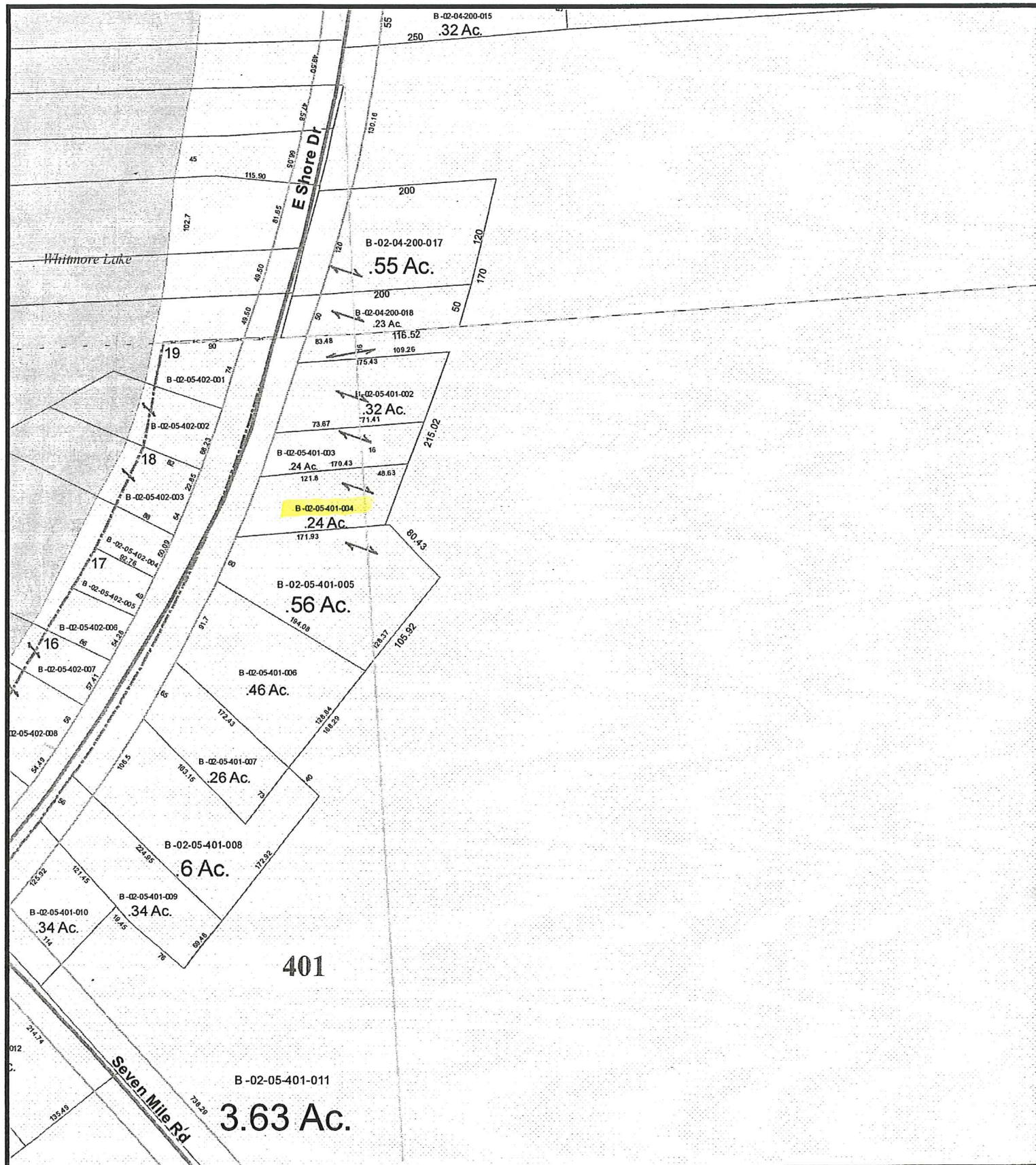
1. Asphalt shingle roofing
2. Vinyl siding, windows and trim
3. Concrete masonry knee and foundation walls
4. Concrete footings to 42" below grade
5. Steel entry and garage doors

Hobbs Garage

Scale: 1/8" = 1'-0"

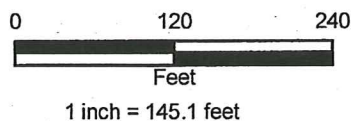
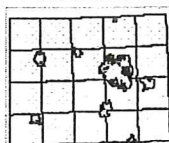
Date: ~~December 19, 2014~~

01-20-2017



GIS Map Print

Location Map



The information contained in this cadastral map is used to locate, identify and inventory parcels of land in Washtenaw County for appraisal and taxing purposes only and is not to be construed as a "survey description". The information is provided with the understanding that the conclusions drawn from such information are solely the responsibility of the user. Any assumption of legal status of this data is hereby disclaimed.

NOTE: PARCELS MAY NOT BE TO SCALE

THIS MAP REPRESENTS PARCELS AT THE TIME OF PRINTING. THE OFFICIAL PARCEL TAX MAPS ARE MAINTAINED SOLELY BY THE WASHTENAW COUNTY EQUALIZATION DEPARTMENT AND CAN BE OBTAINED BY CONTACTING THAT OFFICE AT 734-222-6662.

Date Printed: 12/17/2009



QUIT CLAIM DEED



LIBERTY TITLE

THE CLOSING AND TITLE EXPERTS

File No. N10533

The Grantors: Richard Alan Hobbs, a single man

whose address is: 439 E. Shore Dr, Whitmore Lake, MI 48189

Quit Claims to: Richard Alan Hobbs, a single man, and Bonnie Kathryn Everett, as joint tenants with full rights of survivorship

whose address is: 439 E. Shore Dr, Whitmore Lake, MI 48189

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

SEE ATTACHED EXHIBIT A/LEGAL DESCRIPTION RIDER

for full consideration of: 1.00

MCL 207.505(a) Instruments where the value of the consideration is less than \$100.00

MCL 207.526(a) A written instrument in which the value of the consideration for the property is less than \$100.00

Dated this 13th day of November, 2014.

Signed by:

Richard Alan Hobbs

Time Submitted for Recording:
Date 11/25/2014 Time 11:00 AM
Lawrence Kestenbaum
Washtenaw County Clerk/Register



QUIT CLAIM DEED

(Continued)

STATE OF MICHIGAN

COUNTY OF ~~WASHTENAW~~*Livingston*

The foregoing instrument was acknowledged before me this 13th day of November,
 2014 by Richard Alan Hobbs, a single man.

JENNIFER BUTASH
 Notary Public, State of Michigan
 County of Livingston
 My Commission Expires 09-16-2017
 Acting in the County of *Livingston*

Public

Notary

County

My Commission Expires:

Acting in the County of: _____

Drafted by: Thomas D. Richardson, ESQ.
 111 N. Main Street
 Ann Arbor, MI 48104

When recorded return to: Grantee
 Richard Alan Hobbs
 PO Box 354
 Whitmore Lake, MI 48189

Tax Code: B-02-05-401-004

N10533

FILE NO. N10533

PARCEL ID B-02-05-401-004

EXHIBIT A/LEGAL DESCRIPTION

Land is located in the Township of Northfield, County of Washtenaw, State of Michigan, and described as follows:

Starting at a point on the East and West 1/4 line of Section 4, Town 1 South, Range 6 East, 116.45 feet East of the West 1/4 line of said Section; thence South 25° 10' 40" West, 233.15 feet to an iron stake, which point is 200 feet East of the center line of East Shore Drive for a place of beginning; thence due West 171.74 feet; thence Northeasterly along a line parallel with the center of East Shore Drive a distance of 66.87 feet; thence due East a distance of 170.43 feet to an iron pipe; thence South 25° 10' 40" West, 66.30 feet to the place of beginning, all being a part of the Southwest 1/4 of Section 4 and part of the Southeast 1/4 of Section 5, said Town 1 South, Range 6 East, Township of Northfield, County of Washtenaw, State of Michigan.

Commonly known as: 442 East Shore Dr., Whitmore Lake, MI 48189.

TO: To Whom It May Concern
FROM: Bill & Mary Barnett
SUBJECT: Garage @ 442 E. Shore Drive*
DATE: November 4, 2017

This memo is in support of our neighbor Al Hobbs who lives at 439 E. Shore Drive and owns the above-mentioned property*. He has been our neighbor since 2002 & we live at 428 E. Shore and own the lot (436 E. Shore) that is next to the garage in question. We know he wants to rebuild the structure and needs to go before the Board for approval.

We will be gone when he goes before the Board and would like this to serve as our approval. Al is a perfectionist and good neighbor who is always helping us and those around him. We all are better for it; as we all try to keep up with his high standards of what a clean and sharp neighborhood should look like. We are sure whatever the Board allows him to do, it will be the best looking garage on East Shore Drive.


William & Mary Barnett

/mmb

NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS CALENDAR

January	22	2018
February	26	2018
March	19	2018
April	16	2018
May	21	2018
June	18	2018
July	16	2018
August	20	2018
September	17	2018
October	15	2018
November	19	2018
December	17	2018

NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

Minutes of Regular Meeting October 16, 2017

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

Greg Kolecki	Present
Jacqueline Otto	Present
Stephen Safranek	Present
Amy Steffens	Present
Gary Wellings	Absent
Jeff Lehrke, Alternate	Present

Also present:
Planning Consultant Vidya Krishnan
Members of the public

4. ADOPT AGENDA

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

5. CORRESPONDENCE

None.

6. PUBLIC HEARINGS

- 6A. Case #JZBA170005; Ann Arbor Dog Training Club; 1575 E. North Territorial Road; Request for 139 foot variance from required setback from the east property line; Article XXIV, Supplementary Regulations and Standards, Section 36-714(2); Parcel 02-21-300-017.

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

Planning Consultant Krishnan read her October 4th report, noting the request is for a new 18,000 square foot building in the General Industrial (GI) zoning district, and the use is considered similar to a dog kennel, which is an allowed use in the district.

She noted that moving the building to comply with the building setback would place it in a drainage path and further from the septic system, and would require it to be placed over existing access easements. She said granting the variance would not be adverse to adjoining property owners which are single-family residences in GI zoning, but are screened sufficiently by dense landscaping and additional acceptable landscaping is proposed.

Krishnan added it is likely that this use—daytime training of dogs by their owners with no overnight kennel facilities—pre-dates the adoption of zoning ordinances in the Township, and the proposal is not likely to adversely affect the neighborhood.

Dave Hughes of Vanston-O'Brien and several Club members appeared. Mary Westhoff, Club President, explained that the Club teaches owners to train their dogs and offers agility and obedience events, but dogs are never allow to run free on the site and are not kept on-site overnight. She added that moving events indoors would actually reduce sound from the site. In answer to questions she said there could be as many as 100 dogs on the site at one-time, but most of the time they are crated indoors. She confirmed that owners are always present with their dogs, and are required to pick up after their dogs. Club member Kittie Burkhart said dogs currently use the new building location to relieve themselves, but after the building is constructed they will go across the driveway in the area by Advanced Disposal (on the west). In answer to a question, Hughes said the stormwater detention basin shown on the plan is new.

Jack Secrist, 7140 Nollar, said he is not adjacent to this property, and while he has never had a problem with the Club since he has lived in the area he does not think the proposed setback is sufficient. In answer to questions from Commissioners, he said noise is not his main concern; rather he thinks 60 feet is not a sufficient setback for any building.

In answer to questions, Westhoff said the AKC requires 10,000 square feet for the arena alone, so 18,000 square feet is needed for the facility, and the typical hours of operation for events is from 7:00-9:00 A.M. until 5:00 P.M. Hughes said now that engineering data is available he could increase the building setback to 70 feet, and he noted that the 200 foot setback was established for outdoor kennels, whereas Club operations incur indoors. He noted the normal setback in the district is 20 feet. Krishnan confirmed that the 200 foot kennel setback regulation is based on sound

**Northfield Township Zoning Board of Appeals
Minutes of Regular Meeting
Public Safety Building; 8350 Main Street
October 16, 2017**

mitigation for outdoor housing of dogs, the proposed setback would not look out of place in the area, and if the building were used for industrial purposes it would be fully compliant with setbacks.

Steffens questioned whether the ordinance requirement for an additional 50 foot transition strip for properties adjacent to residential zoning should be followed in this case, even though the adjacent residences are zoned GI. Krishnan said the intent of the ordinance is to phase out non-conformities over time and that is more of a priority than providing protections for non-conforming uses.

In answer to a question from Steffens about storm drainage, Hughes said this is currently handled strictly by sheet flow, and about 2,000 cubic yards of material will be graded to create the detention basin. Steffens asked how much material would have to be moved to increase the building setback.

Otto noted that the garage of the neighbor to the east has a setback that is more non-confirming than the proposed building would be.

Steffens questioned whether this should be considered a use variance since under consideration of a setback variance use cannot be considered, and regardless of what information the applicant provides the operations allowed in GI zoning could be conducted 24 hours per day. Krishnan said it is impossible for a zoning ordinance to consider every possible use, and the Township's ordinance does not have a category specifically for a dog training facility, so the ordinance allows the Zoning Administrator to make determinations about use. She said GI is the perfect district for this use, but not all requirements of the district make sense for this use. She said she understands the concern, but given the limitations of the land the Township would not want the applicant to strictly comply with the setback requirements. She added that when all things are taken into consideration the variance requested is not beyond the realm of good planning.

In answer to a question from Kolecki, Krishnan said she and Mary Bird could not find any Township records to confirm the applicant's statement that the Club was originally classified as "other" under GI zoning. She added that classifying this applicant that way would put them in the same category as such things as adult amusement facilities, and that would not be appropriate.

Safranek asked whether this facility could be used as a dog kennel if the variance is approved. Krishnan said just because she (the Zoning Administrator) has determined that the use is similar to a dog kennel, that does not mean the building could be used for a kennel. She said the ZBA is granting only a building setback

variance, not a variance for the use. Steffens noted that is the variance is approved the Planning Commission still needs to approve the site plan and a Conditional Use Permit.

Dick Raloff, Club Building Committee member, and Kittie Burkhart, said the only reason this variance is required is because this is a "dog" training facility, commented on the drainage issue, and said they have always worked hard to work well with the Township.

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

7. OLD BUSINESS

None.

8. NEW BUSINESS

- 8A. Case #JZBA170005; Ann Arbor Dog Training Club; 1575 E. North Territorial Road; Request for 139 foot variance from required setback from the east property line; Article XXIV, Supplementary Regulations and Standards, Section 36-714(2); Parcel 02-21-300-017.**

Krishnan reviewed the findings of fact in her October 4th report and recommended approval, noting that additional approvals are required from the County and the Township Planning Commission.

- **Motion:** Lehrke moved, Kolecki supported, the request in Case #JZBA170005 by the Ann Arbor Dog Training Club at 1575 E. North Territorial Road, Parcel 02-21-300-017, for a 139 foot variance from required 200 foot setback from the east property line under Article XXIV, Supplementary Regulations and Standards, Section 36-714(2), be granted, consistent with the recommendations and finding set forth in the planning consultants October 4, 2017, report, subject to final approval from the Planning Commission and from Washtenaw County for storm drainage retention.
Motion carried 5—0 on a roll call vote.

9. MINUTES

September 18, 2017

A duplicate word was noted.

- **Motion:** Otto moved, Lehrke supported, that the minutes of the August 17, 2017, regular meeting be approved as amended.
Motion carried 5—0 on a voice vote.

10. CALL TO THE PUBLIC

No comments.

11. ZBA MEMBER COMMENTS

Krishnan noted the Planning Commission and Township Board will hold a joint meeting on October 24th and invited ZBA members to attend.

12. ANNOUNCEMENT OF NEXT MEETING

November 20, 2017, 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:** Safranek moved, Otto supported, that the meeting be adjourned.
Motion carried 5—0 on a voice vote.

The meeting was adjourned at 7:55 P.M.

Prepared by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:
Wording removed is ~~stricken through~~;
Wording added is underlined.

Adopted on _____, 2017.

Stephen Safranek, Chair

Greg Kolecki, Secretary

Official minutes of all meetings are available on the Township's website at
http://www.twp-northfield.org/government/zoning_board_of_appeals/