

**CHARTER TOWNSHIP OF VAN BUREN
BOARD OF ZONING APPEALS MINUTES
DECEMBER 13, 2010 7:00 PM**

Chairperson Watkins called the meeting to order at 7:00 p.m. Present: Kryza, McKenna, Wardwell and Watkins. Absent excused Jahr and Glass. Staff present: Director Swallow and Secretary Queener. McKenna Associates representative: Sally Hodges. There were 14 people in the audience.

APPROVAL OF THE AGENDA:

Motion McKenna, Wardwell second to approve the agenda as presented.

Motion carried.

MINUTES:

Motion McKenna, Wardwell second to approve the minutes of December 13, 2010 as presented.

Motion carried.

NEW BUSINESS:

Item #1

- Case #** 10-013 VA
- Location:** Parcel Number V125-83-091-03-0174-002, also known as 43048 E. Huron River Drive. This property is located on the north side of East Huron River Drive between Martinsville and Haggerty Roads.
- Requesting:** The applicant is requesting relief from ARTICLE XVII, SECTION 17.02, SCHEDULE OF REGULATIONS, Minimum Yard Space, R-1C Single Family, of the Township Zoning Ordinance 06-02-92, as amended.

Mr. Liparoto the applicant, requested a 5-foot variance, to construct a 518 square foot addition to the exiting house, this room would be used for storage and an additional bathroom.

Director Swallow stated the proposed addition will not make him closer to the property line it will fill in a gap between the garage and house. The minimum side yard setback is 10-feet and a combination of 25-feet. The survey the applicant submitted was not clear, and he was required to provide additional information, and this new survey is not clear.

Sally Hodges representing McKenna Associates stated the existing setbacks of the building from the side lot lines are not dimensioned on the marked-up mortgage survey submitted by the applicant. The applicant has labeled some distances, measured from his house walls to the neighbor's houses, but none of those measurements are adequate to conclusively determine the amount or even whether a dimensional variance is needed. While one of the mortgage survey submitted notes 10-feet on each side of the building these do not scale and are clearly different dimensions, thus are unreliable for purposes of evaluating a variance request. The dimensions of the site are listed as 143 by 68-feet on the first page of the application and 185 by 60-feet on the second page. The mortgage survey labels the distance from Huron River Drive to the Water's edged as 143.36 feet, yet when the dimensions of the various elements are added together the site depth is 183.36 feet on the east lot line. Although the application notes the lot is 11,000 square feet in area this total is an approximation using 185 foot lot depth. The truth depth is questionable is the lot 143-feet in depth as noted on the survey. Because of the inconsistencies and discrepancies in information submitted, McKenna Associates requested the applicant provide a survey to adequately review the request, there forth they recommend that the Board of Zoning Appeals direct the applicant to obtain a dimensioned survey and resubmitted for review before the BZA considers approval of any variance.

Mr. Liparoto explained that the addition was going to be built on the east side it will make a straight line from one building to the other; it will not make it closer to the lot line.

Swallow read a letter from Mr. Green who resides at 43030 Huron River Drive stating he has no objections to the requested variance.

The Commissioner had a discussion explaining to the applicant that he will need to submit a survey for further review before they could act on the requested variance.

Motion Kryza, Wardwell second to table the requested variance until the applicant can provide an adequate survey for review.

Motion carried.

Item # 2

Case # 10-016 VA
Location: Parcel Number V125-83-061-01-0258-000, also known as 10311 Endicott Ave. The property is located on the east side of Endicott Ave, between Marriott Ave. and McBride Road.

Requesting: The applicant is requesting relief from the following:

ARTICLE IV, GENERAL PROVISIONS, SECTION 4.14
ACCESSORY BUILDINGS, STRUCTURES AND USES.

- SECTION 4.14 B.1(b)1.: Dimensional Regulations.
Less than the minimum required setback of 5 feet from side lot line.
- SECTION 4.14.B.1(b)3.: Dimensional Regulations.
Setback from principal structures less than required 50 feet.
- SECTION 4.14.B.4(b): Specific Requirements for Detached Accessory Buildings.
Exceed the maximum 528 square foot floor area allowed on a single family residential lot.
- SECTION 4.14.B.4(b): Specific Requirements for Detached Accessory Buildings. *Detached garages on Smaller Lots.*
To allow a second detached accessory building.

ARTICLE V, NON-CONFORMING USES

- SECTION 5.04.B, Changing Nonconforming Uses.
To change a minor nonconforming structure.

Frank, representing Italy American Construction, stated he is the builder for Mr. Wieduwilt and was requesting various to construct an addition to an existing structure. The addition will store equipment that is currently outside on the property, the construction of the proposed addition will improve the condition of the site. This property is a corner lot and backs up to WalMart which makes this property unique, since this lot is a corner lot and backs up to WalMart people cut across this property to get to WalMart. The owners have had trouble with vandalisms, stealing of items in the yard. Mr. suggested the Township Accessory Structure Ordinance be modified, stated the ordinance does not take into consideration corner lots, or the average number of cars a house hold has which is 2.8. With the current ordinance a 3 car garage would not be allowed to be constructed.

Item #3 **ELECTION OF OFFICERS**

- Chairperson
- Vice-Chairperson

- Corresponding Secretary

The Commissioners had a discussion and requested the election be held at the next meeting when all Commissioners where available.

GENERAL DISCUSSION:

None.

Motion Kryza, McKenna second to adjourn at 9:00 p.m.

Motion carried.

Respectfully submitted,

Patricia Queener,
Recording Secretary