
CHARTER TOWNSHIP OF WATERFORD
ZONING BOARD OF APPEALS REGULAR MEETING

Zoning Board of Appeals Meeting - 4:00

Chairman Zuehlke called the meeting to order at 4:00 p.m.

I. Roll Call

II. Present: Dave Zuehlke, Chairman
Stan Moore, Vice Chairman
Todd Bonnivier, Secretary
Marie Hauswirth, Board Member
Todd Hoffman, Board Member
Rick Schneider, Board Member
Sue Camilleri, Alternate Board Member

Also Present: Stacy St. James, Environ. And Housing Rehab Coordinator
Janine Tremonti, Admin. Assistant

Public: 12

III. Approve the Minutes of the August 16, 2022 regular meeting of the Zoning Board of Appeals as printed.

MOTION AND VOTE

Moved by MOORE

supported by HOFFMAN; RESOLVED to APPROVE the Minutes of the August 16, 2022 meeting Zoning Board of Appeals Meeting as Printed.

MOTION CARRIED UNANIMOUSLY

(7-0)

IV. Approve the Agenda of the September 20, 2022 regular meeting of the Zoning Board of Appeals as printed.

MOTION AND VOTE

Moved by MOORE Supported by HOFFMAN; RESOLVED to APPROVE the Agenda of the September 20, 2022 meeting Zoning Board of Appeals Meeting as Printed.

MOTION CARRIED UNANIMOUSLY

(7-0)

V. Old Business

VI. New Business

Case No. PZBA22-042

Sidwell No. 13-35-156-004, Section 35, Lot 516, “Elizabeth Lake Estates”, T3N, R9E, Waterford Township, Oakland County, Michigan

Requesting

1. A 34.0 ft. variance from Section 2-305.A to allow the proposed air conditioner unit to be located 1.0 ft. from the south rear property line. (35 ft. minimum required)
2. A variance from Section 2-305.B to waive the screening requirement for the proposed air conditioner unit. (All units shall be screened)

Property Location: 3963 Oak Knoll Rd
Property Zoned: R-1C, Single-Family Residential
Applicant: Patricia Cheshire

Applicant or representative present: Patricia Cheshire

Chairman Zuehlke stated that it looks like it is the only spot because of where the house sits on the property and the unusual shape of the lot.

Patricia Cheshire agreed with the Chairman’s statement.

During the public portion of the meeting, no one spoke regarding the request.

Board Member Camilieri asked if the paper work for the variance was completed with notary’s signature.

Staff stated yes the paperwork was completed.

MOTION AND VOTE

*Moved by **MOORE***

*Supported by **HAUSWIRTH**; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA22-042 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

MOTION CARRIED

(7-0)

Case No. PZBA22-043

Sidwell No. 13-06-377-032, Section 6, Lots 1 & 2, "Supervisor's Plat No 63", T3N, R9E, Waterford Township, Oakland County, Michigan

Requesting

1. A 1.0 ft. variance from Section 3-900 to allow the proposed garage to be located 9.0 ft. from the west side property line. (10 ft. minimum required)
2. A 6.0 ft. variance from Section 2-104.3 to allow the proposed deck to be located 4.0 ft. from the east side property line. (10 ft. minimum required)
3. A 11.0 ft. variance from Section 2-104.3 to allow the proposed deck to be located 14.0 ft. from the north front property line. (25 ft. minimum required)
4. A variance from Section 2-702.A to allow for the expansion of a nonconforming building. (No such building shall be allowed to expand and/or undergo substantial improvement)

Property Location: 7781 Maceday Lake Rd
Property Zoned: R-1A, Single-Family Residential
Applicant: Matthew Terry

Applicant or representative present: Matthew Terry

Matthew Terry stated he has an odd shaped lot and the front faces to the east and away from Maceday Rd. The proposed garage will face west. The lots were recently combined so the garage will be on the lot that was combined. The deck on the east was being built in the same footprint as the previous one and he received a letter to come in to the building department for permits.

During the public portion of the meeting, the following spoke regarding the request:

Jeff Keen, 7795 Maceday Lk Rd., asked the size of the garage and commented that the people that use the easement drive on his property and that damage has been done to his property. He questioned the setbacks to the easement and was concerned with there being enough space.

Chairman Zuehlke stated that the easement issues have no bearing on the variance request and that it would be a legal issue between neighbors.

Board Member Camilleri felt the easement issue could be worked out.

MOTION AND VOTE

Moved by **MOORE**

Supported by **CAMILIERI**; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA22-043 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

MOTION CARRIED
(7-0)

Case No. PZBA22-044

Sidwell No. 13-31-354-015, Section 31, Unit 15, "Oakland County Condominium Plan No 2256 Parkside at Williams Lake", T3N, R9E, Waterford Township, Oakland County, Michigan

Requesting

1. A 4.6 ft. variance from Section 3-900 to allow the proposed sunroom addition to be located 30.4 ft. from the east rear property line. (35 ft. minimum required)
2. A 2.1 ft. variance from Section 2-104.2 to allow the proposed roof eave and gutter to be located 29.9 ft. from the east rear property line. (32 ft. minimum required)

Property Location: 1187 Prudence Dr
Property Zoned: R-1A, Single-Family Residential
Applicant: Great Day Improvements

Applicant or representative present: Tyler Representative of Great Day Improvements

Tyler stated the deck is pre-existing. The sunroom would be installed on the deck with a slightly larger footprint.

During the public portion of the meeting, no one spoke regarding the request.

MOTION AND VOTE

*Moved by **HOFFMAN***

*Supported by **BONNIVIER**; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA22-044 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

MOTION CARRIED
(7-0)

Case No. PZBA22-045

Sidwell No. 13-12-126-008, Section 12, Lot 42, "Lake Angelus Golfview Estates", T3N, R9E, Waterford Township, Oakland County, Michigan

Requesting

1. A 34.0 ft. variance from Section 3-901 Footnote 4 to allow the proposed addition to be located 38.0 ft. from the west lakefront shoreline. (72 ft. minimum setback required for subject property)
2. A variance from Section 2-702.A to allow for the expansion of a nonconforming building. (No such building shall be allowed to expand and/or undergo substantial improvement)

Property Location: 3379 Wormer Dr
Property Zoned: R-1A, Single-Family Residential
Applicant: Michael Gordon

Applicant or representative present: Mark Wilson - homeowner
Michael Gordon - contractor

Mark Wilson stated this home was built in the 1970's. It is a standard colonial style home. There is an existing sunroom on the home and the addition would only come 1-2' closer to the shoreline. He felt that the variance request will not affect the neighbors views of the lake and the neighbors are in approval.

Chairman Zuehlke mentioned letters of support that were submitted.

Michael Gordon further explained the request. He stated the footprint was not changing much and that the lake view would be maintained. He stated that most of the proposed improvements are conforming. They would have to remove most of the building for it to comply. He felt the request was in the spirit of the neighborhood and that the neighbors were in support.

During the public portion of the meeting, no one spoke regarding the request.

Board Member Camilleri stated she felt the intent of the lakefront setback ordinance was being maintained.

MOTION AND VOTE

*Moved by **Hauswirth***

*Supported by **MOORE**; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA22-045 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

MOTION CARRIED

(7-0)

Case No. PZBA22-046

Sidwell No. 13-14-228-007, Section 14, Lot 67, "Lake View Sub", T3N, R9E, Waterford Township, Oakland County, Michigan

Requesting

1. A 0.4 ft. variance from Section 2-104.2 to allow the proposed roof eave and gutter to be located 4.6 ft. from the west side property line. (5 ft. minimum required)
2. A 21.8 ft. variance from Section 3-901 Footnote 4 to allow the proposed house to be located 82.2 ft. from the south lakefront shoreline. (104 ft. minimum required for subject property)
3. A 21.8 ft. variance from Section 2-104.2 to allow the proposed roof eave and gutter to be located 79.2 ft. from the south lakefront shoreline. (101 ft. minimum required)
4. A 30.0 ft. variance from Section 2-104.3 to allow the proposed deck to be located 64.0 ft. from the south lakefront shoreline. (94 ft. minimum required)

Property Location: 3185 McCormick Dr
Property Zoned: R-1C, Single-Family Residential
Applicant: David Gladfelter

Applicant or representative present: David Gladfelter

David Gladfelter stated he moved into this home in 1979 and raised his kids here. This past January the house burned down. It has been demolished and the debris was removed. He was informed that the foundation did not meet code, but would like to rebuild the home in the same original footprint.

During the public portion of the meeting, no one spoke regarding the request.

Board Member Bonnivier said he has no questions but wanted to say sorry that the home burnt down.

MOTION AND VOTE

Moved by **BONNIVIER**

Supported by **HAUSWIRTH**; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA22-046 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

MOTION CARRIED

(7-0)

Case No. PZBA22-047

Sidwell No. 13-28-276-022, Section 28, Lots 103 & 104, “Supervisor’s Replat of Elizabeth-Dale”, T3N, R9E, Waterford Township, Oakland County, Michigan

Requesting

1. A 17.0 ft. variance from Section 3-900 to allow the addition to remain 18.0 ft. from the southwest lake rear property line. (35 ft. minimum required)
2. A 15.0 ft. variance from Section 2-104.2 to allow the roof eave and gutter to remain 17.0 ft. from the southwest lake rear property line. (32 ft. minimum required)

Property Location: 241 Reymont Rd
Property Zoned: R-1C, Single-Family Residential
Applicant: David Kunz

Applicant or representative present: David Kunz

Chairman Zuehlke said he was curious why there was no permit pulled for the work.

David Kunz stated it was his fault for not pulling a permit, he mixed up the 200 sq. ft. structure information, thinking he did not need a permit, because his addition is less than 200 sq. ft.

During the public portion of the meeting, no one spoke regarding the request.

Chairman Zuehlke stated the rules allow for review of a request, so that any issues can be pointed out before the work begins.

MOTION AND VOTE

*Moved by **SCHNEIDER***

*Supported by **MOORE**; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA22-047 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

MOTION CARRIED

(7-0)

Case No. PZBA22-048

Sidwell No. 13-35-326-005, Section 35, T3N, R9E, Waterford Township, Oakland County, Michigan

Requesting

1. A 15.0 ft. variance from Section 2-508.A to allow the proposed ground sign to be located 0 ft. from the east right-of-way. (15 ft. minimum required)
2. A variance from Section 2-501.4 to allow the proposed sign to be located within the clear vision area. (No sign shall be located within a clear vision area)

Property Location: 3530 Denise Ct
Property Zoned: R-M2, Multiple-Family Residential
Applicant: Lloyd Waters & Associates, Inc

Applicant or representative present: Robert Waters

Chairman Zuehlke stated it appears that a new sign is going in place of an old sign

Robert Waters stated he was confused with the variances and thought it was just for the clear vision triangle, which is very important for drivers to see around the sign. The sign is in the same exact location as the original one, but that the road was widened over the years. It is in compliance with the ordinance size. He felt there was enough room between the road and the sign.

Board Member Hauswirth asked if the sign is smaller than the original.

Mr. Waters said yes it will be a little smaller and the clear vision triangle is not an issue because there is about 2 car lengths between the sign and the road.

During the public portion of the meeting, no one spoke regarding the request.

MOTION AND VOTE

Moved by HAUSWIRTH

*Supported by BONNIVIER; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA22-048 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

MOTION CARRIED

(7-0)

Case No. PZBA22-049

Sidwell No. 13-35-405-056, Section 35, Lots 208-210, "Venice of the Lakes", T3N, R9E, Waterford Township, Oakland County, MI

Requesting a variance from Section 2-702.A to allow for the expansion of a nonconforming building. (No such building shall be allowed to expand and/or undergo substantial improvement)

Property Location: 1141 Bamford Dr
Property Zoned: R-1C, Single-Family Residential
Applicant: Exclusive Custom Homes – Rick Lindbeck

Applicant or representative present: Rick Lindbeck

Rick Lindbeck stated there are some medical concerns that have come up for the property owners and they would like to add an accessible addition to the house.

Board Member Camilleri expressed her support for the request.

During the public portion of the meeting, no one spoke regarding the request.

MOTION AND VOTE

*Moved by **MOORE***

*Supported by **HAUSWIRTH**; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA22-049 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

MOTION CARRIED

(7-0)

VII. Discussions

VIII. All Else

IX. Public Comment

X. **Meeting adjourned at 4:38 p.m.**

Members of the public will only be able to speak during any public hearing that is held at the meeting and during the public comment period at the end of the meeting and such comments will be limited to three minutes per person. The Chairperson will recognize all persons wishing to speak during a public hearing and the public comment period. Prior to the meeting, members of the public may contact the members of the Zoning Board of Appeals to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

Stacy St. James, Environmental and Housing Rehab Coordinator

Charter Township of Waterford
5200 Civic Center Drive, Waterford, Michigan 48329
Email: sstjames@waterfordmi.gov
Phone: (248) 674-6240

Case No. PZBA22-042

Property: 3963 Oak Knoll Rd
Applicant: Patricia Cheshire
Zoning: R-1C, Single-Family Residential
Site Use: Single Family Residential
Proposal: A/C Unit

Analysis

The applicant is requesting variances to allow for the installation of a new a/c unit at the subject property. The unit is shown to be located within the rear yard, 1 ft. from the rear property line. The house at the subject property is located at the rear of the lot. Therefore, the unit could not meet the required 35 ft. setback regardless of where the unit is placed. Also, due to the close proximity to the rear property line, variances from the screening requirement would also be needed.

The applicant has provided information addressing the standards listed below on the "Supplemental Information" sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL

If the Zoning Board of Appeals chooses to approve the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA22-042 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

(Evidence provided: _____)

DRAFT MOTION FOR DENIAL

If the Zoning Board of Appeals chooses to deny the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA22-042 based upon the applicant's failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

**** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) ****

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

(Evidence provided: _____)

Case No. PZBA22-043

Property: 7781 Maceday Lake Rd
Applicant: Matthew Terry
Zoning: R-1A, Single-Family Residential
Site Use: Single Family Residential
Proposal: Proposed garage and deck addition

Analysis

The applicant is requesting variances to construct a new garage and deck at the existing house. Due to the small, unique shape of the property, numerous variances are required. The proposed attached garage is shown to be located 9 ft. from the west side property line. While the subject property is located on Maceday Lake Rd, an easement along the west side property line is shown to be utilized as ingress and egress to the property. The proposed garage is shown to be located on the west side of the house. The proposed deck is located on the east side of the house. Variances are needed from the east side property line and front property line. Based upon the information submitted, the proposed deck is shown to be located in the same locate as the existing deck.

The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL

If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA22-043 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

(Evidence provided: _____)

DRAFT MOTION FOR DENIAL

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA22-043 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

**** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) ****

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

(Evidence provided: _____)

Case No. PZBA22-044

Property: 1187 Prudence Dr
Applicant: Great Day Improvements
Zoning: R-1A, Single-Family Residential
Site Use: Single Family Residential
Proposal: Sunroom

Analysis

The applicant is requesting variances to allow for the construction of a sunroom at the subject property. Currently, a deck is shown to be located in the same location as the proposed sunroom. While the deck meets the required setback (it must maintain a minimum setback of 20 ft.), the proposed sunroom must maintain the same 35 ft. setback as the house. The sunroom is shown to be located 30.4 ft. from the rear property line, requiring a variance of 4.6 ft.

The applicant has provided information addressing the standards listed below on the "Supplemental Information" sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL

If the Zoning Board of Appeals chooses to approve the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA22-044 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

(Evidence provided: _____)

DRAFT MOTION FOR DENIAL

If the Zoning Board of Appeals chooses to deny the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA22-044 based upon the applicant's failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

**** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) ****

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant's predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

(Evidence provided: _____)

Case No. PZBA22-045

Property: 3379 Wormer Dr

Applicant: Michael Gordon

Zoning: R-1A, Single-Family Residential

Site Use: Single Family Residential

Proposal: Addition

Analysis

Based upon the information submitted, the applicant is proposing to construct several additions onto the existing house. Aside from expansion of a nonconforming building, most of the proposed additions do not need any additional variances. However, one small addition onto the west (lake) side of the house does. The addition is shown to be for a minor expansion of the main level living room and second floor balcony. The addition is shown to come 2 ft. closer to the lakefront shoreline than the existing building. All other ordinance requirements are shown to be met.

The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL

If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA22-045 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

(Evidence provided: _____)

DRAFT MOTION FOR DENIAL

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA22-045 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

**** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) ****

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*

- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

(Evidence provided: _____)

Case No. PZBA22-046

Property: 3185 McCormick Dr
Applicant: David Gladfelter
Zoning: R-1C, Single-Family Residential
Site Use: Single Family Residential
Proposal: New House

Analysis

The applicant is requesting variances to allow for the construction of a new house at the subject property. The previous house was damaged by a fire and demolished. The applicant is proposing to construct the new house in the same location as the previous house. Variances will be needed from the lakefront shoreline for the house (82.3 ft. proposed – 104 ft. required) and deck (64 ft. proposed – 94 ft. required). Variances will also be needed for the proposed overhangs on the west and lakefront side of the house. All other ordinance requirements are shown to be met.

The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL

If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA22-046 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

(Evidence provided: _____)

DRAFT MOTION FOR DENIAL

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZB22-046 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

**** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) ****

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

(Evidence provided: _____)

Case No. PZBA22-047

Property: 241 Reymont Rd
Applicant: David Kunz
Zoning: R-1C, Single-Family Residential
Site Use: Single Family Residential
Proposal: Addition

Analysis

During an inspection at another house in the area, the Township inspectors noticed work occurring at the subject property. It was determined that the work was started without the proper permits. The homeowner indicated that they did not think permits were required due to the size of the addition. The inspectors stated that this was incorrect and that permits would be needed, in addition to variances. The addition is located on the lake rear (road) side of the existing house. The addition is shown to be located 18 ft. from the road side property line, where a minimum setback of 35 ft. is required. A variance would also be required for the roof eave and gutter.

The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL

If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA22-047 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

(Evidence provided: _____)

DRAFT MOTION FOR DENIAL

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA22-047 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

**** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) ****

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

(Evidence provided: _____)

Case No. PZBA22-048

Property: 3530 Denise Ct
Applicant: Lloyd Waters & Associates, Inc
Zoning: R-M2, Multiple-Family Residential
Site Use: Multiple-Family Residential
Proposal: Sign

Analysis

The applicant is requesting a variance to construct a new sign at the subject property. The new sign is shown to be replacing an existing sign. Even though the proposed sign is shown to be located near the right-of-way for S. Cass Lake Rd. and within the clear vision area, it is in the same location as the existing sign. The proposed sign is within what the ordinance allows for with regards to height and size.

The applicant has provided information addressing the standards listed below on the "Supplemental Information" sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL

If the Zoning Board of Appeals chooses to approve the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA22-048 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

(Evidence provided: _____)

DRAFT MOTION FOR DENIAL

If the Zoning Board of Appeals chooses to deny the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA22-048 based upon the applicant's failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

**** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) ****

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant's predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

(Evidence provided: _____)

Case No. PZBA22-049

Property: 1141 Bamford Dr

Applicant: Exclusive Custom Homes – Rick Lindbeck

Zoning: R-1C, Single-Family Residential

Site Use: Single Family Residential

Proposal: Addition

Analysis

The applicant is requesting a variance to allow for the construction of an addition onto the existing house. While the addition meets all the minimum setback requirements, the house is nonconforming. The size of the proposed addition is larger than what the ordinance allows for when it comes to expansion of a nonconforming building. Therefore, a variance is required.

The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL

If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA22-049 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

(Evidence provided: _____)

DRAFT MOTION FOR DENIAL

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA22-049 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

**** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) ****

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

(Evidence provided: _____)