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CHARTER TOWNSHIP OF WATERFORD  
ZONING BOARD OF APPEALS REGULAR MEETING

**Zoning Board of Appeals Pre-meeting – 3:30**

Agenda Review

**Zoning Board of Appeals Meeting - 4:00**

I. Chairman Zuehlke called the Meeting to Order at 4:01 PM

II. Roll Call

Present: David Zuehlke, Chairman  
Stan Moore, Vice Chairman  
Todd Bonnivier, Secretary  
Marie Hauswirth, Board Member  
Todd Hoffman, Board Member  
Rick Schneider, Board Member  
Art Frasca, Board Member

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

General Public: 16 people

III. Approve the Minutes of the August 17, 2021 regular meeting of the Zoning Board of Appeals as printed.

IV. **MOTION AND VOTE**

*Moved by Moore*

*Supported by Hoffman; RESOLVED to **APPROVE** the Minutes of the August 17, 2021 Zoning Board of Appeals Meeting as Printed.*

**MOTION CARRIED UNANIMOUSLY**

**(7-0).**

V. Approve the Agenda of the September 21, 2021 regular meeting of the Zoning Board of Appeals as printed.

VI. **MOTION AND VOTE**

*Moved by Moore*

*Supported by Frasca; RESOLVED to **APPROVE** the Agenda of the September 21, 2021*

*Zoning Board of Appeals Meeting as Printed.*

**MOTION CARRIED UNANIMOUSLY**

**(7-0)**

VII. Old Business

VIII. New Business

**Case No. PZBA21-045**

**Sidwell No. 13-25-456-031**, Section 25, Lots 274-278, "Huron Gardens", T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting**

1. A 13.3 ft. variance from Section 3-900 to allow the proposed detached accessory building to be located 6.7 ft. from the south rear property line. (20 ft. minimum setback required)
2. A 10.6 ft. variance from Section 2.104.2 to allow the proposed roof eave and gutter to be located 6.4 ft. from the south rear property line. (17 ft. minimum required)
3. A 7,227 sq. ft. variance from Section 3-900 to allow the subject property to have an impervious surface of 22,738 sq. ft. (73.29%) of the lot area. (15,511 sq. ft. (50%) maximum allowed)

**Property Location:** 1055 W Huron St  
**Property Zoned:** C-2, Small Business  
**Applicant:** Erin Meilak

Applicant or representative present: Erin Meilak

**Chairman Zuehke** explain the need for pervious services so that there are no drainage problems.

**Erin Meilak** stated the base of the building will be gravel. It will have grass all around it, so there should be no drainage issues. The building it proposed to be located at the back of the lot. There is a large green belt on the property.

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

**Board Member Schneider** questioned the use of the building.

**Ms. Meilak** stated it would be used to store outdoor furniture and various items.

**MOTION AND VOTE**

*Moved by Hauswirth*

*Supported by Frasca; to find that practical difficulties exist and to APPROVE the variances requested in ZBA Case No. PZBA21-045 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 UNANIMOUSLY**  
**(7-0)**

**Case No. PZBA21-046**

**Sidwell No. 13-27-452-005**, Section 27, Lot 88, "Elizabeth Lake Golf & Country Club Summer Home Sites", T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting**

1. A 39.5 ft. variance from Section 2-104.3 to allow the proposed deck to be located 87.5 ft. from the southwest lakefront shoreline. (127 ft. minimum required for the 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:** 4425 Motorway Dr  
**Property Zoned:** R-1C, Single-Family Residential  
**Applicant:** Mike and Lisa Lie

Applicant or representative present: Mike and Lisa Lie

**Lisa Lie** gave a description of the property. She indicated the existing garage is detached and they are looking to add on to the house and have an attached garage. She indicated the deck is in need of repair and the footprint is similar to what is there now. She wanted to conform with the neighboring properties.

**Board Member Bonnivier** is in favor of the deck being farther from the water than the original deck is.

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

**MOTION AND VOTE**

*Moved by Hoffman*

*Supported by Schneider; to find that practical difficulties exist and to APPROVE the variances requested in ZBA Case No. PZBA21-046 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 UNANIMOUSLY  
(7-0)**

**Case No. PZBA21-047**

**Sidwell No. 13-03-251-011**, Section 3, Lot 30, "Eyster's Woodhull Lake Farms", T3N, R9E, Waterford Township, Oakland County, MI

**Requesting**

1. A modification of the motion, as approved in ZBA Case PZBA21-032 on June 15, 2021, removing the stipulation as stated.
2. A variance from Section 2-305.B to waive the screening requirement for the proposed generator. (All units shall be screened)

**Property Location:** 4430 Island Park Dr  
**Property Zoned:** R-1C, Single-Family Residential  
**Applicant:** Courtney Seres and Carl Granger

Applicant or representative present: Courtney Seres and Carl Granger

**Carl Granger** indicated that the screening required for generator, will void the warranty from the manufacturer because it will be too close to unit. The screening would need to be located on the neighboring property and they indicated they were not in support of that.

**Chairman Zuehlke** felt that it should be located in the rear yard. He was not in favor of it on the side without screening.

**Mr. Granger and Ms. Seres** stated issues with location the generator in other locations on the property. They indicated the exhaust and sound would point towards the lake not the neighbor's home.

**Board Member Hoffman** questions if they looked at any other types of units.

**Mr. Granger** stated they did and the requirements were pretty much the same.

**Board Member Bonnivier** stated the AC unit is on that side of home and it makes sense to set the generator there also.

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

**Sandra Scott, 4450 Island Park**, stated she was in support of the variance.

Board members and the applicants continued to discuss possible screening options and other locations.

### **MOTION AND VOTE**

*Moved by Bonnivier*

*Supported by Hoffman; to find that practical difficulties exist and to APPROVE the variances requested in ZBA Case No. PZBA21-047 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**

**(6-1) with Chairman Zuehlke OPPOSED**

### **Case No. PZBA21-048**

**Sidwell No. 13-06-401-003**, Section 6, Lot 144, "Mountain View Country Club", T3N, R9E, Waterford Township, Oakland County, Michigan

### **Requesting**

1. A 13.6 ft. variance from Section 3-900 to allow the proposed house to be located 21.4 ft. from the east front property line. (35 ft. minimum require)
2. An 11.3 ft. variance from Section 2-104.2 to allow the proposed roof eave and gutter to be located 20.7 ft. from the east front property line. (32 ft. minimum required)

**Property Location:** 3915 Iris Drive  
**Property Zoned:** R-1C, Single-Family Residential  
**Applicant:** Dale and Gale Adams

Applicant or representative present: Dale and Gale Adams

**Gale Adams** stated the home will be setback similar to the other homes on that road and will maintain the same setback as it has now. No other setback variances are needed.

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

### **MOTION AND VOTE**

*Moved by Schneider*

*Supported by Frasca; to find that practical difficulties exist and to APPROVE the variances requested in ZBA Case No. PZBA21-048 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 UNANIMOUSLY**

**(7-0)**

**Case No. PZBA21-049**

**Sidwell No. 13-36-302-008**, Section 36, Lot 338 & SWLY ½ of Lot 339, “The Meyering Land Company’s Cass-Sylvan Lakes Community Sub”, T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting**

1. A 21.0 ft. variance from Section 3-900 to allow the proposed house to be located 14.0 ft. from the northwest lake rear property line. (35 ft. minimum required)
2. A 19.3 ft. variance from Section 2-104.2 to allow the proposed roof eave and gutter to be located 12.7 ft. from the northwest lake rear property line. (32 ft. minimum required)
3. A 9.1 ft. variance from Section 3-901 Footnote 4 to allow the proposed house to be located 32.2 ft. from the southeast lakefront shoreline. (41.3 ft. minimum required for the subject property)
4. A 7.5 ft. variance from Section 2-104.2 to allow the proposed roof eave and gutter to be located 30.8 ft. from the southeast lakefront shoreline. (38.3 ft. minimum required for the subject property)
5. A 7.4 ft. variance from Section 2.213.2.C to allow the proposed covered patio to be located 33.9 ft. from the southeast lakefront shoreline. (41.3 ft. minimum required for the subject property)
6. A 16.5 ft. variance from Section 2.213.2C to allow the proposed covered patio to be located 24.8 ft. from the southeast lakefront shoreline. (41.3 ft. minimum required for the subject property)

**Property Location:** Vacant Stratton Dr.  
**Property Zoned:** R-1C, Single-Family Residential  
**Applicant:** Daniel and Alanna Scott

Applicant or representative present: Daniel and Alanna Scott

**Daniel Scott** stated he has a multi-generational family that will be living in this proposed home. It is an unusually shaped lot. The home they want to build meets the needs of his growing family. They made sure to consider conserving the view of the lake for the neighboring properties when they designed the house. He continued to describe the design of the house in relation to the shape of the lot.

**Chairman Zuehlke** asked if the designer put the setbacks on the site plan so the proposed footprint of home could meet the ordinance.

**Mr. Scott** did state that it is possible to building within the setbacks, but they wanted to maximize the property.

**Staff** commented the setbacks were outlined on the proposed plans and that it is within the same character as the homes on either side.

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

**Craig Hanson, 1023 Stratton Dr**, is in approval of the variances, as it will not block his views of the lake.

**Board Member Moore** noted the water's edge comes in and out, which also adds to the unusual shape of the lot.

#### **MOTION AND VOTE**

*Moved by Moore*

*Supported by Bonnivier; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA21-049 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 UNANIMOUSLY**

**(7-0)**

#### **Case No. PZBA21-050**

**Sidwell No. 13-02-477-039**, Section 2, N 300 FT of Lot 15, "Supervisor's Plat No. 57", T3N, R9E, Waterford Township, Oakland County, Michigan

#### **Requesting**

1. A 450 sq. ft. variance from Section 3-302.3.A(10) to allow the proposed detached accessory building to have a floor area of 2160 sq. ft. (1710 sq. ft. maximum for the subject property)
2. A variance from Section 3-302.3.A(6) to allow the proposed detached accessory building to be located within a side yard. (Detached accessory buildings shall not be erected in any yard except a rear yard)

**Property Location:** 3975 Clintonville Rd  
**Property Zoned:** R-1A, Single-Family Residential  
**Applicant:** Paul Ridley

Applicant or representative present: Paul Ridley

**Paul Ridley** stated that his family has owned this property since the 1970's, while the house was built in the 1920's. The home was poorly built, the front door faces the side yard. The property does not have a rear yard since the house is so close to the road. There is limited storage space at the property and he would like to store everything inside, instead of outside and in off-site storage.

**Chairman Zuehlke** questioned the need to construct the building larger than what is already allowed.

**Mr. Ridley** stated that he is willing to down size the building if needed. He referenced having support from a neighboring property owner. He felt the location is the best place for it to be located.

**Chairman Zuehlke** gave the history of how the allowable space has increased over the years.

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

**Phil Benjamin, 3125 Alco**, asked for clarification on what is considered the front and rear of the property. He also questioned the design of the building and as to whether there would be an apartment above the storage space.

**Staff** commented the lake is the front and the roadside of property is the rear and the proposed location is considered a side yard.

**Chairman Zuehlke** stated he was not in favor of the size of the building, but the location seemed to be reasonable.

**Board Member Schneider** questioned the height will be and what type of siding is going to be used.

**Staff** stated the height meets the ordinance.

**Mr. Ridley** stated the siding would have a wood grain to look like the home and that there would not be any living space in the structure.

Discussion continued regarding the size and aesthetics of the building.

**Board Member Moore** was not in support of the size of the building.

## **MOTION AND VOTE**

*Moved by Moore*

*Supported by Hauswirth; to find that practical difficulties exist and to APPROVE the following variance requested in ZBA Case No. PZBA21-050:*

*A variance from Section 3-302.3.A(6) to allow the proposed detached accessory building to be located within a side yard. (Detached accessory buildings shall not be erected in any yard except a rear yard)*

*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 UNANIMOUSLY**

**(7-0)**



**MOTION AND VOTE**

*Moved by Moore*

*Supported by Bonnavier; to find that practical difficulties do not exist and to DENY the following variance requested in ZBA Case No. PZBA21-050:*

*A 450 sq. ft. variance from Section 3-302.3.A(10) to allow the proposed detached accessory building to have a floor area of 2160 sq. ft. (1710 sq. ft. maximum for the subject property)*

*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.*

**MOTION CARRIED UNANIMOUSLY**

**(7-0)**

**Case No. PZBA21-051**

**Sidwell No. 13-11-226-008**, Section 11, S 155 FT of Lot 10, "Supervisor's Plat No 21", T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting**

1. 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)
2. A 2.0 ft. variance from Section 3-302.3.A(6) to allow the proposed detached accessory building addition to remain 3.0 ft. from the north side property line. (5 ft. minimum required)
3. A 3.0 ft. variance from Section 2-104.2 to allow the proposed roof eave and gutter to remain 2.0 ft. from the north side property line. (5 ft. minimum required)

**Property Location:** 3397 Clintonville Rd  
**Property Zoned:** R-1A, Single-Family Residential  
**Applicant:** Marc & Rebecca Poulin

Applicant or representative present: Marc & Rebecca Poulin

**Marc Poulin** stated the detached garage is in bad shape. They would like to tear it down and re-build in same place. He referenced having support from the neighboring property.

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

**Board Member Bonnavier** questioned as to if the garage was being removed. He stated that from the plans, it looked like they were just adding on to the existing garage. Due to the condition of the garage, he felt it should be torn down.

**MOTION AND VOTE**

*Moved by Schneider*

*Supported by Frasca; to find that practical difficulties exist and to **APPROVE the variances requested in ZBA Case No. PZBA21-051** 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 UNANIMOUSLY**

**(7-0)**

VI. Discussions

VII. All Else

VIII. Public Comment

IX. Adjourn the Meeting

*Moved by Schneider*

*Supported by Frasca*

**MOTION CARRIED UNANIMOUSLY**

**(7-0)**

*Meeting adjourned at: 5:01 PM*

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 Housing and Rehab Coordinator  
Charter Township of Waterford  
5200 Civic Center Drive, Waterford, Michigan 48329  
Email: [sstjames@waterfordmi.gov](mailto:ssstjames@waterfordmi.gov)  
Phone: (248) 674-6240

**Case No. PZBA21-045**

**Property:** 1055 W. Huron St  
**Applicant:** Erin Meilak  
**Zoning:** C-2, Small Business  
**Site Use:** Restaurant  
**Proposal:** Detached shed

**Analysis**

The applicant is requesting variances to construct a detached shed at the subject property. The subject property is a restaurant establishment, Kennedy’s Irish Pub. Currently, there is a detached garage 26.2’ by 18.1’ located at the property. The proposed 16’ by 28’ shed is shown to be located near the existing garage. The proposed shed is shown to maintain a similar setback from the rear property line as the existing garage. However, a variance would be required, as the minimum rear setback for the subject property is 20’ and the proposed shed is shown to be located 6.7’ from the rear property line. Additionally, a minor increase to the impervious surface of the site would be a result of the proposed building. The current site conditions show an impervious surface percentage of 70.64 % of the site. The proposed building would increase the impervious surface percentage to 73.29% of the site (2.65% / 822 sq. ft. increase).

*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. PZBA21-045 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. PZBA21-045 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. PZBA21-046**

**Property:** 4425 Motorway Dr  
**Applicant:** Mike & Lisa Lie  
**Zoning:** R-1C, Single Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** New deck and house addition

**Analysis**

The applicants are proposing to construct an addition and new deck on the existing house. The existing house is nonconforming, in that it does not meet the minimum lakefront setback. The proposed addition will be located on the road side of the house and is shown to meet the minimum setback requirements. However, since the addition is greater than 25% of the existing house, it is considered substantial improvement (expansion of a nonconforming building) and requires a variance. The applicants are also proposing to construct a new deck on the lakefront side of the house. The deck is shown to be located 87.5 ft. from the shoreline, where a minimum setback for the property is 127 ft. Based upon the site plan submitted, the current house has a deck (proposed to be removed) on the lakefront side of the house. This deck is shown to be located 74.1’ from the shoreline. The proposed new deck, at 87.5’, will maintain a greater lakefront setback than the current 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. PZBA21-046 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. PZBA21-046 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. PZBA21-047**

**Property:** 4430 Island Park Dr  
**Applicant:** Courtney Seres & Carl Granger  
**Zoning:** R-1C, Single-Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** Waive the screening requirements for the proposed generator

**Analysis**

On June 15, 2021, the applicants received a variance to allow their proposed generator to be located 2.12’ from the side yard property line, where a minimum setback of 5’ is required. The stipulation to the approval was that the applicants must provide screening around the generator. When the contractor for the applicants reviewed the location, it was determined that based upon the

manufactures minimum clearance required around the unit, a portion of the screening material would have to be placed on the neighboring property. The applicants spoke with the neighbor and the neighbor declined to allow the screening to be place on their property. The applicants are requesting that the original approval be modified and remove the stipulation that screening be required for the proposed unit.

*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. PZBA21-047 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. PZBA21-047 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. PZBA21-048**

**Property:** 3915 Iris Dr  
**Applicant:** Dale & Gale Adams  
**Zoning:** R-1C, Single-Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** Proposed house

**Analysis**

The applicants are proposing to construct a new house at the subject property. The new house is shown to be located 21.4 ft. from the front (road) property line, where a minimum setback of 35 ft. is required. The proposed location appears to be similar to other houses in the neighborhood. All other setbacks 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. PZBA21-048 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. PZBA21-048 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. PZBA21-049**

**Property:** Vacant Stratton Dr  
**Applicant:** Daniel & Alanna Scott  
**Zoning:** R-1C, Single-Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** New House

**Analysis**

The applicants are proposing to construct a new house at the subject property. The proposed house is shown to be located 14 ft. from the lake rear (road) property line, where a minimum setback of 35 ft. is required. Based upon the construction plans provided, the garage is the portion of the house at this setback. Additionally, the garage is shown to have a side entry. The proposed house is also shown to be located 32.2 ft. from the lakefront shoreline, where a minimum setback of 41.3 ft. would be required for the subject property (this is the average setback of the houses within 200 ft. of the subject property). The applicants are also proposing to construct two patios on the lakefront side of the house. One is located off the main floor living room and is shown to be covered. A variance of 7.4 ft. would be required to allow this to come to within 33.9 ft. from the shoreline. The other is located off the main floor nook and additionally above off the second level playroom. The main floor patio is covered by the patio above. The patio above is not shown to be covered. A variance of 16.5 ft. would be required to allow this to come to within 24.8 ft. from the shoreline.

*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. PZBA21-049 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. PZBA21-049 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: \_\_\_\_\_ )

**Case No. PZBA21-050**

**Property:** 3975 Clintonville Rd  
**Applicant:** Paul Ridley  
**Zoning:** R-1A, Single-Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** Detached accessory building

**Analysis**

The applicant is proposing to construct a new detached garage at the subject property. Currently, there are no accessory buildings at the site (neither attached or detached). The proposed building is shown to be located within the side yard (detached accessory buildings must be located within a rear yard. For a lakefront property, that is between the house and the road side property line). The garage is shown to be 60’ by 36’ (2160 sq. ft.) with the bay doors facing the lake. The maximum size allowed for the subject property is 1710 sq. ft., so a 450 sq. ft. variance is also 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. PZBA21-050 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. PZBA21-050 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. PZBA21-051**

**Property:** 3397 Clintonville Rd  
**Applicant:** Marc & Rebecca Poulin  
**Zoning:** R-1A, Single-Family Residential  
**Site Use:** Single Family Residential

**Proposal: Detached garage addition**

**Analysis**

The applicants are proposing to construct an addition onto the existing detached garage. The existing garage is shown to be located 3 ft. from the north side property line, where a minimum setback of 5 ft. is required. The existing garage is approximately 408 sq. ft. The proposed addition is also approximately 408 sq. ft. Even though the addition is not coming any closer to the side yard property line than the existing garage, the addition is expanding the existing footprint more than 25% as allowed per ordinance. 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. PZBA21-051 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. PZBA21-051 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: \_\_\_\_\_)*  
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