

**CHARTER TOWNSHIP OF LYON
ZONING BOARD OF APPEALS
MEETING MINUTES
August 23, 2004**

Approved as submitted September 20, 2004.

DATE: August 23, 2004
TIME: 7:30 PM
PLACE: 58000 Grand River

Call to Order: Chairman Erwin called the meeting to order at 7:34 PM.

Roll Call: Present: William Erwin, Chairman
Michael Barber
Pamela Johnson, Clerk
Tony Raney

Absent: Michael Hawkins

Also Present: Philip Seymour, Township Attorney
Larry Phillips, Building Official

Guests: 4

1. Approval of the Minutes of July 19, 2004

Ms. Johnson made a motion to approve the minutes from the July 19, 2004 ZBA meeting as submitted. Mr. Barber supported the motion.

Voice Vote: Ayes: All
Nays: None
Absent: Hawkins

Motion approved.

2. PUBLIC HEARINGS:

John Ellsworth, 56901 Appaloosa, South Lyon, Sidwell 21-22-300-014

Applicant was granted a variance of ten feet for construction of a barn on 7/19/04. After site inspection, Building Official requests reconsideration.

Mr. Phillips stated that he did a site inspection. He stated that at the last meeting they were talking about keeping the barn 10' from the pool. He stated that there is an approximately 6' wide deck that wraps around the pool. He stated that the variance that was given for the location of the barn would make the barn about 4' from the deck. He stated that safety wise he does not feel that this is right. He asked if it is possible to increase the variance so that the barn would be further away from the deck.

Mr. Erwin asked Mr. Phillips what he felt would be sufficient. Mr. Phillips responded that another

6' would be sufficient to leave enough room between the barn and the pool.

Ms. Johnson made a motion to reconsider the variance granted at the July 19, 2004 meeting for John Ellsworth. Mr. Barber supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Hawkins

Motion approved.

Mr. Erwin noted that the original variance request was for 20' but 10' was granted.

Mr. Barber made a motion in regard to John Ellsworth's request for a variance, that a total of 16' be granted from the front yard setback for construction of a barn at 56901 Appaloosa, South Lyon. This will allow 10' from the deck that surrounds the pool. Mr. Raney supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Hawkins

Motion approved.

Anthony Gugliemotti, Sidwell 21-36-326-045, Woodwind Village on Ten Mile Road

Applicant is requesting a variance from the Schedule of Regulations to allow the construction of a 3-car garage. Amount of variance is 3.7 feet. This will allow applicant's parcel to conform with all other home sites in the subdivision.

Mr. Gugliemotti explained that the 3.7' is needed for the corner of the garage.

Mr. Erwin questioned if this is one of the first homes in the subdivision. Mr. Phillips responded that this is. Mr. Erwin questioned if they will be getting any more of these requests from this subdivision. Mr. Phillips responded that there may one or two more because of the corner lots.

Mr. Raney questioned if the building envelope could be changed. Mr. Phillips responded that it could not. He stated that to do so, it would require an amendment to the site plan. He stated that all the homes will have three car garages. He stated that when this went through the Planning Commission, they liked the idea of three car garages throughout the subdivision.

Mr. Erwin questioned if this home was built yet. Mr. Gugliemotti responded that the home is not yet built. Mr. Erwin stated that what they try to do is give the minimum variance possible. It was noted that this is a unique situation because of the way the road goes.

Mr. Gugliemotti stated that it was indicated to him that a three car garage is a standard feature in this subdivision.

Mr. Raney made a motion in the case of Anthony Gugliemotti, Sidwell 21-36-326-045, Woodwind Village Subdivision, Lot 45, that due to the unique circumstances of the curvature of the road and the fact that this is the most minimum variance that they can grant, that a 3.7' variance be granted from the front yard setback to allow the construction of a three car garage which is a standard feature of this subdivision. Mr. Barber supported the motion.

Voice Vote: Ayes: All
 Nays: None

Absent: Hawkins

Motion approved.

Mr. Gugliemotti questioned what he has to do now with respect to letting the builder know about this. Mr. Phillips responded that if anybody has any questions, have them contact him.

Ms. Johnson stated that these minutes will be approved at the next meeting. She recommended that Mr. Gugliemotti get a copy of the minutes for his records. She stated that they will be available on the Township's website after they are approved.

3. GENERAL BOARD DISCUSSION

Mr. Phillips stated that he was approached and asked if he would check with the Board to see if they would consider a special meeting for Family Video. He noted that Family Video is proposing to go into the Willacker building. He stated that Family Video was supposed to be heard at the last Planning Commission meeting, but because of the time, they did not get to it. He stated that the Planning Commission is holding a special meeting tomorrow night and Family Video will be discussed at that meeting. He stated that they will still require a rear yard variance.

After further discussion, the Board agreed to schedule a special meeting for Tuesday, September 7, 2004 at 5:00 PM to discuss this issue.

4. ADJOURNMENT

Mr. Erwin adjourned the meeting at 7:59 PM.

Respectfully Submitted,

Deby Cothery

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Recording Secretary