

**CHARTER TOWNSHIP OF LYON  
ZONING BOARD OF APPEALS  
MEETING MINUTES  
August 22, 2005**

Approved as submitted September 19, 2005.

DATE: August 22, 2005  
TIME: 7:30 PM  
PLACE: 58000 Grand River

Call to Order: Mr. Erwin called the meeting to order at 7:33 PM.

Roll Call: Present: William Erwin, Chairman  
Michael Barber  
Troy Schilling, Trustee  
Tony Raney

Absent: Michael Hawkins

Also Present: Philip Seymour, Township Attorney  
Chris Olson, Township Superintendent  
Al Hogan, Building Official

Guests: 7

**1. APPROVAL OF MINUTES:  
- Regular Meeting of July 18, 2005**

Mr. Barber made a motion to approve the minutes from the regular meeting of July 18, 2005 as written. Mr. Raney supported the motion.

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

Motion approved.

**2. PUBLIC HEARINGS:**

**Erich Ross, 59373 Ten Mile Road, South Lyon**

Roxanne Casterline, owner. Property address is 59255 Ten Mile Road. Applicant wishes to divide property so that the funeral home is on one parcel and the house is on another. However, the depth to width ratio on the residential parcel would be 4.159 to 1, and the maximum depth to width ration is 4 to 1. (Section 26.02, footnote c). Sidwell 21-29-226-007.

The applicant was not present.

Mr. Raney made a motion to switch the order on the agenda so that this item is discussed last. Mr. Barber supported the motion.

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

Motion approved.

**Speedway SuperAmerica, L.L.C., represented by Jason Bandy, 22380 Pontiac Trail, South Lyon.**

Applicant requests a 39 foot variance from the required 60 foot rear yard setback on the eastern property line for re-built gas station convenience store. (Article 36.00, Section 36.02).  
Sidwell #21-32-100-001.

Mr. Bandy explained that they are proposing to re-build the Speedway station at Nine Mile Road and Pontiac Trail. He stated that in order to do this they will require a rear yard setback variance of 39'. He distributed copies of a Power Point presentation that he went through. He reviewed the reasons for their request and listed the requirements that they have met:

- Two front yard building setbacks
- One side yard building setback
- Canopy setbacks
- Parking area setbacks
- Area required for parking spaces
- Area required for vehicle and truck maneuvering
- Landscaping greenbelts
- Area required for storm water detention

He included drawings of the site showing the location of the building, storm water detention area, septic system area, vehicle maneuvering and parking and allowable space for truck turns. Also included was a drawing of the proposed building elevation.

Health           Mr. Bandy stated that with regard to the septic system, they already have approval from the

Department for this, but will be tapping into the Township's sewer system when available. He stated that they are reducing the number of driveways into the site from four to two, one on Nine Mile Road and one on Pontiac Trail, which is a positive thing.

Mr. Schilling questioned what is driving the size of the building. Mr. Bandy responded that this is the size of building that they have to build, according to the company, if they were to re-build.

There was discussion regarding the type of wall that will be installed, brick or wood fence.

Mr. Barber stated that the Planning Commission liked the idea of a brick wall in lieu of a wood fence.

Mr. Erwin asked if there were any public comments. Douglas Gambia, 60877 Nine Mile Road, stated that this doesn't seem too bad. He stated that the proposal will make this site look a lot better. He stated that he does have some concerns and hoped that they will be addressed. He stated that as long as they install a wall that is tall enough so that he is not affected by the light, he would be okay with a lot of what is being proposed. He stated that he would not like to see a wooden fence especially after its been there for a few years. He stated that the noise, the sound, the lights and the smell all has to be a factor. He felt that the best solution to this would be some type of brick wall.

Mr. Raney asked Mr. Gambia how he felt about the pumps being moved to the other side of the site. Mr. Gambia responded that he felt that this will help him a little bit, but on hot days with a lot of wind he will still get the smell. He noted that he does not have central air and his window are open most of the time. He felt that by moving the pumps and the parking lot further from his

