

Charter Township Of Lyon
Zoning Board Of Appeals
Meeting Minutes
October 16, 2006

Approved as written November 20, 2006

Date: October 16, 2006
Time: 7:30 PM
Place: 58000 Grand River

Call to order: Mr. Erwin called the meeting to order at 7:31.

Roll Call:

Barber, Mike
Erwin, William
Hawkins, Michael
Schilling, Troy (Brd Liaison)

Also present:

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

Guests: 6

Approval of minutes:

Mr. Hawkins moved “to approve the meeting minutes from August 21, 2006.” Mr. Barber supported the motion.

Voice vote:

Ayes: all
Nays: none
Absent: Tony Raney

Motion approved.

Mr. Hawkins moved “to approve the meeting minutes for September 18, 2006 as amended.” Mr. Barber supported the motion.

Voice vote:

Ayes: all
Nays: none
Absent: Tony Raney

Motion approved.

Public Hearings:

1. Gene and Karen Caicco, 55611 Pontiac Trail, New Hudson, MI 48165. Sidwell #21-03-227-007. Applicants request a variance from section 36.02 Schedule of Regulations to allow a 10’ side yard setback, instead of the required 15’, for the construction of an attached two-car garage.

Gene Caicco 55611 Pontiac Trail – Mr. Caicco explained that they want to build a two-car garage. They feel it will increase the value of their home. The current plans put them inside the 15 foot regulation, and they would like approval to be a little closer to the property line. He also explained that their neighbor has written a letter stating approval of the variance.

Mr. Schilling asked about the well dimensions and if they have enough room to build with the well.

Mr. Barber commented that the lot is 450 feet long. Mr. Erwin commented that the lot was an odd shape.

Mr. Hawkins asked if they have considered a smaller garage.

Karen Caicco – Ms. Caicco said that the previous owners were granted a variance prior to them buying it. The previous owners never started construction.

Mr. Erwin asked if they were looking for the attached garage because they felt it would increase the value of their home. Ms. Caicco said yes. She also said that an attached garage would be easier.

The Zoning Board discussed the size of the lot, placement of the garage, and size of the garage.

Mr. Hawkins asked if they could live with a 20-foot garage.

Ms. Caicco said that she has never had a garage, and she does not know how much space an SUV takes up. She said that she did not know.

Mr. Erwin explained to Ms. Caicco that there are other places on the property where an accessory building can be placed; the Zoning Board is looking for a hardship.

Mr. Hawkins said that they understand that it is an old and an oddly shaped lot, but they have to look for the most minimal variance.

Abe Ayoub 21962 Lyon Trail North – Mr. Ayoub said that for the money they are putting into the garage, the resale for a house with smaller garage or a 19-foot garage could hurt them. He also pointed out that they're taxes would go up.

Mr. Barber asked if he would see that as a hardship. Mr. Ayoub said yes. Mr. Erwin said that they cannot look at the monetary hardships. Mr. Ayoub said that it is also a hardship because cars are so big that they will not fit. Mr. Erwin asked if they would be better with an accessory building. Mr. Ayoub said that they wouldn't in the current market.

Mr. Hogan said that they also had a hardship because of the location of the well and septic.

Mr. Seymour clarified that it is not a "hardship" it is a "practical difficulty."

Mr. Hogan also suggested that if they settled for a 22-foot garage, it would only be a 2-foot, 3-inch variance.

Mr. Hawkins said that he could agree to a happy medium with a 22-foot garage with a 2-foot, 3-inch variance. Mr. Hawkins said that he understood that the lot was an older lot and oddly shaped.

Barb Klein 55695 Pontiac Trail – Ms. Klein said that she knew the people who lived in the house prior to Mr. and Ms. Caicco. She also said that when the house was built, they intended to build a two-car attached garage. It was always intended to be a two-car garage.

Mr. Barber said that he did not understand why they were limiting the variance. He felt that they should be allowed the variance that they are asking for. The lot was oddly shaped, and the variance was granted a long time ago.

The Zoning Board continued to discuss the appropriate size garage for the lot.

Mr. Hawkins moved "in regards to Gene and Karen Caicco, 55611 Pontiac Trail, New Hudson, MI, the applicant has requested a variance for a side yard setback from the Township Ordinance Article 36. I recommend to the Board that we grant a variance of 2 feet, 3 inches from the side yard setback for the proposed new attached garage addition to their residence. The 2-foot, 3-inch variance would apply to the entire depth only of the new attached garage,

which is stipulated at being 30 feet. They do have a unique shaped lot, it is an existing condition, and the addition of the garage would be appropriate for this residence.”

Mr. Schilling said that he has a 22-foot garage, and it does not allow enough room. You can get 2 cars in and open the doors, but you cannot get anything else in. Mr. Erwin said it is the Zoning Board’s job to give the minimum variance. Mr. Schilling said that homes today require a two-car garage, and a two-car garage is 24 feet. There is also a hardship because this house was placed on the lot a long time ago, and it was not placed properly.

The Zoning Board continued to discuss the hardship that the applicant is facing and other possible sizes or locations. They also discussed the concerns of the applicant in regards to size and a 3-foot landing.

Mr. Ayoub asked if they could get 12 more inches. He said that would make a big difference.

Mr. Barber supported Mr. Hawkins motion.

Voice vote:

Ayes: Mr. Erwin, Mr. Barber, and Mr. Hawkins

Nays: Mr. Schilling

Absent: Tony Raney

Adjournment:

Mr. Erwin adjourned the meeting at 8:23 P.M.

Respectfully Submitted,

Catherine Culver

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Recording Secretary