

Charter Township of Lyon
Zoning Board of Appeals Meeting Minutes
March 15, 2010

Approved as written: April 19, 2010

DATE: March 15, 2010
TIME: 7:30 p.m.
PLACE: 58000 Grand River

Call to Order: Mr. Erwin called the meeting to order at 7:30 p.m.

Roll Call: William Erwin
Michael Hawkins
John Hicks, Township Board Liaison
Carl Towne, Planning Commission Liaison

Absent: Tony Raney

Also Present: Phillip Seymour, Township Attorney

Guests: 8

1. APPROVAL OF AGENDA

Mr. Hawkins made a motion to approve the July 20, 2009 agenda as written. Mr. Hicks supported the motion.

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| Voice Vote: | Ayes: | All |
| | Nays: | None |
| | Absent: | Raney |

MOTION APPROVED

Mr. Towne made a motion to nominate William Erwin as Chairman for the ZBA. Mr. Hawkins supported the nomination.

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| Voice Vote: | Ayes: | All |
| | Nays: | None |
| | Absent: | Raney |

MOTION APPROVED

2. PUBLIC HEARINGS

A. Michael Owen, 23399 Currie Road, South Lyon, MI 48178. Sidwell #21-27-200-

015. Applicant requests a variance from Section 18.03, A-1-b, to allow for a front yard setback of 44' for construction of an addition to an existing non-conforming outbuilding. The required front yard setback is 75', so a variance of 31' is being requested.

Mr. Owen explained that his home has two frontages, and he is requesting a variance of 32' from Woody Lane to allow an addition to an existing outbuilding that was constructed in 1978. He continued that it would be undesirable to place an outbuilding in the front yard. He explained that there are two low areas on the property that collect water in the spring and the fall, as well as an existing septic field. He continued that he has investigated trying to locate exactly where the septic field is located but has been unsuccessful. Mr. Owen felt that increasing the setback would lessen the aesthetics of the addition, and it would place the building closer to the existing septic field. The addition will allow for storage of recreational vehicles and allow for a car hobby.

Mr. Hawkins explained that this variance would extend an existing non-conformity and in order to build an accessory building that is conforming, the non-conforming structure would have to be removed. Mr. Owen stated that even if he removed the existing structure he would still need a variance because he didn't know where else on the property that a structure could be placed. He felt the proposed location was the best location for the outbuilding.

Mr. Erwin stated that he would like to see the structure moved back about 20'. Mr. Owen explained that the septic field is located near there and he did not know the exact location of the drain field. Mr. Erwin felt that the drain field needed to be located because it may allow room for the structure to be moved back on the property.

Mr. Erwin opened the floor for public comment.

Ted McMillan, 23301 Currie Road – Mr. McMillan commented that he is a neighbor to the north and shares a common property line with Mr. Owen. Mr. McMillan felt having the structure in the proposed location would have the least impact on his property value.

Steve Beacham, 55335 Woody Lane – Mr. Beacham stated that he has no problem with the addition and felt it would enhance the neighborhood.

Anthony and Virginia Brewington, 55415 Woody Lane – Mr. Brewington stated that they have no problem with the request.

Mike Barber, 23283 Currie Road – He stated that he is in support of the request and felt it was better to have the items stored inside versus being outside.

Mr. Hawkins stated that he does not disagree that the applicant deserves a variance for the front yard setbacks because they have two front yards; the problem is that it's an existing non-conformity, and they are not allowed to enlarge it. Mr. Erwin explained that the Zoning Board cannot expand a non-conforming structure because it would be violating the ordinance that is

in place.

Mr. Seymour questioned when the applicant planned on beginning construction. Mr. Owen explained that he would like to begin late summer or early fall. Mr. Seymour suggested that the application be tabled in order to allow the applicant time to investigate the exact location of the septic field.

Mr. Hawkins made a motion in regards to applicant Michael Owen, 23399 Currie Road to table the applicant's request for a variance for the front yard setback in regards to an expansion of an existing non-conformity and/or the construction of a new accessory building until the April 19, 2010 meeting to allow further investigation to determine placement of the structure. Mr. Towne supported the motion

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| Voice Vote: | Ayes: | All |
| | Nays: | None |
| | Absent: | Raney |

MOTION APPROVED

3. ADJOURNMENT

Mr. Erwin adjourned the meeting at 8:10 p.m.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary