

Charter Township of Lyon  
Zoning Board of Appeals  
Regular Meeting Minutes  
March 19, 2012

Approved: April 16, 2012 (as written)

The meeting was called to order by Mr. Raney at 7:30 p.m.

Roll Call: Mike Barber, Alternate  
John Hicks, Township Board Liaison  
Tony Raney, Vice-Chairman  
Deborah Sellis  
Carl Towne, Planning Commission Liaison

Absent: Bill Erwin, Chairman

Guests: 6

APPROVAL OF THE MINUTES

Mr. Hicks made a change to the minutes.

Motion by Hicks, second by Towne  
To approve the meeting minutes of February 21, 2012 as amended.

Voice Vote: Ayes: Unanimous  
Nays: None

MOTION APPROVED

PUBLIC HEARING

1. Mark and Clara Carrier, 59290 Annah Drive, New Hudson, MI 48165. Sidwell #21-08-227-022. Applicant requests a variance from Section 18.03-B-1 of the Zoning Ordinance to allow an accessory building that measures 672 square feet. The Ordinance allows 120 square feet. Therefore, a variance of 552 square feet is being requested.

Mr. Towne explained that the applicant is a neighbor of his but he did not feel there was a conflict of interest since there is no monetary gain. The Board agreed.

Mr. Carrier explained that they would like to build an accessory building to store their inherited farm equipment. They participate in community service using the farm equipment as well, such as plowing areas of Kensington Park and Maybury Farm. All neighbors that will be within sight of the building are okay with the project.

Mr. Barber questioned if the Mr. Carrier has a garage. Mr. Carrier said that he has a 2-car garage, but it does not provide enough room for everything; they would have to park their cars outside.

Ms. Sellis questioned how the applicant determined how large of a building was needed. Mr. Carrier stated that he plotted out how much room they were going to need. He explained that the septic field is not where he thought it was, so the size was shortened by 4'.

Mr. Towne explained that the property is below 20,000 square feet and is the only one that is not at least 20,000 square feet in the immediate area. The health department has signed off on it, and the Board would not be setting precedence. He had no problem with the variance.

Mr. Barber questioned if there would be gas storage. Mr. Carrier stated it would only be what is used in the machinery; he would not be storing it. He explained that the equipment has been handed down, and he would like to keep it in the family. He explained the types of tractors that he owns.

Mr. Hicks explained that a letter was received from Mr. Carrier's neighbor Angela Hipps, and she is in agreement with the variance and asked that it be granted.

Mrs. Carrier explained that it is also better for the neighbors so that they don't have to look at the equipment out on the driveway. This would allow it to be stored out of sight.

Lorne and Shelly Robinson, 59393 Albert Lane – Mr. Robinson stated that they are neighbors as well and that the applicants always maintain their property. He asked that the request be approved.

Ms. Sellis questioned the total square footage of the property. Mr. Carrier stated it is less than 18,000 square feet.

Mr. Barber stated that the applicant is an asset to the community. Mr. Towne explained that Lyon Township has a community garden, and he may want to consider donating time.

Motion by Towne, second by Sellis

To approve the 456 square foot variance for Sidwell #21-08-227-022 upon learning that the property was signed off by the Health Department for septic field purposes. It is a unique situation to where they are in the middle of the "no build zone" and real close to 20,000 s.f. and therefore would recommend approval.

Voice Vote: Ayes: Unanimous  
Nays: None

MOTION APPROVED

2. Allied Signs, Inc., 33650 Giftos, Clinton Twp, MI 48035. Property located at 28001 Napier (US Foods). Sidwell #21-12-451-007.

Representing Allied Signs, Inc. – Patrick Stieber

Mr. Stieber explained that US Foods is updating their signs. The proposed signs are all smaller than the existing signs and are much more aesthetically cohesive with the building and surrounding area. He explained that the property is very unique in size, and the sizes of the signs are warranted.

Mr. Towne questioned if the landscaping would be updated around the new signs. Mr. Stieber stated that the signs are being replaced in the same location. If landscaping is a concern, he felt that something like that could be addressed. Mr. Towne asked why a digital sign wasn't chosen. Mr. Stieber stated there was not a need for that type of sign.

Mr. Stieber reviewed the requested signs and explained that the signs are easier to read.

Mr. Barber questioned if the signs are reflective. Mr. Stieber stated that the signs have white high gloss paint, but the vinyl is not being called out as reflective.

Mr. Towne questioned if there is a permit for the current banner. Mr. Stieber stated that he was not sure

about the banner or when it went up, but he would be sure that it complies.

Ms. Sellis asked if the sign needed to be 6'. Mr. Stieber stated that the height is needed in order to get copy/size correct and due to the snow and visibility issues it needed to be raised up.

Motion by Sellis, second by Hicks  
To approve Allied Signs, Inc., application for Sidwell #21-12-451-007. Per Section 16.08-D-5 to approve a 1' variance requested to allow a monument sign that is 6' in height when the Ordinance allows for a height of 5'.

Voice Vote: Ayes: Unanimous  
Nays: None

MOTION APPROVED

Motion by Sellis, second by Towne  
To approve Allied Signs, Inc., application per Section 16.05-A-16-a to allow the company logo on the 4 directional signs.

Voice Vote: Ayes: Unanimous  
Nays: None

MOTION APPROVED

Motion by Sellis, second by Hicks  
To approve Allied Signs, Inc., application to allow per Section 16.05-A-16-b a 1.33' variance to the directional signs that are 5.33' in height when the Ordinance allows for a height of 4'.

Voice Vote: Ayes: Unanimous  
Nays: None

MOTION APPROVED

Motion by Sellis, second by Towne  
To approve Allied Signs, Inc., application per Section 16.05-A-16-b a variance of 2 square feet to allow directional signs that are 6 square feet when the Ordinance allows for 4 square feet.

Voice Vote: Ayes: Unanimous  
Nays: None

MOTION APPROVED

Motion by Sellis, second by Towne  
To approve per Section 16.08-C-2 in which a variance for 22 square feet is requested to allow a wall sign of 70.4 square feet where the ordinance allows for 48 square feet due to the size of the building and the distance from the road.

Voice Vote: Ayes: Unanimous  
Nays: None

MOTION APPROVED

Motion by Sellis, second by Hicks

To approve per Section 16.08-C-1 a variance to allow two wall signs when the Ordinance currently allows for one wall sign.

Voice Vote: Ayes: Unanimous  
Nays: None

MOTION APPROVED

NEW BUSINESS

- I. Patrick Allen, 59199 Montego Drive, New Hudson, MI 48165. Property located at 29321 Milford Road. Sidwell #21-09-226-014. Per section 13.05-D of the Zoning Ordinance, applicant requests ZBA approval to repair an existing non-conforming structure that was damaged by fire. The damage is less than 50% of the fair market value of the pre-existing structure.

Mr. Allen explained that there was a fire in his rental property, and he is seeking approval for repair.

Mr. Hicks referenced Mr. Mark Spencer's memo dated 3/6/2012.

Mr. Towne questioned if there were other quotes received. Mr. Allen stated no, he is working with the insurance adjuster. Ms. Sellis asked if the insurance company wanted more than one quote. Mr. Allen stated no.

Motion by Towne, second by Hicks

To approve the rebuilding which would be in full compliance with the ordinance since the damage is less than 50% of the fair market value of the pre-existing structure. The structure shall be rebuilt as it existed prior to the fire. Sidwell #21-09-226-014. Include all comments from Mark Spencer's memo dated 3/6/12.

Voice Vote: Ayes: Unanimous  
Nays: None

MOTION APPROVED

ADJOURNMENT

Mr. Raney adjourned the Zoning Board of Appeals meeting at 8:30 p.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary