

Charter Township of Lyon  
Zoning Board of Appeals  
Regular Meeting Minutes  
April 16, 2012

Approved: May 21, 2012 (as written)

The meeting was called to order by Mr. Erwin at 7:35 p.m.

Roll Call: Bill Erwin, Chairman  
John Hicks, Township Board Liaison  
Deborah Sellis  
Carl Towne, Planning Commission Liaison

Guests: 1

Absent: Tony Raney, Vice-Chairman

**APPROVAL OF MINUTES**

**Motion by Towne, second by Hicks  
To approve the meeting minutes of March 19, 2012 as presented.**

**Voice Vote: Ayes: Unanimous  
Nays: None  
Absent: Raney**

**MOTION APPROVED**

**PUBLIC HEARING**

1. **Baron LeBlanc, 26700 Dixboro Road, South Lyon, MI 48178.** Sidwell #21-18-300-032. Applicant requests a variance from Section 36.02 of the Zoning Ordinance to construct an accessory building with a side yard setback of 10 ft., as opposed to the required 15 ft. Therefore, a variance of 5 ft. is being requested. Compliance with this setback is required per Section 18.03-A-2 of the Zoning Ordinance.

Mr. LeBlanc explained his need for the variance requested. He indicated that he would like to construct a pole barn, but there is a drop in the property elevation where the septic tank and drain pipe are located. He would need to put a small wall and backfill where the proposed barn would go in order to access the pipe and provide a stable area. He noted that if he were to move the barn closer to the house, he would have a difficult time backing vehicles through the barn doors.

Ms. Sellis noted there is an existing 1-car garage on the property and questioned how far it sits from the property line. Mr. LeBlanc stated the existing garage is the original garage that was built with the house and currently sits 11 ft. from the property line. He added that they split the property years ago, which created the need for the variance request.

Mr. Erwin asked Mr. LeBlanc whether he could move the barn 2-3 ft. to the south and eliminate the need for the variance all together. Mr. LeBlanc stated that he could, but it would be very tight getting vehicles around the edge of the house. He felt the 5 ft. would give him more clearance. In addition, Mr. LeBlanc believes he needs 8 ft. clearance around the barn for water drainage.

Ms. Sellis noted that Mr. LeBlanc's proposal appears to leave 13 ft. from the pipe to the edge of the building. Mr. LeBlanc indicated that he would like to have enough room to access and service the pipe if needed. This would allow for 6 ft. from the pipe and 2 ft. from the side of the building.

Mr. Towne stated he pulled the certificate of survey and he sees where the septic field is located. This would allow 10 ft. in the rear of the septic where Mr. LeBlanc could enter the pole barn from the rear side. Mr. Towne is concerned with increasing the non-conformity on this property. He personally would go to the original 12 ft., but cannot grant the variance to 10 ft.

Mr. Seymour referenced a section in the ordinance pertaining to sizes of accessory structures and their relation to the sizes of lots. After more review, this became a moot issue.

Discussion continued with the suggestion to Mr. LeBlanc of moving the barn over 5 ft. to eliminate the need for the variance or reducing the size of the barn to be in compliance with the ordinance. Mr. LeBlanc stated he would like to keep the width of the barn.

Ms. Sellis questioned whether the board would consider granting Mr. LeBlanc a 3 ft. variance to the 12 ft. setback, which would give him the same boundary as the existing building and would not add to the non-conformity.

Mr. Erwin responded that this particular hardship is created by the applicant and not the township or land and therefore could not be considered. Mr. Seymour concurred.

Mr. LeBlanc stated he would settle on the 15 ft. setback as is and asked to withdraw his request for a variance.

**Motion by Towne, second by Sellis  
To accept Mr. LeBlanc's withdrawal of the application for a variance on Sidwell  
#21-18-300-032.**

**Voice Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**

**ADJOURNMENT**

**Motion by Towne, second by Hicks  
To adjourn the meeting at 7:54 p.m.**

**Roll Call Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**