

**Charter Township of Lyon
Zoning Board of Appeals
Regular Meeting Minutes
July 15, 2013**

Approved: August 19, 2013

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

Roll Call: Bill Erwin, Chairman
 Tony Raney, Vice-Chairman
 Carl Towne, Planning Commission Liaison
 Mike Barber, Alternate Member

Absent: Deborah Sellis
 John Hicks, Board Liaison

Guests: 4

Also Present: Scott Baker, Township Attorney

APPROVAL OF MINUTES

1. Approval of the June 17, 2013 Meeting Minutes

**Motion by Towne, second by Raney
To approve the June 17, 2013 meeting minutes as submitted.**

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

MOTION APPROVED

PUBLIC HEARINGS

1. Derek & Karen Wilkes, 27195 Sharrard Hill Court, New Hudson, MI 48165. Sidwell #21-15-200-062. Applicants request a variance from Section 18.01-A of the Zoning Ordinance to allow an accessory building to be constructed before the principal structure is constructed.

Mrs. Wilkes stated they are seeking permission to submit a permit tomorrow to construct a barn on the property and are planning on breaking ground tomorrow, weather permitting.

Mr. Erwin stated that the normally the Township doesn't allow accessory buildings on vacant land. Mr. Wilkes explained that there would be a basement foundation within a week. Mrs. Wilkes added that they would have an \$80,000

commitment on the site before any construction of the accessory building would start. Mr. Wilkes feels this would be more concurrent versus ahead of time.

Mr. Towne questioned whether they intend on living in the structure while the house is being constructed. Mrs. Wilkes stated they would not.

Mr. Towne noted to the Board Members that this request could be granted with contingencies. Mr. Baker added that the Zoning Ordinance states that no accessory building shall be constructed on vacant land unless a principle structure is already established or is being constructed.

Mr. Erwin asked whether a bond should be put on the property to make sure it's done properly. If something should happen where the house wouldn't get completed, the Township would have a bond in place to tear down the accessory building. Mr. Baker felt a bond would be appropriate.

Mr. Barber asked what the barn would be used for. Mr. Wilkes responded that he would use it for storage and possibly a workshop. They are proposing a 30 x 50 ft. structure, and they have a boat and tractor they would store in it. Also, they have items they have purchased already that they would like to secure.

Mr. Erwin noted that in the past the Township has denied these requests but on occasion have granted approval and asked for a bond. Mr. Towne added that this would also keep precedent for future endeavors.

Mrs. Wilkes stated she would like to avoid the bond if possible because she does not want to have to put any more money out of her pocket if it's not necessary. She is taking their budget very seriously. Mr. Erwin indicated that the Board cannot consider monetary reasons, and the Township has to protect its interests and other property owners as well.

Mr. Towne asked Mr. Baker what other contingencies could be an option in this case. Mr. Baker stated the board could put a time of completion on the project, but in this situation, he feels a bond would be the best option.

Mrs. Wilkes asked for clarification from a timing standpoint. She understands that the bond would hold from now until rough inspection. Mr. Raney confirmed that the bond would be returned after rough inspection and after the certificate of occupancy is issued.

Mr. Barber asked if there were a business or hobby that would take place from the barn or whether an RV would be stored. Mr. Wilkes responded that there wasn't.

Motion by Raney, second by Towne

To approve a variance from Section 18.01-A of the Zoning Ordinance allowing an accessory building to be constructed before the principal structure is constructed with a \$2,500 bond to be in place from the time the permit is applied for until the rough inspection and Certificate of Occupancy is issued on the barn by the Building Department.

Voice Vote: Ayes: Towne, Raney, Barber
 Nays: Erwin

MOTION CARRIED

2. Cambrian of Lyon, 32233 Schoolcraft Road, Suite 110, Livonia, MI 48150. Sidwell #21-25-100-022 and #21-25-100-023. Property located at 52365 Ten Mile Road, South Lyon, MI 48178. Applicant requests a variance from Section 19.03-D-7-a of the Zoning Ordinance, which requires the building length for a senior housing development not to exceed 375'. The proposed building length is 404.3', therefore a 29.3' variance is being requested.

This item is delayed until next month.

Adjournment at 7:52 p.m.

Respectfully Submitted,

Lynn Lindon

Recording Secretary