

Charter Township of Lyon  
Zoning Board of Appeals  
Regular Meeting Minutes  
August 19, 2013

Approved: September 16, 2013

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

Roll Call: Bill Erwin, Chairman  
John Hicks, Board Liaison  
Deborah Sellis  
Tony Raney, Vice-Chairman  
Carl Towne, Planning Commission Liaison

Guests: 5

Also Present: Scott Baker, Township Attorney

**APPROVAL OF MINUTES**

1. Approval of the July 15, 2013 Meeting Minutes

**Motion by Towne, second by Raney  
To approve the July 15, 2013 meeting minutes as presented.**

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

**MOTION APPROVED**

**Motion by Towne, second by Sellis  
To change the order of the agenda to move Ray Hicks, 21951 Chubb Road to the first item on the agenda and Cambrian of Lyon to item number 2 on the agenda.**

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

**MOTION APPROVED**

**PUBLIC HEARINGS**

1. **Ray Hicks, 21951 Chubb Road, Northville, MI 48167. Sidwell #21-35-200-032. Applicant requests a variance from Section 18.03-B-1 of the Zoning Ordinance, which requires this parcel's maximum ground area coverage of**

**all accessory buildings and structures to not exceed 4,500 sq. ft. An existing pole barn measures 4,000 sq. ft., and the applicant wishes to construct a garage measuring 10,000 sq. ft. Therefore a 9.500 sq. ft. variance is being requested.**

Mr. Erwin explained to the applicant that his case was not denied by the Building Department and the ZBA cannot take action until it is denied. Mr. Erwin suggested tabling the case until proper documentation is obtained and the applicant agreed.

**Motion by Hicks, second by Sellis  
To table Ray Hicks, 21951 Chubb Road until the next meeting.**

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

**MOTION APPROVED**

- 2. Cambrian of Lyon, 32233 Schoolcraft Road, Suite 100, 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-#-7-a of the Zoning Ordinance, which requires the building length from senior housing development to not exceed 375'. The proposed building length is 513.5'. Therefore, a 138.5' variance is being requested.**

**Representing Cambrian of Lyon: Nick Mancinelli**

Mr. Mancinelli explained that the lot is very narrow, and there are retention ponds and wetlands along with a radar tower on the property. He explained that the building cannot be built up due to the residents that will be living in the facility. He explained that the average age of a resident in an assisted living scenario is 86, and they will likely have mobility issues. Therefore, the building needs to be on one floor instead of two levels for safety reasons. For those reasons, the building was lengthened since it can't go wider due to the narrowness of the lot and the wetlands.

Mr. Towne explained that the Township had nothing on the books for this type of facility. They used all of the consultants that they could use to come up with a plan of attack for the zoning, and Mr. Mancinelli was a part of that. Mr. Mancinelli explained that the 375' length was chosen because that was the only building at the time in the Township. At the time, his project was 4 acres; now, they ended up with the total of 9 acres, which allows them to utilize the entire parcel and get rid of the eyesore that has been sitting there.

Mr. Mancinelli explained that there will be a total of 96 units, and 35-40 units will be memory care units. He explained that this type of service is needed in the Township and will be the only one of its kind in the Township. He stated that there is a senior center in the Township that is longer, wider, and higher than this request.

Mr. Erwin explained that a variance cannot be granted due to economics, and he felt

there was not a hardship here since the building size could be reduced to accommodate the land. Mr. Mancinelli disagreed and felt that the hardship was the narrowness of the land, wetlands, retention ponds and the existing building that they have to use. He explained that they could have put on a second story but did not due to the limitations of the residents.

Mr. Towne explained that the Planning Commission was in total agreement with this project, especially with the re-purposing of the existing cement building and the need for this type of facility in the Township. He felt these reasons were more than enough to approve it. He explained that there is a strong suggestion to revisit the Zoning Ordinance to extend the length requirements. Mr. Erwin stated that the ordinance needs to be changed first. Mr. Baker agreed with Mr. Erwin's concerns and felt that a hardship or practical difficulty was not presented.

Ms. Sellis stated that she agreed that a hardship/practical difficulty is needed but felt that the ordinance does not correlate.

Mr. Mancinelli stated that that there will be 56 units in the first phase of the project.

Mr. Baker explained that the Planning Commission could suggest a text amendment to the Township Board, and it could be done administratively. There was brief discussion regarding hardship/practical difficulty.

**Motion by Towne, second by Hicks**

**To approve 138.5' variance for Cambrian of Lyon, 32233 Schoolcraft Road, Suite 100, Livonia, MI 48150, Sidwell #21-25-100-022 and #21-25-100-023, with a note to the Planning Commission that a text amendment should be granted to change Section 19-03-10-7 of the Zoning Ordinance to allow longer buildings. The variance is granted due to the preserving of wetland areas on the property and the re-purposing of an existing cement building and it will rid the Township of an eyesore.**

**Voice Vote: Ayes: 3  
Nays: 2**

**MOTION APPROVED**

**ADJOURNMENT**

Mr. Erwin adjourned the Zoning Board of Appeals meeting at 8:00 p.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary