

Charter Township of Lyon
Zoning Board of Appeals
Regular Meeting Minutes
October 21, 2013

Approved: May 19, 2014

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

Roll Call: Mike Barber, Alternate Member
John Hicks, Township Board Liaison
Carl Towne, Planning Commission Liaison

Absent: Bill Erwin, Chairman
Tony Raney, Vice-Chairman
Deborah Sellis

Guests: 4

Also Present: Scott Baker, Township Attorney

APPROVAL OF MINUTES

1. Approval of the September 16, 2013 Meeting Minutes

Motion by Towne, second by Hicks

To approve the September 16, 2013 meeting minutes as presented.

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

MOTION APPROVED

Motion by Towne, second by Hicks

To remove the ZBA Case for Ray Hicks from the table.

**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.

**Representing ZBA Case: Ray Hicks, Owner
 Margaret Kurtzweil - Attorney
 Dave Richardson - Lindhout Architects**

Mr. Hicks explained that one of the reasons the case was tabled was due to an idea he thought might work, but he was informed that the attorney said the idea was not plausible.

Ms. Kurtzweil explained that the applicant has agreed to reduce the total square footage from 10,000 sq. ft. to 7,500 sq. ft, hoping that the reduction puts at ease those that fret that the building is too big. The applicant is willing to do whatever is necessary to enjoy his property rights. The reduction in size would not reduce the green roof footage, which will be at 20%. The project is totally in the woods, and no one will see it. The barn will not interfere with anyone living in the area. She felt that this case would not set precedence since conditions will be placed on any approval given.

Mr. Richardson explained that there is more than ample room for fire access. He also explained that there will be a wall of evergreens on the north and south sides of the structure. The building would also be limited to less than 28 people in the building at one time, and that information will be posted on the door.

Mr. Towne stated that the applicant has made quite a consensus with the reduction in the size of the structure. He felt that there were many positives in the application and felt that the proposed project is unique. The property is secluded, a green roof is proposed, there will be screening on the south and north sides of the building, and there are wetlands in the back of the property. He also felt if the restraints were placed on the property such as the applicant agreeing to demolish the building if the property is sold and agreeing to a yearly inspection at the applicant's expense that this could work. He also asked that the applicant consider allowing the school district/Township to look at the green roof for educational purposes. He also noted that the structure meets all of the setbacks including height.

Mr. Barber agreed that the property is very private. It is a hobby for the applicant not a business. He is concerned that this will need a lot of stipulations so that this doesn't allow other people to build large buildings. He also appreciated the reduction in size and he wanted him to be able to stay in the Township.

Mr. Hicks felt that a yearly fire inspection was needed and the property would have to be restored to its current state if the property was sold.

Ms. Kurtzweil suggested utilizing the technology of the green roof by not only offering the site to high school students but to incoming businesses that may want to use the same type of technology. Mr. Richardson suggested that there is an area that could be bermed where a half dozen people could enter and touch the green roof and it could be a secured area on the north side.

Motion by Towne, second by Barber

To approve Ray Hicks, 21951 Chubb Road, Northville, MI 48167. Sidwell #21-35-200-032. The original request was for a 9500' sq. ft. variance and after discussion the applicant is willing to reduce the variance to 7000' sq. ft. variance. The Board is willing to grant the variance with the following conditions:

- 1. The building will be torn down and the property restored to the original condition when the property is sold at the expense of the applicant or the applicant's estate.**
- 2. The green roof will be 20% of the 7,500'sq. ft. building and made available to the Township upon request for either Township purposes or for students for educational purposes in order to observe the green roof.**
- 3. A yearly inspection will be done at the applicant's expense to make sure the structure is in compliance with all rules and regulations of the Township.**
- 4. The structure will comply with existing ordinances at time of sale unless at the time of transfer the structure was in compliance with the current zoning.**

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

MOTION APPROVED

ADJOURNMENT

Mr. Barber adjourned the Zoning Board of Appeals meeting at 8:05 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary