

Charter Township of Lyon
Zoning Board of Appeals
Regular Meeting Minutes
August 18, 2014

Approved: October 20, 2014

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

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

Guests: 2

Also Present: Leann Kimberlin, Township Attorney
Mike Barber, Alternate

APPROVAL OF MINUTES

**Motion by Towne, second by Raney
To approve the minutes from May 19, 2014 as presented.**

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

MOTION APPROVED

PUBLIC HEARINGS

- 1. Michael and Natalie Cochenour, 20990 Laser Lane, South Lyon, MI 48178. Sidwell #21-1-400-041. Applicant requests a variance from Section 19.02.JJ.3.a.ii of the Zoning Ordinance, which requires roof-mounted solar energy systems to be located in the rear only.**

Representing: Michael and Natalie Cochenour

Mr. Cochenour explained that they are requesting solar panels to be placed on the south-facing portion of their roof, which will provide optimal solar energy production. If they were to adhere to the letter of the ordinance they would only have access to solar production for about 3 hours per day versus all day if it were on the south facing portion of the roof. He explained that the size of the product alone would not fit on any other portion of the home. The solar panels would produce approximately 5kw of power which should provide a good portion of the energy needs for their family for a year. Mr. Cochenour explained that they have lived here for two years in October, and they have 5 acres of property.

Mr. Towne stated that he there were not any neighbors here to contest the proposal.

He questioned if they have spoken to their neighbors. Mr. Cochenour explained that most of his neighbors were actually interested in seeing the panels and were interested in seeing how it works; there were no objections.

Mr. Hicks explained that Lyon Township has the most restrictive ordinance and felt this should be addressed at the Planning Commission level since this kind of request is becoming more and more frequent.

Mr. Raney thought the ordinance does need to be revisited because there are going to be more requests. He had no trouble with it since it is such a large lot. South exposure is ideal for solar energy. Mr. Cochenour explained that they do fall well within the specifications required.

Mr. Erwin stated that they either have to change the ordinance or find a practical difficulty.

Mr. Barber questioned if batteries would be used. Mr. Cochenour stated no. Mr. Barber stated that they could put it behind the house and still capture the sun. There are fumes if batteries are used. Mr. Cochenour explained that any excess power that is generated will run into the grid. He explained that the payback time to see a return on their investment is about 7-10 years.

Mr. Radke questioned if they would ever double the size in the future. Mr. Cochenour explained that is a possibility but if there were any future expansion it would have to be placed on a south facing portion further back or in the back of the yard. Mr. Cochenour explained that the ground by the pond is very wet and unstable, so he didn't know if panels could be placed in that area though. The septic field is located on the north side.

Mr. Towne stated that it would possibly behoove the applicant to table this request and have the planner look at changing the ordinance first.

There was brief discussion regarding tabling the request.

Motion by Hicks, second by Raney

To approve the applicant request for a variance from Section 19.02.JJ.3.a.ii of the Zoning Ordinance, which requires roof-mounted solar energy systems to be located in the rear because the variance will do substantial justice to the applicant as well as other property owners and a lesser variance would not give substantial relief to the applicant and/or be consistent with justice to other property owners. Also, the soil on the east side of the property is unstable.

**Voice Vote: Ayes: Hicks, Raney, Towne
Nays: Radke, Erwin**

MOTION APPROVED

ADJOURNMENT

The Zoning Board of Appeals meeting was adjourned at 8:01 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary