

Charter Township of Lyon  
Zoning Board of Appeals  
Regular Meeting Minutes  
June 20, 2016

Approved: August 15, 2016

The meeting was called to order by Mr. Erwin at 7:00 p.m.

Roll Call: Mark Barber  
Bill Erwin, Chairman  
John Hicks, Board Liaison  
Tony Raney, Vice-Chair  
Carl Towne, Planning Commission Liaison

Guests: 2

Also Present: Leann Kimberlin, Township Attorney

**APPROVAL OF MINUTES**

**Motion by Hicks, second by Towne  
To approve the minutes from March 21, 2016 as presented.**

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

**MOTION APPROVED**

**PUBLIC HEARINGS**

1. **Dynamic Investments, LLC, 955 Pearson Drive, Milford, MI 48381. Sidwell #21-03-426-002. Property located at 55960 Grand River Avenue. Applicant requests a variance from Section 36.02 (Schedule of Regulations) of the Zoning Ordinance, which requires parking setbacks in the I-1 (Light Industrial) district to be a minimum of 50' from the front and a minimum of 10' from the sides. A front parking setback of 3' and a side parking setback of 2' are being proposed. Therefore, variances are being requested for 47' for the front parking and 8' for the side parking.**

**Representing Dynamic Investments: Darin Zygnier  
Matt Diffin**

Mr. Diffin explained that the Township has changed and that has created hardships. This parcel is unique because there is no drainage outlet. The development to the east has a drainage outlet and a storm sewer that can be connected to. The property to the west of them also has storm sewer capacity. These issues are unique to Lyon Township. This is the only parcel that does not have a storm water outlet, so any changes to their impervious area would result in them not being in compliant with something else.

They are proposing to put a 7500 square foot addition onto the existing building. They have tried to meet as many of the zoning requirements as much as possible. Due to the storm water in that area, they can't do retention because they only have a couple of feet of depth. The Planning Commission understood and recommended that they should have the storm water waiver. The existing parking does not meet the setback requirements.

Mr. Zygnier stated he needs as many parking spaces as possible.

Mr. Towne explained the applicant is not adding any impervious surface. He has accepted it. Even though they are not changing their impervious surface they are still adding more detention so that property will not add a single drop to any storm water basin. Mr. Zygnier stated that they mow the retention pond, it's so dry and it has been the same retention pond since 1972.

Mr. Zygnier stated the business is growing. He carries anywhere from 35-49 jobs and put \$350,000 into that building to upgrade it and make it nice. The expansion will be 100% used as warehouse space.

Mr. Zygnier stated he can't afford to lose any parking spaces, and it would make them uncompliant.

Mr. Diffen stated that if they don't add any impervious area, the Planning Commission is allowed to waive the design standards for the storm water. Once they move parking spaces around and add impervious surface, that waiver would go away. Ms. Kimberlin stated that at the May 23 Planning Commission meeting, the Township Engineer provided a review which stated she had no objection to grant a waiver after her review of the situation and she is charged with looking at what the Township requires. Her recommendation and Planning Commission actions were in conformance with what the Township allows.

Ms. Kimberlin stated that the Planning Commission recommended approval of the site plan contingent on approval from the ZBA for the parking.

**Motion by Raney, second by Towne**

**Moved to approve the variance request for Dynamic Investments, Sidwell #21-03-426-002. Property located at 55960 Grand River Avenue, Due to the fact that the building has been there since 1972, none of the impervious surface will change in any way and the parking will remain the same. The building was constructed before new ordinance was passed. Not changing the layout or construction. The narrowness of the land and the way the building is positioned on it causes problems to adhere to the ordinance. As far as drainage and topography they have no choice. They are doubling the detention area, so there is no chance for it to flow onto other properties. The variances are going to be 47' on the front from the minimum of 50' and 8' on the side setback. This is not a self-created problem.**

**Voice Vote: Aye: Unanimous**

**Nays: None**

**MOTION APPROVED**

**ADJOURNMENT**

**Motion by Raney, second by Towne  
To adjourn the ZBA meeting at 7:28 p.m.**

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

**MOTION APPROVED**

The Zoning Board of Appeals meeting was adjourned at 7:28 p.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary