

Charter Township of Lyon  
Zoning Board of Appeals  
Regular Meeting Minutes  
January 18, 2017

Approved: March 20, 2017

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

Roll Call: Mike Barber  
Lise Blades, Board Liaison  
Bill Erwin, Chairman  
Tony Raney, Vice-Chairman  
Carl Towne, Planning Commission Liaison

Guests: 6

Also Present: Leann Kimberlin, Township Attorney

**APPROVAL OF THE AGENDA**

**Motion by Towne, second by Raney  
To approve the agenda as presented.**

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

**MOTION APPROVED**

**APPROVAL OF MINUTES**

**Motion by Towne, second by Barber  
To approve the minutes from December 19, 2016 as presented.**

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

**MOTION APPROVED**

**PUBLIC HEARINGS**

- 1. Cunningham Limp Company, 28970 Cabot Drive, Suite 100, Novi, MI 48377. Sidwells: #21-04-402-004, #21-04-402-005, 21-04-402-006, 21-04-402-008. Property located north of Grand River Avenue, east of South Hill Road. Applicant requests a variance from Section 12.12-A-1 of the Zoning Ordinance, which requires dumpsters to be located in the rear yard. This property has three front yards, due to frontages on I-96, Lyon Industrial Court, and Lyon Industrial Drive. A variance to allow the dumpster in a front yard is being requested.**

Mr. Rosher explained he is speaking on behalf of the applicant. This will be a 40,000 square foot manufacturing facility. They have site plan approval, and the site is unique because they have 3 front yards. They are requesting the variance for the recycling enclosure. They will be putting recycling bins outside to house bins for paper, metals, plastic, and cardboard. The recycling unit will be enclosed with masonry and a roof. They would like to place it outside the door. The practical difficulty is the 3 front yards. The variance is to place the recycling area in the technical front yard.

Mr. Towne explained that the Planning Commission had no issues; it's well screened and well placed. The front is on Lyon Industrial Court. It's the side of the recycling bin and does face the front, but it can't be seen. They are looking to expand, and the practical difficulty stands by itself because they front 3 streets.

**Motion by Towne, second by Raney**

**To approve the variance request to allow a dumpster in the front yard as requested by the Limp Company for sidwell numbers #21-04-402-004, #21-04-402-005, 21-04-402-006, 21-04-402-008. The practical difficulty is the loading dock is considered to be in the back but next to the loading dock is the enclosed dumpster area which is well screened, but one of the sides faces Lyon Industrial Court and becomes a difficulty.**

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

**MOTION APPROVED**

**2. 3<sup>rd</sup> Generation Renovation, 12901 9 Mile Road, South Lyon, MI 48178. Sidwell #21-16-176-010. Property located at 58605 12 Mile Road. Applicant requests the following variances from Section 36.02 (Schedule of Regulations) from the Zoning Ordinance.**

- A variance of 69' for the front yard setback. 75' is required in the R-1.0 (Residential-Agricultural) District, but a 6' setback is proposed.**
- A variance of 15' for the east side setback. 75' from a private road easement is required in the R-1.0 (Residential Agricultural), but a 60' setback is proposed.**

Mr. Lanphar spoke on behalf of the applicant. They would like to renovate their house and are proposing 4,361 sq. ft. of living space with a 3 car attached garage. There is a gas line to the east, a pond to the west, the septic in the front, and a floodplain in the back. He has gone around and spoke with the surrounding homeowners in the area, and an affidavit has been signed showing them what the property owners would like to do. Everyone he has spoken with has been good with it. If they can't get the variance, it will be a hardship on them. They have a child at home and one on the way, and they need the additional space to accommodate their family.

Mr. Towne stated if you did not go out to this site, you can't understand the parameters of this property. The gas line is to the east, the back is all wet, and the side is all wet. There are homes on 12 Mile where the house is closer; it's a very unusual road. The

other parameter is the septic field which is in front and to the west is a pond. They really have their hands tied. He saw no other way around and would agree to give them the variances.

Mr. Barber questioned if it's in the 100 year floodplain. Mr. Lanphar stated the back of the yard is in the floodplain, but the house is not.

Mr. Paul explained this will be their family home, and they are expecting another child.

Mr. Daryl Fletcher stated he was fine with it. They own the property, and it's not going to hurt him. They want to grow a family. Their hands are tied.

Ms. Kimberlin questioned the phasing. Mr. Lanphar stated originally they were going to do two stages, but then they decided to apply for the whole thing at once.

**Motion by Raney, second by Towne**

**To approve the variance for 3<sup>rd</sup> Renovation, for 58605 12 Mile for 69' in the front yard setback 75' is required, in the instance there is already a house present and the surrounding houses will not be affected, there are many other homes that are as close or closer on that road. The practical difficulty is that here is no way to move the house backwards or any other direction due to the gas line, floodplain, septic and pond.**

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

**MOTION APPROVED**

**Motion by Raney, second by Towne**

**To approve the variance request for 3<sup>rd</sup> Renovation, for 58605 for the 15' setback. There is no way to move anything due to the gas line, floodplain, septic and pond. They are 27' feet from the gas line, there is no place to move the footprint of the house in any other direction.**

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

**MOTION APPROVED**

**ADJOURNMENT**

**Motion by Towns, second by Barber**

**To adjourn the ZBA meeting at 7:29 p.m.**

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

**MOTION APPROVED**

The Zoning Board of Appeals meeting was adjourned at 7:29 p.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary