

**NORTHFIELD TOWNSHIP  
ZONING BOARD OF APPEALS  
Minutes of Regular Meeting  
June 17, 2019**

**1. CALL TO ORDER**

The meeting was called to order by chair Kenneth Dignan at 7:06 P.M. at 8350 Main Street.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL  
AND DETERMINATION OF QUORUM**

Brad Cousino	Present
Kenneth Dignan	Present
Scott Gustafson	Present
Greg Kolecki	Present
Jacki Otto	Present
Alternate: James Balsillie	Presence not required

Also present:  
Building/Planning/Zoning Coordinator Mary Bird  
Planning Consultant Vidya Krishnan  
Member of the public

**4. ADOPT AGENDA**

- ▶ **Motion:** Dignan moved, Otto supported, that the agenda be adopted as presented.  
**Motion carried 5—0 on a voice vote.**

**5. CORRESPONDENCE**

None.

**6. PUBLIC HEARINGS**

- 6A. Case #JZBA190004; Mark Zielinski;  
Location: 9411 Main Street;  
Request for determination under Article XIX Non-Conformities, Section 36-902(6), to allow addition onto existing non-conforming single-family dwelling; Parcel 02-05-328-020; zoned WLD-D Whitmore Lake District--Downtown.**

- ▶ **Motion:** Dignan moved, Otto supported, that the public hearing be opened.  
**Motion carried 5—0 on a voice vote.**

Dignan called for comments from the public. There were none.

- ▶ **Motion:** Dignan moved, Otto supported, that the public hearing be closed.  
**Motion carried 5—0 on a voice vote.**

- 6B. Case #JZBA190005; Hardscape Solutions, LLC;  
Location: 1301 W. North Territorial Road;  
Request for variances from Article VI, Section 36-157:**
  - subsection (16)(a)(1) for a 4.09 acre lot area variance, and
  - subsection (16)(a)(2) for a 21.66 foot lot width variance,**to allow operation of a landscape supply center; Parcel 02-19-300-012; zoned AR—Agriculture**

- ▶ **Motion:** Dignan moved, Otto supported, that the public hearing be opened.  
**Motion carried 5—0 on a voice vote.**

Dignan called for comments from the public. There were none.

- ▶ **Motion:** Dignan moved, Otto supported, that the public hearing be closed.  
**Motion carried 5—0 on a voice vote.**

**7. OLD BUSINESS**

None.

**8. NEW BUSINESS**

- 8A. Case #JZBA190004; Mark Zielinski;  
Location: 9411 Main Street;  
Request for determination under Article XIX Non-Conformities, Section 36-902(6), to allow addition onto existing non-conforming single-family dwelling; Parcel 02-05-328-020; zoned WLD-D Whitmore Lake District--Downtown.**

Mark Zielinski, applicant, stated he had nothing to add to the information provided in the packet, and that he just wants to proceed with getting the work completed.

At Dignan's request Zoning Administrator Vidya Krishnan read the McKenna review letter dated June 9, 2019, including the findings of fact. Krishnan clarified that a new text amendment was adopted to allow for residential uses in the lower level of buildings in the WLD-D district as a conditional use. She explained, however, that the amendment was not in place at the time the applicant originally submitted his request; therefore, the application was processed as presented.

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Krishnan noted the option of a conditional use approval is always available to the applicant; however, that would be too burdensome at this point. She said the proposed addition is in conformance with all of the required setbacks for the WLD-D District.

- ▶ **Motion:** Dignan moved, Kolecki supported, to approve the request in Case #JZBA190004 by Mark Zielinski for request for determination under Article XIX Non-Conformities, Section 36-902(6), to allow addition onto existing non-conforming single-family dwelling located at 9411 Main Street, Parcel 02-05-328-020, zoned WLD-D Whitmore Lake District—Downtown, based on the McKenna letter of June 9, 2019, providing justification for the request. **Motion carried 5—0 on a roll call vote.**

- 8B. Case #JZBA190005; Hardscape Solutions, LLC;  
Location: 1301 W. North Territorial Road;  
Request for variances from Article VI, Section 36-157:**
- **subsection (16)(a)(1) for a 4.09 acre lot area variance, and**
  - **subsection (16)(a)(2) for a 21.66 foot lot width variance,**
- to allow operation of a landscape supply center;  
Parcel 02-19-300-012; zoned AR—Agriculture**

Thomas Rogowski, owner of Hardscape Solutions, LLC, stated he had nothing to add to the information provided in the packet.

At Dignan's request Zoning Administrator Vidya Krishnan read the McKenna review letter dated June 9, 2019, including the findings of fact. Her comments referenced the lack of required lot frontage and acreage, and noted that if the variances are approved site plan and a conditional use permit will also be required.

Krishnan explained that the prior owner of the property was aware that he was in violation of the ordinance. She said although that owner met with Township staff and stated he would follow the necessary steps to come into compliance with the zoning ordinance, he did not follow through and sold the property to Mr. Rogowski. She said even though Mr. Rogowski did not do his due diligence prior to purchasing the property, he is now trying to take the proper steps to establish a legally approved business.

In answers to question from Cousino:

- Tammara Braunscheidel, member of the public present, stated she was not opposed to the business.
- Mr. Rogowski said he lives in the home on the site and it is not used as an office, he installs brick pavers and walls, the operation on the site is not open to the public, there are no retail sales, and pavers are stored on the site.

Dignan said he does not feel the ZBA should restrict the extent of use of the site; he would prefer that any adverse effects be addressed by the Planning Commission through buffers during their review of the site plan and conditional use permit requests. He asked for Krishnan's guidance regarding limits the ZBA could place on the operation. Krishnan said since the variance request deals specifically with the lot size required for this type of operation it is within the ZBA's scope of authority to plan limitations on the extent of the use to address any potential adverse impacts that may result from a small lot size. She said she contacted the Township Attorney and informed him of her recommendation, but she did not receive a response.

In answer to questions from Cousino, Krishnan said although the house faces North Territorial, the only access is from Hellner Road.

- ▶ **Motion:** Dignan moved, Otto supported, that in Case #JZBA190005, Hardscape Solutions, LLC at 1301 W. North Territorial Road, the request for variances from Article VI, Section 36-157, subsection (16)(a)(1) for a 4.09 acre lot area variance and subsection (16)(a)(2) for a 21.66 foot lot width variance to allow operation of a landscape supply center on Parcel 02-19-300-012 be approved, in accordance with the findings in the McKenna letter dated June 9, 2019, subject to the applicant applying for and receiving site plan and conditional use permit approvals.

Cousino said the applicant needs to understand that the site plan must be approved by the Planning Commission and a Conditional Use Permit (CUP) must be approved by the Township Board.

**Motion carried 5—0 on a roll call vote.**

## 9. MINUTES

- ▶ **Motion:** Cousino moved, Gustafson supported, that the minutes of the February 19, 2019, and May 20, 2019 meetings be approved as presented. **Motion carried 5—0 on a voice vote.**

## 10. CALL TO THE PUBLIC

No comments.

## 11. ZBA MEMBER COMMENTS

None.

**12. ANNOUNCEMENT OF NEXT MEETING**

**July 15, 2019**, at 7:00 PM at the Public Safety Building was announced as the date and time of the next regular meeting of the Zoning Board of Appeals.

**13. ADJOURNMENT**

- ▶ **Motion:** Dignan moved, Otto supported, that the meeting be adjourned.  
**Motion carried 5—0 on a voice vote.**

The meeting was adjourned at 7:50 P.M.

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Prepared by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:  
Wording removed is ~~stricken through~~;  
Wording added is underlined.

Adopted on \_\_\_\_\_, 2019.

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Kenneth Dignan, Chair

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Greg Kolecki, Secretary

Official minutes of all meetings are available on the Township's website at [http://www.twp-northfield.org/government/zoning\\_board\\_of\\_appeals/](http://www.twp-northfield.org/government/zoning_board_of_appeals/)