

NORTHFIELD TOWNSHIP
ZONING BOARD OF APPEALS
September 21, 2015 – 7:00 PM
Second Floor, Public Safety Building
8350 Main St., Whitmore Lake, MI 48189

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. CORRESPONDENCE
6. PUBLIC HEARINGS:
 - a. Case #ZBA150009 Christopher Galea, 4271 East North Territorial Rd., Whitmore Lake, MI 48189, the proposed barn setback (25) feet from the side property line, Section 36-158(4)b requires a minimum (30) foot side yard setback, so the applicant will need a variance of (5) feet along the side property line. The parcel number is B-02-25-300-027 and is zoned AR – Agriculture.
7. OLD BUSINESS
8. New Business:
 - a. Case #ZBA150009 Christopher Galea, 4271 East North Territorial Rd., Whitmore Lake, MI 48189, the proposed barn setback (25) feet from the side property line, Section 36-158(4)b requires a minimum (30) foot side yard setback, so the applicant will need a variance of (5) feet along the side property line. The parcel number is B-02-25-300-027 and is zoned AR – Agriculture.
9. UNFINISHED BUSINESS
10. APPROVAL OF MINUTES: July 20, 2015
11. CALL TO THE PUBLIC
12. ZBA MEMBER COMMENTS
13. ANNOUNCEMENT OF NEXT MEETING: October 19, 2015
14. ADJOURNMENT

NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

The Northfield Township Zoning Board of Appeals will hold a public hearing at the request of:

- 1) Case #ZBA150009 Christopher Galea, 4271 East North Territorial Rd., Whitmore Lake, MI 48189, the proposed barn setback (25) feet from the side property line, Section 36-158(4)b requires a minimum (30) foot side yard setback, so the applicant will need a variance of (5) feet along the side property line. The parcel number is B-02-25-300-027 and is zoned AR – Agriculture.

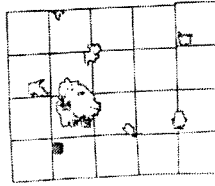
The public hearing will be held on **Monday, September 21, 2015** at 7:00 p.m. on the second floor for the Northfield Township Public Safety Building, 8350 Main Street, Whitmore Lake, MI 48189. The application is on file at the Northfield Township Building/Zoning Department, 8350 Main Street, Whitmore Lake, MI 48189, and may be reviewed Monday through Friday, 8:00 a.m. to 4:30 p.m. Written comments may be submitted to the Building/Zoning Department at the Township Hall (8350 Main St.) before 12:00 p.m. on the day of the meeting.

This notice is in compliance with PA 267 of 1976 as amended (Open Meetings Act) MCLA 41.7, 2A (2) (3) and the Americans with Disabilities Act (ADA). Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Offices at 743-449-2880, ext. 17, seven days in advance.

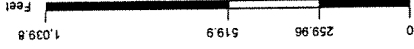
Angela Westover – Northfield Township Clerk

Publish: Sunday, September 6, 2015

Ann Arbor.com



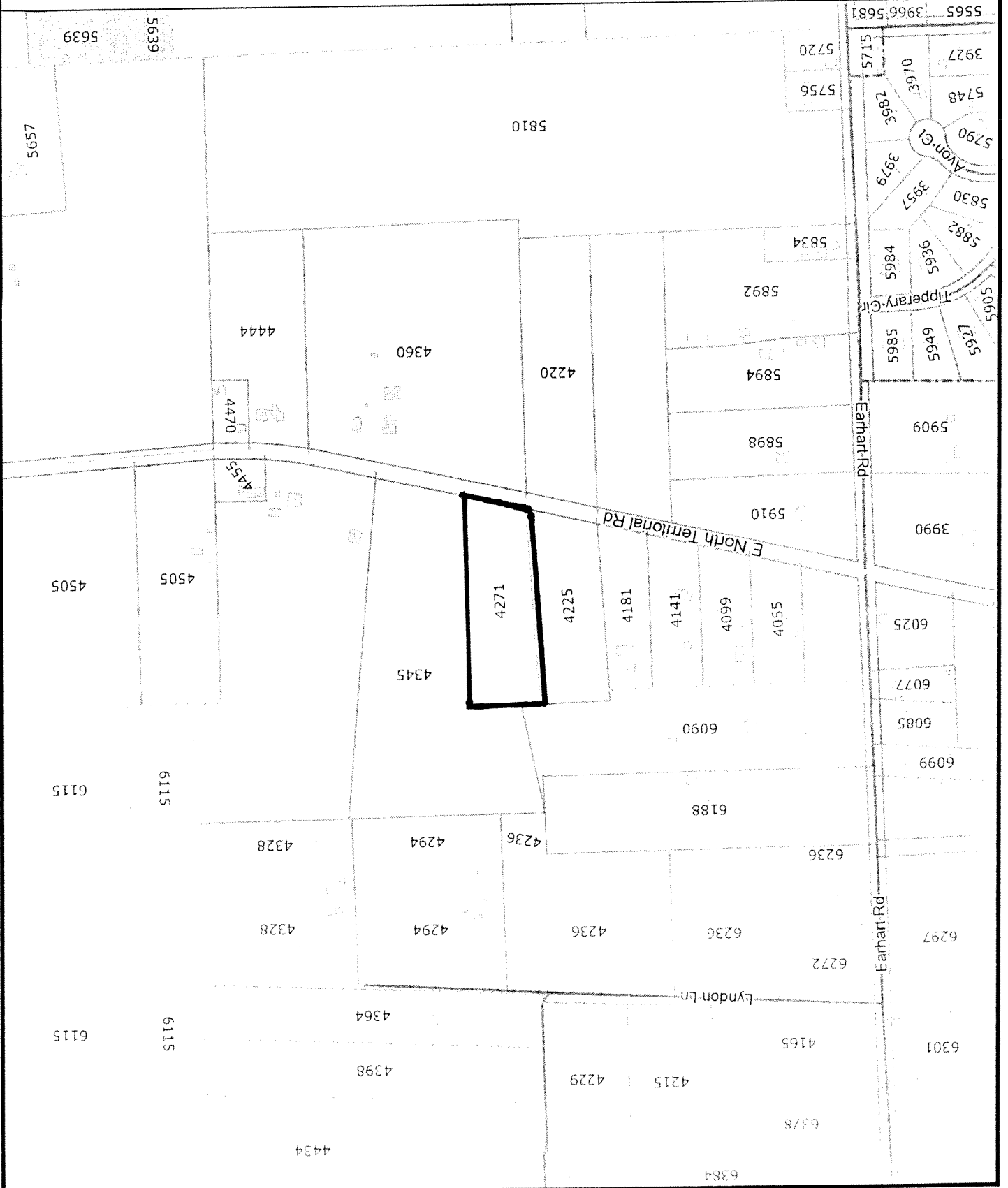
9/2/2015



1:6,239



NOTE: Parcels may not be to scale. The information contained in this cadastral map is used to locate, identify and inventory parcels of land in Washnet County for appraisal and taxing purposes only and is not to be construed as a survey description. The information is provided with the understanding that the conclusions drawn from such information are solely the responsibility of the user. Any assumption of legal liability of the user is hereby disclaimed.



Zoning Board of Appeals Hearing Application

Applicant:

Name

Christopher Galea

Address

4271 E.

North Territorial Rd

Phone:

313-808-2995

Owner:

Name

Christopher Galea

Address

4271 E North

Territorial Rd. Northfield twshp

Phone:

313-808-2995

*If applicant is not the owner then a statement of authorization from owner must be attached

Owner is Applicant

Statement Attached

1.) Property Description and Location

A.) Property Address

4271 E. North Territorial Rd., Northfield tws

B.) Parcel Identification

B-02-25-300-027

C.) Legal Description

* See attached site plan

attach.)

2.) Present Zoning District of Property

Agricultural

3.) Present Use of Property

Primary Residence (Upon Final Inspection)^{TBA}

4.) Non-Conforming Status

A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use):

Proposed Pole barn will be 25 Ft. (approx) from Neighboring property line (Not within 30 Ft. limit)

B.) State year/month Non-Conformity began (to the best of your knowledge):

Pole barn has not been constructed yet

5.) Variance Request (Applicant must completely answer 5A. through 5H.)

A.) Is denial letter attached from the Zoning Administrator? Yes No . If no, identify each section of ordinance from which Variance is requested:

B.) Describe reason/need for Variance:

Our set backs are not in compliance with zoning requirements

C.) Explain existing special conditions or circumstances that are unique to the land or buildings involved which are not applicable to similar land or buildings in the same district:

Pole barn building site needs to be situated within proximity to the driveway & house - Barn variance due to building site at 25 ft. from east neighbors property line

D.) Did the special condition or circumstances arise from your actions? Yes No . Please describe briefly:

We have had this pole barn in our building plans since 2013 when the zoning requirements were 5 ft. from property line. We have already built driveway & hill for barn, since then the zoning has changed to 30 ft. from property line.

E.) Explain why interpretation of the ordinance would deprive you of rights commonly enjoyed by other property owners in the same district:

Pole barn needs to sit level with our house & driveway, built a hill for pole barn to avoid drainage issues & built a driveway that leads to proposed entrance of barn

F.) Explain why this is the minimum variance necessary to allow for a reasonable utilization of the land or structure:

*See Section E

G.) Explain how this variance would be in harmony with the intent of the ordinance and not injurious to the neighborhood or neighbors or otherwise detrimental to the public interest:

This variance would be in harmony with our neighbor, Mr. Anders Varga, he is willing to write a letter of approval if required. Mr. Varga is on our east property line.

H.) I, the applicant, request the Zoning Board of Appeals grant the following:

~~We are building a 24 Ft X 60 Ft pole barn at the end of our driveway and requesting a variance of the property line zoning requirements.~~

6.) Attach a scaled and accurate drawing (8 copies) correlated with the legal description and showing:

- All lot dimensions
- Dimensions and locations of all existing and proposed buildings/additions and drives
- Other improvements and easements of record
- Show distances between existing and proposed buildings and/or additions
- Show locations and distances of wells, septic and/or sewer lines
- Locations, size and distances of buildings/structures on adjoining lots
- All additional pertinent information as listed on the checklist on page 5

All documents must be submitted at time of application. If further information needs to be submitted, the Zoning Board of Appeals reserves the right to postpone the hearing to review new information.

7.) If applicable, all lot lines and building corners must be staked out a minimum of 10 days before the hearing date.

8.) The address of the property must be clearly marked and visible from the road.

9.) A fee of * Dollars as established by the township board is attached to the application. Applicant understands that the fee will not be refunded in whole or in part regardless of the outcome of the decision.

* \$295.00 – Single unit (excludes subdivisions, site condo plans, commercial, or apartment buildings greater than 4 units.

\$495.00 – All others.

10.) The Applicant:

A.) Has received and read the attached provisions of the Township Zoning Ordinance in regards to Article 66.0 "Zoning Board of Appeals" and understands that a public hearing will be established within 45 days of the filing date and

B.) Has also read the sections of the Township Zoning Ordinance that to pertain to this request and

C.) Has complied with the above requested information and understands that the Zoning Board of Appeals reserves the right to adjourn a meeting if the above stated information is not provided and to reschedule it when the information is provided and

D.) Understands that any approval or denial of this application shall not relieve the applicant of compliance with all other applicable provisions of the Township Zoning Ordinance or Building Code and each

variance approved shall be null and void unless authorized activity commences within 180 days after the date of approval.

All information provided in this application is, in all respects, true and correct to the best of my knowledge, and I understand that incorrect information may be grounds for denying the application or voiding any approval granted hereunder.

Christopher Galea

Signature of Applicant

8/27/15

Date

APPLICANT CHECKLIST

The following information must be submitted to the Northfield Township Clerk prior to the application being scheduled for a public hearing:

Completed application form

Statement authorizing variance application if not the owner

Proof of ownership of property

Legal Description of property

8 copies of site plan and required information

Review Fee

For Zoning Board of Appeal Use Only

Appeal of Decision

1.) Name and Office of Official/ Commission:

2.) Date of Decision: _____

3.) Describe Decision that is being appealed :

4.) Describe alternate interpretation or reason for the relief requested:

ACTION TAKEN

The Northfield Township Zoning Board of Appeals reviewed the above requested variance or appeal and on _____, 20__ APPROVED / DISAPPROVED the following:

Signature of ZBA Chair

Signature of ZBA Secretary

Public Hearing Date and Time: _____

Notice Sent to Newspapers _____ for publication on: _____
(Notice shall be given not less than five (5) days nor more than fifteen (15) days before the date of public hearing).

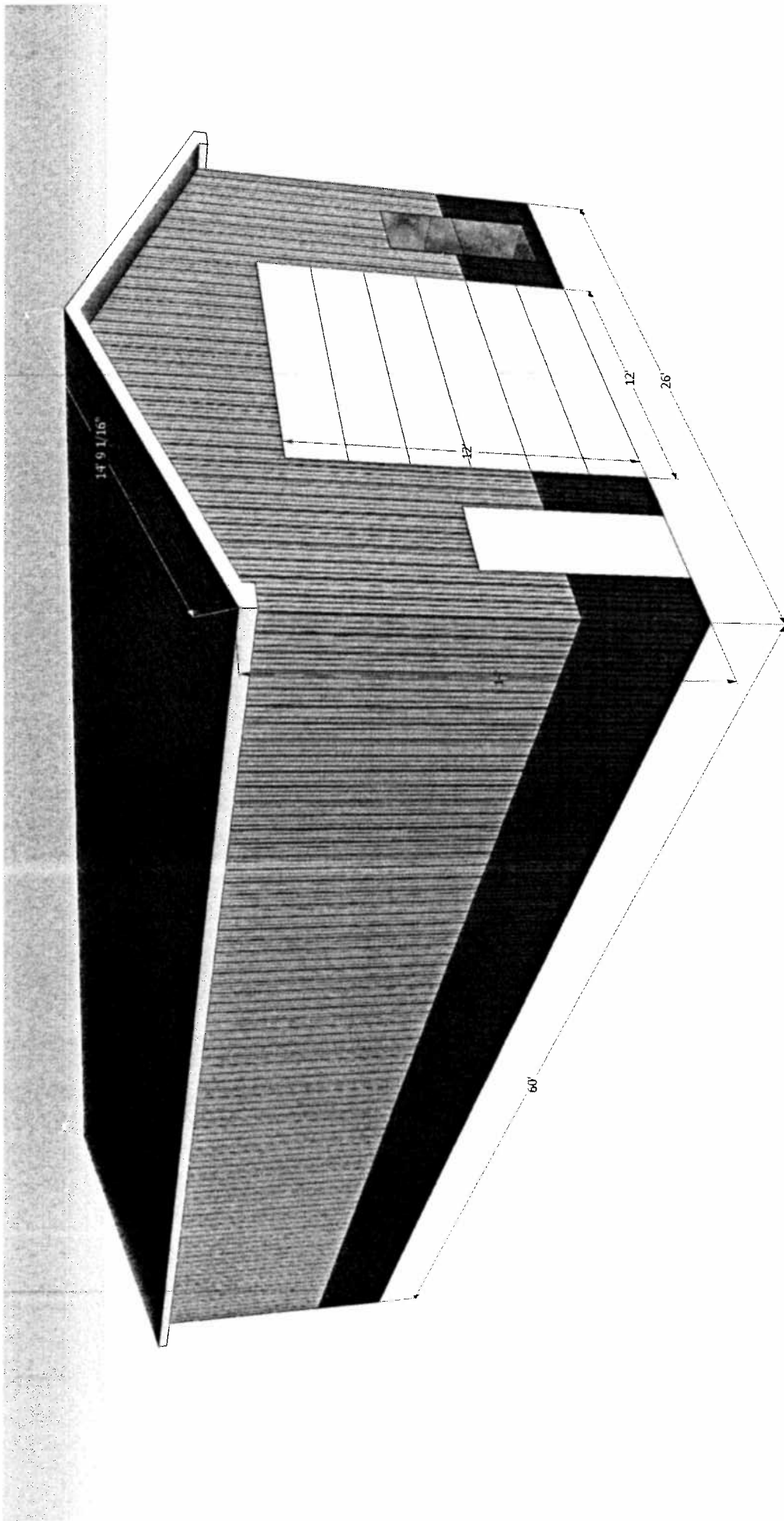
Notice Sent to neighboring owners/occupants:

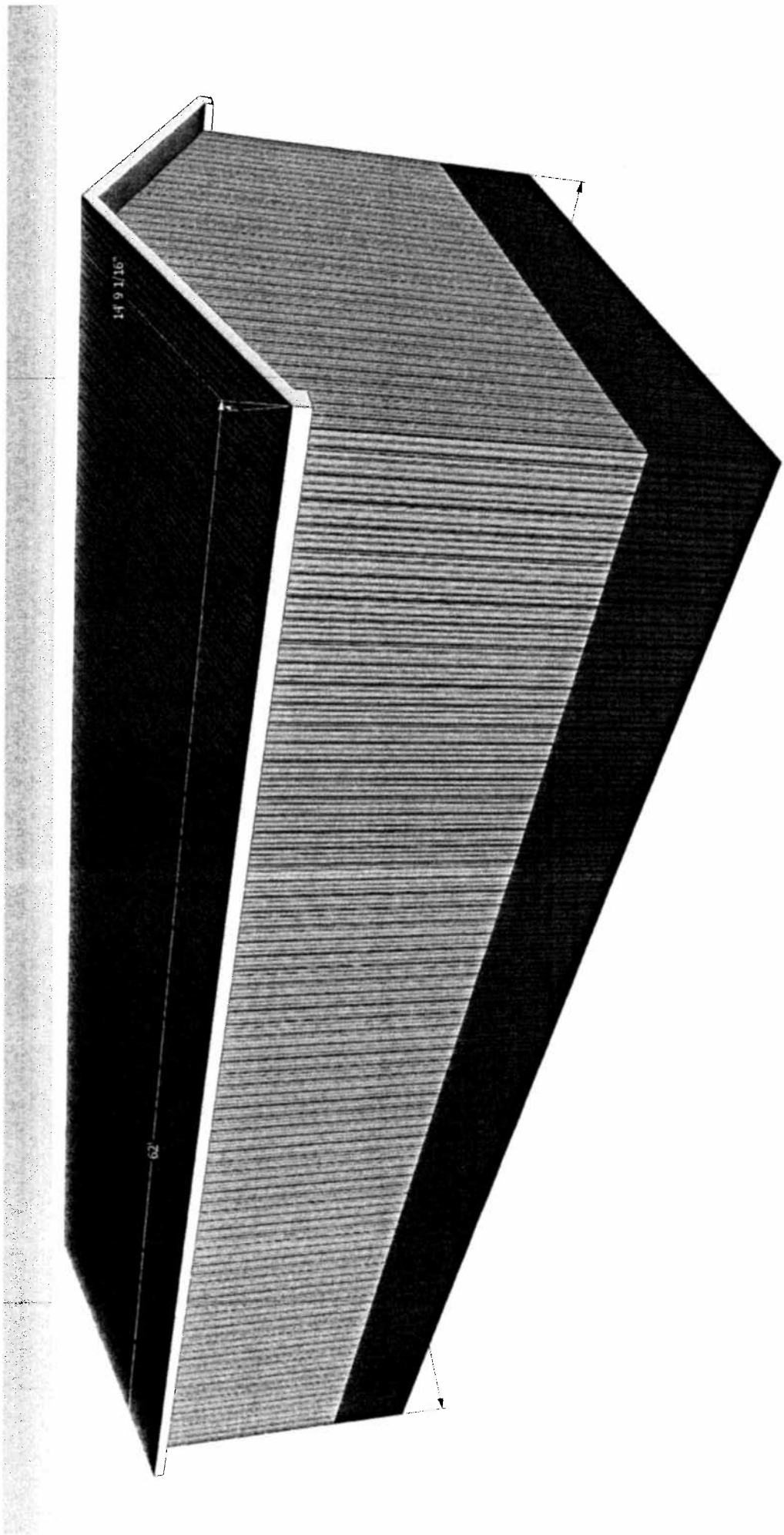
(Notice shall be sent to all persons to whom real property is assessed and to the occupants of all structures within 300 feet of the property.)

Notice sent to Zoning Board of Appeals Members:

Copy of Minutes sent to: _____ File _____
Applicant _____

Building Department _____ Ordinance Enforcement Officer _____

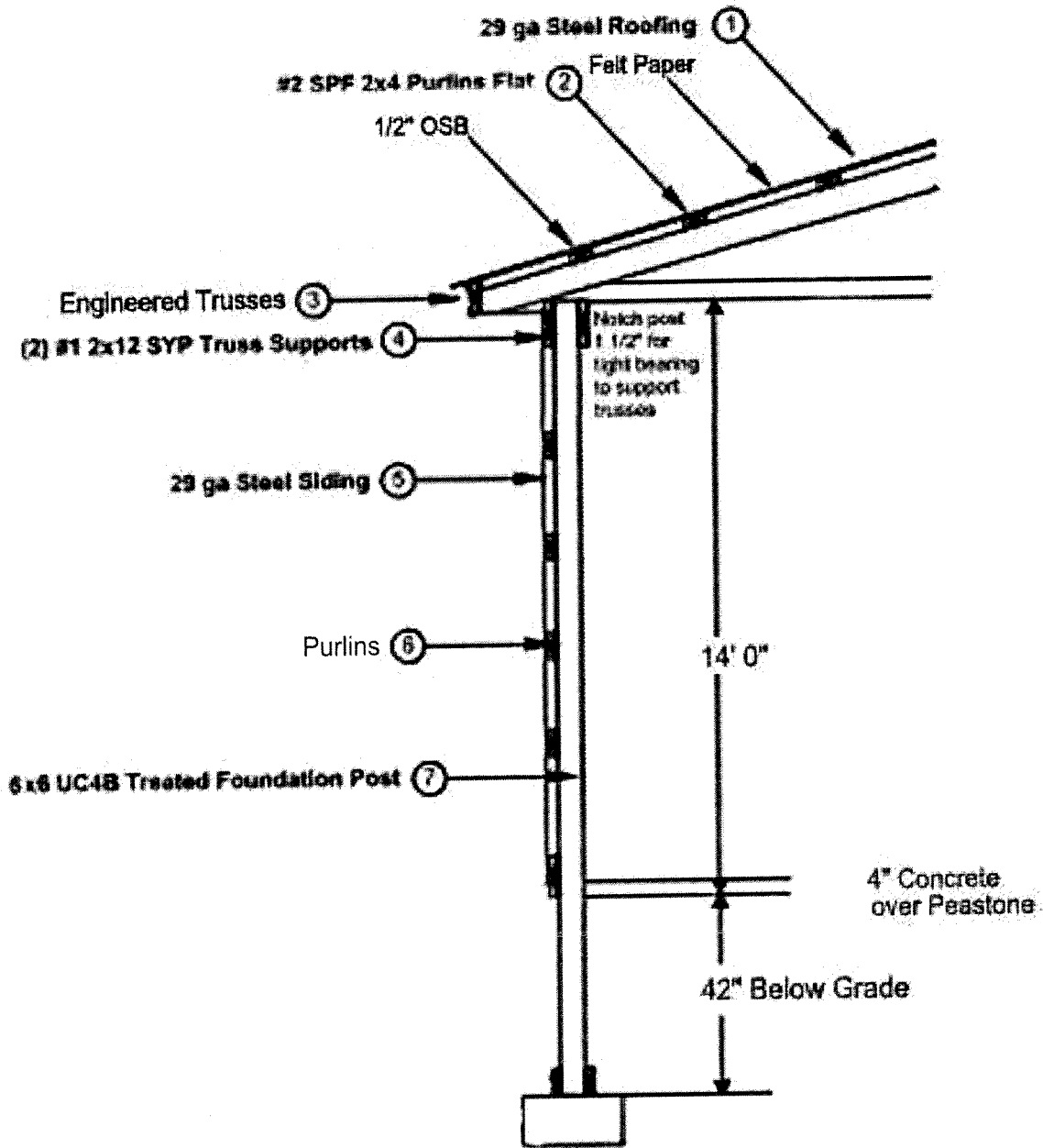




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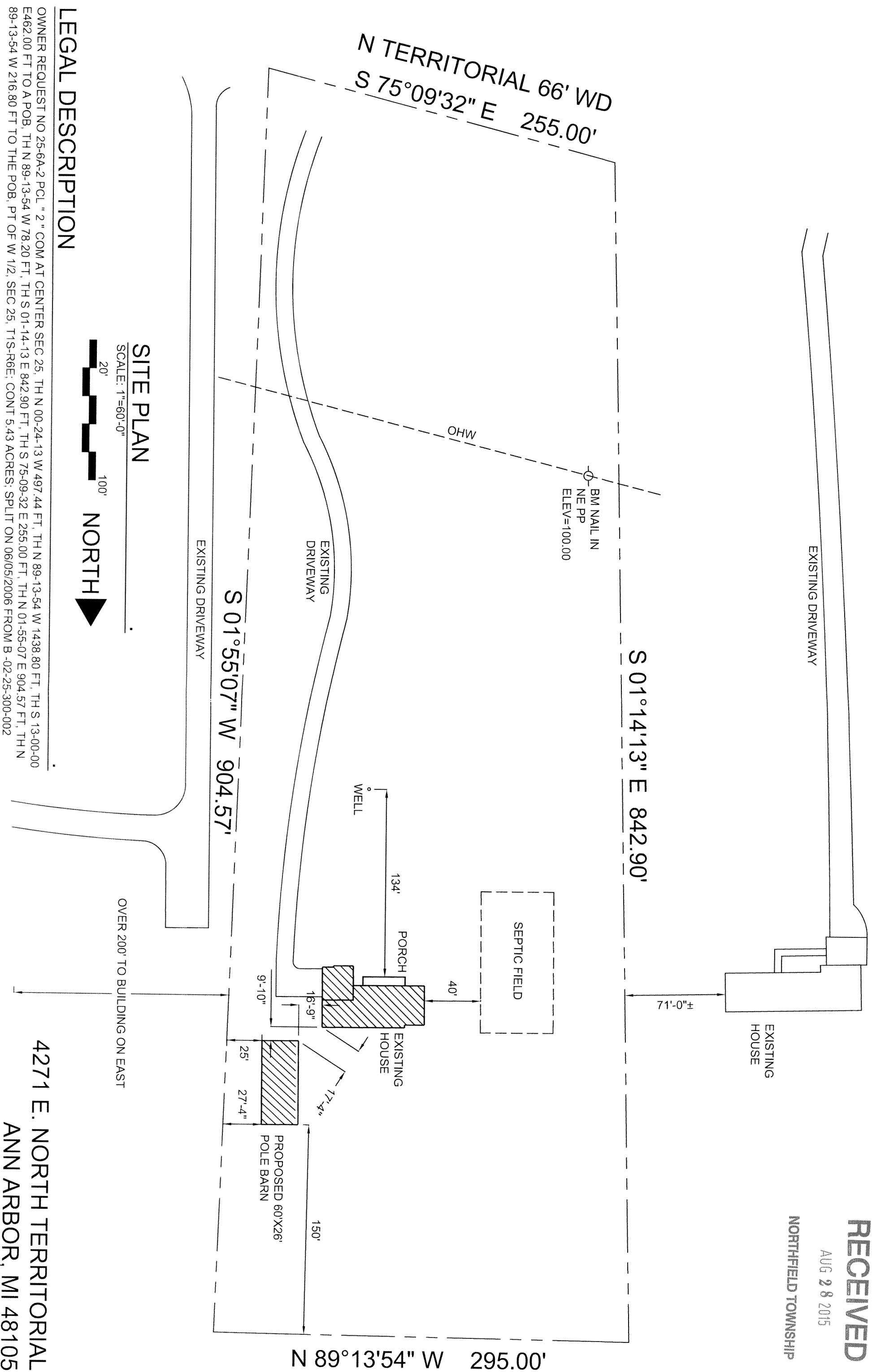
Pole Building Plans



RECEIVED

AUG 28 2015

NORTHFIELD TOWNSHIP



SITE PLAN

SCALE: 1"=60'-0"



LEGAL DESCRIPTION

OWNER REQUEST NO 25-6A-2 PCL " 2 " COM AT CENTER SEC. 25, TH N 00-24-13 W 497.44 FT, TH N 89-13-54 W 1438.80 FT, TH S 13-00-00 E 462.00 FT TO A POB, TH N 89-13-54 W 78.20 FT, TH S 01-14-13 E 842.90 FT, TH S 75-09-32 E 255.00 FT, TH N 01-55-07 E 904.57 FT, TH N 89-13-54 W 216.80 FT TO THE POB, PT OF W 1/2, SEC 25, T1S-R6E; CONT 5.43 ACRES; SPLIT ON 06/05/2006 FROM B -02-25-300-002

4271 E. NORTH TERRITORIAL
ANN ARBOR, MI 48105

**NORTHFIELD TOWNSHIP
ZONING BOARD OF APPEALS
Minutes of Regular Meeting
July 20, 2015**

1. CALL TO ORDER

The meeting was called to order by Chair Kenneth Dignan at 7:03 P.M. at 8350 Main Street.

2. PLEDGE OF ALLEGIANCE

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

Roll call		
Kenneth Dignan		Present
Doug Del Favero	Absent with notice	
Greg Kolecki		Present
Jacqueline Otto		Present
Amy Steffens		Present
Gary Wellings, Alternate (presence not required)		Absent

Also present:
Township Manager Howard Fink
Mary Bird, Assessing & Building Assistant
Kurt Weiland, Zoning Administrator
Members of the public

4. ADOPT AGENDA

- ▶ **Motion:** Dignan moved, Kolecki supported, that the agenda be adopted as presented.
Motion carried 4—0 on a voice vote.

5. CORRESPONDENCE

None.

6. PUBLIC HEARINGS

6A. Case #JZBA150006; Michael and Lisa O'Connell, Location: 6795 N. Dixboro Road; Request for variance from Article 36-719—Private Roads and Driveway Regulations, Section 36-719(d)(3) to allow a driveway of 2,325 feet in length (1,000 feet in excess of the ordinance allowance); Parcel 02-24-400-001; Zoned AR-Agricultural

- ▶ **Motion:** Dignan moved, Otto supported, that the public hearing be opened.
Motion carried 4—0 on a voice call vote.

Michael O'Connor introduced himself and his wife, and said they want to build a house on this 100 acre parcel of which 80 is farmed by Dwight Wilkins. He said their

intent is to continue to rent 60-80 acres to Wilkins and to retain the barn and silos. He explained that the only percable site they found for a septic system is in the northwest corner, and they plan on designing the drive to meander a bit, so they need a variance to have a driveway long enough to reach the building site.

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

- ▶ **Motion:** Dignan moved, Steffens supported, that the public hearing be closed.
Motion carried 4—0 on a voice vote.

7. OLD BUSINESS

None.

8. NEW BUSINESS

8A. Case #JZBA150006; Michael & Lisa O'Connell, Location: 6795 N. Dixboro Road; Request for variance from Article 36-719—Private Roads and Driveway Regulations, Section 36-719(d)(3) to allow a driveway of 2,325 feet in length (1,000 feet in excess of the ordinance allowance); Parcel 02-24-400-001; Zoned AR-Agricultural

Weiland said his understanding for the 1000 foot driveway limit in the ordinance is for emergency vehicles to have acceptable access, and since the agencies providing those services do not object to the report he can see no reason to oppose it. He said he does want to make sure that construction of the driveway is sufficient to support emergency vehicles.

Otto noted that Public Safety Director Wagner stated in his report that he spoke with the O'Connells and they plan on providing a water source near the structure. Mr. O'Connell said the house has not been built yet, but they will be providing a 30,000 gallon pond with a dry hydrant. Weiland said he will not issue a building permit for the house until the items required by Wagner in his memo are established.

In answer to a question from Dignan, Weiland said it is his understanding that this request will be reviewed by the Planning Commission, and at that point the standards for the road building should be monitored by the Township's engineer and an agreement for maintenance of the driveway developed.

**Northfield Township Zoning Board of Appeals
Minutes of Regular Meeting
Public Safety Building; 8350 Main Street
June 16, 2015**

Otto questioned whether the ZBA action should address the standards of the road construction or only its length. Weiland said he sees the ZBA's action being more of granting a reduction of road width to 15 feet rather than permitting a driveway longer than 1,000 feet. Otto said any ZBA approval should be subject to provision of the pond and dry hydrant.

Steffens asked who reviews the driveway specifications. Weiland explained that the Township Engineer would review and comment on that as part of the Planning Commission application. Dignan said he is inclined to consider this to be a driveway. O'Connell said their intent for this application was to seek a variance from the maximum 1,000 foot driveway length to build a standard 15 ft. wide driveway 2,325 feet in length, but constructed with 6" crushed limestone with 6" of 22A stone compacted on top. He noted that while the construction will exceed that required for driveways, it may not meet the curvature or grade requirements of a private road. Weiland asked that if the ZBA approves a variance of driveway length that the construction details provided by O'Connell be a condition.

In answer to a question, O'Connell said the Road Commission has issued a driveway permit at a location that has sufficient sight distance along Dixboro Road.

- ▶ **Motion:** Dignan moved, Otto supported, that the request in Case #JZBA150006 by Michael and Lisa O'Connell for a variance of 1,325 feet from Article 36-719(d)(3) for Parcel 02-24-400-001 be granted, based on the finding that the applicant has met the Standards of Determination in defining the unique characteristics of this property and the appropriateness of placement of their home, which then requires a driveway of 2,325, which is 1, 325 feet in excess of the 1,000 standard. The driveway

will be created a minimum of 15 feet wide, and meet the engineering specifications for a cross section as defined in the plot plan dated June 30, 2015. The applicant shall meet the requirements as defined in Public Safety Director Bill Wagner's memo dated July 8, 2015, in regards to the water source and dry hydrant which would need to be installed and approved by the Fire Department prior to construction beginning of any structures on the property.

Motion carried 4—0 on a voice vote.

9. MINUTES

June 1, 2015

Action delayed due to minutes not being distributed.

10. CALL TO THE PUBLIC

No comments.

11. ZBA MEMBER COMMENTS

None.

12. ANNOUNCEMENT OF NEXT MEETING

August 17, 2015, at 7:00 P.M. at the Public Safety Building was announced as the date and time of the next regular meeting of the Zoning Board of Appeals.

12. ADJOURNMENT

- ▶ **Motion:** Dignan moved, Otto supported, that the meeting be adjourned.
Motion carried 4—0 on a voice vote.

The meeting was adjourned at 7:23 P.M.

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 _____, 2015.

Kenneth Dignan, Chair

Tim Anderson, Secretary

Official minutes of all meetings are available on the Township's website at http://www.twp-northfield.org/government/zoning_board_of_appeals/