



July 28, 2018

Township Board of Trustees and Planning Commission  
Northfield Township  
8350 Main Street  
Whitmore Lake, MI 48189

**Subject: Zoning Administrator Quarterly Report 4/1/2018 – 6/30/2018**

Dear Trustees and Commissioners:

Section 36-971(6) of the Zoning Ordinance requires the Zoning Administrator to submit to the Township Board and Planning Commission, a quarterly report in which a summary of the activities of the office is presented. Following is a concise summary of the activities of note in the SECOND quarter of 2018 (April 1 through June 30).

**Zoning Compliance Applications: A total of 29 applications were APPROVED.**

1. Approved seven (7) new dwellings/additions to existing dwellings.
2. Approved six (6) new accessory structures such as sheds, garages and pole barns.
3. Approved one (1) new deck.
4. Approved seven (7) new fence permits.
5. Approved one (1) solar panel array installation.

**Non-residential Uses:**

1. ***People's Express/175 Barker*** – Approved use of site for proposed office and associated vehicle parking/storage. Site plan and conditional land use approval is required from the Planning Commission and Board of Trustees.
2. ***Office Use/8425 Main Street*** – Approved use of existing site for professional general office use. Site is in need of improvements. Administrative site plan approval is still required.
3. ***Library Pavilion/125 Barker*** – Approved the construction of a 1200 square foot library pavilion. Due to size of structure site plan approval is required from Planning Commission.
4. ***Church/279 Dartmoor*** – Approved as a lawful existing non-conforming use. Was brought to Township's attention by code officer since site has no record of any approvals for a church use. Any future expansion or alteration of use will require approval from Township.
5. ***Jump 'n Tack/9571 N. Main*** – Existing retail use occupying building with no approvals from Township. The retail use was approved subject to applicant applying for administrative site plan approval. To date, no application has been received and applicant is non-complaint.
6. ***Therapist Use/100 Barker*** – A psychotherapist (medical office) use was approved for one of the 2 tenant spaces that previously recd. administrative site plan approval. To date, property owner has not complied with conditions of site plan approval.

**HEADQUARTERS**

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7. **Spiritus Sanctus/4225 E. Joy Road** - Approved construction of a new building for school administration along with associated parking and site improvements. Site plan and conditional land use approval is required from the Planning Commission and Board of Trustees.

### Denied

1. **9385 Spencer/Seawall Installation Business** – Use was operating from AR zoned parcel for years with no approvals. Property was listed as a residential property in Township Assessor's records even though it was registered with State of Michigan as a LLC. Outdoor storage of commercial equipment and trade uses are not permitted in the AR district. The use was therefore denied. It is our understanding that the applicant has now removed the unlawful commercial use from the property.
2. An application for a garage was denied due to submission of an inaccurate survey. Survey is very important to ensure that the new structure is not encroaching into setbacks or neighbor's property. Have asked for revised drawings.
3. An application for a pool was denied since it was placed in the setback area. Have asked for revised drawings.
4. Applications for 2 pole barns and a shed were denied due to inaccurate drawings or non-compliance with setbacks. Subsequently applicants corrected the drawings and the structures were approved.

### Intentional Non-Compliance

A request for fence at 9859 N. Main from Mr. Gary Dillon was partly denied. The site is located in the WLD-W district and is located on both sides of Main Street. The drawing submitted was poorly drawn and illegible in several places. The applicant was informed that the fence on the west side of the street could be approved with a clear notation of dimensions and fence type, while the fence on the east side of Main Street was denied because Section 36-715 (d) (2) a., states that "*fences in a front yard or a street yard shall not be permitted in a commercial or office district except where required by the Township Planning Commission.*" The applicant was informed that if and when the applicant submits a plan for consideration by the Planning Commission, the fence can be shown and reviewed by the PC. Other fences on the east side of Main Street on commercial or office zoned properties are existing non-conforming fences. New non-conformities cannot be permitted based on the existence of non-conforming fences.

**In spite of the denial, the applicant has gone ahead and installed all the fences, none of which have been approved at this time. The installation is in complete defiance of the Township Zoning Ordinance and Administration.**

### Zoning Board of Appeals Cases:

1. **330 Delaware/Fence** – Fence was installed with no approvals. Upon receiving notice from former Code Enforcement officer the applicant applied for approval when it was determined that the fence as installed is not in compliance with the Ordinance. The applicant is seeking an "after the fact" approval and is scheduled for consideration at the August BZA meeting.
2. **2931 E. Joy/Sutton Schoolhouse** – Received approval of setback variances for construction of an addition to the historic Sutton schoolhouse building to convert it to a single family residential dwelling. The parcel is a legal non-conforming lot of record that was in existence prior to the adoption of the Township's Zoning Code.



**Final Site Inspections:** None this quarter.

**Zoning Administrator Office Hours:**

I have office hours at Township Hall every Wednesday for four (4) hours in the morning. I work with the Zoning Coordinator, Township Manager and Code Enforcement official (when available) to address and resolve issues by meeting with property owners and going on-site inspections. I am also available to meet by appointment with any resident who has any questions or concerns regarding zoning matters. Over the past 3 months, I have had several meetings with homeowners to help them with zoning related questions. I have also met with many existing business owners in response to code enforcement issues, to help them bring the site into compliance.

Due to a lack of a Code Enforcement officer at this time, we have been unable to follow up on several pending cases or address the complaints received from some residents. As a Zoning Administrator, I do not have the authority nor am I authorized to handle any matters related to Code Enforcement. Once the Township has a new Code Official, I hope to revisit several pending cases and work with business owners and property owners to achieve compliance with the Zoning Ordinance.

**Other Items:** The Zoning Coordinator and I have dealt with several difficult approvals and code enforcement issues. One such issue resulted in the resignation of the Code Enforcement officer. Several residents that are unhappy with Ordinance requirements have become irate, verbally abusive and threatening. It is our goal to do our best to help people within the limits that are established in the Zoning Ordinance. Waiving requirements of the Ordinance is not my prerogative. It is possible that posting a sign indicating appropriate behavior is required in the Township lobby could be useful.

As noted above, we have several property owners who are operating businesses or have installed structures which have been denied or with no approvals, in complete defiance of the Township. Such blatant non-compliance will completely undermine the Township Zoning Ordinance and affect the ability of the Township to defend itself in the event the Ordinance is challenged by someone. **Regulations and standards in the Zoning Ordinance must be enforced for it to be valid and to safeguard the Township's legal interests in the event of a challenge.**

As the Zoning Administrator, I strive to be prompt and attentive to the needs of the applicants while ensuring that they understand the process and also comply with the rules and regulations set forth in the Zoning Ordinance.

Respectfully submitted,  
**McKenna**



Vidya Krishnan  
Senior Planner

