

**THE CHARTER TOWNSHIP OF CHESTERFIELD
ZONING BOARD OF APPEALS**

June 12, 2013

On June 12, 2013, a regular meeting of the Chesterfield Township Zoning Board of Appeals was held at the Township Hall located at 47275 Sugarbush, Chesterfield, MI 48047.

1. **CALL TO ORDER:** Chairman Stepnak called the meeting to order at 7:00 P.M.

2. **ROLL CALL:** Present: Marvin Stepnak, Chairman
James Klonowski, Vice-Chairman
Thomas Yaschen, Secretary
Hank Anderson, Township Board liaison
Carl Leonard, Planning Commission liaison
Patrick Militello

Absent: Wendy Jones, *excused*

Mr. Shortt attended the meeting as the representative of the Building Department.

3. **PLEDGE OF ALLEGIANCE:**

Chairman Stepnak explained the procedures to the audience.

4. **ZBA PETITION #2013-08:** Joseph and Renee Jozwiak, 28308 Charleen Road, Chesterfield, MI 48047. Requesting a variance to allow a 12' x 16' shed for a total of 192 square feet, which is 72 square feet over the allowable 120 square feet for property located at the address listed above.

Joseph Jozwiak, 28308 Charleen Road, Chesterfield, MI 48047 addressed the board.

Petitioner stated that he was requesting a variance to build a back yard garden shed slightly larger than allowed by the ordinance.

Mr. Militello asked if the shed would match the petitioner's existing home or would it be a prefab shed?

Petitioner stated that he would be using a prefabricated shed and he had a picture of the model he and his wife picked out. He added that the wood and paint would match his home.

Chairman Stepnak asked if the petitioner had copies of the picture for each of the board to see.

Petitioner stated that he had only one color copy and he had multiple copies in black and white.

Chairman Stepnak asked the petitioner to just bring up the color copy and one black and white copy up to the board. He stated that they would return the color copy and keep the other for their records.

Petitioner brought the paperwork up to the board.

Mr. Militello verified that the petitioner would not be looking for a variance to encroach on the lot line or the easement.

Petitioner stated that he went over the criteria and made sure they would be one foot off the back easement and three feet from the side yard setbacks.

Mr. Yaschen asked if this was basically a utility shed and verified that the petitioner would not be planning to use it for any kind of business or home office?

Petitioner stated that he would not be using the structure for a business. He had a riding lawnmower, lawn furniture and gardening tools that he wanted to store in the shed.

Mr. Yaschen reiterated so it would strictly be a utility shed?

Petitioner answered yes. He basically would like to take the lawn mower and the other things that he currently stores in his garage and put it into the shed. He mentioned that currently he has to park his cars in the driveway because his garage is used for storage.

Mr. Leonard verified so the paint and wood trim would match the home, he asked would the shingles on the roof of the shed also match the home?

Petitioner replied yes.

Mr. Leonard stated that he would not really have a problem if the petitioner decided to install electrical in the shed for lights and maybe battery chargers for tools.

Petitioner stated that he could run conduit for electrical.

Mr. Leonard explained that the electrical stipulations would be according to whatever are the Building Department's requirements. He just mentioned that electrical would be all right and that the petitioner would not need any other utilities. He asked if a 10' x 12' shed would provide enough storage room for the petitioner's needs?

Petitioner explained that he moved to Chesterfield from Clinton Township where he had a 12' x 14' shed, so he got acquainted with a space that big and the things he has accumulated would not fit in a smaller shed.

Mr. Leonard commented that the petitioner's garage is a standard 2-car structure and he did notice that neither of the cars was parked inside the garage. He mentioned that some of the other neighbors had sheds, however, he did not know the size of those sheds. He commented that he did not think the petitioner could enlarge his garage because of the setbacks.

Petitioner replied no he could not expand the garage because he already looked into that. He stated that the shed was his only alternative. He mentioned that his next door neighbors have a 10' x 12' shed and the neighbor two doors down has a 12' x 14' structure.

Mr. Klonowski asked if the petitioner's garage size was about 22' x 22'.

Petitioner answered that sounded about right. It was a standard size garage.

Mr. Klonowski stated that it was about 480 square feet. He asked the proposed height of the shed?

Petitioner replied that he did not know

Mr. Leonard stated that the paperwork stated that the height would be 7'.

Mr. Anderson stated that all of his questions had been answered.

Chairman Stepnak stated that it looked like a pretty standard shed. He explained that sometimes when a petitioner requests a larger shed the board would be concerned that the person might run a business out of the structure. He commented that he did not believe this shed would be conducive for running a business so he did not think the board needed to get a signed affidavit in this case. He stated that the petitioner is only requesting a couple more feet and does not have a problem with it because it would be basically used for storage of lawn equipment. He asked Mr. Shortt for any comments from the Building Department.

Mr. Shortt stated that because the shed would be three feet from the property line he will require gutters on it.

Petitioner stated okay.

Mr. Shortt stated that it looked like the petitioner's yard drains to Lot 159.

Petitioner stated that all the lots drain in the rear to the fence because there is a storm drain back there.

Mr. Shortt stated that the petitioner's Lot 160 looks as if it drains onto to Lot 159 at the rear, so if they throw gutters on the shed, the petitioner could maintain his own water run-off.

Petitioner stated no problem.

Mr. Shortt stated that the Building Department had no problems with the shed.

There were no Public Comments.

Chairman Stepnak verified with the petitioner that he understood the Building Department's concerns about the gutters and water run-off and asked if the petitioner was willing to work with them on that?

Petitioner answered yes and that he would work with the Building Department.

Motion by Mr. Leonard to approve Petition # 2013-08 to allow the petitioner to put in a larger shed by 72 square feet more than allowed by the ordinance. The petitioner has agreed to install gutters on the shed. He added that if the petitioner would like to install electricity in the shed he does not have an issue with that. He stated that his reasoning for making the motion would be that the garage could not be enlarged and the shed would not be that much over the allowable square footage.

Supported by Mr. Militello

Ayes: All

Nays: None

Motion Granted

5. **OLD BUSINESS:**

There was no old business.

6. **NEW BUSINESS:**

There was no new business.

7. **APPROVAL OF MINUTES FROM PRIOR MEETING:**

Motion by Mr. Yaschen to approve the minutes from the May 22, 2013 ZBA meeting.

Supported by Mr. Militello

Ayes: All

Nays: None

Motion Granted

8. **COMMENTS FROM THE FLOOR:**

Mr. Yaschen mentioned that there were three petitions on the agenda for the next meeting.

Mr. Leonard mentioned that he had heard Zoning got additional staff and that he had some concerns. He stated that the paperwork has changed and it would not be an issue right now when there are one or two items on an agenda; however, if we get five or six items like they used to get it might be a problem. He asked if the other board members remember the little map they used to put in the paperwork with the area circled. He stated even with GPS, it would be nice to know ahead of time to look at those maps and create your route.

Chairman Stepnak stated that was how he did it. He would look at the maps and decide which route to take.

Mr. Leonard stated that they would still need to use GPS, however, it would be a lot easier with a map to plan their route.

Chairman Stepnak asked that this discussion be put into the meeting minutes because Mr. Leonard and some other members have a concern about the documentation and the board members would like the maps.

Mr. Leonard stated that it was not a complaint; it was just a request.

Chairman Stepnak reminded the members that they are the deciding board, their decisions are final and cannot be appealed to the Township Board and this is an existing problem. He stated that if the board's paperwork is not in order by the time it has been transmitted to the attorneys or legal staff, it could put the Township at a disadvantage. He stated that there should be a standard as far as the paperwork they are receiving because if they need to transmit this paperwork up into legal there could be issues of that nature. He explained that at times the paperwork is not very clear and they have run into issues where they have dissention among the board members. He stated that then the board is polled for their opinions on a matter. He mentioned that he remembered they had an attorney in town that took 30 minutes of their time complaining because some of the maps being introduced were not to scale. He stated that if the board is not getting the proper paperwork and documentation presented to them that could be a major issue when something is transmitted into the court system. He stated that they were just trying to protect the Township. He commented that the maps are not just to plan their routes. He stated that the board needs the paperwork and the format to be the same and in order for all the petitions.

Mr. Leonard stated that if some of the paperwork has changed because of staffing then maybe they can slide back to the way things used to be and there would be some continuity as far as the paperwork. He stated that the ZBA may get petitions in the double digits this year and there may be a lot of controversial stuff coming up.

9. ADJOURNMENT:

Motion by Mr. Yaschen to adjourn at 7:24 PM.

Supported by Chairman Stepnak

Ayes: All

Nays: None

Motion Granted

Thomas Yaschen, Secretary

Grace Mastronardi, Recording Secretary