

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

October 23, 2013

On October 23, 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
Patrick Militello
Wendy Jones

Absent: Carl Leonard, Planning Comm. Liaison, *excused*

Mr. Shawn Shortt attended the meeting as the representative from the Building Department.

3. **PLEDGE OF ALLEGIANCE:**

Chairman Stepnak explained the procedures to the audience.

4. **ZBA PETITION # 2013-22:** Ronald Misch, 36378 Melbourne, Sterling Heights, MI 48312. Requesting a variance from section #76-331. (1) Yards and special rules for certain locations. (The distance of the setback shall be a distance equal to the average of the first like structures to the left and the first six like structures to the right of the proposed building.) This request is for a proposed new home located at 47814 Harbor Drive.

Ronald Misch, 36378 Melbourne, Sterling Heights, MI 48312 addressed the board.

Petitioner stated that they would like to build a house on some property they purchased on Harbor Drive. He explained that the zoning for that property states that their home has to have a setback the distance equal to the average first like structures in either direction and that their home has to be the same distance on the lake side and on the street. He stated that when they do that it does not leave much room for their house. So they would like to get a variance so they would be able to build a home on the property. He mentioned that he had a chart that shows proportionately

where all the other houses are located on Harbor Drive, if the board members would like to see it.

Mr. Yaschen asked the petitioner to bring pass the chart to the board.

Petitioner passed out copies of the paperwork to the board members.

Mr. Yaschen asked if the house highlighted in green was the one belonging to the petitioner?

Petitioner answered yes.

Mr. Yaschen asked Mr. Shortt if the Building Department had any problems or concerns with the location of the home?

Mr. Shortt replied no. He stated that the only reason the petitioner was in front of the board was the ordinance. He mentioned however, that he thought the surveyor's plans were wrong that because it is lake front property and therefore the lake would be the front yard and the street side would be the back.

Petitioner stated that he thought the plans were correct however he did not know what the surveyor put on the plans.

Mr. Shortt stated that if they look at lot 72 and it states that it is only 82' from the rear and that would be way ahead of the petitioner's home, and he assumes it would actually be a couple hundred feet. He stated that he thought the surveyor had it backwards.

Petitioner admitted that could be.

Mr. Shortt reiterated that the lake side is the front of the property and the street side is the back. He stated that the Building Department does not have a problem with the house going in this location.

Mr. Klonowski asked if there was a structure already on the property?

Petitioner replied no, but there used to be a house there.

Mr. Klonowski asked what this thing drawn over here and he showed the petitioner the area on the plans.

Petitioner stated that was a location indicated where they wanted to eventually put a swimming pool.

Mr. Klonowski asked if the pool was part of this petition?

Petitioner answered no

Mr. Klonowski stated that if the house was closer to the lake there would possibly be an issue with the site line. However, the petitioner's home would actually be set back and he does not really have an issue with it. He commented that he understands the reasoning for the ordinance, but this actually does work and there is uniformity. The home does not protrude toward the street or toward the lake and the placement of the home in this area fits in when looking at the locations of the other homes.

Ms. Jones commented that this home would be uniform with what is already there and it would sit back farther than most of the other homes.

Mr. Militello stated that the home would be set back further than the existing homes. He asked if the home would be a two-story or a ranch?

Petitioner replied it would be a two-story home.

Mr. Militello asked if there would be any issues with site lines on either side of the home and would it obstruct any one's view of the lake?

Petitioner answered no in fact the face of the home would be equal in distance from the lake to the home at the south.

Mr. Militello stated that he really did not see a major issue with the request.

Mr. Anderson commented that the issue had already been addressed quite well.

Chairman Stepnak explained that a lot of houses in this area were cottages at one time and the area was not developed for people to be living here on a permanent basis. He added that was why some of the ordinances were in place to safeguard the area for residents that have been around here a long time. He mentioned that he did not have a problem with the petitioner's request. He stated that the petitioner should remember that the lake side is considered the front yard and the street side is considered the back and the petitioner should remember that for the future. He asked Mr. Shortt if there were any problems from the Building Department?

Mr. Shortt stated that they would get all the flood plain things together when the petitioner submits the plans. He asked if the petitioner was putting in a basement?

Petitioner replied yes.

Mr. Shortt reiterated that the Building Department has no problems with the variance.

Motion by Ms. Jones to approve Petition # 2013-22 for the setback the reason being that the setback would be pretty uniform with the rest of the homes on the block.

Supported by Klonowski

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 Chairman Stepnak to approve the minutes from the October 9, 2013 meeting.

Supported by Mr. Yaschen

Ayes: All

Nays: None

Motion Granted

8. COMMENTS FROM THE FLOOR:

There were no comments from the floor.

9. ADJOURNMENT:

Motion by Chairman Stepnak to adjourn at 7:08 PM

Supported by Mr. Militello

Ayes: All

Nays: None

Motion Granted