

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

September 10, 2014

On September 10, 2014, 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
Hank Anderson, Twp. Board Liaison
Thomas Yaschen, Secretary
Carl Leonard, Planning Comm. Liaison
Patrick Militello

Absent: Wendy Jones, *excused*

Gary DeMaster 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 #2014-21:** Mark Lohmann who resides at 48682 Harbor Drive, Chesterfield, MI 48047 requesting a variance on Section 76-331, Provisions applicable to Agricultural & Residential Districts, (1) the distance of the setback shall be a distance equal to the average of the first like structures to the left and the first like structures to the right of the proposal. Petitioner is requesting a 2nd level deck with overhang to their existing home located at the above address.

Mark Lohmann who resides at 48682 Harbor Drive, Chesterfield, MI 48047 addressed the board.

Petitioner stated that he was requesting to build a second level deck off the back of his home

Mr. Leonard stated that in certain areas along the water houses are not in a straight line. It is very common for the property to snake along from one end to the other. He explained that it is pretty much impossible to have anything line up. He explained that this is a similar situation that happened when he built his home and as much as the petitioner might try things will be staggered and as long as the neighbors are fine with it; there is harmony. He mentioned that the petitioner lived in this home for 20 years and he knows the people living next door and those neighbors do not have a problem with it. The house would stick out a little in front of the neighboring houses, but there would be 108' from the addition to the sea wall up there at best. The petitioner is not going out another 20', the addition would only be 12' which is minimal and he really does not have a problem with this. He verified that there would be a roof cover over the deck.

Petitioner stated that he would just be extending the current roof to cover the deck.

Mr. Leonard asked so the roof would cover the deck and there would be a patio underneath that.

Petitioner replied yes. He mentioned that he discussed the plan with each of his neighbors and they all signed stating that they had no issue with it.

Mr. Leonard asked if the petitioner has never asked for a variance before?

Petitioner replied no.

Mr. Leonard stated that personally, as a person who lives on the waterfront, he does not have a problem with this.

Mr. Anderson stated that he supported Mr. Leonard's position. He asked Mr. DeMaster if he had any issues with the variance?

Mr. DeMaster replied no. He stated that all the houses are staggered and their setbacks are dictated by the location of the homes six to the right and six to the left. He stated that the Building Department has no problem with the variance.

Mr. Militello stated that he had no questions and agrees with the other board members.

Mr. Klonowski asked the petitioner to point out his home on the satellite photo?

Petitioner replied that his home was the one in the middle.

Mr. Klonowski asked pointing to the photo if these are trees in this area?

Petitioner answered yes.

Mr. Klonowski commented that he thought the trees were more of a site line issue than the deck. He stated that he did not have a problem with the variance.

Mr. Yaschen had no problems with it.

Mr. Yaschen read a letter from the petitioner's neighbors stating that they had no issues with the addition. The letter was signed by: Jerome Masakowski, Dan and Dawn Hucul, Stanley Masakowski, and Jeff Himanek. The letter was retained for the ZBA records.

Chairman Stepnak had no problems or concerns on this issue.

Public Comments:

There were no Public Comments.

Motion by Mr. Leonard to approve Petition #2014-21 to allow for a deck to project out 12' off the front yard for a second floor porch cover and a deck.

Supported Mr. Yaschen

Mr. Klonowski stated that the petition stated a variance of 14'. He asked if it was 14'?

Mr. Leonard replied that the deck would be 12'.

Mr. DeMaster explained that the structure would be 12' and there would be a 2' roof overhang.

Mr. Klonowski stated that just for the record, he thought they should add the overhang and make the variance for 14'.

Mr. Leonard stated that he would amend his Motion to allow a 14' variance to include the overhang.

Mr. Yaschen continued support.

Ayes: All

Nays: None

Motion Granted

5. OLD BUSINESS:

There was no old business.

6. **NEW BUSINESS:**

Mr. Yaschen stated that the meeting scheduled for September 24th had been cancelled.

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

Motion by Mr. Yaschen to approve the minutes from the meeting on August 27, 2014.

Supported Mr. Anderson

Ayes: All

Nays: None

Motion Granted

8. **COMMENTS FROM THE FLOOR:**

Chairman Stepnak thanked Mr. DeMaster for attending the meeting.

9. **ADJOURNMENT:**

Motion by Mr. Klonowski to adjourn at 7:09 PM

Supported by Mr. Yaschen

Ayes: All

Nays: None

Motion Granted

Thomas Yaschen, Secretary

Grace Mastronardi, Recording Secretary