

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

**OCTOBER 14, 2015**

On October 14, 2015, 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 *excused*  
David Joseph, Twp. Board Liaison  
Carl Leonard, Planning Comm. Liaison  
Wendy Jones  
Patrick Militello

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 #2015-15: Catherine Stienke, 25960 Queen, Chesterfield, MI 48051. Requesting a variance for a second garage and a 1' rear yard setback for a proposed garage at the above address.**

Catherine Stienke & Andy Nelson, 25960 Queen, Chesterfield MI 48051 addressed the board.

The petitioners stated that they would like to build an additional garage behind their house. They went around to the neighbors in the area and explained the project. She got signatures from them to show the board that they didn't have a problem with the addition. She also provided the board with copies of the applications.

Mr. Joseph asked Mr. DeMasters what ordinances this request would fringe upon?

Mr. DeMasters replied that in the ordinance you are only allowed to have one garage/shed on this size property. In order to have two you would need at least a one acre lot. The ordinance also states that you are not allowed more than a 30 percent lot coverage and this project would exceed that.

Mr. Joseph explained to the petitioners that they would need to prove a hardship.

The petitioners stated that when they bought the property they were told that they would be allowed to build a second garage on it. They would like to build the garage to store a pickup truck and additional equipment.

Mr. Leonard stated that he agreed with Mr. DeMasters. He also asked the petitioner if they would have to tear into the patio to fit the garage in?

The petitioners replied no, that is why they are asking for the 1ft variance.

Mr. Klonowski stated that he felt it was an overkill on the lot.

Ms. Jones stated that she drove passed and it looked like the proposed garage would be right on top of the neighbors lot.

The petitioners stated that it would be 6 to 7ft from the fence line but the neighbors are alright with it, they also signed stating that they were for the petition.

Ms. Jones asked the petitioners if they were going to be using the garage for a business.

The petitioners replied no.

Mr. Militello stated that he agreed with the other board members that it would be an overkill on the property.

Mr. Yaschen read a letter that stated they didn't have a problem with the proposed garage addition. It was signed by 8 neighbors. Also another letter was written by Steven and Carol, also neighbors stating that they do not have a problem with the proposed garage addition.

There were no comments from the public

Mr. Stepnak commended the petitioners for going around and getting signatures but he feels that this taking discretion away from the way they planned out the subdivision in this community. He feels it is too large of a structure for this particular property.

Mr. Joseph wanted to let the petitioners know why he was voting against this particular petition. He stated that he feels that if he were to approve this petition it would set an example that everyone else in the sub could do the same thing which would pose a problem down the road in the subdivision.

**Motion** by Klonowski to deny petition #2015-15 on lack of evidence of practical difficulty for this variance. Also, the variance would exceed the 30ft lot coverage resulting in an overbuild on this lot.

**Supported** by Mr. Yaschen

**Ayes: ALL**

**Nays: NONE**

**Motion Carried**

Mr. Stepnak polled the board for additional comments

Mr. Klonowski didn't have any comments

Mr. Militello stated that he agrees with the motion made by Mr. Klonowski that it would be an overbuild on the lot.

Mr. Leonard stated that he also agrees with the motion.

Mr. Yaschen stated that he agrees with his fellow board members

Ms. Jones stated that she regretfully has to agree with the board.

Mr. Joseph addressed the petitioners and asked that they take the time to speak with the Building Department about potential alternatives. He went on to say that this plan was just a little too much for them to approve but maybe they can come back with an alternative plan.

The petitioner stated that she would come in and speak to the Building Department tomorrow.

Mr. Stepnak stated that he felt it was an overkill to the site.

**5. ZBA PETITION #2015-16: Steve Cancel, 46815 Summertime, Chesterfield, MI 48047. Requesting a variance to allow an above grade Deck to be located in the side yard in lieu of the rear located at the Above address.**

Mr. Ottavio Palazzolo addressed the board.

The petitioner stated that he was talking with Mr. DeMasters and there was some Confusion on the requested variance. He stated that the proposal is for a second story Deck and it may have been portrayed as a lower level porch instead.

Mr. DeMasters agreed

Mr. Stepnak stated that he wants to make sure that the proposal is published properly. He stated that they would have to table the petition and that the petitioner would need to To speak to the Planning Department to see about additional paper work and fees. Also the petitioner should see Mr. DeMasters in the Building Department.

**Motion** by Mr. Militello to table petition #2015-16 to the November 25<sup>th</sup> meeting

**Supported** by Mr. Klonowski

**Ayes: ALL**

**Nays: None**

**Motion: Granted**

6. **OLD BUSINESS:**

Mr. Leonard mentioned a Billboard proposal that would be coming to a future meeting. He also stated that the conference was wonderful.

7. **NEW BUSINESS:**

There was no new business.

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

**Motion** by Mr. Yaschen to approve the minutes from the September 23, 2015 meeting.

**Supported** by Mr. Stepnak

**Ayes: All**

**Nays: None**

**Motion Granted**

**9. COMMENTS FROM THE FLOOR:**

Mr. Pool had a question regarding an ordinance violation on a privacy fence.

Mr. Stepnak explained that the board is not able to handle this type of situation. He suggested that the resident contact code enforcement.

There was discussion amongst the board members on the procedures of approving various petitions.

**10. ADJOURNMENT:**

**Motion** by Mr. Yaschen to adjourn at 7:50

**Supported** by Mr. Klonowski

**Ayes: All**

**Nays: None**

**Motion Granted**

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*Thomas Yaschen, Secretary*

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*Julie Jones, Recording Secretary*