

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

**September 14, 2016**

On September 14, 2016 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: James Klonowski, Vice-Chairman  
Carl Leonard, Planning Comm. Liaison  
David Joseph, Twp. Board Liaison  
Wendy Jones  
Brian Carr

Absent: Marvin Stepnak, Chairman, *excused*  
Thomas Yaschen, Secretary, *excused*

3. **PLEDGE OF ALLEGIANCE:**

Chairman Stepnak explained the procedures to the audience.

4. **ZBA PETITION #2016-19: Dejan Nicevski, 48246 Harbor Drive, Chesterfield, MI 48047 Requesting a variance from the required 78.4' setback to a 55' setback.**

Dejan Nicevski, 48246 Harbor Drive, Chesterfield, MI addressed the board.

Petitioner stated that they are petitioning to get a variance on their front yard setback for the average which is 78.4' and they are looking at building 55' from the road.

Mr. Klonowski stated that there was some confusion because normally on the water the front yard setback is on the lake side. He asked Mr. DeMaster for his input on the variance. He stated that he did not have a problem with it.

Mr. DeMaster explained that there are narrow properties and then there are larger deeper properties which make the average at 78.4'. He mentioned that on July 8, 2015 they did approve a variance for this exact same reason.

Mr. Klonowski asked if the variance was from the road to the house?

Mr. DeMaster replied yes, the variance is on the road side of the house.

Petitioner stated that his home will pretty much line up with the other homes on the road side and the home would also line up with the homes on the water side.

Ms. Jones verified so the setback variance would be from the road to the back of the house.

Petitioner stated to the front of the house.

Mr. Leonard explained that the front of the house would be considered the lake side and the back of the house is considered the street site.

Ms. Jones asked so for the street side the petitioner is requesting a 55' setback?

Petitioner replied yes.

Ms. Jones remarked that it actually looks like it will line up with the other homes in the area.

Petitioner replied yes it will line up. He explained that the problem is that the houses in front of us are on lots that are 250' deep, so their houses are 130' from the road and they skewed the whole average.

Mr. Leonard stated that he really did not have a whole lot to say on this. He lives on the waterfront and his subdivision is the same way. He explained that the streets curve and the seawalls curve and nothing really lines up. He did notice that the fronts of the houses were kind of lined up and it looked kind of uniform and he does not think this would be much different from some of the other homes they have seen on the waterfront. He does not really have a problem with it.

Mr. Joseph stated that the information is thoroughly explained in the petitioner's request and he satisfactorily addressed all the conditions. He mentioned that Mr. DeMaster informed them of the particular difficulties with this piece of property and his buildable window has diminished. He explained that there are some practical difficulties with the property and the proposed remedy would be the relief the petitioner seeks with the variance which would be in line with the surrounding parcels. He stated that as Mr. DeMaster indicated this is a no brainer.

Mr. Carr stated that he had nothing to add.

There were no Public Comments.

Mr. Klonowski commented that he has no problem with it and they have granted variances similar to this in the past. He mentioned that there is uniformity and he has no problem with it.

Mr. DeMaster stated that the maker of the motion should specify that the variance is being granted for the house only even though the garage is on the plans. He stated that the building a garage on their property would require a Special Land Use.

Mr. Joseph stated that consistent with the recommendation from Mr. DeMaster and the Building Department he would like to make the Motion.

**Motion** by Mr. Joseph to approve ZBA Petition #2016-19 for the property at 48246 Harbor Drive, Chesterfield, MI 48047 approving the variance from the required 78.4' setback to a 55' setback and the variance is for the home only.

Mr. Leonard stated that the approval has nothing to do with the proposed garage on the canal side. He asked if that was correct?

Mr. DeMaster explained that because of the fact that the garage is on the plan, it needed to be addressed that the approval was for the house only because the proposed garage across the street would require a Special Land Use.

Mr. Joseph asked if the petitioner understood that they were approving the home only?

Petitioner replied yes. He knows that he must obtain a Special Land Use for the garage. He stated that he would probably see them next month for that.

Mr. DeMaster stated that actually the Special Land Use would go before Planning?

Petitioner replied okay.

**Supported** by Mr. Leonard

**Ayes: All**

**Nays: None**

**Motion Granted**

6. **OLD BUSINESS:**

There was no old business.

7. **NEW BUSINESS:**

Mr. Leonard mentioned the Planning Conference that is coming up on October 26 through October 28<sup>th</sup> in Kalamazoo. He remembered that last year none of the members of the ZBA were able to make the Conference. He mentioned that a lot of the information is the same and he did not think the Planning Commission members were going to attend. He suggested that maybe some of the ZBA members would like to attend and they should see Jonathon for more information and details. He stated that the information on the Citizen Planner was very interesting and he thought the ZBA members would get a lot out of the conference.

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

**Motion** by Ms. Jones to approve the minutes from the meetings of August 24, 2016

**Supported** by Mr. Joseph

**Ayes: All**

**Nays: None**

**Motion Granted**

9. **COMMENTS FROM THE FLOOR:**

Mr. Klonowski and all the board members sent Best Wishes to Marv for a speedy recovery.

10. **ADJOURNMENT:**

**Motion** by Mr. Klonowski to adjourn at 7:18 PM

**Supported** by Mr. Joseph

**Ayes: All**

**Nays: None**

**Motion Granted**

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*Thomas Yaschen, Secretary*

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*Grace Mastronardi, Recording Secretary*