

BOARD OF ZONING APPEALS MINUTES

A regular meeting of the Farmington Board of Zoning Appeals was held on Wednesday, June 7, 2017 in Council Chambers, 23600 Liberty, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 1976.

Chairperson Bertin called the meeting to order at 7:10 p.m.

ROLL CALL

PRESENT: Aren, Bertin, Crutcher, Gallagher, Schiffman

ABSENT: Craft

A quorum of Commissioners were present.

CITY OFFICIALS PRESENT: Director Koncsol, Recording Secretary Murphy

APPROVAL OF AGENDA

MOTION by Gallagher, supported by Crutcher, to approve the agenda as presented.

Motion carried, all ayes.

MINUTES OF PREVIOUS MEETING OF MAY 3, 2017

MOTION by Gallagher, supported by Crutcher, to approve the minutes of May 3, 2017.

Motion carried, all ayes.

MINUTES OF PREVIOUS PLANNING COMMISSION MEETINGS

The minutes of the April 10, 2017 Planning Commission Meeting were received and filed.

APPEAL OF: Artemio Sessions, Applicant
2097 Hidden Meadows, Unit D
Walled Lake, MI 48390

Helena Gates, Owner
33702 Oakland Avenue
Farmington, MI 48335

MOTION by Crutcher, supported by Gallagher, to remove the above item from the table.

Motion carried, all ayes.

1. Request for variance to Sec. 35-44(B), Accessory Buildings and Structures – Residential Districts, to construct a 20' x 28' detached garage in the west side yard of the property. Detached accessory buildings are required to be built in the rear yard of the property behind the rear building line of the house. This

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property has a tiny rear yard and a detached garage would not be possible without this variance.

Bertin introduced this agenda item and asked the Board if there were any questions. Hearing none, he invited the Petitioner to the podium

Artemio Sessions, contractor for the project, came to the podium and indicated that since the last meeting he has done a new rendition which was provided to the Commissioners and that now they are only asking for a variance of setback for the garage to sit it even to the house. He stated everything else is within code and that the garage will now be set even with the house and not backed up to the fence and the only thing that is required is a variance for the setback.

Bertin opened the floor for questions by the Board.

Crutcher clarified the variance request with the Petitioner that the front of the garage would be even with the front of the existing house and Sessions replied in the affirmative. Crutcher stated that was not shown in the drawings

Bertin indicated that the front has to be 25 feet from the property line and Sessions stated that the front of the house is actually 32 feet 7 inches.

Bertin opened the floor for questions from the public.

Donald Wingard, the next door neighbor indicated that he had submitted a letter and hoped it was read by the Board. He then stated the 3 foot side setback is a problem to him and requested it be denied.

Crutcher stated to Wingard that a 3 foot setback is minimum allowed and Wingard responded only with a fire wall, otherwise 6 foot is the minimum.

Gallagher stated on the proposed plan submitted to the Board, there is a 3 foot set back with a fire rated wall, that it is the intention of the builder to include that, so it would fall within BOCA Code and Michigan Code.

Bertin then asked if there were any further questions from the Commissioners.

MOTION by Gallagher, supported by Schiffman, to approve the request for variance to Sec. 35-44(B), submitted by Artemio Sessions, for the property located at 33702 Oakland Avenue, to construct a 20' x 28' detached garage in the west side yard of the property located at 33702 Oakland Avenue, for the following reasons and findings of fact:

1. The uniqueness requirement is met due to the shape of the lot.
2. Denial of the variance would render the Petitioner unable to build a garage on his property ;
3. The variance is fair in light of the fact that the proposed plans would match the characteristics of the surrounding neighborhood.

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4. That the plans as submitted would include a 32-foot setback that would match the front of the house which would comply with the zoning code.
5. That the requirements of Code are met with the 3 foot side yard minimum as the plans include a firewall.

ROLL CALL VOTE:

AYES: Aren, Bertin, Crutcher, Gallagher, Schiffman

NAYS: None

ABSENT: Craft

Motion carried, all ayes.

PUBLIC COMMENT

None heard.

ADJOURNMENT

MOTION by Schiffman, supported by Crutcher, to adjourn the meeting.
Motion carried, all ayes.

The meeting adjourned at 7:20 p.m.

John D. Koncsol, Building Inspector