

# Summit Township Zoning Board of Appeals

## January 8, 2004

**PRESENT:** Kevin Thomson, Chairman; Richard Erhardt, Planning Commission Liaison; Larry Dunn, Marcia Stobie, and John C. Worden, Zoning Administrator.

**ABSENT:** Peg Oman, Secretary; Scott Elliott, Township Board Liaison; and James Brunner.

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The Meeting was called to order by Chairman Thomson on Thursday January 8, 2004, at 7:05 pm, in the Township Hall meeting room at 2121 Ferguson Road.

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A motion by K. Thomson, and supported by M. Stobie to appoint L. Dunn as acting secretary for the meeting. Motion carried unanimously.

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A motion was made by R. Erhardt, and supported by M. Stobie to approve the minutes of December 11, 2003 as written. The motion carried unanimously.

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**CASE 04-01-001** – 310 East Mc Devitt – Unattached Garage – Rear and both Side Yard Variance – Michael W. Pahl Owner – Allow Construction of Unattached Garage.

A public hearing was held on January 8, 2004, on the request of Margaret J. and Michael A. Pahl of 310 East Mc Devitt, to allow the construction of a 19.8 X 30 FT unattached garage closer to the north, east, and west lot lines and have a greater % of lot coverage than is allowed. The property is Zoned General Commercial (C-2) and requires a 20 ft. setback for rear and sides for all structures including accessory (4.6.5, C). The requested variance is for 15 feet from the north lot line and 8 feet from the west and 12 feet from the east lot lines.

Michael Pahl, applicant, stated that he is an owner of the property. He is proposing to build an unattached garage behind his home that is 30 feet north to south, 19.8 feet east to west with one 16 foot door and one 3 foot service door. He is proposing that the garage will stand 13 feet away from the back of the house, 5 feet from the north property line, 8 feet off the east and 12 feet off the west property lines along the width of the house. There will be a 16 foot door at the north end of the garage. The owner chose this length door because of the amount of space needed to turn into the garage. The south end of this garage will be used for storage.

K. Thomson, chairman, questioned the size chosen for the garage, 19 feet 8 inches X 30 feet. He stated that standard sizing for a garage is 20 feet not 19 feet 8 inches. He additionally stated that the 30 foot width makes him uncomfortable because this exceeds the variance that is allowed for a property with this zoning. He suggested a garage that was 20 feet X 24 feet.

Mr. Pahl responded that the placement of the steps on the back of the house mandated the 19.8 size of the garage.

J. Worden explained that the Pahl's were before the Board because they are trying to build a garage in a Commercial district. Because they are in a Commercial district the maximum lot coverage allowed is 35%. The garage they are proposing to construct plus their home has a total of 35.6% lot coverage.

K. Thomson, chairman, continued to express his concern on the length of the garage. He stated that a 20 foot X 26 foot garage would make him more comfortable with the variance allowed and that he was hoping to come up with a compromise with Mr. Pahl on this matter.

Mr. Pahl, stated that due to lack of storage in the home he has to have 10 foot of storage area in the garage.

L. Dunn, member, proposed moving the starting point of the structure from 13 foot to 6 foot.

K. Thomson, chairman, again stated that he would prefer the garage to be a maximum of 26 feet, but would accept 28 feet for the length of the garage.

Mr.Pahl responded in agreement with L. Dunn's and K. Thomson suggestions and he was willing to comply.

Public Comment: None

Correspondents: None

A motion was made by K. Thomson, supported by L. Dunn, to grant approval of an unattached garage to be constructed by Mr.Pahl that is (10) feet from the North lot line, (12) feet from the east lot line, and (8) feet from the west lot line. That the variance be granted under the provisions Section 7.3 A, 1-4 and Section 7.3 C, noting the substandard lot size and the variance being granted is the minimum and in harmony with the district and the Ordinance. The motion carried unanimously.

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K. Thomson, chairman, reminded the applicant that the granted variances must be acted on within six months.

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Chairman K. Thomson adjourned the meeting at 7:32 p.m.

Respectfully submitted,

Larry O. Dunn  
Acting Secretary