

**Summit Township Zoning Board of Appeals**  
**Thursday, March 11, 2010**

**PRESENT:** Kevin Thomson, Chairman; James Brunner, Vice Chairman; Bob Dubois, Township Board Liaison; George Gancsos, Jr., Larry Dunn, Jack Shelby and John C. Worden, Zoning Administrator.

**ABSENT:** James Bogie

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The meeting was called to order by Chairman K. Thomson, on Thursday, March 11, 2010 at 7:00 p.m. in the Township Hall meeting room at 2121 Ferguson Road.

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A motion was made by J. Brunner, supported by L. Dunn, to approve the minutes of Thursday, February 12, 2009 as written. The motion carried unanimously.

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The election of Officers for 2010 was conducted: Chairman, Vice Chairman, and Secretary.

A motion was made by Chairman K. Thomson, supported by J. Brunner, to retain Kevin Thomson as Chairman, James Brunner as Vice Chairman and Larry Dunn as Secretary. The motion carried unanimously.

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A motion was made by Chairman K. Thomson, supported by G. Gancsos, to approve the proposed adopted 2010 calendar as presented. The motion carried unanimously.

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**Case# 10-03-0002** – 2439 Vining Street – Front yard setback for a deck – Scott & Chandra Elliot owners and applicant.

A public hearing was held on March 11, 2010, at the request of Scott & Chandra Elliot owner/applicant for a front yard setback for a deck. A variance of 0 feet is requested from the required setback of 35 feet. This is a corner lot in a Suburban Residential District (RS-2) requiring a setback off both streets of 35 feet. Also this lot is substandard being only 40 feet in width instead of the required minimum of 80 feet.

Applicant/Owner, Scott Elliot explained he and his wife purchased this foreclosed property for their son last year. The son had removed the previous deck and replaced it with a new deck that is approximately 3 feet over the property line. The applicant assumed his son had applied for the necessary permits before the work was done, but that was not the case. In preparation for this case, the property was surveyed and it showed the new deck encroaches into the road right of way by approximately three (3) feet. Aerial pictures and others from past years seemed to show that the old deck was either on the property line or may have encroached on the road right of way. Also the elevation difference between the road and the ground where the deck sets is approximately 6 feet plus.

J. Shelby commented the deck enhanced the property and the neighborhood.

Public Comment:

No public comment was received in support or opposition to the case.

Correspondent:

No letters were received in support or opposition to this case.

A motion by Chairman K. Thomson, supported by J. Brunner, to grant a variance of 0 feet from the property line for a front yard setback for the deck located at 2439 Vining Street for the request presented only and having met the requirements of section 150.367 (B) 1 (a-d).

NOTE: The portion of the deck that encroaches into the road right of way must be removed or a letter from the Jackson County Road Commission to the Township stating they have no objections to the deck's encroachment.

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The board will receive copies of the new Wind Generation ordinance 150.190 and the Sign ordinance that has been updated.

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A motion was made by Chairman K. Thomson, supported by J. Shelby, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 7:20 p.m.

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Respectfully submitted,

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Larry Dunn  
Zoning Board of Appeals Secretary