

Summit Township Zoning Board of Appeals
May 10, 2007

PRESENT: Kevin Thomson, Chairman; Richard Erhardt, Planning Commission Liaison; Scott Elliott, Township Board Liaison; Patricia Rayl, Alternate; James Bogie, James Brunner, Jack Shelby, and John C. Worden, Zoning Administrator.

ABSENT: Larry Dunn, Vice Chairman

The meeting was called to order by Chairman K. Thomson, on Thursday, May 10, 2007 at 7:00 p.m. in the Township Hall meeting room at 2121 Ferguson Road.

A motion was made by R. Erhardt, and supported by Chairman K. Thomson to approve the minutes of Thursday, April 12, 2007 meeting as written. The motion carried unanimously.

CASE 07-05-0006 – Vacant lot south of 5722 Browns Lake Rd. – Both front and rear yard variance to construct a new home – Zoning is Suburban Residential (RS-2) – Edward Hass, Owner and Applicant

A public hearing was held on May 10, 2007, at the request of Edward N. & Linda A. Hass of 2740 Packard Street, Unit D6, Ann Arbor, MI, to build a home on a vacant lot south of 5722 Browns Lake Road that will be closer to the front and rear lot lines than is allowed by the Ordinance. Applicant, E. Hass addressed the board stating that his family is downsizing, and would like to build a smaller house at 5722 Browns Lake Road. He passed out handouts to the Board and addressed four (4) highlights for his application. First, the house would blend with surrounding landscape and be similar to other houses around it. Second, it is impossible to build a house that complies with the current Zoning Ordinances. Third, the configuration of the lot is not the result of the applicants doing, but rather it was plotted in this fashion. Fourth, compliance with the Zoning Ordinance would cause the applicant hardship and granting the variance would not give the applicant any special treatment over other people in the surrounding area.

Chairman K. Thomson questioned if the applicant had purchased two lots when the original lot was purchased.

Applicant E. Hass answered that when they bought the lot at 5722 Browns Lake Road the buyer was hesitant to sell the second lot but they did as a separate lot.

Chairman K. Thomson declared that the applicant had covered Section 7.3 very well. Additionally, he questioned the size of the house he was planning on building.

Applicant E. Hass answered a one story with a loft, but was unable to provide the dimensions of the home. Applicant L. Hass showed a picture of the house they had decided upon to the board and also shared an additional document that contained the floor plan.

Chairman K. Thomson asked which was the front yard the lake side or the road side.

Applicant E. Hass answered the lake side.

J. Worden stated that once this has been declared it will stay this way forever and suggested a thirteen (13) foot front and thirteen (13) foot back variance.

Applicant E. Hass stated that his application was for twenty-five (25) feet front and ten (10) feet rear variances.

Chairman K. Thomson responded that a ten (10) foot front yard set back would be a fifteen (15) foot variance.

J. Brunner stated it was hard for the board to do their job to the best of their ability without knowing the dimension of the new home.

R. Erhardt noted that the plan shown by Applicant L. Hass shows 20 X 60.

Applicant E. Hass commented that the house would be 20 X 40 and the extra 20 would be for the garage. The applicant referred back to the pictures shown and stated that one of the variations shown would be selected.

Chairman K. Thomson requested clarification asking the applicant if he wanted a twenty-five (25) feet front and ten (10) feet rear variance.

Applicant E. Hass clarified that the stated variance was what he wanted to obtain.

J. Worden stated that a front and rear yard variance would need to include the condition that the home could be no closer than ten (10) feet.

J. Bogie added that removing soil close to a lake road requires the applicant to contact Region 2 to enforce sediment control.

Correspondence:
None

Public Comment:
Charlene M. Comperchio of 5775 Browns Lake Road, stated increase traffic concerns, but is not in opposition to the applicants request.

A motion was made by J. Brunner to deny the variance request to build a home on a vacant lot south of 4712 Browns Lake Road that will be closer to the front and rear lot lines as all the requirements set forth in ordinance Section 7.3C were not met. Further, there is not a plan before the board that does not impair the surrounding homes in the area and it is not convinced that there is a fixed plan for the construction.

J. Shelby asked if the application could be tabled to a later time.

Chairman K. Thomson explained by denying the requested variances the applicant would have to wait one calendar year before resubmitting the application, but if the item was tabled it can be revisited at the next meeting.

The current motion was amended by J. Brunner, supported by Chairman K. Thomson, to table the variance request to build a home on a vacant lot south of 4712 Browns Lake Road that will be closer to the front and rear lot lines as all the requirements set forth in ordinance Section 7.3 C were not met. The motion carried unanimously.

Applicant E. Hass questioned what the board needed from him at the next meeting.

Chairman K. Thomson recommended reviewing Section 7.3 a-h of the zoning ordinance.

J. Shelby recommended page 59 letter I #9 and #6 of the zoning ordinance.

A motion was made by Chairman K. Thomson, supported by J. Brunner, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 7:43 p.m.

Respectfully submitted,

Richard Erhardt
Zoning Board of Appeals Secretary