

**Summit Township Zoning Board of Appeals  
September 13, 2007**

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

**ABSENT:** Kevin Thomson, Chairman; James Brunner

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The meeting was called to order by Vice Chairman L. Dunn on Thursday, September 13, 2007 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. Bogie, and supported by R. Erhardt, to approve the minutes of the Thursday, August 9, 2007 meeting as written. The motion carried unanimously.

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**CASE 07-09-0012** – 3280 Carlton Blvd. – Front yard variance to add a deck – Gerald Muterspaugh Applicant/Owner

A public hearing was held on September 13, 2007, at the request of Gerald Muterspaugh of 3280 Carlton Blvd, for a variance to allow the construction of an eight (8) foot deck on the west side (front yard) of the house. Applicant is applying for the variance as a result of a denial of a building permit for the deck. The permit was denied because the proposed eight (8) foot deck would be thirty (30) feet from the property line instead of the required thirty five (35) feet.

R. Erhardt questioned the location of the driveway.

Applicant, G. Muterspaugh, responded the access to the driveway is from Carlton Blvd. also there is a deck on the north end of the house that is covered by a roof.

The Board agreed that the deck on the north end of the house sounded more like a porch than a deck.

J. Worden commented on the survey and stated that the exact measurement for the variance should be four feet seven inches (4.7).

Vice Chairman, L. Dunn, suggested a five (5) foot variance would be appropriate.

J. Bogie asked if the proposed deck would be covered.

Applicant, G. Muterspaugh, responded that the deck would not be covered and would have the required hand railings.

Correspondence:

Hazel Davis, of 3250 Carlton Blvd, does not object to the variance request.  
Jason D. Thiede, of 3300 Carlton Blvd, does not object to the variance request.  
Bonnie Powaga, of 703 Fernwood Ave, does not object to the variance request.  
Maureen Thorrez, of 519 Fernwood Ave, does not object to the variance request.  
Don King, of 525 Fernwood Ave, does not object to the variance request.

Support of Application:

Chris Chmielewski, of Christopher Construction, spoke in favor of the applicant and the application. C. Chmielewski is the contractor for the proposed deck.

A motion was made by R. Erhardt, supported by P. Rayl, to approve the variance request of a five (5) foot front yard variance as the applicant has met all the requirements set forth in Section 7.3A 1-4 and Section 7.3 B & D of the Ordinance. The motion carried unanimously.

A motion was made by R. Erhardt, supported by L. Dunn, 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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Richard Erhardt  
Zoning Board of Appeals Secretary