

SUMMIT TOWNSHIP ZONING BOARD OF APPEALS  
August 9, 2001

**MEMBERS PRESENT:** Larry Dunn, Acting Chairman; Kathy Lincoln, Secretary; Ken Strobel, Planning Commission's Liaison; Peg Oman; and John Worden, Summit Township Zoning Administrator. **Absent:** Kevin Thomson, Chairman; James Brunner; and Scott Elliott, Township Board's Liaison.

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The meeting was called to order by the Acting Chairman, Larry Dunn on Thursday, August 9, 2001, at 7:00 p.m., in the meeting room at the Township Hall.

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A motion was made by P. Oman, supported by K. Strobel, to approve the minutes of the July 12, 2001, meeting as written. Motion carried unanimously.

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CASE NUMBER 01-08-0028 was withdrawn on July 25, 2001.

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Case #01-08-0028 – Martin and Patricia Baumgartner - 113 Myrlice Court

A public hearing was held on August 9, 2001, on the application of Martin and Patricia Baumgartner for a four (4) foot side yard variance in order to build a replacement garage using the existing setbacks. The property is zoned Urban Residential 1 (RU1).

M. Baumgartner stated that his existing garage is 10' x 15' and one foot from the side lot line. He would like to build a new 22' x 18' garage with the same side setback.

K. Lincoln asked if the garage was one (1) foot from the South side and back of the garage is six (6) feet from the east, back of the garage. M. Baumgartner said yes.

L. Dunn asked about the existing fence and whose property it was on. M. Baumgartner stated it was on his property.

K. Lincoln asked what was the variance needed and why. J. Worden stated the reason for the variance is because M. Baumgartner is completely removing a non-conforming structure that is one (1) foot from lot line and he wishes to stay within that one (1) foot of the south property line. Therefore he would need a four (4) foot side yard variance (south side).

L. Dunn asked if there had been any communication from the neighbors. J. Worden said no. There wasn't anyone in the audience.

J. Worden explained a concern from past variances. Where there is a possibility of runoff from rains it has been part of the motion that eave troughs are required. As a side note the building code has changed requiring the foundation for a garage to be 42".

L. Dunn asked if there were any other options.

M. Baumgartner said no, anything else would require removing trees and back filling. He was also concerned someone might hit the house when backing out.

After further discussion by the board, L. Dunn reminded everyone this vote would have to be all for, all against, or tabled for next month because of the number of board members present.

A motion was made by K. Strobel, supported by P. Oman to grant a four (4) foot side yard variance under Section 7.3 A, 1-5, including a roof drainage system (gutters) being put on the south and north sides of the garage and that no part of the structure intrude on the neighbors property. The motion carried unanimously.

J. Worden told the Baumgartner's they had six months to apply for a building permit and 365 days after that for completion of the project.

J. Worden passed out excerpts from the Airport Zoning Ordinance. The Airports Ordinance supersedes the Townships' Ordinance.

There being no further business to come before the Zoning Board of Appeals, a motion was made by K. Lincoln and supported by L. Dunn to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 7:28 p.m. The next regular meeting of the Zoning Board of Appeals will be on Thursday, September 13, 2001.

Respectfully submitted,

By: \_\_\_\_\_  
Kathleen Lincoln  
Zoning Board of Appeals