

**DELHI CHARTER TOWNSHIP
MINUTES OF THE ZONING BOARD OF APPEALS
HELD ON AUGUST 13, 2018**

The Delhi Charter Township Zoning Board of Appeals met in a regular meeting on Monday, August 13, 2018 in the Multipurpose Room at the Community Services Center, 2074 Aurelius Road, Holt, Michigan. Commissioner Goodall called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Members Present: Michael Goodall, Frank Sierawski, DiAnne Warfield

Members Absent: David Hodges

Others Present: Tracy Miller, Director of Community Development
Noelle Tobias, Building Secretary

AMENDMENTS TO THE AGENDA: None

APPROVAL OF THE JULY 9, 2018 ZONING BOARD OF APPEALS MINUTES

Warfield moved and seconded by Sierawski, to approve the July 9, 2018 meeting minutes as presented.

A Voice Poll was recorded as follows: All Ayes
Absent: Hodges

MOTION CARRIED

PUBLIC COMMENT (Non-Agenda Items): None

ZBA CASE 18-150, 2343 EIFERT ROAD, TASMANIAN TIRE, 33-25-05-16-276-016

Ms. Miller reviewed the staff report. The applicant is requesting a variance that would allow the enlargement of a legally non-conforming use via an addition to the pole barn style storage building that was originally constructed in 2014. The proposed addition would be north of the existing barn, and the setbacks of the barn and addition would exceed the requirements within the A-1 district.

Discussion: Warfield asked if this variance would impact a new owner in the future.

Ms. Miller indicated that the variance would go with the property, along with the legal non-conforming use, until the use itself changed.

SUBJECT TO APPROVAL

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MOTION TO APPROVE

Warfield moved, seconded by Sierawski, to approve a variance to Zoning Ordinance Section 6.7.2 to permit the expansion of a legally non-conforming use/structure, and specifically the construction of a 60' addition to the north end of the pole building that was built in 2014. The request applies to parcel number 33-25-05-16-276-016. This approval is based on meeting all of the Basic Conditions and at least one of the Special Conditions of Section 4.4.3 of the Zoning Ordinance. This variance becomes effective immediately.

Discussion: None

A Roll Call Vote was recorded as follows:

Ayes: Goodall, Sierawski, Warfield
Nays: None
Absent: Hodges
Abstain: None

MOTION CARRIED

ZBA CASE 18-152, 4390 DELL ROAD, GEOFREY CRADIT, 33-25-05-11-151-029

Ms. Miller reviewed the staff report. The applicant is requesting a variance from the Zoning Ordinance (ZO) which states that "no accessory building shall project into any front yard, except that properties containing five or more acres may have an accessory building in the front yard provided it is setback at least 200 feet from the road right-of-way." The applicant is asking to put up a 780 SF addition in the front of the existing accessory building. The addition would project into the front yard and be setback from the road right-of-way 96'. The house is setback 104' which would make the pole barn addition project 8' into the front yard.

Geoffrey Cradit, the owner, was present.

Discussion: Mr. Cradit indicated that there are two alternate locations on the property where the addition could be accommodated, but asserts that they are undesirable. He stated that one of the alternate locations would restrict access to his backyard, potentially affecting utility service/repair trucks gaining access. The other location, which is to the rear of the existing accessory building, would require him to remove shade trees and green space.

Goodall strongly suggested getting a survey done to make sure that the variance Mr. Cradit is requesting is exactly what he actually needs. Goodall stated that a hardship is required for a variance.

Ms. Miller indicated because there are other less desirable locations is not a reason by itself to grant any variance. She stated that there is a third option which would be adding on the pole structure to the west.

Mr. Cradit stated that adding on to the front of the building (west side of existing accessory building) would inhibit his ability to back out of the attached garage.

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Sierawski stated that he believes what the applicant is proposing would be aesthetically better than the other options presented, and that this home is farther back from the road right-of-way than the other homes in the area.

Motion to Approve:

Sierawski moved, seconded by Warfield, to approve a variance from Section 6.4.4 (1) of the Zoning Ordinance for the property located at 4390 Dell Road (33-25-05-11-151-029) to permit the construction of a 20' x 39' addition to the south side of the existing barn, which will project into the front yard of the subject property. This approval is based on meeting all of the Basic Conditions and at least one of the Special Conditions of Section 4.4.3 of the Zoning Ordinance.

Discussion: None

A Roll Call Vote was recorded as follows:

Ayes: Goodall, Sierawski, Warfield
Nays: None
Absent: Hodges
Abstain: None

MOTION CARRIED

GENERAL DISCUSSION AND UPDATES

None

ADJOURNMENT

Meeting adjourned at 6:09 p.m.

Date: _____

Michael Goodall, Secretary

/nt

SUBJECT TO APPROVAL