

BOARD OF ZONING APPEALS MINUTES

A regular meeting of the Farmington Board of Zoning Appeals was held on Wednesday, March 4, 2009, in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 1976.

Chairperson Buyers called the meeting to order at 7:00 p.m.

ROLL CALL

PRESENT: Bennett, Buyers, Christiansen, Knol, Majoros.

ABSENT: None.

CITY OFFICIALS PRESENT: Director Gushman, Building Inspector Koncsol, Recording Secretary Pohto.

Minutes of Previous Meetings

Motion by Christiansen, supported by Bennett, to approve the minutes of the previous meeting of December 3, 2008. Motion carried, all ayes.

Motion by Bennett, supported by Knol, to receive and file the minutes of the Planning Commission meetings of November 10, 2008, December 8, 2008 and January 12, 2009. Motion carried, all ayes.

APPEAL OF: Julie Conley
37641 Newburgh Park Cr.
Livonia, MI 48152

Chairperson Buyers stated the petitioner was requesting a variance to Sec. 35-206(e) so that an existing carport at 33880 Glenview can be enclosed and converted into an attached garage. The house is currently nonconforming in that the side yard dimensions are less than those required by ordinance.

Ms. Conley introduced herself, the current homeowner Jeff Reiter and Andy Raiding her real estate agent stating she has an agreement to purchase the home. She noted her agreement to purchase said home is contingent upon the Board's approval of the current carport conversion to an enclosed two car garage.

Chairperson Byers commented the requirements for approval were before the Board and asked if she had anything to add to her application. Ms. Conley discussed the photos submitted showing neighboring properties and commented the attached copy of the home's property survey clearly supported her requested car port conversion.

Ms. Conley asked the current homeowner Mr. Reiter to address the Board to answer questions.

Mr. Reiter described the proposed changes requested explaining the carport is currently attached to the house via the roof line. He noted the proposed walls would be constructed

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following the outside dimensions of the current carport with appropriate support underground by way of a rat wall. He stated the carport's dimensions would not expand and would leave a 4' 8" walkway between the garage and the front/side door. Mr. Reiter explained to the West of the property all five neighboring properties have garages to the side of the house, four of those five are attached to the house and two don't have any interior entrance to the house.

Ms. Conley concurred with Mr. Reiter the curb appeal would be improved if the garage were to be constructed as requested.

Reiter stated 6' past the carport the lot slopes down severely into a wooded ravine making it impossible to erect a garage in any other location on this lot.

Responding to a question from Majoros, Mr. Reiter stated the garage will be a detached except for the roof line that is already attached.

Mr. Reiter reviewed submitted pictures of neighboring garages with the Board.

Chairperson Buyers asked Mr. Koncsol if the petitioner submitted drawings of the proposed garage changes. Mr. Koncsol replied no, and explained the essence of the proposed changes.

Mr. Majoros asked Mr. Koncsol for clarification regarding the planned conversion. He noted modifications to the existing carport will not be necessary because the current structure will be utilized, enclosed and remain intact.

Mr. Koncsol concurred with Mr. Majoros stating the foundation would remain intact and a rat wall would be added as previously discussed.

Mr. Majoros advised the requested variance is needed due to the existing structure's location and nonconforming side yards.

Majoros then asked Mr. Koncsol if he felt comfortable with the carport's structural integrity. Mr. Koncsol answered yes.

Chairperson Buyers asked if the petitioner was requesting the Board to grant a variance or in conformity with Sec. 35-206(e), approve an expansion of a nonconforming use. He felt it was an approval of a variance.

Mr. Koncsol concurred with Chairperson Buyers explaining the approval would allow the expansion because the existing house doesn't meet today's set back standards. He explained although the carport side meets the 6' standard the opposite side of 5'3" when added together, does not total the 16' needed to meet the City code requirement.

Mr. Majoros asked Mr. Koncsol for clarification regarding set back requirements for carports. He noted carports are not enclosed structures and questioned if they were considered part of the principal structure when attached to the home, thereby requiring a set back variance.

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Mr. Koncsol replied yes.

Mr. Majoros felt that by enclosing the existing principal structure it did not expand the nonconforming use therefore the petitioner needed a side yard set back variance.

Mr. Majoros confirmed with the petitioner the structural integrity of the carport and reviewed details regarding the proposed carport conversion noting the petitioner's limitations.

Chairperson Byers reviewed correspondence received by the Board and read names and addresses of neighboring properties voicing approval:

Chris and Vera Lucksted, 33995 Glenview

Waine Kanack, 33895 Glenview

Mr. Domke, 33904 Glenview

Matthew Diggs, 33916 Glenview

Motion by Bennett, supported by Christiansen, to approve a variance to Sec. 35-206(e) so that an existing carport at 33880 Glenview can be enclosed and converted into an attached garage based on the following observations; 1) that the house was built prior to the present ordinance of which it is declared nonconforming; 2) that the nonconforming will not be altered or enlarged in any way; and 3) that the structure will not affect the conditions of the set back to the abutting neighbor to the South East. Motion carried, all ayes.

Mayor Knol welcomed Julie Conley to the City of Farmington.

PUBLIC COMMENT

Pete Kelly, 28810 Summitt Dr., Novi, concurred that enclosing the carport would improve the look of the property but questioned if the storage shed would be required to be removed.

Chairperson Byers responded the decision to remove the storage shed is the property owners.

James McGlincy, 33868 Glenview, voiced approval of the proposed conversion and welcomed Julie Conley to the neighborhood.

ELECTION OF OFFICERS

Motion by Bennett, seconded by Christiansen, to extend the present Board members terms of office though 2009.

AYES: Buyers, Christiansen, Knol, Majoros, Bennett.

NAYS: None.

ABSTENTIONS: None.

MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

Motion by Bennett, supported by Majoros, to adjourn the meeting. Motion carried, all ayes.

The meeting adjourned at 7:23 p.m.