

CHARTER TOWNSHIP OF CANTON
THE ZONING BOARD OF APPEALS
MARCH 8, 2018

A meeting of the Zoning Board of Appeals of the Charter Township of Canton was held Thursday, March 8, 2018 at the Township Administration Building located at 1150 S. Canton Center Road, Canton, Michigan 48188.

James Cisek called the meeting to order at: 7:00 p.m. and led the Pledge of Allegiance to the Flag.

ROLL CALL:

Present: James Cisek, Vicki Welty, Craig Engel, Cathryn Colthurst and Greg Greco.

Absent: Greg Demopoulos. Staff Present: Jeff Goulet

ACCEPTANCE OF AGENDA

Motion by Craig Engel to accept the agenda for March 8th, 2018 as presented. Support by Vicki Welty. Ayes: All

APPROVAL OF JANUARY 11, 2018 MEETING MINUTES

Motion by Vicki Welty to approve the Zoning Board of Appeals Meeting Minutes dated January 11, 2018. Support by Cathy Colthurst. Ayes: All.

James Cisek explained the procedure of the Zoning Board of Appeals to the audience and moved the Election of Officer's to the end of the meeting.

1. Applicant Danny Veri for Vacant Property located north side of Proctor between Ridge and Denton roads, Zoning R-3 appealing Article 26.00 Schedule of Regulations, Section 26.02 (b) Lot Dimensions and Proportions. Parcel ID 71-076-99-0001-704 (Planning)

Danny Veri stated that the requested variance in front of you was recently purchased from the Township. The north part of the river was part of River Hill Ridge. The boundary line was just predetermined, not thinking that we would exceed the length to width ratio. That is the main reason why I am here. We felt it would be much better to have it developed as two lots. The way the parcel is sits, I could have four lot splits with a road coming in. I think it would look better with the other eight lots that we've put in along Proctor Road to keep the uniformity of the site. That is the hardship we have. We are trying to keep it more in line with what is there on both sides of this piece of property verses doing the other.

Jeff Goulet stated that Mr. Veri purchased the south portion recently from the Township. Essentially the original split was done along the center line of the Rouge River. The physical location of the river which meanders north of Proctor Road and creates parcels of different depth along the north side of Proctor Road. The proposed lots are almost twice as wide as the minimum 85 feet minimum lot width in the R-3 District. Staff feels that it is consistent with the width of the other lots along the north side of Proctor Road and recommend approval of the variance.

Motion by Vicki Welty, support by Cathryn Colthurst to open the Public Hearing. Ayes: All
No one from the audience wished to address the Board on this issue.

Motion by Vicki Welty, support by Craig Engel to close the Public Hearing. Ayes: All

Motion by Cathryn Colthurst to approve the variance of 63 feet for parcel G1 and 88 feet for parcel G2 from the maximum lot depth of 327 feet from Section 26.02, footnote b, relative to lot width to depth ratios for Parcel No. 076-99-0001-704 based on the finding that the lots are much wider than the minimum 85 feet required in R-3 and that the excess depth is due to result of previous property splits of property to the north along the center line of the Rouge River and the meandering nature of the river. Support by Vicki Welty. Ayes: All

2. Applicant Steven Chevalier for property located at 50899 Hanford Road, on the south side of Hanford Road between Napier and Ridge Roads, Zoning R-1 appealing Section 2.03(b) 6 Accessory Structures and Uses Doors. Parcel ID 71-027-99-005-009 (Building)

Steven Chevalier stated that what they are looking to do is build a pole barn structure. It's a 40 X 60 structure. The variance we are looking for is for the door height on the structure. There is a maximum height which I overlooked, which is nine feet. I would like to extend that to fourteen feet to be able to put my motorhome inside for storage purposes. I've also got a collection also of antique cars. We've upgraded the vinyl siding and are using architectural shingles for the roof. There are two other structures on the property that we will be taking down prior to the final approval of the barn.

Jeff Goulet stated that he is standing in for Rob Creamer who is sick tonight and as Mr. Chevalier explained, in order to fit the RV you do need a taller door than nine feet. It does face the side of the building; it doesn't face the side of the road so there shouldn't be a visibility to the street of the door to the structure. Rob Creamer identified a couple of non-conforming structures on the site. The code allows you to have two detached accessory structures on the property. There are already three so he is going to take two of them down. One is a shed and the other is a pool house; which they will remove. This will bring them into conformity. Rob Creamer did not have any problem with them having the height of the door based on the orientation of the door and the distance from the street. He recommends approval of the variance.

Discussion was held on the location and Steven Chevalier showed the Board Members the structures in question. Steven Chevalier also mentioned that a site check would also be needed due to the removal of trees at the back of the property. Jeff Goulet stated that he should call Leigh Thurston, our Landscape Architect and Planner to check the site plan and the tree removal survey.

Motion by Craig Engel, support by Vicki Welty to open the Public Hearing. Ayes: All
No one from the audience wished to address the Board on this issue.

Motion by Craig Engel, support by Vicki Welty to close the Public Hearing. Ayes: All

Motion by Vicki Welty to approve the variance request of Subsection 2.03 (d) 6 as proposed based on the findings that this type of variance is common for this area of the Township and the larger door is necessary for the applicant to gain access to the structure with his motorhome pending the removal of the other two buildings on the site. The pool house and the shed. Support by Craig Engel. Ayes: All

Election of Officers

Motion by Craig Engel to continue as we are. James Cisek as Chair and Vicki Welty as Vice-Chair. Support by Greg Greco. Ayes: All

Jeff Goulet stated that he has one more item that needs to be added to the agenda before we close the meeting.

Craig Engel motioned to rescind his earlier approval of the agenda.
Motion by Vicki Welty to amend the agenda for March 8th, 2018 to include the addition of a discussion item, Art Van, 41637 Ford Road for clarification of the decision and motion made at the October 13, 2016 ZBA Meeting. Support by Craig Engel.
Ayes: All

Jeff Goulet stated that Rob Creamer prepared a packet for you which he showed them. We had a complaint on one of their signs that they installed on their property. Rob Creamer and I have been working with Art Van over the sign. The front page is what the Zoning Board of Appeals approved when you granted the official square footage for signage.

Jams Cisek questioned wasn't it only about two square feet that we approved?

Jeff Goulet stated yes but that is not the issue. The issue is the form of the sign. The issue at hand is whether or not your motion was specific to this design or whether it was a general variance for square footage based on the conceptual plan. What you have here is what was presented to the Board. Jeff showed a picture of this is what was built, internally lite at night. What you will see is it says "Outlet" with a chair logo. When we received the complaint, Rob went back and looked what the Zoning Board of Appeals approved based on what they built. Basically it is a big yellow sign that says outlet on it without any kind of boarder on it. They changed the branding for clearance centers and they are now calling them outlets and they have a certain logo for the outlet portion of their store. We sat down with them and told them that the Zoning Board of Appeals didn't approve you with a big yellow sign on the building. They approved it based on what you were showing them with the red sign with the white letters. We explained that they want to try to keep their corporate image for the Outlet which is that kind of price tag sign with the outlet and the chair as shown on the second revision. I explained that we probably need to go back to the Zoning Board of Appeals to clarify what the intent of your motion was and whether or not the Zoning Board of Appeals is ok with these revisions or whether or not the Zoning Board of Appeals action was specific to the first page. We are asking you tonight whether or not your motion was based on the conceptual plan or whether it was specific to this plan. If it is specific to this plan, then they need to come back and revise their variance.

Cathryn Colthurst questioned to see a copy of the motion and the minutes where shown.

Vicki Welty questioned if the sizes were correct to what we said and Jeff Goulet stated yes. It is just the nature of the sign and the look of the sign and whether or not that was part of your consideration in your motion because a lot of the times you will make a motion specific to the plan as presented before you. In this particular case, we want you to clarify that and if it is not specific to this particular plan and you are ok with visions, then we do not have to come back. If you feel it was not specific to this particular plan, then they need to apply for an amendment to their variance.

Craig Engel stated that when we were given this; that is what we approved.

Jeff Goulet stated so motion was specific to this particular plan or was it a more general motion?

Cathryn Colthurst stated based on the language of the motion, it says, "As indicated on the attached drawings".

Jeff Goulet questioned if that is based on the size shown on the attached drawings or is it the overall design as shown on the drawings. Was your intent to approve this and only this or was your intent to basically approve the general conceptional plan and not the content? Was your intent in the motion when you said, what is shown on the plans, the actual specific plan or just the overall?

Vicki Welty stated that her vote was as presented.

Cathryn Colthurst stated that she feels if they are going to change the drawing that they are presenting to us, then they should present it to us again.

James Cisek stated that he feels the same way.

Jeff Goulet stated that we gave them no guarantees that the new revisions will be approved; they have to give us their hardship and the Board will have to review it. The clarification is that you feel that the original variance and the language of the motion was based on this plan. Any revisions to this needs to come back in for revision.

Vicki Welty stated as presented.

Craig Engel stated yes.

James Cisek also stated that he is in agreement with that comment.

Cathryn Colthurst stated that if they changed the plan, it needs our approval.

Motion by Vicki Welty for clarification of the motion that was made at the October 12, 2016 Zoning Board of Appeals Meeting for Art Van was "as presented" and any additional changes would require an amendment to their variance. Support by Cathryn Colthurst. Ayes: All

Motion by Vicki Welty to adjourn at 7:26 p.m. Support by Craig Engel.
Ayes: All

Renee' DeVos
Recording Secretary