

CHARTER TOWNSHIP OF CANTON
THE ZONING BOARD OF APPEALS
JULY 11, 2019

A meeting of the Zoning Board of Appeals of the Charter Township of Canton was held Thursday, July 11, 2019 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 and Greg Demopoulos.
Absent: Greg Greco and James Malinowski. Staff Present: Robert Creamer

ACCEPTANCE OF AMENDED AGENDA FOR JULY 11, 2019

Motion by Vicki Welty to accept the amended agenda as presented for July 11th, 2019
Support by Craig Engel. Ayes: All

APPROVAL JUNE 13, 2019 MEETING MINUTES

Motion by Craig Engel to approve the Zoning Board of Appeals Meeting Minutes dated June 13th, 2019 as presented. Support by Greg Demopoulos. Vicki Welty abstained as she was not present. James Cisek, Craig Engel and Greg Demopoulos Ayes.

James Cisek explained the procedure of the Zoning Board of Appeals to the audience.

1. Applicant Craig Rachwitz, for property located at 7904 Thornwood on the north side of Thornwood between Birklan Drive and Janice Drive, Zoning R-1, appealing 4.01 Section E Subsection 2, Off-Street Parking Requirements, Recreational Vehicle Parking in Residential Districts. Parcel ID 71-023-03-0063-000 (Building)

Craig Rachwitz stated that he currently resides at 7904 Thornwood in the Pilgrim Hills neighborhood and showed the Board Members his presentation. On the first page is the specific ordinance I am looking for a variance on which is Section 4.01 Subsection 2. The E.2 section statement I am having difficulty complying with is highlighted in red states that the recreational vehicle must be parked between the front and rear building lines of a home. If we go to the next page we go into a little bit of detail of why I am having trouble parking my RV in that location. The left hand side is a topographical map of my property which shows a severe grade when you go from the west side of the property to the east side. Fellows Creek does run through my backyard so everything is sloping down to the creek. I have total of about 26' of elevation change from one side of the property to the other. In order to get my RV into the back yard I have to overcome several issues one of which is the severe grade, the low clearance of the camper and the last would be the perpetual wet ground due to the drainage into the Fellows Creek basin there. There is a photograph on the lower right hand side which shows the grade going into the backyard and lastly, the highlighted area in yellow is the proposed camper storage area which is an area of low grade in my yard but as you can see it is between the front line of my house and Thornwood Drive. The next page is a quick brief comparison showing the densely populated neighborhoods in Canton and where I live in Pilgrim Hills. Both of these neighborhoods are treated the same by the Ordinance 4.01 Subsection 2 as it pertains storing an RV and I have to admit that if I were in Cherry Hill Village, I wouldn't want to see an RV but where

we are at, we all have acreage. Average lot size is 1.5 acres compared to Cherry Hill Village which would be a quarter of an acre. As you can see Pilgrim Hills is also heavily wooded which gives a lot of opportunity to hide things and not intrude on neighbors. The next page is a quick walking tour I took through the neighborhood. Boats, RV's, miscellaneous trailers is a very common site. The next is showing a drive by my property heading from the west to the east. These pictures are in sequential order you can see as you progress by the house the camper doesn't come into view until #4 there and looking at my garage door. As you pass there you can see on the next slide, a view from my direct neighbor's property directly to the east. The density of the woods goes dramatically and it quickly disappears from view once you get past my garage door. Thank you and if there are any questions I would be happy to answer them for you.

Robert Creamer stated he has a couple of questions for the owner. It appears the driveway has been there for a while. Have you always stored it there or just trying to get permission for it now?

Craig Rachwitz stated that it has been stored between the driveway and that side clearing where the highlighted area is. It is a natural clearing in the woods. If I get permission I would probably made some improvements to it. Maybe lay down some agate stone to it to prevent erosion. But other than that, it is a natural clearing. It is a ten foot by 40 foot spot.

Craig Engel questioned how long have you kept it there?

Craig Rachwitz stated since we have acquired the home; six years.

Robert Creamer then asked why are you coming to the Board now. Is someone complaining or did an ordinance officer come by and ask you to move it?

Craig Rachwitz stated that exactly. One of these guys showed up at my door. The ordinance officer was very forthright with me and in our conversation she claimed that somebody down the road from me was hooked up to electrical and water and they were living in there. I think that just resulted in her going around looking for violations.

Robert Creamer stated that you understand that this is parking. That if it was granted you could never hook up to it and have people living in it.

Craig Rachwitz stated that yes, he understand that. The camper only comes into the driveway in preparation for trips within the 48 hour allowance.

Robert Creamer stated that he was over at the property and it is nearly impossible for the owner to be in conformance with the ordinance because of the land. It just drops off so severely. Once you get back by the side of the garage, it drops right off. This location is the only allowable location if you are going to allow him to park it on his property permanently.

Motion by Vicki Welty, support by Greg Demopoulos 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 Greg Demopoulos to close the Public Hearing. Ayes: All

Greg Demopoulos stated that the only problem he would have would be what happens in the winter?

Craig Rachwitz stated that was point which he breezed over on one of the later slides is that we do cover in the winter the RV with a neutral tan cover that fits in with the surroundings.

Motion by Vicki Welty to approve the requested variance to allow for the storage of the motor home in the front setback as shown on the drawings that were submitted, which is in conflict with Appendix A., Article 4.01 Section E.2 due to the finding of facts due to the severe grade in the yard, the low ground clearance, the wet ground due to Fellows Creek running through the property there. Support by Craig Engel. Ayes: All

Motion by Craig Engel to remove item #2 from the table, Raymond Goldsmith which is from the June 13, 2019 Meeting. Support by Greg Demopoulos. Ayes All

2. Applicant Raymond Goldsmith, for property located at 44330 Duchess, on the east side of Sheldon Road between Fair Oaks and Cherry Hill Road, Zoning R-5, appealing Article V Fences, Walls and Borders, Section 78-121 Definitions, Section 78-129(h) General Construction Standards, Prohibited Fences; Maintenance, Location in Front Yard and 78-1314(b) Zoning District Restrictions, All other Zoning Districts Corner Lots. Parcel ID 71-060-02-0078-000 (Building) (TABLED FROM JUNE 13, 2019 ZBA MEETING)

Sara Goldsmith stated that with the new proposal we do understand that we would need to keep that 25 foot area around the corner of the property open. We would be definitely willing to do that. We are intending on doing a 4' fence along there if we are allowed. Not picket style but it is still see through it is a slated style. The only 6' fence we are looking to do on the back side of the property, the Sheldon Side. She then showed the Board Members a drawing of that. The drawing reflects the original offer that you had mentioned that we could come straight out from that back porch straight to the back but if we need to move that over to do a diagonal at 25 feet, we can absolutely do that.

Craig Engel stated that would be better for the site lines so the people do not have a problem driving around the corner. And this is going to be wood. Correct?

Sara Goldsmith stated correct and showed the Board Members a picture of the wood.

Craig Engel questioned if it was easier to maintain than a cyclone fence.

Sara Goldsmith stated mostly for privacy and as a sound barrier. Feels wood would be better. I know 4 foot isn't going to do as much as a 6 foot but we feel wood would be better for that.

Robert Creamer stated that he was under the impression that they were going to bring in samples and go over it with Mr. Goulet.

Sara Goldsmith apologized and thought she was to bring it to this meeting.

Discussion was held on the difference of purchasing places, the fence, the posts and how the fence needs to look the same on each side.

Robert Creamer stated that we would ask for details on the application. We would review the permit and attach the variance request with it.

Public hearing was held on the June 13, 2019 meeting.

Motion by Vicki Welty to approve the requested variance to allow the fence at the 44330 Duchess to replace the existing non-conforming fence with the following: 4' on the corner and the Fair Oaks side of the property, the 4 foot fence, 25' diagonal fence at the corner and a 6' fence privacy fence on the Sheldon Road side with the approval providing that the material used is approved by the Building Department as shown on the diagram provided by the homeowner. Support: Craig Engel. Ayes: All

Motion by Vicki Welty to adjourn at 7:24 p.m. Support by Craig Engel. Ayes: All

Renee' DeVos
Recording Secretary