

Richfield Township Board of Zoning Appeals
May 15, 2017

Members present:

Bob Lucas
Jeff Smola
Mark Totten
Christi Gable

Members absent:

Natalie Grubb

Amy Page, Zoning Inspector

The applicant, Keith Anderson, and his wife, the property owner, and one resident were in attendance. The resident did not address the board.

Mr. Lucas called the meeting to order at 6:32 p.m. Ms. Page introduced Case # 628-17.

A motion was made by Mr. Lucas and seconded Mr. Totten to reopen the hearing for Case# 628-17

Case 628-17 was reopened and is a request for variance to allow construction of an accessory building not meeting front setback requirements on a property located at the corner of Black Road and Stubbin Road, parcel # 48-00707 in an R-1 Residential District.

There were no members recusing from the Case. The applicant, Mr. Keith Anderson, was in attendance to provide information and take questions from the board members. The request is for variance approval from the minimum setback requirements to construct an accessory building at 5220 Black Road in an R-1 Rural Residential district.

Mr. Anderson asked to modify his request for variance from 25 feet to 11feet from the required 85 foot setback resulting in a 74 foot setback to keep the proposed accessory building in line with the existing garage.

Mr. Lucas asked if Ms. Page had any evidence to establish if the existing garage was built before the existing zoning code or if a variance was granted for its construction Ms. Page stated the building permit was issued in 1955. Mr. Smola said if a variance was granted and Mr. Anderson would like to keep the proposed accessory building in line with the existing garage he would look at it more favorably. Mr. Lucas said that no variance was granted as the garage was likely built pre-code. Mr. Totten said if the existing garage was built pre-code and maintains the lines of the property allowances should be given. Mr. Smola said he felt it would be grandfathered in. Mr. Totten said it was an 11% variance and Mr. Anderson wanted to maintain the property line it would be understandable and would be happy to consider a motion that takes that into consideration. Mr. Lucas asked if the applicant had any further information to provide Mr. Anderson said he had nothing further. Mr. Lucas asked if the Board had any further questions Mr. Smola asked Ms. Page she had evidence the garage was previously permitted and she said it was.

The hearing was closed at 7:03 p.m.

A motion was made by Mr. Smola and seconded by Mr. Totten to approve the 11 foot variance. The motion was opened for discussion by Mr. Lucas. Mr. Smola said he made the motion to approve the variance because it is in line with the existing approved structure and when the accessory building is complete it will not be visible to the neighbors Mr. Totten said he felt the wet conditions of most the yard left it largely unusable and created a hardship and granting the variance would allow for the building to be aligned, practical, usable, and more ascetically appealing. Ms. Gable requested the variance include that the existing shed will be removed Mr. Totten agreed and asked that the shed be removed by the end of October.

The Board members reviewed the 7 standards of practical difficulty Mr. Totten said he believed that Mr. Anderson met the standard for items 3,4,5,6, and 7

Mr. Lucas read the prosed resolution granting a 74 foot variance and requiring the existing accessory building be removed by October 31, 2017 the resolution was seconded by Mr. Totten the motion passed with unanimous approval.

Mr. Lucas asked to table the discussion of records retention until the June meeting.

A motion was made by Mr. Totten and seconded by Mr. Lucas to approve the minutes of the April 17, 2017 meeting. The motion passed with unanimous approval.

A motion was made to adjourn by Bob Lucas at 7:17 p.m. The motion was seconded by Mark Totten and received unanimous approval of those in attendance.

Chairman _____ Secretary _____ Date _____