

CASE NO. 2006-003

LAPEER TOWNSHIP ZONING BOARD OF APPEALS

Thursday - April 13, 2006

7:00pm

LAPEER TOWNSHIP HALL

PUBLIC HEARING

Present: Chairman Leonard Lumley, Vice Chairman Howard Lilley, Secretary Howard Stack, Mary Henderson and Ken Ewing

Others: Larry and Nancy Payne, 2564 S. Lapeer Road, Lapeer, Michigan

Chairman Lumley called the meeting to order at 8:30 p.m. Roll call followed with all members present.

Stack read the notice of public hearing of case #2006-003 dated March 20, 2006 on the petition filed by Larry and Nancy Payne, 2564 S. Lapeer Road, Lapeer, Michigan. The applicants are proposing to remove an existing 30 x 40 accessory building and replace it with a 48x74, 3,552 sq ft horse barn, 90' from the new edge of the road right of way. The new structure will be slightly in front of the dwelling. The ordinance allows a maximum accessory building size of 1,728 sq. ft. and does not allow a building to be erected in the front yard. This is a provision of Section 1.07, subsections 2 and 4 Buildings Accessory to One-and-Two Family Residential Uses of the Lapeer Township Zoning Ordinance.

The property is identified by parcel number 44-012-032-018-10 which is a 15.0 acre parcel and is zoned AE Agricultural Estate.

There was no correspondence to be entered on the record.

Petitioner presented his case as follows:

Petitioner would like to build a 48x74, 3552 sq. ft. barn for their horses. With the expansion of M-24, it is taking out some of their pasture where the horses graze. They plan to have four horse stalls and use the barn to store hay, tractors and other equipment essential for the horses. They can not put the barn back any further because of the grade and the way the land slopes. Their entire backyard is spongy and mucky. They want it to compliment and match the house. They built a 1200 sq. ft. barn at the time they built the house because of their funds at the time and needed something built quickly for the horses.

There was discussion on exactly where the barn would sit by the way it was staked out and how it would look in proportion to the house.

Stack asked if the dimensions of the overhang on the barn were included in the square footage which Petitioner stated they were not. Chairman Lumley stated that they should have been included because now this increases the square footage of the barn more than what he is asking for. There was discussion that the porch does add to the barn and is needed aesthetically.

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Lumley asked if he planned to take the 30' x 40' barn down before or after the new barn is built. Petitioner stated he will take it down right after the new barn is built.

Motion by Lilley, seconded by Ewing, to grant the variance request of Petition #2006-003, Section 1.07, Buildings Accessory to One-and-Two Family Residential Uses, subsections (2) and (4), allowing Petitioner to build a 48'x 74', 3552 sq. ft. horse barn which exceeds the minimum square footage allowed by 1824 sq. ft. This is based on the fact it will not alter the characteristics of the area, the property is a 15 acre parcel, the barn is a good distance from the house and road, the barn will be in proportion to the house, and this was caused by the expansion of M-24. This is with the stipulation that the 30' x 40' existing barn be torn down within six months. Roll call vote: Lilley - yes, Ewing - yes, Lumley - yes, Stack - yes, Henderson - yes. Motion carried.

The meeting was adjourned at 8:45 p.m.

Howard Stack, Secretary

Jane Powell, Recording Secretary