

CASE NO. 2006-004

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: Tommie Lee Bliss, 2604 Greenwood Road, Lapeer, Michigan

Chairman Lumley called the meeting to order at 8:45 p.m. Roll call followed with all members present.

Stack read the notice of public hearing of case #2006-004 dated March 20, 2006 on the petition filed by Tommie Lee Bliss, 2604 Greenwood Road, Lapeer, Michigan. The applicant is proposing to construct a 64x40, 2,560 square foot accessory building. The Ordinance allows a maximum accessory building size of 1,728 sq. ft. This is a provision of Section 1.07, Buildings Accessory to One-and-Two Family Residential Uses, subsection 4, detached accessory buildings of the Lapeer Township Zoning Ordinance.

The property is identified by parcel number 44-012-024-012-20 which is a 10 acre parcel and is zoned AE Agricultural Estate.

Petitioner presented his case as follows:

Petitioner would like to build a 64' x 40', 2560 sq. ft. accessory building. He has a trucking business and is asking for more square footage than what is allowed so he can store his gravel train truck, tractor, and his motor home. He does not want it to all sit outside. He is trying to keep a nice, clean place.

Lilley asked if this would sit behind his house. Petitioner stated yes, and you would not see the east side of the building or the rear as it is 150 feet from the woods and backs up to I-69. Lilley also asked how far does the house sit back from the road. Petitioner stated approximately 750 feet.

There was discussion that there is a tree line on the east side of the property and his neighbor's house to the west sits closer to the road. Petitioner stated the Pine Drain runs through his property and his property backs up to the I-69 ramp.

Stack read correspondence from Robert & Cathy Carter, 2534 Greenwood, Lapeer, stating that they have no objection to this variance.

There was further discussion on how far back the house and building will sit from the road. The neighbor across the street farms approximately 50-60 acres and Jay's Septic owns the surrounding area to the east.

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Stack asked what the distance will be from the house to the building. Petitioner stated approximately 300' to 400'.

Chairman Lumley asked why he picked that spot to put the accessory building. Petitioner stated that this was the best spot on his property and he did not want it sticking out front or directly behind the house.

Ewing asked how high the ceilings would be? Petitioner stated it will be a 16' ceiling with 12' doors. He needs it to be high enough for his gravel train and still be able to raise his truck 4' and work underneath it.

There was discussion on the eaves and whether he will meet the requirements and still maintain a 4-12 pitch. The peak of the barn will still be lower than the house as the house sits on the highest spot of his property. There was further discussion on the height of the barn not exceeding 24 feet.

Motion by Henderson, seconded by Ewing, to grant the variance request of Petition #2006-004, Section 1.07, Buildings Accessory to One-and-Two Family Residential Uses, Subsection 4, allowing Petitioner to build a 64' x 40', 2560 sq. ft. accessory building, which exceeds the minimum square footage allowed by 832 square feet, and as long as the height does not exceed 24 feet. This is based on the height of the barn, it will not be seen from the road, the building will sit lower on the property than the house, it will not detract from other property and this is a 10 acre parcel. Roll call vote: Henderson - yes, Ewing - yes, Lumley - yes, Stack - yes, Lilley - yes. Motion carried.

Minutes of public hearing from October 7, 2005, Petition #2005-008, Petitioner Frank Green, were presented and reviewed. Motion by Lilley, seconded by Henderson to approve the minutes of Petition #2005-008, dated October 7, 2005 as presented. Motion carried by an unanimous AYE vote

The meeting was adjourned at 9:10 p.m.

Howard Stack, Secretary

Jane Powell, Recording Secretary