

CASE NO. 2007-006

LAPEER TOWNSHIP ZONING BOARD OF APPEALS

Thursday - October 4, 2007

7:00pm

LAPEER TOWNSHIP HALL

PUBLIC HEARING

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

Others: Ed Blaszczyk, 2570 Imlay City Road, Lapeer, Michigan

Chairman Lumley called the meeting to order at 8:00 p.m. Roll call followed with all members present.

Stack read the notice of public hearing of case #2007-005 dated September 10, 2007 on the petition filed by Ed Blaszczyk, 2570 Imlay City Road, Lapeer, Michigan. The applicant is requesting to construct a 36' x 40', 1,400 sq. ft. pole building (includes 6' overhang) ten feet from the side yard lot line.

The property is identified by parcel numbers 44-012-001-030-10. The site is approximately 3/4 acre and is located in the C-1, Commercial Zoning District and the residential use is considered non-conforming. The ordinance requires a 20 feet side yard setback and a maximum building size of 1,200 square feet.

Petitioner presented his case as follows:

Petitioner would like to build a 36' x 40' pole barn within 10 feet from the property line so he does not have to cut some of the very mature trees on his property. He is in a commercial district and there is 33 acres of open field behind him.

Lumley asked if he planned to have a drive go back to the building. Petitioner stated he did not plan on having any driveway.

Stack questioned Petitioner on what he plans to use the pole barn for. Petitioner stated that he wants it to store his lawnmower, snowmobiles and car. His existing 3-car garage is now packed full and he needs additional space.

Ewing asked what the distance was from the house to the pole barn and whether it was possible to build the barn closer to the house and to the west. Mr. Blaszczyk stated it was approximately 80' to 100' where he planned to build and he does not want the pole barn too close to the house and pool and deck. He wants some distance between the two.

There was further discussion on if there were any other suitable areas to build this pole barn on the property. There is two rental houses to the east, then a party store and a junkyard. There is 33 acres behind him which is to low and swampy for anyone to ever build upon.

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Motion by Ewing, seconded by Stack to grant the variance request of Petition #2007-006, Section 1.07(4) Buildings Accessory to One and Two Family Residential, Section 13.01(5) Side Yard Setback, and Section 18.04(1)(4) Non-Conforming Uses, allowing Petitioner to construct a 1,440 sq. ft. accessory building (which includes the 6' overhang) 10 feet from the side yard lot line instead of the required 20 feet, with the stipulation that the privacy fence will be extended to the end of the east property line. This is based on the fact that it will not adversely affect the property behind it or to the east of it and it will not alter the characteristics of the neighborhood. Roll call vote: Ewing - yes, Stack - yes, Henderson - yes, Lilley - yes, Lumley - yes, Motion carried.

Motion by Ewing, seconded by Stack, to certify the Final Decision minutes of Petition #2007-006 dated October 4, 2007. Motion carried by an unanimous AYE vote.

The meeting was adjourned at 8:15 p.m.

Howard Stack, Secretary

Jane Powell, Recording Secretary