

## **BOARD OF ZONING APPEALS MINUTES**

A regular meeting of the Farmington Board of Zoning Appeals was held on Wednesday, June 6, 2012 in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 1976.

Chairperson Buyers called the meeting to order at 7:00 p.m.

### **ROLL CALL**

**PRESENT:** Buyers, Dompierre, Kmetzo, Majoros, Scott.

**ABSENT:** Bennett.

**CITY OFFICIALS PRESENT:** City Manager Pastue, Building Inspector Koncsol.

### **MINUTES OF PREVIOUS MEETINGS**

MOTION by Scott, supported by Majoros, to approve the minutes of the previous ZBA meeting of April 9, 2012.

Motion carried, all ayes.

MOTION by Majoros, supported by Scott, to approve the minutes of the Planning Commission Meeting of February 13, 2012., Motion carried, all ayes.

**APPEAL OF:** **Matthew Schiffman**  
**31609 Shaw**  
**Farmington, MI 48336**

Chairperson Buyers stated Matthew Schiffman is requesting to construct a 3' tall white vinyl picket fence to enclose the front yard of the property. City fence ordinance prohibits any fence in a front yard unless they meet criteria for "decorative" fences. See 35-49(C) . This proposal does not meet this criteria.

The applicant presented the Board with additional data supporting his request for variance.

### **PUBLIC HEARING**

Public comments from members of the audience were received from:  
Gary Goss, 21366 Shaw Street, spoke in favor of.

Public hearing closed.

Letters of correspondence were received from the following:

In support of:

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Barb Payton, 31370 Shaw.  
Terry Purves, 31701 Sherwood.  
Elizabeth Petty, 31630 Shaw.

Discussion was held regarding practical difficulty created by shape of yard and property, and entry and egress into home.

MOTION by Majoros, seconded by Scott, to approve the request to construct a 3' tall white vinyl picket fence to enclose the front yard of the property, that Petitioner has established unique circumstances with entry and egress that are not self created, and proposed use would not interfere with public safety.

### ROLL CALL:

Ayes: Buyers, Dompierre, Kmetzo, Majoros, Scott.

Nays: None.

Motion carried, all ayes

Commissioner Scott excused himself from meeting 7:25 p.m.

### **APPEAL OF:**

**Daniel & Veronica Jamieson  
22036 Hayden  
Farmington, MI 48336**

Owner requests permission for:

1. A 1'2" side yard variance to Sec. 35-73, so that a 3' x 10'4 3/4" addition can be built on north side of the home. This would reduce this side yard to 4'10". (6' minimum side yard - 1'2" = 4'10")
2. A .49% lot coverage variance to Sec 35-73 to allow for a 3' x 10' 4 3/4" bathroom bump out on the north side as well as a 5'8" x 9'8" roof to cover a side entry on the south side. City ordinance allows for a 30% maximum lot coverage in an R1 residential district. With both proposals, the lot coverage is 30.49% which (30% allowed = 2,371.79 sq ft. Proposal is for 2,411.19 sq ft 2,411.19 - 2,371.79 = 39.4 sq ft.)

Chairperson Buyers explained to Petitioners that they have the right to wait for a full complement of the Zoning Board to present their request as a majority vote is required.

Petitioners stated they would present their appeal.

Veronica Jamieson gave history of property indicating it was home her husband grew up in and the various improvements they have made since purchasing it from his parents.

Further discussion was held citing the practical difficulties of the bathroom in its current state. Pictures and additional data were provided to the Board.

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### **PUBLIC HEARING**

Public comments from people in the audience were received from:  
Lynn Morgan, 23037 Frederick, spoke against granting the variance.  
Nick Galli 23076 Hayden, spoke in favor of granting the variances.

Public comments completed.

The following correspondence was received:

Approval: Ann Wick , 22967 Hayden; Joan Gallica, 23057 Hayden; Lila Kalleal, 23037 Hayden; Eric Gensheimer, Peggy Zinser, Rama Subramaniam, 23095 Hayden, Jenny Blum, Eric Emory, Judith and Ed Trail, Jessie Rivera and Josh Rubin, Ann Underwood, Nancy Valendar.

Denial: Kimberly Thompson.

Further discussion was held concerning the requests.

Motion by Dompierre, seconded by Majoros, to approve requests for a 1'2" side yard variance and a .49% lot coverage variance on the property at 23036 Hayden for the reasons cited in the Petitioner's requests.

#### **ROLL CALL:**

Ayes: Buyers, Dompierre, Kmetzo, Majoros.

Nays: None.

Motion carried, all ayes.

### **PUBLIC COMMENT**

No public comments were heard.

### **COMMISSION COMMENTS AND ANNOUNCEMENTS**

None heard.

### **ADJOURNMENT**

MOTION by Majoros, seconded by Kmetzo, to adjourn the meeting.  
Motion carried, all ayes.

The meeting adjourned at 8:22 p.m.

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John D. Koncsol , Building Inspector