

**SUPERIOR CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
APPROVED MINUTES  
JUNE 25, 2019  
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1. CALL TO ORDER

The meeting of the Superior Charter Township Zoning Board of Appeals was called to order by Chairman Rintamaki at 7:00 p.m.

2. ROLL CALL

The Zoning Board of Appeals members present were Dail, Deeds, Guenther, Heningburg, Lewis, Parm and Rintamaki. Rick Mayernik, Building and Zoning Official, was also in attendance. A quorum was present.

3. ADOPTION OF AGENDA

A motion was made by Member Dail and supported by Member Deeds to adopt the agenda as presented. The motion carried by voice vote.

4. APPROVAL OF MINUTES

A motion was made by Member Parm and supported by Member Lewis to approve the minutes of November 29, 2018. The motion carried by voice vote.

5. CITIZEN PARTICIPATION

There was no Citizen Participation.

6. COMMUNICATIONS

Motion by Member Deeds and supported by Member Guenther to receive and file communication.

7. PUBLIC HEARINGS AND CONSIDERATION OF APPEALS

- A. ZBA #19-01 – Variance from Section 6.03(2)(b) (Accessory Structures and Uses) to allow an addition to the existing accessory structure. The property is located at 5757 Stonehedge Court and is zoned R1 (Single Family Residential).

Doug Geidner, applicant, stated that he would like to buy a 45-foot motorhome which would exceed the current size of the barn. He also would like to move a car to the barn as well as lawnmower and other equipment. Mr. Geidner explained that he takes care of over 30 acres around the property.

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Mr. Mayernik reviewed his memo dated June 4, 2019.

Member Guenther stated that the change of the front lot line from the road to the water is what made this issue require a variance. That is the issue in front of the ZBA.

Mr. Mayernik confirmed and stated that if the 1978 ordinance was still in effect, the permit would have been granted.

Member Dail inquired about the letter from Marlene and Michael Hamme regarding the size of the accessory structure being larger than the principal structure.

Mr. Mayernik stated that the information in their letter is incorrect. The section of the Zoning Ordinance that they are referencing is from the home occupation section of the Ordinance. He explained that the accessory structure can be larger (1.5 times the footprint of the home). In this case, the applicant is well within the limitations.

Member Guenther reminded Members that the issue of the applicant and home occupations is not in front of the ZBA.

Mr. Mayernik stated that there have been no complaints up until the time that this variance notice was sent out. After the variance was mailed out, Mr. Mayernik began receiving calls complaining about the property. He advised Mr. Geidner that the structure can only be used as an accessory structure for the principal/residential use. If there are continued complaints Mr. Mayernik will follow through.

Toby Northway, 5600 Stonehedge Court, stated that the shop is currently being used for more than storage of equipment. He mentioned listed activities that are prohibited within the Zoning Ordinance and reports hearing grinding and welding happening at night. Mr. Northway went on to state that there is a noticeable increase in constant volume and did not feel that the structure was being used as residential, but commercial. He does not have a problem with the expansion of the garage for storage but feels that it will be used for expanding the applicant's business operations.

Chairman Rintamaki stated that there are two separate issues: whether to enlarge the pole barn and asking the enforcement officer to look at

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uses occurring at the pole barn. He stated that he would like to focus on the variance on the increase in size but wants Mr. Mayernik to look into the complaints.

Mr. Geidner stated that his son is taking welding courses at Washtenaw County Community College and does weld in the barn. Additionally, the backhoe has been at the property since his father-in-law owned the home.

Member Guenther inquired about the applicant applying for a building permit.

Mr. Mayernik replied that Mr. Geidner has not yet applied for a building permit. If his variance is granted, he could apply for a building permit and the approved uses would be stated on the permit.

Chairman Rintamaki reviewed the following five standards in Section 13.08B of the Zoning Ordinance.

1. Special conditions and circumstances exist that are unique to the land, structures, or buildings involved, and are not applicable to other lands, structures, or buildings in the same district, subject to the following:
  - a. The existence of nonconforming dwellings, lots of record, structures, uses, or sites on neighboring lands in the same zoning district or other zoning districts shall not be considered grounds for a variance.
  - b. The special conditions and circumstances on which the variance request is based do not result from the actions of the applicant.
2. Literal interpretation of this Ordinance would deprive the applicant of rights commonly enjoyed by other property owners in the same district under the terms of this Ordinance.
3. Granting the variance requested would not confer upon the applicant any special privilege that is denied by the Ordinance to other lands, structures, or buildings in the same district.

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4. A variance granted shall be the minimum that will make possible a reasonable use of the land, building, or structure. The Board of Appeals may consider lesser variances than that requested by an applicant.
5. The variance granted shall be in harmony with the intent of this Ordinance and will not be injurious to the environment, neighborhood, or otherwise detrimental to the public interest.

Motion by Member Guenther, supported by Member Parm, to approve ZBA #19-01 granting a variance from Section 6.03(2)(b) (Accessory Structures and Uses) to allow an addition to the existing accessory structure.

Roll Call Vote:

Yes: Dail, Deeds, Guenther, Henningburg, Lewis, Parm, Rintamaki.  
No: None.  
Absent: None.  
Abstain: None.

The Motion Carried.

**8. OLD BUSINESS**

None.

**9. OTHER BUSINESS AS NECESSARY**

**A. Election of Officers for 2019**

Chairman Rintamaki stated that he would be willing to continue serving as Chair of the Zoning Board of Appeals and asked Member Dail if he would continue as Vice Chair, and Member Deeds, as Secretary. Members Dail and Deeds agreed.

Election of Rintamaki as Chair, Dail as Vice Chair, and Deeds as Secretary were made on voice vote.

The Motion Carried.

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10. ADJOURNMENT

A motion was made by Member Deeds and supported by Member Dail to adjourn the meeting at 8:20 p.m.

Respectfully submitted,

John Rintamaki, Chairman Zoning Board of Appeals

Laura Bennett, Recording Secretary Superior Charter Township  
3040 N. Prospect, Ypsilanti, MI 48198