

**SUPERIOR CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
VIRTUAL VIA ZOOM**

**WEDNESDAY
SEPTEMBER 16, 2020
7:00 P.M.
AGENDA**

1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. APPROVAL OF MINUTES
 - A. Approval of the June 25, 2019 minutes
5. CITIZEN PARTICIPATION
6. COMMUNICATIONS
7. PUBLIC HEARINGS AND CONSIDERATION OF APPEALS
 - A. **ZBA #20-01 – 7515 Plymouth Road**
Variance from Section 6.03(2)(b) (Accessory Structures and Uses) to allow for the construction of an accessory structure in the required front yard setback. The property is located at 7515 Plymouth Road and is zoned R2 (Single Family Residential).
8. OLD BUSINESS
9. OTHER BUSINESS AS NECESSARY
 - A. Election of Officers for 2020
10. ADJOURNMENT

In compliance with Governor of Michigan's Executive Order, the Superior Township Zoning Board of Appeals will conduct its September 16, 2020 meeting electronically. Public participation at the September 16, 2020 Planning Commission meeting will be via teleconference and videoconference in order to reduce the risk of exposure to persons with the COVID-19 virus and to comply with the Governor's Executive Order restrictions on in-person governmental functions.

To participate as a member of the public:

- For videoconferencing go to:
 - <https://us02web.zoom.us/j/82380776603>
- Or Telephone:
 - 301-715-8592 or 312-626-6799, Webinar ID: 823 8077 6603
- International numbers available: <https://us02web.zoom.us/u/kblzfEOXqQ>

Further instructions on participating in public comment will be provided once the meeting has been called to order in order to ensure two-way communication between the Planning Commission and the members of the public.

Written comments will be received at planning@superior-twp.org until 3:00 p.m. the day of the hearing.

Any person who wishes to contact members of the Zoning Board of Appeals to provide input or ask questions on any business coming before the Zoning Board of Appeals on September 16, 2020 may do so by emailing planning@superior-twp.org until 3:00 p.m. the day of the hearing.

Reasonable auxiliary aids and services can be provided at the meeting to individuals with disabilities by contacting the Township Clerk at: 734-482-6099 or via email at lynettefindley@superior-twp.org at least three business days in advance.

Please Note: This meeting is being recorded

This notice is posted in compliance with PA 267 of 1976 (as amended) Open Meetings Act, MCL 125.3103 and 125.3502 and the Americans with Disabilities Act (ADA). Individuals with disabilities requiring auxiliary aids or services should contact the Superior Charter Township Clerk's Office three business days prior to the meeting. The Clerk's Office can be reached at 734-482-6099 or via email at lynettefindley@superior-twp.org.

**SUPERIOR CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
DRAFT 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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ZONING BOARD OF APPEALS
DRAFT MINUTES
JUNE 25, 2019
PAGE 5 of 5**

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

ZONING BOARD OF APPEALS APPLICATION

(This application must be typewritten or printed. All questions must be answered.)

Request is hereby made for one of the following:

☒ Variance from the requirements of the following Zoning Ordinance
Section(s): 6.03 - Accessory Structures

☐ Appeal of the decision of the Township Zoning Official

APPLICANT INFORMATION

Name Brendon Snider

Address 7515 Plymouth rd.

Phone Number _____ Email _____

Is the property owned by the applicant? ☒ YES ☐ NO

If "NO", what is the applicant's interest in the property? _____

Name, address and telephone number of owner(s): _____

DESCRIPTION OF THE PROPERTY

Address 7515 Plymouth rd.

Parcel ID# 81-10-09-100-002 Parcel size 1.63 Acres

Size of the proposed building or addition, if any 120 sq. ft. Free-standing shed

Use of existing building (if any) and property Single Family Home

Zoning classification of property Urban Residential

If a new building is proposed, has the Building Inspection department examined the plans for the proposed building? ☐ YES ☒ NO

Has the department refused a permit? ☐ YES ☒ NO

Has there been any previous land use application involving this property? YES ☒ NO

If "YES", state the date of filing, the character of appeal and the disposition.

DESCRIBE THE REASONS FOR YOUR APPEAL

Note: The Zoning Board of Appeals is required to use the standards listed in Section 13.08(B) of the Zoning Ordinance when considering an appeal. It is recommended that applicants review these standards and consider them in preparing a description of why the variance is needed. A copy of the standards is attached to the application.

Per section 13.08(B) - Standards for Review of Variances in Article 13 - Zoning Board of Appeals

1. Combination of corner lot and floodplain severely limit options for storage shed
2. Neighbors are all able to utilize storage sheds on their property
3. Consideration of flood plain negates any perception of special privilege
4. Requesting to place free standing shed in the most logical location after considering flood plain
5. We have already taken appearance and drainage into consideration and will ensure we are not intrusive.

YOU MAY WISH TO ASK YOUR NEIGHBORS TO SIGN THE FOLLOWING SECTION IF THEY HAVE NO OBJECTION TO THE APPEAL YOU ARE MAKING.

We the undersigned, as owners of property any part of which is located within 300 feet of any part of the property involved in this appeal, have no objections to the granting of the request made in this appeal:

NAME (PLEASE PRINT)	SIGNATURE	STREET ADDRESS
Michael Gianfranco	<i>[Signature]</i>	3925 Albert Dr, Ann Arbor
Laura Garrity	<i>[Signature]</i>	7493 Plymouth Rd. AA 48105
Alice Sanderson	<i>[Signature]</i>	3925 Albert Dr, Ann Arbor 48105
GORDON GARRITY	<i>[Signature]</i>	7493 Plymouth Rd 48105
KIM SAUVE	<i>[Signature]</i>	3875 Albert Dr A 48105

INFORMATION REQUIRED TO BE SUBMITTED WITH APPEAL

The following must attached and submitted with the application:

- Ten (10) sets of drawings, all on sheets 8 ½ inches by 11 inches or 8 ½ inches by 14 inches, drawn to scale and showing all measurements, features and structures, including the general location of all natural features on the property, measurements to show distances between structures, measurements between structures and property lines, measurements for lot width and lot area, and height of structures. Rights-of-way and easements must also be shown.
- A letter of authority, or power of attorney, in the event the appeal is being made by a person other than the actual owner of the property.
- A complete legal description of the premises (as stated on the property deed or property tax bill.)


APPLICANT'S DEPOSITION – Must be completed by applicant.

I hereby state that all of the statements and information contained in this application and the supporting documents herewith are true and correct.

Signature of applicant  Date 8/20/20

NOTARY PUBLIC – Applicant's signature must be notarized.

Sworn to before me this 20 day of August 2020

My commission expires 05-26-2026 
(Notary Public, Washtenaw County, Michigan)

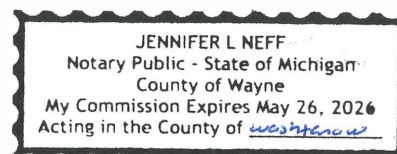
To be filled in by Township Clerk (or designated Township Officer/Personnel)

I hereby state that this petition was properly received and filed on 8/20/2020 (date)

Signature of Clerk (or designee)



Fee paid 175.00



Notice to Applicants for the Zoning Board of Appeals

Filing Applications

You must call and schedule an appointment with the Township Zoning Official Richard Mayernik to file an application. He may be reached at the Township Office at (734) 482-6099.

Meeting Schedule

The Zoning Board of Appeals does not have a regular meeting schedule. Meetings are called whenever there is an application for a variance. Because variance requests require a public hearing, it generally takes four (4) weeks from the date an application is received until a meeting of Zoning Board of Appeals can be held. This time is needed to schedule the meeting date and to mail out notices of the public hearing.

Reasons for the Appeal

The Zoning Board of Appeals is required to use the standards listed in Section 13.08 of the Zoning Ordinance when considering the appeals. It is recommended that applicants review these standards and consider them in preparing a description of why the variance is needed.

Site Visits

Filing an application gives the implied consent for Township officials and/or consultants to visit the subject site.

Application Fees

An application fee must be paid when you file your application. The fees are as follows:


1. Appeals brought by the owner of a single-family dwelling for a variance from density and height regulations of the Zoning Ordinance = **\$175.00**
2. Any other appeal = **\$500.00**

Applicant's Acknowledgement

I hereby acknowledge that I have read and agree to the above and that I have been given a copy of this notice.



Signature



Date

CERTIFIED SURVEY RECEIVED

FEB 03 2005

WASHTENAW CO.
ENV. HEALTH

1/4 CORNER OF
N 9, T.2S., R.7E.,
SUPERIOR TOWNSHIP,
WASHTENAW COUNTY, MI
and 5/8" iron rod
C/L of ditch south
of M-14 Highway
L.C.R.C. RECORDED IN
(LIBER 1, P 383, W.C.R.)

SET MAG NAIL
W/TAG #24598
IN WOOD BRIDGE

SET IRON W/O CAP
IN FLEMING CREEK

⊗ well

c/1 Albert Drive
(66' wide)

N02°51'35"E 2704.71' (F-3 to F-4)

NORTH-SOUTH 1/4 LINE OF SECTION 9

33' R.O.W. LINE

250'



c/1 Plymouth Road
(100' wide)

S58°25'34"W 288.30'(M) 288.18'(R)

N

SCALE 1"=60'

2/28/05
Soil Eval

PLAN APPROVED

Permit No. SEW05-001
Washtenaw County Health
Department

This plan has been
approved this 6th day of
MAY, 2005 and r

Changes will be made
without written approval.

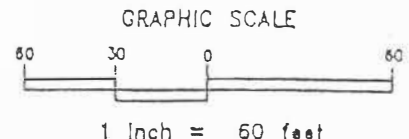
Signed: Dawn M. No

50 foot
Setbacks
Shown

P.O.B. OF PARCEL
1481.82' SOUTH OF
NORTH 1/4 CORNER
ALONG N-S 1/4 LINE
SET MAG NAIL

PREPARED FOR:
RUSSELL LYKE
972 JUNEAU
YPSILANTI, MI 48198

(F-4)
CENTER POST OF
SECTION 9, T.2S., R.7E.,
SUPERIOR TOWNSHIP,
WASHTENAW COUNTY, MI
found 1-1/4" iron pipe
in C/L of gravel road
L.C.R.C. RECORDED IN
(LIBER 7, PAGE 97, W.C.R.)



BEARINGS ARE BASED ON THE
NORTH-SOUTH 1/4 LINE AS
SURVEYED = S02°51'35"E

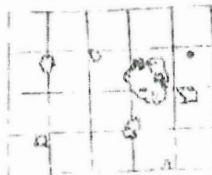
SURVEYOR'S CERTIFICATE - I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME, OR UNDER MY
DIRECT SUPERVISION. THAT I AM A PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF



VOID -
Revision
Received on
9/11/2020
- LB

Requesting permission to place freestanding shed on north edge of driveway extension. Shed will sit 4ft. from edge of dirt road and will be mostly tucked under a tree. Crushed rock has already been laid as a base to ensure proper drainage from Albert.

Revised Location 9/11/2020-LB



9/9/2020

THIS MAP REPRESENTS PARCELS AT THE TIME OF PRINTING. THE OFFICIAL PARCEL TAX MAPS ARE MAINTAINED SOLELY BY THE WASHINGTON COUNTY EQUALIZATION DEPARTMENT AND CAN BE OBTAINED BY CONTACTING THAT OFFICE AT 734.224.6622.



NOTE: Parcels may not be to scale.

The information contained in this cadastral map is used to locate legally and ownership parcels of land in Washington County for agricultural and leasing purposes only and is not to be construed as a "survey" or "title" map. This information is provided with the understanding that the user assumes all responsibility for the use of the information and any errors or omissions are the user's responsibility.

Revised Location
- Received 9/11/2020

-LB

CERTIFIED SURVEY RECEIVED

FEB 03 2005

WASHTENAW CO.
ENV. HEALTH

1/4 CORNER OF
9, T.25., R.7E.,
SUPERIOR TOWNSHIP,
WASHTENAW COUNTY, MI
and 5/8" iron rod
C/L of ditch south
of M-14 Highway
L.C.R.C. RECORDED IN
(LIBER 1, P 383, W.C.R.)

SET WAG NAIL
W/TAG #24598
IN WOOD BRIDGE

c/1 Albert Drive
(66' wide)

N83°53'25"E 191.00'

157.95'

SET IRON W/O CAP
IN FLEMING CREEK

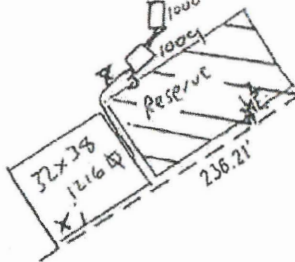
Well

Shed

35' O.W. LINE

NORTH-SOUTH 1/4 LINE OF SECTION 9

NO2°51'35"W 373.00'
SO2°51'35"E 2704.71' (F-3 to F-4)

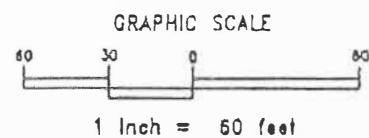


558°25'34"W 288.30'(W) 288.18'(R)
c/1 Plymouth Road
(100' wide)

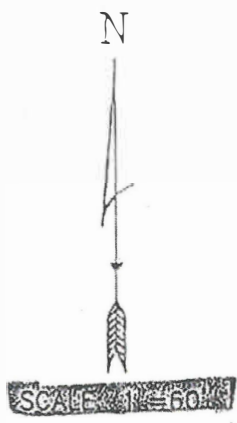
P.O.B. OF PARCEL
1481.82' SOUTH OF
NORTH 1/4 CORNER
ALONG N-S 1/4 LINE
SET WAG NAIL

PREPARED FOR:
RUSSELL LYKE
972 JUNEAU
YPSILANTI, MI 48198

(F-4)
CENTER POST OF
SECTION 9, T.25., R.7E.,
SUPERIOR TOWNSHIP,
WASHTENAW COUNTY, MI
found 1-1/4" iron pipe
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L.C.R.C. RECORDED IN
(LIBER 7, PAGE 97, W.C.R.)



BEARINGS ARE BASED ON THE
NORTH-SOUTH 1/4 LINE AS
SURVEYED = S02°51'35"E



2/28/05
Soil Eval

PLAN APPROVED
Permit No. SEW05-001

Washtenaw County Health
Department

This plan has been
approved this 6th day of
May, 2005 and n

Changes will be made
without written approval.

Signed: Dawn M. M.

Adjusted location
to avoid county right
of way, will still need
to be in setback

SURVEYOR'S CERTIFICATE - I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME, OR UNDER MY
DIRECT SUPERVISION, THAT I AM A PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF

9/11/2020

7515 Plymouth Rd - Google Maps

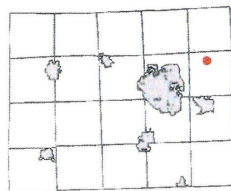
Revised Location
9/11/2020 - LB

Google Maps 7515 Plymouth Rd



Map data ©2020, Map data ©2020 20 ft

Adjusting location to edge of parking pool towards house to avoid county right of way



9/9/2020



NOTE: Parcels may not be to scale.

The information contained in this cadastral map is used to locate, identify and inventory parcels of land in Washtenaw County for appraisal and taxing purposes only and is not to be construed as a "survey description". The information is provided with the understanding that the conclusions drawn from such information are solely the responsibility of the user. Any assumption of legal status of this data is hereby disclaimed.



10w x 12d Freestanding Shed