

**SUPERIOR CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
APPROVED MINUTES
NOVEMBER 10, 2021
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1. CALL TO ORDER

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

2. ROLL CALL

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

3. ADOPTION OF AGENDA

A motion was made by Member Parm and supported by Member Brennan to adopt the agenda as presented. The motion carried.

4. APPROVAL OF MINUTES

A motion was made by Member Parm and supported by Member Brennan to approve the minutes of September 29, 2021. The motion carried.

5. CITIZEN PARTICIPATION

None.

6. COMMUNICATIONS

None.

7. PUBLIC HEARINGS AND CONSIDERATION OF APPEALS

- A. ZBA #21-04 – 10463 Cherry Hill Road
Variance from Section 3.101 (Dimensional Standards) for an addition and alterations of existing single-family dwelling in the front yard setback.

Motion by Member Brennan and supported by Member Parm to open the public hearing. The motion carried.

The applicant, Micheal Ripple, explained that he wants to add a second story to the existing house. The house is currently in the setback, but the applicant is moving the footprint back ten feet from the road by altering the front porch. The house would then be 64 feet from the edge of Cherry Hill Road.

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It was noted that the homeowner would be doing the construction himself, as he is a builder by trade.

Rick Mayernik stated that he wrote a memo giving the history of the property from the Assessing records and the property file. The house was built in 1950 and the first Zoning Ordinance was adopted in 1948. At that time the property was zoned AG-1 and the front yard setback was 50 feet. Over time the front yard setback changed. In 1978 the ordinance changed the front yard setback to 60 feet, and the setback requirement is now 75 feet. Mr. Mayernik included a printout of the County GIS showing that the approximate measure, and the front of the existing house is about 36 feet from the existing right-of-way. He noted that the front is being pushed back ten feet, to 46 feet from the right-of-way. The second story addition will be 56 feet from the right-of-way, which adds to the nonconformity.

The applicant noted that the home is currently 1,300 square feet and will be approximately 2,200 square feet once complete.

Motion by Member Parm and supported by Member Brennan to close the public hearing. The motion carried.

Member Dail reviewed the Standards for Review set forth 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.

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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.
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 Brennan, supported by Member Craigmile to approve ZBA #21-04, a variance from Section 3.101 (Dimensional Standards) to allow for an addition and alterations of existing single-family dwelling in the front yard setback.

Roll Call:

Yes: Brennan, Craigmile, Dail, Parm.
No: None.
Abstain: None.
Absent: Deeds, Heningburg.

The motion carried.

8. OLD BUSINESS

None.

9. OTHER BUSINESS AS NECESSARY

None.

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10. ADJOURNMENT

A motion was made by Member Brennan and supported by Member Craigmile to adjourn the meeting at 7:50 p.m.

Respectfully submitted,

Doug Dail, Chairman Zoning Board of Appeals

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