

**CHARTER TOWNSHIP OF NORTHVILLE**  
**Zoning Board of Appeals**  
**September 18, 2019**

**DATE:** September 18, 2019  
**TIME:** 7:00 P.M.  
**PLACE:** Northville Township Hall  
44405 Six Mile Road

**APPROVED: November 20, 2019**

**CALL TO ORDER:** 7:00 P.M.

**ROLL CALL:**

**Present:** Symantha Heath, Eric Lark, Joseph LoPiccolo, Gary Sixt, Paul Slatin, Paul Smith  
**Excused:** Brian Doren

**Staff:** Jennifer Frey, Township Planner

Township Planner Frey confirmed that all property owners within 300 feet of tonight's petition had been notified.

**Approval of Minutes:**

Zoning Board of Appeals – August 21, 2019

**MOTION by Heath, support by Smith, to approve the minutes from the Zoning Board of Appeals meeting of August 21, 2019.**

Voice Vote: Ayes: All  
Nays: None

**Motion approved unanimously.**

Chair Slatin made standard introductory remarks explaining the role of the ZBA and the formal procedures of the meeting. Chair Slatin noted that four votes would be required to pass any motion. He also noted that all variance requests approved would be valid for one year.

**Petitions:**

**1. PZON19-0006 Jens and Carol Kuehne, Property Owner**   
Location: **49228 Ridge Court**  
Request: A variance to Article 3.2 (l)(3) to permit an accessory structure (a shed) to be located within the required 15' side yard setback.

Carol and Jens Kuehne, property owners, were present on behalf of the petition.

Ms. Kuehne introduced the request, stating that they wished to replace their current shed. The new shed would not encroach upon the setback any further than the current shed. Practical difficulty included areas where they could not build due to overhead wires, underground

cables, and a septic field. The septic field was a pump-up system that created a big hill in the backyard. This was a unique combination and she was not aware of any other like it in the neighborhood or in Northville.

Responding to a question from Member Smith, Ms. Kuehne agreed that the septic field was an engineered system. She went on to explain that this was not self-created because the system was in place when they had purchased the house.

The petitioners passed around a variety of photographs from the property. Ms. Kuehne pointed out relevant landmarks that kept them from moving the shed to a different location. They wanted to extend the size of the shed. When they looked at relocating the shed so that they would not need the variance, they could not find a suitable location. The shed couldn't be moved forward because of overhead electrical wires which went to a telephone pole in the backyard. They also couldn't build over the underground cable wires that were to the front and east of the shed. The shed could not be built on top of the septic field. All of these areas, as well as other areas, such as close to the house, were also impacted by the hilly terrain that kept them from being able to move the shed to another location. The new and improved shed would not encroach any further into the setback than the current shed, which was five feet in the western rear corner.

Responding to questions from the Board, Ms. Kuehne stated that they hadn't picked out a new shed yet. The current shed was 12 feet by 13 feet and they were looking at sheds that were 12 by 24 feet or 12 by 20 feet. The new shed would be a little taller than the current shed, but not taller than the amount allowed. They had a builder and had contacted the Township and they would stay in conformance with all requirements.

Ms. Kuehne continued answering questions, stating that the new shed would go further into the lot and would not be parallel to the property line. Only the one corner would be as close as the needed 5-feet. The front of the shed would be much further away from the property line.

Mr. Kuehne stated that they took the existing distance of the current shed and wanted to replace that shed with the new one.

Ms. Kuehne stated that her neighbor, who was closest to the shed location, had no objections.

Member Smith asked about the new structure.

The applicants confirmed that it would be a complete removal and rebuild with a brand-new shed that had a concrete floor and electricity.

Responding to a question from Chair Slatin, Township Planner Frey confirmed that one could not build under powerlines, as there was a setback requirement.

Ms. Kuehne assumed that the location was acceptable because the current shed was already there. There had not been a problem with the current location.

Township Planner Frey stated that today's standards might be different from the time of the original build.

Member Smith agreed that any setback from the powerlines would have to be satisfied and noted that the applicants were expanding the size of the structure.

Ms. Kuehne stated that the shed would be no closer to the overhead wires and that if they went with a 12-foot width, rather than the 13-foot width of the current shed, it would be one more foot away.

Township Planner Frey stated that when the applicants applied for the permit, the distance would have to be identified and that prior to applying for the permit, they could find out the needed setback.

Member Smith also noted the power lines at the back of the property, but said that those were further away.

Chair Slatin opened the public hearing at 7:12 P.M. Seeing nobody come forward to speak, he closed the public hearing at 7:12 P.M.

Township Planner Frey confirmed that no correspondence had been received regarding the variance request.

**MOTION by Heath, support by Smith, that the Zoning Board of Appeals approve Petition PZON19-0006, 49228 Ridge Court, to allow a variance to Article 3.2 (l)(3) to permit an accessory structure (a shed) to be located within the required 15' side yard setback. The motion to approve is conditioned upon:**

- **All plans and buildings must meet the 2015 Michigan Residential Code and other applicable zoning ordinance requirements.**

Roll Call Vote:           Ayes: Heath, Lark, LoPiccolo, Sixt, Slatin, Smith  
                                  Nays: None

**Motion approved unanimously.**

### **Other Business**

None.

### **Department Reports**

#### **Jennifer Frey, Township Planner**

- No October Meeting.

#### **Erik Lark, Planning Commission**

- 7 Mile Rd. Day Care – Project update.
- Outdoor dining for First Watch – Project update.

- CIP Plan approved.

**Samantha Heath, Board of Trustees**

- Landfill Update.

**Public Comments and Questions**

None

**Adjournment:**

**MOTION by Heath, support by LoPiccolo, to adjourn the September 18, 2019 Zoning Board of Appeals meeting at 7:17 P.M.**

Voice Vote:           Ayes: All  
                              Nays: None

**Motion approved unanimously.**