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CHARTER TOWNSHIP OF WATERFORD  
ZONING BOARD OF APPEALS REGULAR MEETING

**Zoning Board of Appeals Meeting - 4:00**

- I. Chairman Zuehlke called the Meeting to Order at 4:00 p.m.
- II. Roll Call
- Present: Dave Zuehlke, Chairman  
Stan Moore, Vice Chairman  
Marie Hauswirth, Board Member  
Todd Hoffman, Board Member  
Rick Schneider, Board Member  
Art Frasca, Board Member
- Absent: Todd Bonnivier, Secretary
- Also Present: Stacy St. James, Environ. And Housing Rehab Coordinator  
Janine Tremonti, Admin. Assistant
- General Public: approximately 11 people
- III. Approve the Minutes of the June 20, 2023 regular meeting of the Zoning Board of Appeals as printed.  
**MOTION AND VOTE**  
*Moved by MOORE*  
*Supported by FRASCA; RESOLVED to APPROVE the Minutes of the June 20, 2023, meeting Zoning Board of Appeals Meeting as Printed.*  
**MOTION CARRIED UNANIMOUSLY**  
**(6-0)**
- IV. Approve the Agenda of the July 18, 2023 regular meeting of the Zoning Board of Appeals as printed.  
**MOTION AND VOTE**  
*Moved by FRASCA*  
*Supported by HOFFMAN; RESOLVED to APPROVE the agenda of the July 18, 2023 meeting Zoning Board of Appeals Meeting as Printed.*  
**MOTION CARRIED UNANIMOUSLY**  
**(6-0)**

V. Old Business

VI. New Business

**Case No. PZBA23-033**

**Sidwell No. 13-33-201-010**, Section 33, Lot 3, "Chapman's Elizabeth Lakeside", T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting**

1. A 15.0 ft. variance from Section 3-900 to allow the proposed house to be located 20.0 ft. from the front property line. (35 ft. minimum required)
2. A 13.0 ft. variance from Section 2-104.2 to allow the proposed roof eave and gutter to be located 19.0 ft. from the front property line. (32 ft. minimum required)
3. A 12.0 ft. variance from Section 3-900 to allow the proposed front setback to be located 23.0 ft. from the rear property line. (35 ft. minimum required)
4. A 10.0 ft. variance from Section 2-104.2 to allow the proposed roof eave and gutter to be located 25.0 ft. from the rear property line. (32 ft. minimum required)
5. A 10.0 ft. variance from Section 2-104.4 to allow the proposed porch to be located 18.0 ft. from the front property line. (25 ft. minimum required)
6. A 20.0% variance from Section 3-900 to allow the proposed property to have a maximum impervious surface of 50.0 %. (30% maximum allowed for subject property)

Request to be Tabled

**Property Location:** Vacant Fleet Ave (East of 5410)  
**Property Zoned:** R-1C, Single-Family Residential  
**Applicant:** Martin Camaj

**MOTION AND VOTE**

*Moved by MOORE*

*Supported by FRASCA; to TABLE ZBA case PZBA23-033*

**MOTION CARRIED UNANIMOUSLY**

**(6-0)**

**Case No. PZBA23-034**

**Sidwell No. 13-18-226-011**, Section 18, Waterford Township, Oakland County, Michigan

**Requesting**

1. An 8.0 ft. variance from Section 3-900 to allow the proposed deck to be located 2.0 ft. from the south side property line. (10 ft. minimum required)
2. A 9.0 ft. variance from Section 2-104.3 to allow the proposed deck to be located 38.0 ft. from the lakefront shoreline. (47 ft. minimum required)

**Property Location:** 2598 N Williams Lake Rd  
**Property Zoned:** R-1A, Single-Family Residential  
**Applicant:** Rebecca & Phil Reppuhn

**Applicant or representative present: Rebecca & Phil Reppuhn**

**Phil Reppuhn** stated the variance he is requesting is mostly for the south side property line to allow for a walkway to get to rear yard. The other variance is for the deck on the lakeside of the home. The request will give ease of use access the rear yard, due to the grading of the property.

**During the public portion of the meeting, no one spoke regarding the request.**

#### **MOTION AND VOTE**

Moved by **FRASCA**

Supported by **HAUSWIRTH**; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA23-034 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

**MOTION CARRIED UNANIMOUSLY**

**(6-0)**

#### **Case No. PBZA23-035**

**Sidwell No. 13-34-154-025**, Section 34, Part of Lots 1, 2, 21 & 22, "Chetolah Shores Sub", T3N, R9E, Waterford Township, Oakland County, Michigan

#### **Requesting**

1. A 23.0 ft. variance from Section 2-305.A to allow the proposed A/C unit to be located 12.0 ft. from the rear property line. (35 ft. minimum required)
2. A 23.5 ft. variance from Section 2-305.A to allow the proposed generator to be located 11.5 ft. from the rear property line. (35 ft. minimum required)
3. A 2.0 ft. variance from Section 3-302.7.A to allow the proposed fence to have a maximum height of 6 ft. within the required front yard. (4 ft. maximum allowed)

**Property Location:** 4860 Cass Elizabeth Rd  
**Property Zoned:** R-1C, Single-Family Residential  
**Applicant:** Greg Thibodeau

**Applicant or representative present: Greg Thibodeau – Contractor**

**Chairman Zuehlke** said he was not in favor of the 6 ft. fence but was in support of the generator and A/C variances.

**Mr. Thibodeau** stated the fence request was to match the adjacent property, which is a rear yard for the neighbor.

**During the public portion of the meeting, no one spoke regarding the request.**

**Board Member Schneider** said he agreed with Chairman Zuehlke, in support of the generator and A/C, but opposed to the fence.

#### **MOTION AND VOTE**

*Moved by SCHNEIDER*

*Supported by MOORE; to find that practical difficulties exist and to **APPROVE VARIANCE 1 & 2** as requested in ZBA Case No. PZBA23-035 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

**MOTION CARRIED UNANIMOUSLY**

**(6-0)**

#### **MOTION AND VOTE**

*Moved by SCHNEIDER*

*Supported by MOORE; to find that practical difficulties exist and to **DENY VARIANCE 3** as requested in ZBA Case No. PZBA23-035 based upon the applicant's **failure** to demonstrate that the review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met.*

**MOTION CARRIED UNANIMOUSLY**

**(6-0)**

#### **Case No. PZBA23-036**

**Sidwell No. 13-22-176-001**, Section 22, Lot 1 and part of Lot 2, "Huronside Industrial Development", T3N, R9E, Waterford Township, Oakland County, Michigan

#### **Requesting**

An 11.82 ft. variance from Section 2-305.A to allow the proposed generator to be located 8.18 ft. from the north side property line. (20 ft. minimum required)

**Property Location:** 4641 Highland Rd  
**Property Zoned:** C-3, General Business  
**Applicant:** D & R Investment

**Applicant or representative present: Not Present**

**During the public portion of the meeting, no one spoke regarding the request.**

**MOTION AND VOTE**

*Moved by FRASCA*

*Supported by MOORE; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA23-036 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

**MOTION CARRIED UNANIMOUSLY**

**(6-0)**

**Case No. PZBA23-037**

**Sidwell No. 13-14-326-006**, Section 14, ½ of Lot 15, “Co-Tu-Bi Bluffs”, T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting** a 23.0 ft. variance from Section 2-104.3 to allow the proposed deck to be located 30.0 ft. from the west lakefront shoreline. (53 ft. minimum setback required)

**Property Location:** 1965 Watkins Lake Rd  
**Property Zoned:** R-1C, Single-Family Residential  
**Applicant:** Genevieve Hinkley

**Applicant or representative present: Genevieve Hinkley**

**Genevieve Hinkley** stated she would like to rebuild the existing deck.

**During the public portion of the meeting, no one spoke regarding the request.**

**Board Member Hauswirth** stated she did not feel it would negatively affect the neighboring properties

**Ms. Hinkley** stated she had a letter of support from the neighboring property.

**MOTION AND VOTE**

*Moved by SCHNEIDER*

*Supported by FRASCA; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA23-037 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

**MOTION CARRIED UNANIMOUSLY**

**(6-0)**

**Case No. PZBA23-038**

**Sidwell No. 13-33-429-061**, Section 33, Lots 42-44, "Chetolah Shores Sub", T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting**

1. A 4.3 ft. variance from Section 3-302.3.A(6) to allow the existing detached accessory building to remain 0.7 ft. from the southeast side property line. (5 ft. minimum required)
2. A 5.0 ft. variance from Section 2-104.2 to allow the existing roof eave and gutter to remain 0 ft. from the southeast side property line. (5 ft. minimum required)

**Property Location:** 4937 Coshocton Dr  
**Property Zoned:** R-1C, Single-Family Residential  
**Applicant:** Paul Centkowski

**Applicant or representative present: Paul Centkowski**

**Chairman Zuehlke** stated no permits were pulled.

**Paul Centkowski** said that due to the size, it did not need a permit. He felt that if it was further from the property line it would block view of the lake for one neighbor. He also stated he did not want to block the view for his neighbor across the street. He indicated having letters of support from neighboring property owners.

**Chairman Zuehlke** questions as to why his did not apply for the proper permits when he received the letter.

**Mr. Centkowski** apologized for the delay.

Chairman Zuehlke questions the applicant as to how the building could be maintained with it being so close to the property line. He also questioned as to if the A/C unit on the side of the building was encroaching into the neighboring property.

**During the public portion of the meeting, no one spoke regarding the request.**

**Board Member Schneider** has concerned about possible issues in the future for maintaining the building.

**Board Member Frasca** expressed concerns about maintenance and access as well. He was concerned about the location and questioned if the building could be moved at least two feet from the property line. He expressed his support of a lesser variance.

**Mr. Centkowski** said he could move it by cutting the plates that are bolted down to the cement and pour more cement to move it over.

#### **MOTION AND VOTE**

*Moved by MOORE*

*Supported by HOFFMAN; Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA23-038 based upon the applicant's failure to demonstrate that the review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met.*

**MOTION CARRIED UNANIMOUSLY**

**(6-0)**

#### **Case No. PZBA23-039**

**Sidwell No. 13-36-129-011**, Section 36, Lots 134 & 135, "Sylvan Shores", T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting** a variance from Section 3-302.3.A(6) to allow the proposed detached accessory building to be located within a side yard. (Detached accessory buildings shall not be erected in any yard except a rear yard)

**Property Location:** 2609 Woodbine Dr  
**Property Zoned:** R-1C, Single-Family Residential  
**Applicant:** Kelin Ferguson

**Applicant or representative present: Not Present**

**During the public portion of the meeting, no one spoke regarding the request.**

#### **MOTION AND VOTE**

*Moved by HAUSWIRTH*

*Supported by MOORE; to find that practical difficulties exist and to APPROVE the variances requested in ZBA Case No. PZBA23-039 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

**MOTION CARRIED UNANIMOUSLY**

**(6-0)**

#### **Case No. PZBA23-040**

**Sidwell No. 13-09-427-003**, Section 9, Lot 14, "Drayton Heights No 1", T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting** a variance from Section 3-302.5 to allow the existing house to remain at the subject property while the proposed house is being constructed. (Only one principal building shall be placed on a zoning lot)

**Property Location:** 2962 Marietta Ave  
**Property Zoned:** R-1A, Single-Family Residential  
**Applicant:** Roy Townsend

**Applicant or representative present: Roy Townsend & Brian Townsend – Son**

**Chairman Zuehlke** asked if they knew that they could apply for both the demolition permit and building permit at the same time.

**Brian Townsend** stated yes but were waiting for a decision on the variance.

**During the public portion of the meeting, no one spoke regarding the request.**

#### **MOTION AND VOTE**

*Moved by* **HOFFMAN**

*Supported by* **FRASCA**; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA23-040 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met with the following **CONDITIONS:**

- *A demolition permit for the existing house must be approved before a final Certificate of Occupancy is issued for the new house.*
- *The demolition of the existing house must begin within 60 days of issuance of the demolition permit.*
- *The demolition of the existing house must be completed and a final inspection approved within 90 days of issuance of the demolition permit.*

#### **MOTION CARRIED UNANIMOUSLY**

**(6-0)**

#### **Case No. PBZA23-041**

**Sidwell No. 13-08-151-002**, Section 8, Lot 195 & part of Lot 196, "Whitfield Estates", T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting** a variance from Section 2-702.A to allow for the expansion of a nonconforming building. (No such building shall be allowed to expand and/or undergo substantial improvement)

**Property Location:** 3249 Whitfield Ct  
**Property Zoned:** R-1C, Single-Family Residential  
**Applicant:** Bryan Coudret



**Applicant or representative present: Bryan Coudret**

**Chairman Zuehlke** stated many homes built several years ago are now considered non-conforming and that the request is common.

**Bryan Coudret** stated that the variance is mostly for the roadside setback. The house is on a cul-de-sac. The addition will set back from the road further than the existing house and all other requirements are met.

**During the public portion of the meeting, the following spoke regarding the request:**

**Sam Ashley, 3273 Whitfield Ct.**, said he is in support and said it would be a great addition to the neighborhood.

**MOTION AND VOTE**

*Moved by FRASCA*

*Supported by HOFFMAN; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA23-041 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

**MOTION CARRIED UNANIMOUSLY**

**(6-0)**

VII. Discussions

VIII. All Else

IX. Public Comment

X. Meeting adjourned at 4:33 p.m.

Members of the public will only be able to speak during the public portion of the meeting and during the public comment period at the end of the meeting. Written public comment must be received by noon on the day of the meeting. Comments may be submitted by email, mail or in person to the employee/official listed below. Prior to the meeting, members of the public may contact the Township employee/official at the address listed below with questions and/or to view the documents submitted by the applicant for this request. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

Stacy St. James, Environmental and Housing Rehab Coordinator

Charter Township of Waterford  
5200 Civic Center Drive, Waterford, Michigan 48329  
Email: sstjames@waterfordmi.gov  
Phone: (248) 674-6240

**Case No. PZBA23-034**

**Property:** 2598 N Williams Lake Rd  
**Applicant:** Rebecca & Phil Reppuhn  
**Zoning:** R-1A, Single-Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** Deck

**Analysis**

The applicants are requesting variances to allow for the construction of a deck on the lakefront and south side of the house. The main deck on the lakefront side of the house is shown to be approximately 14' x 14'. Based upon the required minimum lakefront setback, a variance of 9' will be required to allow the deck to be located 38' from the shoreline. A proposed deck is also shown to connect to this deck and wrap around and extend along the south side of the house. This deck is approximately 6' wide and 27' long. The minimum side yard setback required is 10'. The house is shown to be located 8' from the property line. So with the proposed 6' wide deck, the proposed setback would be 2', requiring a variance of 8'. The applicants have submitted a letter of support from the neighbor to the south.

*The applicant has provided information addressing the standards listed below on the "Supplemental Information" sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.*

**DRAFT MOTION FOR APPROVAL**

If the Zoning Board of Appeals chooses to approve the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA23-034 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.***

*(Evidence provided: \_\_\_\_\_)*

**DRAFT MOTION FOR DENIAL**

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA23-034 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:***

**\*\* (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) \*\***

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

*(Evidence provided: \_\_\_\_\_)*

**Case No. PZBA23-035**

**Property:** 4860 Cass Elizabeth Rd  
**Applicant:** Greg Thibodeau  
**Zoning:** R-1C, Single-Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** A/C unit, generator, fence

**Analysis**

The applicant is requesting variances for the placement of an a/c unit, generator, and 6’ high fence at the subject property. Both the a/c unit and generator are shown to be located at the rear of the house. The proposed setback for the a/c unit is 12’ and the generator is 11.5’, where the minimum setback of 35’ from the rear property line is required. The applicant is also requesting a variance to allow for the construction of a 6’ high fence within the required front yard (fences within 35’ of the front property line cannot exceed a height of 4’.) The proposed fence is shown to be located along the southeast side property line, extending from the front property line to the rear property line.

*The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.*

**DRAFT MOTION FOR APPROVAL**

If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA23-035 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.***

*(Evidence provided: \_\_\_\_\_ )*

**DRAFT MOTION FOR DENIAL**

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA23-035 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:***

**\*\* (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) \*\***

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

*(Evidence provided: \_\_\_\_\_ )*

**Case No. PZBA23-036**

**Property:** 4641 Highland Rd  
**Applicant:** D & R Investment  
**Zoning:** C-3, General Business  
**Site Use:** Retail  
**Proposal:** Generator

**Analysis**

The applicant is requesting a variance to allow for a generator to be located within the required side yard. The proposed generator is shown to be located approximately 8.18' from the north side property line, where a minimum setback of 20' is required.

*The applicant has provided information addressing the standards listed below on the "Supplemental Information" sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.*

**DRAFT MOTION FOR APPROVAL**

If the Zoning Board of Appeals chooses to approve the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA23-036 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.***

*(Evidence provided: \_\_\_\_\_ )*

**DRAFT MOTION FOR DENIAL**

If the Zoning Board of Appeals chooses to deny the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA23-036 based upon the applicant's failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:***

**\*\* (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) \*\***

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant's predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

*(Evidence provided: \_\_\_\_\_ )*

**Case No. PZBA23-037**

**Property:** 1965 Watkins Lake Rd  
**Applicant:** Genevieve Hinkley  
**Zoning:** R-1C, Single-Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** Deck

**Analysis**

The applicant is requesting a variance to allow for the construction of a deck on the lakefront side of the house. The previous deck has been removed and the proposed deck is slightly larger. The proposed deck is shown to be located 30' from the lakefront shoreline, where a minimum setback of 53' would be required for the subject property.

*The applicant has provided information addressing the standards listed below on the "Supplemental Information" sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.*

**DRAFT MOTION FOR APPROVAL**

If the Zoning Board of Appeals chooses to approve the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA23-037 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.***

*(Evidence provided: \_\_\_\_\_)*

**DRAFT MOTION FOR DENIAL**

If the Zoning Board of Appeals chooses to deny the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA23-037 based upon the applicant's failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:***

**\*\* (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) \*\***

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*

- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

*(Evidence provided: \_\_\_\_\_)*

**Case No. PZBA23-038**

**Property:** 4937 Coshocton Dr  
**Applicant:** Paul Centkowski  
**Zoning:** R-1C, Single-Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** Detached Accessory Building

**Analysis**

The applicant is requesting variances to allow for the existing detached accessory building to remain at the subject property. The building is shown to be approximately 12’ x 28’ and located 0.7’ from the southeast side property line, where a minimum setback of 5’ is required. In addition, the building appears to have an overhang that may encroachment into the adjacent property. If the overhang exceeds 0.7’ it must be reduced so as not to encroach into the neighboring property (this “Condition” has been added to the draft “Motion for Approval” shown below).

In June of 2021, staff observed that the building was constructed without the benefit of a permit. A letter was sent, an application was received and the property owner was notified that variances would be needed. However, variances were never applied for. In April of 2023, a citation was issued due to the lack of permits and variances. In June of 2023, the applicant contacted the Township asking what needed to be done. He was notified a variance would be needed. On June 16, 2023 the ZBA application was received.

*The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.*

**DRAFT MOTION FOR APPROVAL**

If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA23-038 based upon the information presented by the Applicant and for this hearing***

*demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met with the **CONDITION** that any encroachments into the neighboring property must be removed.*

*(Evidence provided: \_\_\_\_\_)*

**DRAFT MOTION FOR DENIAL**

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA23-038 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:***

**\*\* (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) \*\***

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

*(Evidence provided: \_\_\_\_\_)*

**Case No. PZBA23-039**

**Property:** 2609 Woodbine Dr  
**Applicant:** Kelin Ferguson  
**Zoning:** R-1C, Single-Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** Detached garage

**Analysis**

The applicant is requesting a variance to allow for the construction of a new detached garage at the subject property. There is currently a detached garage that they would like to remove and replace. The existing garage is shown to be 20’ x 20’ and the new garage is shown to be 32’ x 32’. The applicant has indicated there are large trees at the property that he would like to save and has therefore shifted the garage to allow these trees to be save. However, the new location is slightly within the side yard, where



the ordinance requires detached accessory building to be located within the rear yard. All other zoning ordinance requirements, including maximum size/height and minimum setbacks, are shown to be met.

*The applicant has provided information addressing the standards listed below on the "Supplemental Information" sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.*

**DRAFT MOTION FOR APPROVAL**

If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA23-039 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.***

*(Evidence provided: \_\_\_\_\_ )*

**DRAFT MOTION FOR DENIAL**

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA23-039 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:***

**\*\* (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) \*\***

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

*(Evidence provided: \_\_\_\_\_ )*

**Case No. PZBA23-040**

**Property: 2962 Marietta Ave**

**Applicant:** Roy Townsend  
**Zoning:** R-1A, Single-Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** Existing house to remain during construction of new house

**Analysis**

The applicants are proposing to construct a new house at the subject property. While the new house does not require variances, the applicant is requesting a variance to allow the existing house to remain while the new house is constructed. Once the new house is complete, the old house would then be demolished. If the Board decides to approve the variance, it should be with the condition that a demolition permit is approved for the old house before final occupancy approval is given for the new house (the "Condition" wording has been added to the "Motion to Approve" listed below).

*The applicant has provided information addressing the standards listed below on the "Supplemental Information" sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.*

**DRAFT MOTION FOR APPROVAL**

If the Zoning Board of Appeals chooses to approve the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA23-040 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met with the following CONDITIONS:***

- *A demolition permit for the existing house must be approved before a final Certificate of Occupancy is issued for the new house.*
- *The demolition of the existing house must begin within 60 days of issuance of the demolition permit.*
- *The demolition of the existing house must be completed and a final inspection approved within 90 days of issuance of the demolition permit.*

*(Evidence provided: \_\_\_\_\_ )*

**DRAFT MOTION FOR DENIAL**

If the Zoning Board of Appeals chooses to deny the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA23-040 based upon the applicant's failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:***

**\*\* (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) \*\***

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

*(Evidence provided: \_\_\_\_\_)*

**Case No. PZBA23-041**

**Property:** 3249 Whitfield Ct  
**Applicant:** Bryan Coudret  
**Zoning:** R-1C, Single-Family Residential  
**Site Use:** Single Family Residential  
**Proposal:** Expansion of a nonconforming building

**Analysis**

The applicant is proposing to construct an addition onto the existing house. While the proposed addition meets the minimum setback requirements, the existing house is nonconforming, in that it does not meet the minimum lakefront or lake rear setback requirements. The proposed addition is shown to be within the same front and rear setbacks as the existing house. No other variances are shown to be required.

*The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.*

**DRAFT MOTION FOR APPROVAL**

If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***MOTION to find that practical difficulties exist and to APPROVE the variance(s) requested in ZBA Case No. PZBA23-041 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.***

(Evidence provided: \_\_\_\_\_ )

**DRAFT MOTION FOR DENIAL**

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

***Motion to find that practical difficulties do not exist and to DENY the variance(s) requested in ZBA Case No. PZBA23-041 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:***

**\*\* (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) \*\***

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

(Evidence provided: \_\_\_\_\_ )