

**CHARTER TOWNSHIP OF GARFIELD
ZONING BOARD OF APPEALS
MEETING MINUTES
September 21, 2023**

Call to Order: Chair Smith called the meeting to order at 6:00pm.

Pledge of Allegiance: Recited by everyone in attendance.

Roll Call of Board Members:

Members Present: Fudge, Rozycki, Fricke, Duell, and Smith

Also in Attendance: Zoning Administrator Mike Green

1. Review and Approval of the Agenda – Conflicts of Interest (6:00)

Fudge moved and Rozycki seconded to approve the agenda as presented.

Yeas: Fudge, Rozycki, Fricke, Duell, and Smith

Nays: None

2. Review and Approval of Meeting Minutes – August 17, 2023 (6:01)

Fricke moved and Fudge seconded to approve the minutes of August 17, 2023.

Yeas: Fricke, Fudge, Duell, Rozycki, Smith

Nays: None

3. Public Hearings

- a. **A staff request for an interpretation of the language in Article 6, Section 611.A(2) to clarify the types of buildings or structures that can be used to attach an accessory building to a principal building under the terms of Section 611.**

The report by Township Planner John Sych appears to point to the fact that an uncovered (ground level) porch would not meet the intent of Section 611.A(2) since it does not meet the Zoning Ordinance definition as a "structure". Board members discussed what a "patio" is and the various interpretations.

Fricke moved and Fudge seconded to interpret Section 611.A.1(c), to NOT include an uncovered porch in the list of items described in Section 611.A(2) as the request DOES NOT meet the intended uses found in Section 611.A(2) of the Zoning Ordinance.

Yeas: Fricke, Fudge, Smith

Nays: Duell

Abstentions: Rozycki

- b. **A request made by Cornwell Architects on behalf of Jeff and Joy Main for a variance from the lakefront setback requirements in Article 5, Section 535. The specific request is for a variance to allow a second story addition to an existing dwelling located within the lakefront setback area. The property is zoned R-1 Single Family Residential and is currently used as single-family residential. The property is located at 820 N. West Silver Lake Road with the property number of 05-031-060-00.**

The property is zoned R-1 One Family Residential, and is located at 820 N. West Silver Lake Road, with a property number of 05-030-008-25. Adjacent properties along N. West Silver Lake Road are also zoned R-1 One Family Residential. According to Township records and information supplied in the application, the property contains a dwelling with an attached garage and attached deck. Zoning Administrator Mike Green stated that the applicant asked to table the request until November. Duell made comments about the application as it pertained to the stairs and front road setback. Smith opened the public hearing at 6:17pm and seeing no one in attendance, the public hearing was closed. Staff will contact the applicant regarding the suggestions made by the ZBA this evening.

Duell moved and Fudge seconded to table the request made by Cornwell Architects on behalf of Jeff and Joy Main for a variance from the lakefront setback requirements in Article 5, Section 535 until the November meeting.

*Yeas: Duell, Fudge, Fricke, Rozycki, Smith
Nays: None*

4. Unfinished Business

- a. **A request made by Brad and Trina Jewett for a variance from Sections 611.A(2)(c) of the Garfield Township Zoning Ordinance to allow for a detached accessory building that exceeds the ground floor area of the existing principal dwelling. The property is zoned R-1 Single Family Residential and is currently used as single-family residential. The property is located at 1745 N West Silver Lake Road with a property number of 05-030-008-25.**

This request by Brad and Trina Jewett for a variance from Sections 611.A(2)(c) of the Garfield Township Zoning Ordinance to allow for a detached accessory building that exceeds the ground floor area of the existing principal dwelling has been brought forward from last month. The applicant asked for an interpretation of language in Article 6, Section 611.A(2) to clarify the types of buildings or structures that can be used to attach an accessory building to a principal building under the terms of Section 611.

Given the interpretation of Business item 3a, as well as the fact that practical difficulty criteria and general criteria were not all met at the meeting of August 17, 2023, Fricke moved to deny the variance for a

request made by Brad and Trina Jewett for a variance from Sections 611.A(2)(c) of the Garfield Township Zoning Ordinance as outlined by the application, staff report of August 17, 2023 and the minutes of August 17, 2023. Duell seconded the motion.

Yeas: Fricke, Duell, Rozcyki, Duell, Smith
Nays: None

Fudge

5. Other Business

Board members asked Green to direct the Planning Staff to clean up the language in Section 6.11 of the Zoning Ordinance to make it more clear cut.

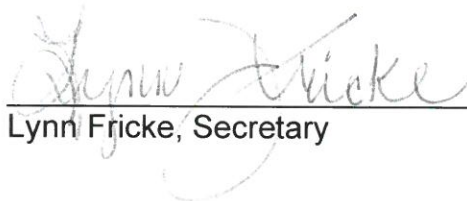
6. Items for Next Agenda

None at this time

7. Public Comment

None

8. Adjournment: *Fudge moved and Duell seconded to adjourn the meeting at 6:32pm.*


Lynn Fricke, Secretary