

CHARTER TOWNSHIP OF ORION ZONING BOARD OF APPEALS

***** A G E N D A *****

MONDAY, APRIL 26, 2021 – 7:00pm

Orion Township Community Center, located at 1335 Joslyn Rd, Lake Orion, MI 48360.

The Charter Township of Orion Zoning Board of Appeals meeting will be held in-person at the above address. Due to ongoing health concerns arising out of COVID-19 and the possible need to comply with Covid related orders or regulations, pursuant to Public Act 228 of 2020, the Township may need to hold and reserves the right to convert the in-person public meeting to a video conference as explained below. All persons wishing to attend the meeting should plan on doing so in-person, but should monitor the Township's website at oriontownship.org or contact the Township Planning & Zoning Department to obtain updates on the meeting status and whether in-person and/or video conferencing will be permitted.

The following is information IF the meeting is conducted via video conference - GoToMeeting - Access code 914-793-997 or VIA TELEPHONE 1-(872) 240-3412 Access Code 914-793-997.

1. OPEN MEETING

2. ROLL CALL

3. MINUTES

A. 4-12-2021, ZBA Regular Meeting Minutes

4. AGENDA REVIEW AND APPROVAL

5. ZBA BUSINESS

- A. **AB-99-02-2021, Dan's Excavating Inc.; 2985 Judah Rd. (parcel #09-32-400-056); and unaddressed land that is that portion of lot 11 of Mt. Judah Farms south of 2985 Judah Rd. excluding the portion of lot 11 of Mt. Judah Farms that is part of Breckenridge Orion Condominium (parcel #09-32-400-096); and unaddressed land that is one (1) parcel west of 2985 Judah Rd. (parcel #09-32-400-095); and 3011 Judah Rd. (parcel #09-32-400-063)**

The petitioner is requesting renewal of an Ordinance No. 99 permit for sand and gravel mining, earth excavation, and/or filling and earth balancing with the hours of operation from 7:00am to 7:00pm

- B. **AB-2021-03, Justin Brantley, 2191 Pondview, 09-04-126-022** (postponed from 3/22/2021 Meeting)

The petitioner is requesting 3 variances from Zoning Ordinance #78

Article V, Section 5.04, Zoned SE

1. A 10-ft. side yard setback variance from the required 20-ft. to build a pole barn 10-ft. from the side property line (west)

Article XXVII, Section 27.02 Lot size 1 to 2 Acres

2. A 773-sq. ft. variance above the allowed 1,000-sq. ft. Maximum Floor Area of all Detached Accessory Buildings, to build a 1,200-sq. ft. pole barn in addition to a 573-sq. ft. above ground swimming pool.
3. A 937-sq. ft. variance above the allowed 1,500-sq. ft. Maximum Floor Area of All Accessory Buildings to build a 1,200-sq. ft. pole barn in addition to a 664-sq. ft. attached garage and a 573-sq. ft. above ground swimming pool for a Total Maximum Floor Area of All Accessory Buildings of 2,437-sq. ft.

- C. **AB-2021-10, Gary McHalpine, 2710 Wareing Dr., 09-20-376-010** (postponed from 4/12/2021 Meeting)

The petitioner is requesting 3 variances from Zoning Ordinance #78 – Zoned R-2

Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2)

1. A 35-ft. front yard setback variance from the required 35-ft. to erect a 6-ft. privacy fence 0- ft. from the property line along Baldwin Rd.
2. A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0- ft. from the side property line to the north.
3. A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0- ft. from the side property line to the south.

D. AB-2021-11, Dave McCaffrey, 252 Shady Oaks, 09-10-209-001

The petitioner is requesting 6 variances from Zoning Ordinance #78

Article VI, Section 6.04, Zoned R-3

1. A 2.6-ft. side yard setback variance from the required 7-ft. to build a home addition 4.4-ft. from the side property line (east).
2. A 1-ft. rear yard setback variance from the required 35-ft. to build a home addition 34-ft. from the rear property line.
3. A 2.6-ft. side yard setback variance from the required 7-ft. to add a future deck 4.4-ft from the side property line (east).
4. A 12.74% lot coverage variance above the allowed 25% for a total lot coverage of 37.74%

Article XXVII, Section 27.03

5. A 5.5-ft. shoreline setback from the required 20-ft. to add a future deck 14.5-ft. from the shoreline (to the west).

Article XXII, Section 27.17

6. An 8.9-ft. wetland setback variance from the required 25-ft. to build a home addition 16.1-ft. from a wetland (to the west).

E. AB-2021-12, Meijer Inc., 1025 S. Lapeer Rd., 09-14-226-008 & 09-14-112-001

The petitioner is seeking 6 variances from Zoning Ordinance #78 – Zoned GB

Article XIV, Section 14.02 (A)(1)

1. A 37-ft. setback variance from the required 100-ft. for a drive-thru pharmacy use to be 63-ft. from a residential property line.
2. A 50-ft. setback variance from the required 50-ft. for a circulation lane for a drive-thru pharmacy to be 0-ft from a residential property line.

Article XIV, Section 14.04

3. A 11.17-ft. height variance above the allowed 25-ft. Maximum Height of all Structures for a building to be 36.17-ft. tall.

Article XXVII, Section 27.16(B)(1)(a)(i)

4. A variance from this ordinance section to allow the east façade (323-ft.) and the south façade (211-ft.) to be greater than 100-ft. without a recess or projection.

Article XXVII, Section 27.16(C)

5. A 23% variance above the allowed 60% of off-street parking area located between the front façade and an abutting street for a total of 83%.
6. An 18-ft. setback variance above the minimum required 50-ft. for truck docks to be 32-ft. from a residential property.

The petitioner is also seeking 4 variances from Sign Ordinance 153 – Zoned Non-Residential; GB

7. A 30-ft setback variance from the required 30-ft. for a ground sign to be 0-ft. from the road right-of-way.
8. A 100.21-sq. ft size variance above the allowed 200-sq.ft. for a wall sign to be 300.21-sq. ft.
9. A variance for 5 wall signs above the allowed 1 wall sign for a total of 6 wall signs.
10. A 239.44-sq. ft. size variance above the allowed 200-sq. ft. for a total square footage of all wall signs to be 439.44-sq. ft.

6. PUBLIC COMMENTS

7. COMMUNICATIONS

- A. Date Certain Memo
- B. MAP Virtual Zoning Board of Appeals Workshop

8. COMMITTEE REPORTS

10. MEMBER COMMENTS

11. ADJOURNMENT

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In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the Township at least seventy-two hours in advance of the meeting when requesting accommodations.
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