1. OPEN MEETING
2. ROLL CALL
3. ELECTION OF CHAIRPERSON THRU END OF YEAR
   A. Memo Regarding Chairperson Election
4. MINUTES
   A. See Item A under ZBA Business
5. AGENDA REVIEW AND APPROVAL
6. ZBA BUSINESS
   A. ZBA Regular Minutes - AB-2020-23 Motion
   B. AB-2020-27, Jeffrey VanHouzen, 805 Alan Dr., 09-11-379-059
      The petitioner is requesting 3 variances from Zoning Ordinance #78 - Zoned R-3
      Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2)
      1. A 10-ft. rear yard setback variance (east) from the required 10-ft to erect a 6-ft.
         privacy fence 0-ft. from the rear property line (east).
      2. A 10-ft. side yard setback variance (south) from the required 10-ft to erect a 6-ft.
         privacy fence 0-ft. from the side property line (south).
      3. An 11-ft front yard setback variance from the required 30-ft. (Buckhorn Dr.) to
         erect a 6-ft. privacy fence 19-ft. from a front property line (Buckhorn Dr.).
   C. AB-2020-28, Michael Daisley, 925 W. Greenshield, 09-22-401-001
      The petitioner is requesting 3 variances from Zoning Ordinance #78
      Article XXVII, Section 27.02 - Lot size over 2.5 acres
      1. A 1,000-sq. ft. variance above the allowed 1,400-sq. ft. Maximum Floor Area of
         All Detached Accessory Buildings to add an 800-sq. ft. addition to an existing 1,600-
         sq. ft. pole barn.
      2. A 1,028-sq. ft. variance above the allowed 1,900-sq. ft. Maximum Floor Area of
         all Accessory Buildings, to add an 800-sq. ft. addition to an existing 1,600-sq. ft. pole
         barn and a 528-sq. ft. attached garage.
      Article XXVII, Section 27.17(B)
      3. A 25-ft. wetland setback variance from the required 25-ft. for a detached pole
         barn addition to be 0-ft. from a wetland.
7. PUBLIC COMMENTS
8. COMMUNICATIONS
   A. Date Certain Memo
   B. Informational Memo
9. COMMITTEE REPORTS
10. MEMBER COMMENTS
11. ADJOURNMENT
MEMORANDUM

TO: ZBA Members
FROM: Lynn Harrison, Planning & Zoning Coordinator
DATE: October 7, 2020
SUBJECT: Election of Chairperson

As you are all aware by now, Loren Yaros has resigned as a ZBA Member after many years of serving the community and Tony Cook has been appointed as a full-time member.

We have consulted with the Township Attorney and he instructed that you do have to elect a chairperson to fulfill those duties through the end of the year. Depending on that election, a vice-chairperson would also need to be elected to fulfill those duties through the end of the year.

Again, these duties would go through the end of the year. As in past years, during the first ZBA regular meeting of the new year, those positions would be up for election again.

Here is the procedure for this election:

There is a motion and a second to nominate and elect a Chairperson

The same would apply to elect a vice-chairperson if applicable.

Sample Motion:

Moved by _____________, seconded by _____________, to nominate and elect ___________ for the Chairperson or Vice-Chairperson position for the remaining 2020 ZBA meetings, nominations were closed and a unanimous or majority ballot was cast. Motion carried or denied.
TO:             ZBA Members

FROM:        Lynn Harrison, Planning & Zoning Coordinator

DATE:       October 6, 2020

SUBJECT:  Motion for AB-2020-23, Michael Chisholm, 4025 Waldon Road

________________________________________________________________________

It appears that the motion for the above case may have involved a clerical error. As you recall there was discussion about decreasing the variance request for Maximum Floor Area of All Detached Accessory Buildings and the ZBA Members deliberated on the revised calculation. See the attached draft minutes.

Please make a motion to reopen the discussion on that particular case.

Points of discussion:

The original proposed pole barn consisted of 3,600-sq. ft. of ground floor area plus 1,120-sq. ft. of an eave/overhang off the side of the proposed pole barn plus 1,200-sq. ft of light storage area above the ground floor for a total size of 5,920-sq. ft. - or a variance of 4,520-sq. ft. above the allowed 1,400-sq. ft. The applicant agreed to remove the 1,120-sq. ft. eave/overhang and the 1,200 light storage area by removing flooring above the ground floor.

Per the above, I believe the section of the motion that pertains to the variance for Maximum Floor Area of All Detached Accessory Buildings does not mathematically add up. Please review the calculations and discuss. Depending on your findings, either elect to leave the motion as is or the original motion maker needs to revise the motion accordingly by:

    Making a motion: That in the matter of ZBA case AB-2020-23, Michael Chisholm, 4025 Waldon Road, 09-30-200-001 regarding the motion to approve to “change the square footage from ___________ - sq. ft. to ___________ sq. ft. above the allowed 1,400-sq. ft. Maximum Floor Area of all Detached Accessory Buildings to build a ___________ -sq. ft. pole barn and the remaining motion to remain the same (if that is the findings).

The member who seconded the original motion would then need to second it if they agree.

The draft minutes for the September 28th meetings then would come back at the next regular meeting for approval.

Please call me if you have any questions.
The Charter Township of Orion Zoning Board of Appeals held a regular meeting on Monday, September 28, 2020, at 7:00 pm at the Orion Township Community Center, 1335 Joslyn Road, Lake Orion, Michigan 48360.

*Please note this meeting was also available virtually via a “Go to Meeting” #914-793-997*

**ZBA MEMBERS PRESENT:**
Dan Durham, Acting-Chairman
Don Walker, PC Rep to ZBA
Lucy Koscierzynski, Secretary
Tony Cook, Board Member
Mike Flood, BOT Rep to ZBA

**ZBA MEMBER ABSENT:**
None

**CONSULTANT PRESENT:**
David Goodloe, Building Official

**OTHERS PRESENT:**
Steve Schneider
Cindy Mee
Justin Brantley
Christine Menig

1. **OPEN MEETING**
Acting Chairman Durham called the meeting to order at 7:06 pm.

2. **ROLL CALL**
As noted

3. **MINUTES**

   A. 9-14-2020, ZBA Regular Meeting Minutes
   Board Member Cook noted that the minutes needed to be amended to change the word “the” to “he” on the 3rd page of the 5th paragraph “Board Member Walker stated that the-he didn’t know”

   Moved by Trustee Flood, seconded by Board Member Cook, to approve the minutes as amended.
   Motion Carried

4. **AGENDA REVIEW AND APPROVAL**
There were no changes to the agenda.

5. **ZBA BUSINESS**

   A. AB-2020-23, Michael Chisholm, 4025 Waldon, 09-30-200-001
   Acting Chairman Durham read the petitioner’s request as follows:
   The petitioner is requesting 3 variances from Zoning Ordinance #78
   Article XXVII, Section 27.02 – Lot size over 2.5 acres
1.) A 4,520-sq. ft. variance above the allowed 1,400-sq. ft. Maximum Floor Area of all Detached Accessory Building, to build a 5,920-sq. ft. pole barn.

2.) A 4,881-sq. ft. variance above the allowed 1,900-sq. ft. Maximum Floor Area of all Accessory Buildings, to build a 5,920-sq. ft. pole barn in addition to an existing 861-sq. ft. attached garage.

Article XXVII, Section 27.02(A)(5)

3.) A 3-ft. variance above the 17-ft. mid-point measurement of the principal structure, to build a pole barn that measures 20-ft. at its mid-point.

The applicant Mr. Michael Chisholm, 4025 Waldon, presented.

Acting Chairman Durham asked the applicant what they were looking to do. Mr. Chisholm replied that they are looking to build a pole barn to house all of their stuff that is out in the yard. He said that he had a bunch of trailers, boats, snowmobiles, and RV's. He stated that they have chickens and was looking to put some livestock out in the back of it.

Acting Chairman Durham asked if it was a situation where he had too much stuff or not enough space? He noted that they are looking for a pretty large variance. Mr. Chisholm said he know that they were counting the upstairs of the pole barn, and it was just going to be storage up top, but it was being included in the square footage on the second floor. It will still have a regular truss but it would just be light storage up there. Acting Chairman Durham asked Building Official Goodloe if this was something that he was familiar with? Building Official Goodloe replied that it was typical if they have a second story to be included in the square footage. Mr. Chisholm said that there is nothing that is going to be built up there. He added that all that was going to be up there was maybe boxes of Halloween and Christmas stuff.

Acting Chairman Durham asked the applicant if they intended to do any commercial work there? Mr. Chisholm replied no.

Acting Chairman Durham questioned if the pole barn will be placed to the left in the tree line? Mr. Chisholm replied yes. Acting Chairman Durham asked how many of those trees will they have to take down? Mr. Chisholm replied that where he had it sitting, he will have to take one pine tree down right now. Mr. Chisholm added to move it back to avoid getting the variance for the 150-ft. he would have to take out another oak tree and he didn’t want to have to do that, and that is why he moved the pole barn forward.

Trustee Flood noted that the applicant had 5 acres. Mr. Chisholm said yes, a little over 5-acres.

Secretary Koscierzynski read the 9 letters from the residents. The letter of consent/non-consent from adjoining neighbors for construction of a new pole barn. Byron & Donna Miller, 3998 Waldon Rd., had no objection; Victor Rendon, 4005 Waldon, had no objection; Scott Hagen, 3851 Waldon Rd., had no objection; Edward Nummer, 3955 Waldon, had no objection; Danny Schram, 394 Waldon Rd., had no objection; R.W. Dillenbeck Jr., 4024 Waldon, had no objections; Laurence Frons, 4040 Waldon Rd., had no objection; Kathleen Kurilla, 4041 Waldon Rd., had no objection; Ann Whitlow, 4065 Waldon Rd., had no objection.

Acting Chairman Durham asked if there was anyone from the public that wanted to speak on this matter. Building Official Goodloe stated that there were two callers on the phone via GoToMeeting. Acting Chairman Durham said that caller number one looked like Chris Wilson and asked if they would like to speak. Mr. Chris Wilson stated that he was there for the second item.
Board Member Walker stated that normally when he sees a variance that is an excessive request because their property is over 5-acres, he looks at some sort of compromise. By the letter of the law, they are asking for a huge variance. He asked if that was the smallest variance that he would seek or would they be willing to work out some sort of compromise? Mr. Chisholm stated that they were going to put on the side of the pole barn a porch and that was counted as square-footage also, they could remove that. He added that it was an angled side that was 14x80 he could remove that.

Secretary Koscierzynski said that she knew that the Board gave a variance to someone on his street last summer. She said that the Practical Difficulty was a tough one because she knew that they had a lot of stuff, and to grant them that large of a variance was tough. She asked how many square-feet the porch was? Trustee Flood replied 1,120 sq.-ft. Mr. Chisholm said he could cut that out and that would count less toward the square-footage. Trustee Flood stated that would take it down to 4,800-sq. ft. on the pole barn.

Board Member Cook noted that he saw several of the items from the photos, the trailers, the black truck, several plows, and the boat trailer. He asked where the boat and the RV were stored currently. Mr. Chisholm said that the boat is next door at his neighbors, he let him use his garage, and the RV is up north. Board Member Cook asked if that was going to change? Mr. Chisholm replied yes, he brings the RV home in the wintertime and it just sits outside, and they want to put it in the pole barn. That was the reason they are asking for the height variance so they can get the RV inside.

Trustee Flood said on the Memo from the Planning & Zoning Coordinator Lynn Harrison, it states that the eaves/overhang is 1,120-sq. ft.; the detached floor is 3,600-sq. ft.; the second-floor storage is 1,200-sq. ft., so they would have to take the 1,120-sq. ft. off of the 6,781-sq. ft. too.

Board Member Cook said that the truck had a logo on it that read MJ Chisholm. Mr. Chisholm said on the back window of the black plow truck, that was just for advertisement. Board Member Cook asked if this was a business that he runs? Mr. Chisholm stated that his shop is in Troy, MI and that was just a truck that he uses to plow his driveway. Board Member Cook asked if it was a construction company in Troy, MI? Mr. Chisholm replied yes. Board Member Cook said that is why he asks about the size of the pole barn if it was to store things from that business? Mr. Chisholm replied no; only the things that they submitted with the application. All of their work trucks stay down in Troy. Acting Chairman Durham said that there would be a sharp difference between storing personal items and storing items from a business. Mr. Chisholm agreed.

Board Member Cook stated that they were talking about the upstairs and that they will not be using it other than to store some light things. Is that another compromise that they are willing to do on this? Mr. Chisholm replied that he didn’t know how they would get rid of that because it is built right in the truss and was always going to be there. Board Member Cook said but there was flooring that has to go in and if they don’t put the flooring in. Mr. Chisholm replied that he could do that and just leave it open.

Acting Chairman Durham said that he is not in a bad area to have something like that. The neighbors are far away from them and are separated by heavy tree lines. People drive by there fast and they will see it when it is going up but once it is done it will blend right in. Mr. Chisholm said that they are going to build a nice pole barn.

Moved by Secretary Koscierzynski, seconded by Trustee Flood, in the matter of ZBA case #AB-2020-23, Michael Chisholm, 4025 Waldcn, (Sidwell #09-30-200-001), that the petitioners request for 3 variances from Zoning Ordinance #78: Article XXVII, Section 27.02 — Lot size over 2.5 acres: 1) a 3,600-sq. ft. variance above the allowed 1,400-sq. ft. Maximum Floor Area of all Detached Accessory Buildings, to build a 3,600-sq. ft. pole barn; 2) a 2,561-sq. ft. variance above the allowed 1,900-sq. ft. Maximum Floor Area of all Accessory Buildings, to build a 3,600-sq. ft. pole barn in addition to an existing 861-sq. ft. attached garage; Article XXVII, Section 27.02(A)(5): 3) a 3-ft. variance above the 17-
ft. mid-point measurement of the principal structure, to build a pole barn that measures 20-ft. to its mid-point, be granted because the petitioner has demonstrate the following standards for variances have been met in this case in that they set forth facts which show that in this case: the petitioner does show the following Practical Difficulty was for storage of a motor home, pontoon boat, fishing boat, trailer, etc.; the following are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone: the petitioner has a five-acre property, this is not an unusual request from the neighborhood; the variance is necessary for the preservation and enjoyment of a substantial property rights possessed by other property in the same zone or vicinity based on the following facts: this is not unusual for the neighborhood, they have five-acres and have plenty of space, they are going to cut down one tree; nine of the neighbors are for this, no one was against it; the granting of the variance or modification will not be materially detrimental to the public welfare or material injurious to the property or to improvements in such zone or district in which the property is located based on the following findings of facts: there’s plenty of room between the houses for this; no one is against it; the petitioner has working with the Board on this and have lessen the amount that they wanted; further, based on the following findings of facts, the granting of this variance would not: impair an adequate supply of light and air to adjacent properties; would not unreasonably increase the congestion in public streets: this is not applicable; it would not increase the danger of fire or endanger public safety; unreasonably diminish or impair established property values within the surrounding areas: if anything the neighbors show be happy this stuff is going to be inside; or in any other respect, impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township.

Secretary Koscielzynski amended the motion, Trustee Flood re-supported to include that the Fire Marshal had expressed no concerns in regards to this applicant.

Discussion on the motion:

Board Member Cook asked about lowering it to 16-ft. at the midpoint? He asked if that was just a discussion or if they ever settled on it? Mr. Chisholm replied that he would like to leave it where it was at. Board Member Cook replied that he would accept the motion.

Roll call vote as follows: Flood, yes; Walker, yes; Cook, yes; Koscielzynski yes; Durham, yes. Motion Carried 5-0

B. AB-2020-24, Justin Brantley, 2191 Pondview Ct., 09-04-126-022
Acting Chairman Durham read the petitioners request as follows:

The petitioner is requesting 3 variances from Zoning Ordinance #78

Article V, Section 5.04 – Zoned SE

1. An 18-ft. side yard setback variance from the required 20-ft. to build a detached garage 2-ft. from the property line (west).

Article XXVII, Section 27.02 – Lot size 1 to 2.5 acres

2. A 942-sq. ft. variance above the allowed 1,000-sq. ft. Maximum Floor Area of all Detached Accessory Buildings, to build a 720-sq. ft. detached garage in addition to an existing 1,222-sq. ft. above ground pool with above ground decks.

3. A 1,106-sq. ft. variance above the allowed 1,500-sq. ft. Maximum Floor Area of all Accessory Buildings, to build a 720-sq. ft. detached garage in addition to an existing 664-sq. ft. attached garage and a 1,222-sq. ft. above ground pool with above ground decks.
MEMORANDUM

TO: Zoning Board of Appeals

FROM: Lynn Harrison, Planning & Zoning Coordinator

DATE: October 7, 2020

SUBJECT: Staff Report for AB-2020-27, Jeffrey VanHouzen, 805 Alan Dr.

The applicant is asking for variances to put a 6-ft. fence along the property line to the east, the property line to the south, and for a 6-ft. fence to be 19-ft from the property line to the north.

Because the property is a corner lot, it is held to two front yard setbacks of 30-ft. – along Alan Drive and Buckhorn Drive. He will meet the front yard setback along Alan Drive but will need a variance from the front yard setback along Buckhorn Drive.

I searched our records for previous ZBA cases for this property and did not find any.
MOTION OPTIONS

TO: Charter Township of Orion Zoning Board of Appeals

FROM: Lynn Harrison, Planning & Zoning Coordinator

DATE: October 6, 2020

RE: AB-2020-27, Jeffrey Van Houzen, 805 Alan Dr., 09-11-379-059

I am providing motion options for the above-mentioned case.

Please consider and deliberate on each of the criteria listed which the applicant should meet in order for their request to be approved. These are known as the Findings of Fact and need to be included in a motion for either approval or denial. Any additional Findings of Facts should be added to the motion.

The variance language listed was verified by the petitioner/applicant and advertised to the public. As a reminder - due to the language being advertised, the ZBA may lessen the requested deviation(s) but cannot grant more than what was advertised.

If you have any questions regarding the case, please give me a call at the Township ext. 5001.
SAMPLE MOTION FOR

APPROVAL OF A NON-USE VARIANCE

In the matter of ZBA case #AB-2020-27, Jeffrey VanHouzen, 805 Alan Dr., 09-11-379-059

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

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

1. A 10-ft. rear yard setback variance (east) from the required 10-ft to erect a 6-ft. privacy fence 0-ft. from the rear property line (east).

2. A 10-ft. side yard setback variance (south) from the required 10-ft to erect a 6-ft. privacy fence 0-ft. from the side property line (south).

3. An 11-ft front yard setback variance from the required 30-ft. (Buckhorn Dr.) to erect a 6-ft. privacy fence 19-ft. from a front property line (Buckhorn Dr.).

be granted because the petitioner did demonstrate that the following standards for variances have been met in this case in that they set forth facts which show that in this case:

Please be specific how the petitioner meets this criteria

1. The petitioner does show the following Practical Difficulty (Defined: Due to unique characteristics of the property and not related to general conditions in the area of the property):

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

2. The following are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

3. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone or vicinity based on the following facts:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
4. The granting of the variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or to improvements in such zone or district in which the property is located based on the following findings:

Further, based on the following findings of facts, the granting of this variance would not:

1. Impair an adequate supply of light and air to adjacent property due to:

2. Unreasonably increase the congestion in public streets due to:

3. Increase the danger of fire or endanger the public safety due to:

4. Unreasonably diminish or impair established property values within the surrounding area due to:

5. Or, in any other respect, impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township due to:
SAMPLE MOTION FOR

DENIAL OF A NON-USE VARIANCE

In the matter of ZBA case # AB-2020-27, Jeffrey Van Houzen, 805 Alan Dr., 09-11-379-059

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

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

1. A 10-ft. rear yard setback variance (east) from the required 10-ft to erect a 6-ft. privacy fence 0-ft. from the rear property line (east).

2. A 10-ft. side yard setback variance (south) from the required 10-ft to erect a 6-ft. privacy fence 0-ft. from the side property line (south).

3. An 11-ft front yard setback variance from the required 30-ft. (Buckhorn Dr.) to erect a 6-ft. privacy fence 19-ft. from a front property line (Buckhorn Dr.).

Please be specific how the petitioner does not meet this criteria

be denied because the petitioner did not demonstrate that the following standards for variances have been met in this case in that they set forth facts which show that in this case:

1. The petitioner does not show Practical Difficulty due to (Defined: Due to unique characteristics of the property and not related to general conditions in the area of the property):

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________

2. The following are not exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone:

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________

3. The variance is not necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone or vicinity based on the following facts:

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
4. The granting of the variance or modification will be materially detrimental to the public welfare or materially injurious to the property or to improvements in such zone or district in which the property is located based on the following findings:

Further, based on the following findings of facts, the granting of this variance would:

1. Impair an adequate supply of light and air to adjacent property due to:

2. Unreasonably increase the congestion in public streets due to:

3. Increase the danger of fire or endanger the public safety due to:

4. Unreasonably diminish or impair established property values within the surrounding area due to:

5. Or, In any other respect, impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township due to:
Charter Township of Orion
Planning & Zoning Department
2525 Joslyn Rd., Lake Orion MI 48360
P: 248-391-0304 ext. 5001; F: 248-391-1454

Charter Township of Orion Zoning Board of Appeals
Application for Appeal - Single Family Residential

NOTICE TO APPLICANT:
The following application must be completed and filed with the Township at least thirty days prior to a scheduled ZBA meeting in order to initiate an appeal. There is a non-refundable fee of $200.00 for a residential application.

Regular meetings of the ZBA are held on the second and fourth Mondays of each month at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360. A minimum of three cases are required in order to hold a meeting with a maximum of five. The applicant or a representative with written permission from the property owner must be present at the meeting.

PROOF OF OWNERSHIP MUST BE INCLUDED WITH THIS APPLICATION. Acceptable forms of documentation include: Warranty Deed, Quit Claim Deed, Land Contract, or Option to Purchase with a Copy of the Warranty Deed.

APPLICANT
Name: Jeffrey Van Houzen
Address: 805 Alan Dr. City/State/Zip: Lake Orion, MI 48362
Phone: _______________ Cell: 586-524-6257 Fax: _______________
Email: JeffVanHouzen@gmail.com

PROPERTY OWNER(S)
Name(s): Jeffrey Van Houzen
Address: 805 Alan Dr. City/State/Zip: Lake Orion, MI 48362
Phone: _______________ Cell: 586-524-6257 Fax: _______________
Email: JeffVanHouzen@gmail.com

CONTACT PERSON FOR THIS REQUEST
Name: Jeff Van Houzen Phone: 586-524-6257 Email: JeffVanHouzen@gmail.com

SUBJECT PROPERTY
Address: 805 Alan Dr., Lake Orion, MI 48362
Sidewall Number: 09-11-379-059

Total Acreage: __________ Length of Ownership by Current Property Owner: _______ Years, _______ Months

Does the owner have control over any properties adjoining this site? NO

Zoning Ordinance Allowance/Requirement ______________ Deviation requested ______________
CASE #: ____________

RESIDENTIAL VARIANCE

1. Describe in detail the nature of the request. **Privacy Fence - 3 year old stepdaughter and 2 dogs and corner property worry me with cars.**

2. Describe how the request results from special or unique circumstances particular to the property, which are not applicable to other properties in the surrounding area. **None.**

3. If the appeal is granted, please explain how the variance will not be materially detrimental to the public health, safety and welfare, or to other properties or improvements in the Township. **Will not be - wood fence.**

4. Explain how the request is not consistent with other properties in the immediate area, please site examples if possible: **Privacy fence - same as others in subdivision.**

5. Describe how the alleged practical difficulty has not been self-created. **Concerns of neighbors taking extra space if left unfenced.**

6. The topography of said land makes the setbacks impossible to meet because: **N/A**

7. Describe how strict compliance with the ordinance unreasonably prevents the owner from using the property for a permitted purpose, or to be unnecessarily burdensome. **Concerns of neighbors taking extra space if left unfenced.**
Case #: __________________

8. Have there been any previous appeals involving this property? If so, when? ____________________________________________________________________________

9. Is this request the result of a Notice of Ordinance Violation? ☐ Yes ☑ No

I/we, the undersigned, do hereby request action by the ZBA on the variance or specified matter above, in accordance with Sections 30.06, 30.07, 30.08, 30.10, and 30.11 of the Zoning Ordinance. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete. As the property owner (or having been granted permission to represent the owner as to this application), I hereby grant the Zoning Board of Appeals members permission to visit the property, without prior notification, as is deemed necessary.

Signature of Applicant: __________________________ Date: 9/4/20
Print Name: Jeffrey Van Houzen

Signature of Property Owner: __________________________ Date: 9/4/20
Print Name: Jeffrey Van Houzen

If applicable:
I the property owner, hereby give permission to __________________________ to represent me at the meeting.

OFFICE USE ONLY

Zoning Classification of property: ________________ Adjacent Zoning: N. S. E. W.

Total Square Footage of Principal Structure: ________________ Total Square Footage of Accessory Structure(s): ________________

Description of variance(s):

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Date Filed: ________________ Fee Paid: ________________ Receipt Number: ________________
construction on the rebuilding project is begun and diligently carried on within a reasonable time after the excavation, demolition, or removal of the theretofor existing building.

K. Administrative Nonconformities.

A structure or use which is administratively nonconforming shall remain nonconforming until special approval has been granted pursuant to application submitted to the proper authority. Where special approval has been granted, such a structure or use shall be deemed conforming. However, where special approval has been denied, such structure or use shall be considered nonconforming on the basis for which the application for special approval was denied.

L. Change in Tenancy or Ownership.

In the event there is a change in tenancy, ownership or management of an existing nonconforming use or structure, such nonconforming use or structure shall be allowed to continue pursuant to the terms of this Ordinance regarding such nonconformities.

M. Special Exceptions.

Any use for which a special exception is permitted, as provided in this Ordinance, shall not be deemed a nonconformity.

Section 27.02 – Buildings, Structures, and Uses

A. Accessory Buildings, Structures and Uses. (amended 02.17.04)

1. An accessory building, structure or use shall not be located on a parcel unless there is a principal building, structure, or use already located on the same parcel of land.

2. An accessory building or structure shall not be constructed prior to the commencement of construction of the principal building or structure or the establishment of the principal use.

3. A building, structure or use which is accessory to a single-family dwelling and attached to it shall, for the purposes of location and setbacks, be considered part of the principal building.

4. A building, structure or use which is accessory to a single-family dwelling and detached from it shall meet the same front and side yard setback requirements as the principal structure, as set forth in the applicable zoning district of this Ordinance. However, the minimum rear yard setback shall be ten (10) feet for all detached accessory buildings. All accessory buildings and structures shall be included in the computation of total maximum area of all accessory buildings, and together with the principal building or structure shall not exceed the percentage of lot coverage requirements. (amended 07.16.18)

5. Detached accessory buildings or structures in non-residential districts shall conform to the height requirements for the principal building or structure, as set forth in the applicable zoning district, except as specifically permitted otherwise in this Ordinance. However, detached accessory buildings or structures in non-residential districts that exceed the height of the principal building or structure, as constructed, shall not be located in the front yard. (amended 07.16.18)

Detached accessory buildings or structures in residential districts shall not exceed the height of the principal building or structure as constructed. However, the height of a detached accessory building or structure may exceed the height of the principal building or structure, if said accessory building or structure is located at least one hundred fifty (150) feet distant and to the rear of the principal building or structure. In no case shall the height of a detached accessory building or structure exceed the maximum height requirement for the principal building or structure, as set forth in the applicable zoning district, except as specifically permitted otherwise in this Ordinance. (amended 07.16.18)
Article XXVII  General Provisions

27.05 Landscaping, Fences and Walls

1. Location and Purpose. Entranceway structures shall be permitted in any required yard area for the purpose of indicating the entrance to a subdivision, multiple-family development, mobile home park, industrial park, office park, or similar planned development containing several buildings that are related in purpose.

Entranceway structures shall be subject to the provisions concerning corner clearance, set forth in Section 27.03.

2. Signage. Signage on entranceway structures shall be limited only to the name and address of the subdivision, park, or development.

3. Construction and Design. Any entranceway structure shall be constructed of permanent, durable materials and shall be designed so as to be compatible with the architecture of surrounding development.

4. Site Plan. Prior to issuance of a building permit for any entranceway structure, a site plan shall be submitted to the Planning Commission for review and approval. The site plan shall include an elevation drawing and a cross-section of the proposed structure. The site plan shall show the relationship of the entranceway to the right-of-way of the intersecting roads and or driveways.

H. Residential Fence and Wall Regulations

Where permitted or required in this Ordinance, fences and walls in residential districts shall be subject to the provisions set forth in this section:

1. Lot Enclosures. Fences and walls used to enclose a lot shall be no higher than four (4) feet in height and shall be located on the lot line.

2. Privacy or Decorative Fences and Walls. Fences and walls erected primarily for privacy or decoration shall not be located within any required yard setback area and shall not exceed six (6) feet in height.

3. Corner Clearance. No fences or walls shall be erected, established or maintained on any corner lot so as to obscure the view of drivers in vehicles approaching the intersection. All specifications concerning corner clearance as set forth in Section 27.03 shall be complied with.

4. Large Lots Excluded. Fences and walls shall be excluded from the provisions of this section if such lots have an area of more than two (2) acres, have frontage of at least two hundred (200) feet, and are not part of a recorded plat.

5. Fences Enclosing Public Areas. Fences, walls or other protective barriers that enclose parks, playgrounds, or other public landscaped areas shall not exceed ten (10) feet in height. The Planning Commission may authorize a fence, wall, or protective barrier of additional height, with or without barbed wire, where necessary, to protect public utility or municipal installations in a residential district.

6. Wall Specifications. Walls shall be erected on a concrete foundation which shall have a minimum depth of forty-two (42) inches below grade. The foundation shall be at least four (4) inches wider than the wall to be erected.

7. Fence Specifications. Fences constructed of chain link, wood, vinyl or other similar materials are permitted. Posts shall be sunk into the ground at least three (3) feet.

8. Barbed Wire Prohibited. Barbed wire, spikes, nails, or any other sharp-pointed intrusions shall be prohibited on top or on the sides of any fence, wall, or protective barrier, except that barbed wire cradles consisting of no more than three (3) strands of wire may be placed on top of fences enclosing public utility buildings.
AB - 2020-27, 805 Alan Dr.
09-11-379-059
331 acres = 14,418.36$
2570 = 3,604.59$  OK

Privacy 6' fence request
Front Setback from Alan - OK
Front setback from Buckhorn - 19' needs to be 30'
Rear setback - 0' needs to be 10'
Side setback - 0' needs to be 10' (South)

Front yard setback variance from Buckhorn 11'
Rear yard setback variance 10'
Side yard setback variance 10' (South)
Hi Lynn,

For 805 Alan Dr, I measured out 19 feet from the outside of the driveway to the street like you had asked me to do. Please let me know if you need anything else. Thanks!!

Jeff Van Houzen

On Tue, Sep 1, 2020 at 10:25 AM Lynn Harrison <lharrison@oriontownship.org> wrote:

Jeff, attached is the application and plot plan for 805 Alan Dr. The next application deadline for the ZBA is September 11th which would be for the October 12th meeting. On the plot plan, please indicate on it where you plan on putting the fence and how far away from the lot lines the fence will be.

Thanks,
MEMORANDUM

TO: Zoning Board of Appeals
FROM: Lynn Harrison, Planning & Zoning Coordinator
DATE: October 6, 2020
SUBJECT: Staff Report for AB-2020-28, Michael Daisley, 925 W. Greenshield

The applicant is asking to increase the size of an existing pole barn which exceeds the maximum floor area of all detached accessory structures and all accessory structures (the pole barn and an attached garage).

Also, the applicant had originally wanted to add the addition to the east side of the existing pole barn however a review of the National Wetland Inventory showed the pole barn in what appeared to be a wetland area. It has been noted by the applicant and an outside source that the area around the pole barn is not at all wet and the applicant has agreed to move the addition to the northern part of the pole barn and therefore will be outside of what appeared to be a wetland area. A structure is permitted to be outside of a wetland area and a variance can be granted to the required 25-ft wetland setback.

The existing pole barn has been in place since at least 1990.

Adding the proposed addition will not exceed maximum lot coverage.
MOTION OPTIONS

TO: Charter Township of Orion Zoning Board of Appeals
FROM: Lynn Harrison, Planning & Zoning Coordinator
DATE: October 6, 2020
RE: AB-2020-28, Michael Daisley, 925 W. Greenshield, 09-22-401-001

I am providing motion options for the above-mentioned case.

Please consider and deliberate on each of the criteria listed which the applicant should meet in order for their request to be approved. These are known as the Findings of Fact and need to be included in a motion for either approval or denial. Any additional Findings of Facts should be added to the motion.

The variance language listed was verified by the petitioner/applicant and advertised to the public. As a reminder - due to the language being advertised, the ZBA may lessen the requested deviation(s) but cannot grant more than what was advertised.

If you have any questions regarding the case, please give me a call at the Township ext. 5001.
SAMPLE MOTION FOR

APPROVAL OF A NON-USE VARIANCE

In the matter of ZBA case # **AB-2020-28, Michael Daisley, 925 W, Greensfield, 09-22-401-001**

The petitioner is requesting 3 variances from Zoning Ordinance #78

Article XXVII, Section 27.02 – Lot size over 2.5 acres

1. A 1,000-sq. ft. variance above the allowed 1,400-sq. ft. Maximum Floor Area of All Detached Accessory Buildings to add an 800-sq. ft. addition to an existing 1,600-sq. ft. pole barn.

2. A 1,028-sq. ft. variance above the allowed 1,900-sq. ft. Maximum Floor Area of all Accessory Buildings, to add an 800-sq. ft. addition to an existing 1,600-sq. ft. pole barn and a 528-sq. ft. attached garage.

Article XXVII, Section 27.17(B)

3. A 25-ft. wetland setback variance from the required 25-ft. for a detached pole barn addition to be 0-ft. from a wetland.

be granted because the petitioner did demonstrate that the following standards for variances have been met in this case in that they set forth facts which show that in this case:

Please be specific how the petitioner meets this criteria

1. The petitioner does show the following Practical Difficulty (Defined: Due to unique characteristics of the property and not related to general conditions in the area of the property):

2. The following are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone:

3. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone or vicinity based on the following facts:
4. The granting of the variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or to improvements in such zone or district in which the property is located based on the following findings:


Further, based on the following findings of facts, the granting of this variance would not:

1. Impair an adequate supply of light and air to adjacent property due to:


2. Unreasonably increase the congestion in public streets due to:


3. Increase the danger of fire or endanger the public safety due to:


4. Unreasonably diminish or impair established property values within the surrounding area due to:


5. Or, In any other respect, impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township due to:


SAMPLE MOTION FOR

DENIAL OF A NON-USE VARIANCE

In the matter of ZBA case # AB-2020-28, Michael Daisley, 925 W. Greenshield, 09-22-401-001

The petitioner is requesting 3 variances from Zoning Ordinance #78

Article XXVII, Section 27.02 – Lot size over 2.5 acres

1. A 1,000-sq. ft. variance above the allowed 1,400-sq. ft. Maximum Floor Area of All Detached Accessory Buildings to add an 800-sq. ft. addition to an existing 1,600-sq. ft. pole barn.

2. A 1,028-sq. ft. variance above the allowed 1,900-sq. ft. Maximum Floor Area of all Accessory Buildings, to add an 800-sq. ft. addition to an existing 1,600-sq. ft. pole barn and a 528-sq. ft. attached garage.

Article XXVII, Section 27.17(B)

3. A 25-ft. wetland setback variance from the required 25-ft. for a detached pole barn addition to be 0-ft. from a wetland.

Please be specific how the petitioner does not meet this criteria

be denied because the petitioner did not demonstrate that the following standards for variances have been met in this case in that they set forth facts which show that in this case:

1. The petitioner does not show Practical Difficulty due to (Defined: Due to unique characteristics of the property and not related to general conditions in the area of the property):

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

2. The following are not exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

3. The variance is not necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone or vicinity based on the following facts:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
4. The granting of the variance or modification will be materially detrimental to the public welfare or materially injurious to the property or to improvements in such zone or district in which the property is located based on the following findings:

Further, based on the following findings of facts, the granting of this variance would:

1. Impair an adequate supply of light and air to adjacent property due to:

2. Unreasonably increase the congestion in public streets due to:

3. Increase the danger of fire or endanger the public safety due to:

4. Unreasonably diminish or impair established property values within the surrounding area due to:

5. Or, in any other respect, impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township due to:
Cheslet Township of Orion Zoning Board of Appeals
Application for Appeal - Single Family Residential

NOTICE TO APPLICANT:
The following application must be completed and filed with the Township at least thirty days prior to a scheduled ZBA meeting in order to initiate an appeal. There is a non-refundable fee of $200.00 for a residential application.

Regular meetings of the ZBA are held on the second and fourth Mondays of each month at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360. A minimum of three cases are required in order to hold a meeting with a maximum of five. The applicant or a representative with written permission from the property owner must be present at the meeting.

PROOF OF OWNERSHIP MUST BE INCLUDED WITH THIS APPLICATION. Acceptable forms of documentation include: Warranty Deed, Quit Claim Deed, Land Contract, or Option to Purchase with a Copy of the Warranty Deed.

APPLICANT
Name: Michael Daisley
Address: 925 W Greenshield City/State/Zip: Lake Orion MI 48360
Phone: 248-935-7012 Cell: 248-935-7012 Fax: 
Email: MDAISLEY@AOL.COM

PROPERTY OWNER(S)
Name(s): Michael Daisley & Ashley Smith
Address: 925 W Greenshield City/State/Zip: Lake Orion MI 48360
Phone: 248-935-7012 Cell: 248-935-7012 Fax: 
Email: MDAISLEY@AOL.COM

CONTACT PERSON FOR THIS REQUEST
Name: Michael Daisley Phone: 248-935-7012 Email: MDAISLEY@AOL.COM

SUBJECT PROPERTY
Address: 925 W Greenshield Sidwell Number: 09-22 40 1001
Total Acreage: 3.28 Length of Ownership by Current Property Owner: 1 Years, 5 Months

Does the owner have control over any properties adjoining this site? Yes, 09-22 40 1002
Zoning Ordinance Allowance/Requirement Deviation requested
RESIDENTIAL VARIANCE

1. Describe in detail the nature of the request. **WE ARE REQUESTING A VARIANCE TO ADD TO OUR CURRENT BARN. WE ARE REQUESTING TO ADD 800 SQ FT FOR A TOTAL OF 2400 SQ FT.**

2. Describe how the request results from special or unique circumstances particular to the property, which are not applicable to other properties in the surrounding area. **THE PROPERTY IS SURROUNDED ON ALL SIDES BY STATE OF MICHIGAN LAND. THE BARN IS NOT VISIBLE FROM ANY OTHER RESIDENTIAL PROPERTY.**

3. If the appeal is granted, please explain how the variance will/will not be materially detrimental to the public health, safety and welfare, or to other properties or improvements in the Township: **THE ADDITION TO THE EXISTING BARN WILL NOT BE DETRIMENTAL TO HEALTH, SAFETY, OR WELFARE.**

4. Explain how the request is/is not consistent with other properties in the immediate area, please site examples if possible: **THERE ARE NO OTHER IMMEDIATE PROPERTIES (RESIDENTIAL), HOWEVER RESIDENTIAL PROPERTIES FURTHER EAST HAVE MULTIPLE DETACHED & ACCESSORY STRUCTURES.**

5. Describe how the alleged practical difficulty has not been self-created. **THE ADDITION IS NEEDED FOR SAFE STORAGE OF PERSONAL PROPERTY & EQUIPMENT AND FOR SAFE & SECURE INTERPOL TRAINING FOR MY POLICE K-9 & EQUIPMENT.**

6. The topography of said land makes the setbacks impossible to meet because: **ALL SETBACKS ARE MET. NO VARIANCES REQUESTED FOR SETBACKS.**

7. Describe how strict compliance with the ordinance unreasonably prevents the owner from using the property for a permitted purpose, or to be unnecessarily burdensome. **WITHOUT THE ADDITION PERSONAL PROPERTY WILL BE LEFT OUTSIDE & EXPOSED TO THE ELEMENTS.**
8. Have there been any previous appeals involving this property? If so, when? \( \text{NO} \)

9. Is this request the result of a Notice of Ordinance Violation? \( \square \) Yes \( \square \) No

If/We, the undersigned, do hereby request action by the ZBA on the variance or specified matter above, in accordance with Sections 30.06, 30.07, 30.08, 30.10, and 30.11 of the Zoning Ordinance. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete. As the property owner (or having been granted permission to represent the owner as to this application), I hereby grant the Zoning Board of Appeals members permission to visit the property, without prior notification, as is deemed necessary.

Signature of Applicant: ___________________________ Date: 9/9/20

Print Name: Michelle Daisley

Signature of Property Owner: ___________________________ Date: 9/9/20

Print Name: Michelle Daisley

If applicable: I the property owner, hereby give permission to ___________________________ to represent me at the meeting.

OFFICE USE ONLY

Zoning Classification of property: ___________________________ Adjacent Zoning: N. S. E. W.

Total Square Footage of Principal Structure: ___________________________ Total Square Footage of Accessory Structure(s): ___________________________

Description of variance(s):

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Date Filed: ___________________________ Fee Paid: ___________________________ Receipt Number: ___________________________
6. Household animal enclosures, dog runs, central air conditioning units, heat pumps, and other mechanical system components that could, or are likely to, produce noise, odor, or other nuisances shall not be located adjacent to an adjoining property owner's living or sleeping area where windows and/or doors would be exposed to the nuisance.

It is the intent of these provisions to place the responsibility of abating or controlling nuisances on the owner of the lot where the nuisances are produced, rather than on the adjoining neighbors.

7. Accessory buildings or structures are not to be used for commercial operations other than home occupations, as defined in Article II, Section 2.01.

8. The total of all accessory buildings or structures in a single-family residentially zoned district or on a parcel used for a single-family dwelling, except as modified in Paragraph 9, shall not exceed the following (amended 11/38/83):

<table>
<thead>
<tr>
<th>LOT SIZE</th>
<th>MAXIMUM FLOOR AREA OF DETACHED ACCESSORY BUILDINGS</th>
<th>MAXIMUM FLOOR AREA OF ATTACHED ACCESSORY BUILDINGS</th>
<th>TOTAL MAXIMUM FLOOR AREA OF ALL ACCESSORY BUILDINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 1/2 acre</td>
<td>750 sq. ft.</td>
<td></td>
<td>1,150 sq. ft.</td>
</tr>
<tr>
<td>1/2 to 1 acre</td>
<td>900 sq. ft.</td>
<td></td>
<td>1,300 sq. ft.</td>
</tr>
<tr>
<td>1 to 2.5 acres</td>
<td>1,000 sq. ft.</td>
<td>75% of the principal structure</td>
<td>1,500 sq. ft.</td>
</tr>
<tr>
<td>Over 2.5 acres</td>
<td>1,400 sq. ft.</td>
<td></td>
<td>1,900 sq. ft.</td>
</tr>
</tbody>
</table>

* Includes the combined floor area of each story of the structure.

9. The total area of all accessory buildings or structures on a single-family residentially zoned parcel shall not exceed the above noted area, except in the following cases after consideration and approval by the Zoning Board of Appeals (amended 11/78/83 06/15/15):

a. On single-family residential lots, a variance may be sought to permit increased accessory building, structure or use, provided all of the following conditions are met:

i. The accessory building or structure is aesthetically compatible with, and constructed of the same color as the principal residential building or structure.

ii. The accessory building or structure, as well as the principal residential building or structure, can be accommodated on the parcel and together cover no more than twenty percent (20%) of the lot area in the Suburban Farms (SF), Suburban Estates (SE), or Suburban Ranch (SR) Zoning Districts or twenty-five percent (25%) of the lot area in the Residential 1, 2, or 3 (R-1, R-2, R-3) Zoning Districts.

iii. The principal residential building or structure contains at least the minimum floor area of living space as required for the specific zoning district and as set forth in the specific zoning district of this Zoning Ordinance. (amended 07/16/18)

iv. The accessory building or structure is used for the indoor storage of items that are permitted to be stored in a rear or side yard, but that could be unsightly if such were done.

b. On parcels of more than five (5) acres in size used for agricultural purposes, a variance may be sought from the Zoning Board of Appeals to permit additional accessory buildings or structures for the purpose of storing agricultural implements, equipment, products, livestock, and similar items.
Article XXVII

27.17 Wetland Setbacks

Section 27.17 – Wetland Setbacks (added 09.17.07)

A. It is the intent of this section to require a minimum setback from wetlands (or natural features), and to regulate property within such setback in order to prevent physical harm, impairment and/or destruction of or to a natural feature or the surrounding area. It has been determined that, in the absence of such a minimum setback, intrusions in or onto natural features would occur, resulting in harm, impairment and/or destruction of natural features contrary to the public health, safety and general welfare. This regulation is based on the police power, for the protection of the public health, safety and welfare, including the authority granted in the zoning enabling act. It is further the purpose of this section to establish and preserve minimum setback from wetlands (or natural features) in order to recognize and make provision for the special relationship, interrelationship and interdependency between the natural feature and the setback area in terms of: spatial relationship, interdependency in terms of physical location, plant and animal species, over land and subsurface hydrology, water table, water quality, and erosion of sediment deposition.

It is further the purpose of this section to provide for protection, preservation, proper maintenance and use of areas surrounding wetlands (or natural features) in order to minimize disturbance to the area and to prevent damage from erosion and siltation, a loss of wildlife and vegetation, and/or from the destruction of the natural habitat. A setback shall be maintained in relation to all areas defined in this chapter, unless, and to the extent, it is determined to be in the public interest not to maintain such setback.

B. Setbacks. For all wetlands as defined in Article II of this ordinance and by Ordinance No. 107, setbacks for all structures, parking lots, streets or driveways shall be in accordance with the following regulations:

<table>
<thead>
<tr>
<th>Required Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All structures or buildings</td>
</tr>
<tr>
<td>All decks</td>
</tr>
<tr>
<td>Parking lots</td>
</tr>
<tr>
<td>Streets, roads, driveways</td>
</tr>
</tbody>
</table>

C. Waivers. The Planning Commission has the discretion to decrease the above required setbacks upon demonstration of the appropriateness of a lower setback and compliance with one (1) or more of the following criteria:

1. Demonstrated habitat preservation.
2. Demonstrated water quality preservation.
3. Demonstrated storm water quality retention.
4. Existence of a legal lot of record.

For development projects adjacent to wetlands which are not reviewed by the Planning Commission, the Building Official shall have authority to issue setback waivers subject to the criteria as listed above. Appeal to the Zoning Board of Appeals, in accordance with Section 30.06, may also be sought.

Section 27.18 - Wind Energy Conversion Systems (added 02.01.10)

A. Intent – It is the intent of the Charter Township of Orion to promote the effective and efficient use of Wind Energy Conversion Systems (WECS) by regulating the siting, design, and installation of such systems to protect the public health, safety, and welfare. In no case shall this ordinance guarantee any wind rights or establish access to the wind.

B. Approval Required - Except where noted in this Section, it shall be unlawful to construct, erect, install, alter, or locate any WECS project within the Charter Township of Orion unless approval for a:

1. Private WECS: A permit has been obtained from the Building Department as an accessory use and subject to Section 27.02 and the height restrictions of Section 28.02. Only one (1) Private WECS shall be permitted per parcel, and the private WECS shall not be allowed within a front yard area.

2. Commercial WECS: A special land use has been obtained pursuant to Section 30.02 and this Section.
AB-2020-28, 925 W. Greensfield
Zoned R-1, 3.282 acres
142,963.92 $^2 \times 35740.98^2 = 2570$

Front yard setback required 40', OK
Side yard setbacks required 10', OK
Rear yard setback required 10', OK
Wetland setback required 25', will be 30', needs variance

Maximum floor area
Attached garage 528 $^2$
Existing pole barn 1,600 $^2$
Proposed addition to pole barn 800 sq. ft.

Lot coverage OK
Total = 6,704 sq. ft.

Maximum floor area of detached allowed 1,400 variance for 1,000 $^2$
Maximum floor area of all access allowed 1,900 variance for 1,028 $^2$

Attached garage = 528 $^2$
Pole barn = 1,600 $^2$

Addition = 800 $^2$
House = 2,304 $^2$

Att. garage = 528 $^2$
Patio = 184 $^2$
Pool = 648 $^2$
Deck = 640 $^2$
How to purchase at the store
1. Have a building materials team member enter the estimate number into System V to print SOC’s.
2. Take the SOC to the register and pay.

How to recall and purchase a saved design at home
2. Log into your account.
3. Go to Saved Designs under the Welcome Login menu.
4. Select the saved design to load back into the estimator.
5. Add your building to the cart and purchase.
Congratulations, you have taken the first step towards making your new post frame building a reality!

- You have selected Menards to provide you with superior products produced by Midwest Manufacturing that will meet your needs. For a more detailed look at these premium products select one of the links below or visit us on the web at www.midwestmanufacturing.com.

**Premium Steel Panels** - Pro-Rib and Premium Pro-Rib steel panels are your best options for steel panels in the market.
  - Steel Panels are Grade 80 (full hard steel).
  - Prepaint zinc phosphate coating for superior paint adhesion - available in multiple colors.
  - Pro-Rib features a limited 40 year paint warranty.
  - Premium Pro-Rib has a limited lifetime paint warranty.
  - All painted panels are ENERGY STAR rated, using a Cool Chemistry paint system.
  - Pro-Rib and Premium Pro-Rib panels are UL Certified for Wind Uplift UL 580, Fire Resistance UL 790, Impact Resistance of Roof UL 2218.
  - Pro-Rib and Premium Pro-Rib panels are IRC and IBC compliant.

**Engineered Trusses** - Post frame trusses are specifically engineered to meet your application and geographic location.
  - All Midwest Manufacturing trusses can be supplied with engineered sealed prints.
  - TPI approved and third party inspected.

**Laminated Columns** - Designed to replace standard treated posts as vertical supports in Post Frame Construction.
  - Columns 20' or less are treated full length.
  - Lifetime Warranty against rot and decay.
  - Columns over 20' in length are reinforced with 20 gauge stainless steel plates at each splice location.
  - Lower portion of columns treated for in ground use.
  - Rivet Clinch Nails provide superior holding power.
  - Columns provide superior truss to pole connection.

**Pressure Treated Lumber** - All treated post and grade board used in your building will safely and effectively resist decay.
  - Treated to AWPA compliance.
  - Post and grade board offer a lifetime warranty against rotting and decay.

*Delivery charge is not included in price. Items ordered to complete your building from vendors other than Midwest Manufacturing are not available for pickup from the plant.*
Building Information
1. Building Use: Code Exempt
2. Width: 40 ft
3. Length: 60 ft
4. Inside Clear Height: 14 ft
5. Floor Finish: Dirt / Gravel
6. Post Embedment Depth: 4 ft
7. Footing Pad Size: 14 in x 4 in

Wall Information
1. Post Type: Posts
2. Post Spacing: 5 ft
3. Girt Type: Flat
4. Exterior Wall Panel: Pro-Rib
5. Exterior Wall Color: White
6. Wainscot Size: 36 in
7. Wainscot Color: Black
8. Sidewall B Wainscot: Yes
9. Sidewall A Wainscot: Yes
10. Trim Color: Black
11. Endwall D Wainscot: Yes
12. Endwall C Wainscot: Yes
13. Sidewall A Eave Light: None
14. Sidewall B eave light: None
15. Wall Fastener Location: In the Flat
16. Bottom Trim: Yes
17. Gradeboard Type: 2x8 Treated Gradeboard

Roof Information
1. Pitch: 4/12
2. Truss Spacing: 6 ft
3. Roof Type: Pro-Rib
4. Roof Color: Black
5. Ridge Options: Universal Ridge Cap
6. Roof Fastener Location: In the Flat
7. Endwall Overhangs: 2 ft
8. Sidewall Overhangs: 2 ft
9. Fascia Size: 6 in Fascia
10. Soffit Color: Black
11. Skylight Size: None
12. Ridge Vent Quantity: None
13. Ceiling Liner Type: None
14. Purlin Placement: On Edge
15. Ceiling insulation Type: None

Accessories
1. Outside Closure Strip: Standard
2. Inside Closure Strip: Standard
3. Gable Vent Type: None
4. Cupola Size: 36"x35"
5. Gutters: No
6. Cupola Quantity: 1
7. Weathervane Type: Horse
8. End Cap: Yes
9. Mini Print: Email Only

Interior Finish
1. Wall Insulation Type: None
2. Wall Liner Type: None
3. Roof Condensation Control: Pro-Therm Condensation Blanket
<table>
<thead>
<tr>
<th>Name</th>
<th>Size</th>
<th>Wall</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Door</td>
<td>36&quot;x80&quot;</td>
<td>1-A</td>
</tr>
<tr>
<td>Overhead Door</td>
<td>12' x 12'</td>
<td>1-C</td>
</tr>
<tr>
<td>Window</td>
<td>48&quot;x48&quot;</td>
<td>1-C</td>
</tr>
<tr>
<td>Window</td>
<td>48&quot;x48&quot;</td>
<td>1-C</td>
</tr>
</tbody>
</table>

Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREFIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREFIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREFIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.
### Reaction Summary

<table>
<thead>
<tr>
<th>Big Comb.</th>
<th>Big Bends</th>
<th>Max East</th>
<th>Max West</th>
<th>Max South</th>
<th>Max North</th>
<th>Max Top</th>
<th>Max Bottom</th>
<th>Max J/A800</th>
<th>Max Hole</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1,350 lbs</td>
<td>181 lbs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Bracing Summary

- TC Bracing: 
Purlins at 54° OC, Purlin Design by Owner.
- BC Bracing: 
Studs at 240° OC, Purlin Design by Owner.

### Loads Summary

1. This truss has been designed for the effects of balanced and unbalanced snow loads for hip and gable roofs in accordance with ASCE-10 with the following user defined inputs: 50 psf ground snow load, Wind Category C, Exposure Category Fully Exposed (C=0.8), Plate Category (T) = 0.80, Thermal Condition: Heated (C=1.2), DOL = 1.15. Unbalanced, Unbraced slippery surface. If the roof configuration differs from hipgable, Building Designer shall verify snow loads.

2. This truss has been designed for the effects of wind loads in accordance with ASCE-10 with the following user defined inputs: 105 mph/0.35 psi Exposure C, Exposure C, Effective-span, 30 ft.

3. This truss is designed as an agricultural truss which is for the purpose of this program is defined as a structure that represents a low-cost building used in agriculture and not a building to be designed to meet the structural requirements for buildings to be used as residential or commercial buildings.

### Member Forces Summary

- TC: 12.4 ft 0.54 lbs 0.07 ft
- BC: 12.4 ft 0.54 lbs 0.07 ft

### Notes:

1. Values are optional, do not cut or alter any truss member or plate without prior approval from the Building Engineer.
2. Grade lines recommended bottom chord bracing.
3.Grade lines placed at 90° OC, U.N.O.
4. Attach grade lines with 2"d 26 gauge #8 wire.
5. Bracing shown is for load requirements. For out-of-plane requirements, refer to BNS-93 published by the SBCC.
6. When this truss has been designed for quality assurance inspection, the BNS-93 "Booth Test Method" shall be used.
7. Building Designer shall verify all weights of the truss and other dead load materials do not exceed TCGL 4 psf.
8. Building Designer shall verify all weights of the truss and other dead load materials do not exceed BCGL 4 psf.
9. Design assumes maximum 25 psi wind, Grade lines attached to the top of the TC or plate gapping shown with at least 2 3/4" nails.
10. Creep has been considered in the analysis of this truss.
11. Due to a large number of gravity load cases, special connections to the bearing surface at joints 1, 9 may need to be considered.
12. Used with Pn#8 reactions based on NWSFRS Only floating.
## Variance Calculations

<table>
<thead>
<tr>
<th>Allowed Sq. Ft. of All Detached Accessory Structures</th>
<th>1,400 sq. ft.</th>
<th>1,400 sq. ft.</th>
<th>1,400 sq. ft.</th>
<th>1,400 sq. ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Pole Barn</td>
<td>1,600-sq. ft.</td>
<td>1,600-sq. ft.</td>
<td>1,600-sq. ft.</td>
<td>1,600-sq. ft.</td>
</tr>
<tr>
<td>Proposed Addition</td>
<td>800-sq. ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Variance</strong></td>
<td>1,000-sq. ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Allowed Max Sq. Ft. of All Accessory Structures</th>
<th>1,900 sq. ft.</th>
<th>1,900 sq. ft.</th>
<th>1,900 sq. ft.</th>
<th>1,900</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attached Garage</td>
<td>528</td>
<td>528</td>
<td>528</td>
<td>528</td>
</tr>
<tr>
<td>Existing Pole Barn</td>
<td>1,600</td>
<td>1,600</td>
<td>1,600</td>
<td>1,600</td>
</tr>
<tr>
<td>Prop. Pole Barn addition</td>
<td>800</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Variance</strong></td>
<td>1,028-sq. ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
TO: The Charter Township of Orion Zoning Board of Appeals

FROM: Lynn Harrison, Planning & Zoning Coordinator

DATE: October 6, 2020

RE: Dates which cases can be postponed to

If the Zoning Board of Appeals makes a motion to postpone a case to an actual future meeting date (date certain), vs. requiring them to return within a certain number of days the Township does not have to re-advertise or re-mail notices to surrounding properties. By postponing a case to a “date certain”, the Township avoids incurring advertising costs and, in many cases, assists the applicant in returning in a timelier manner. The ZBA By-Laws state the postponement of a case shall not exceed sixty (60) days from the date the matter was first scheduled on a ZBA agenda.

Listed below are upcoming ZBA meetings. When a case needs to be postponed, if the applicant can commit to one of these dates, they should be used to postpone to a “date certain” within the motion, whenever possible. If a case is postponed to a “date certain” please be sure to keep all the information from your packet for that case until the future date.

October 26, 2020
November 9, 2020
November 23, 2020
INFORMATIONAL ONLY

TO: Charter Township of Orion Planning Commission and Zoning Board of Appeals

FROM: Tammy Girling, Planning & Zoning Director

DATE: October 6, 2019

RE: PC, ZBA, CIA, and Board of Trustees Joint Meeting

The Joint Meeting of the ZBA, PC, CIA, and Board of Trustees is scheduled for Thursday, November 12, 2020 at 6-8 p.m.

Please contact me if you would like to include something on that agenda by October 26, 2020.

If you have any questions regarding this matter, please contact my office at (248) 391-0304 x 5000.