

**CHARTER TOWNSHIP OF VAN BUREN
BOARD OF ZONING APPEALS AGENDA
Tuesday, December 13, 2022 – 7:00 PM
Van Buren Township Hall Board Room
46425 Tyler Road**

Per guidance provided by the Wayne County Local Public Health Department for meetings of governmental bodies held under public act 228 of 2020, effective January 1, 2022, the following Zoom link is provided to enable remote participation in a meeting of the public body by the general public:

Please click this link to join the webinar: <https://us06web.zoom.us/j/89953770054>

Or One tap mobile: US: +13017158592,,89953770054# or +13052241968,,89953770054# Or Telephone:
+1 301 715 8592

Webinar ID: 899 5377 0054

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

BZA Chair John Herman	—	Planning Commission Rep. Jeffrey S. Jahr	—
BZA Vice-Chair Amos Grissett	—	BZA Alternate Member Charles Larocque	—
BZA Member / Trustee Kevin Martin	—	Planning Commission Alt. Medina Atchinson	—
BZA Member John Haase	—	Recording Secretary Brittney Williams	—
BZA Member Aaron Sellers	—	Director Dan Power	—
Director Ron Akers	—		

ACCEPTANCE OF AGENDA

APPROVAL OF MINUTES: Approval of minutes from October 11, 2022

CORRESPONDENCE

PUBLIC HEARING (new business items)

1. Case Number: 22-050 – Guy and Deborah Ransom

Location: 47760 West Huron River Drive (Parcel ID# 83 113 99 0009 000), zoned R-1B Single Family Residential Zoning District

Request: Applicants Guy and Deborah Ransom are requesting to complete the construction of an addition to a principal dwelling which will be separated by a distance of 10'4" from a detached accessory garage which will have a floor area of 780 square feet upon completion, and therefore requesting a variance from the following section of the Charter Township of Van Buren Zoning Ordinance:

Section 7.202(A), Table 3 pertaining to minimum required separation between detached accessory buildings greater than 768 square feet and dwellings in the R-1B Single Family Residential Zoning District:

- Required: 24.00 feet
- Existing: 21.92 feet

- Proposed: 10.33 feet
- Variance requested: 13.67 feet

- A. Open Public Hearing.
- B. Public Comment.
- C. Close Public Hearing.

UNFINISHED BUSINESS

NEW BUSINESS

1. Case Number: 22-050 – Guy and Deborah Ransom

Location: 47760 West Huron River Drive (Parcel ID# 83 113 99 0009 000), zoned R-1B Single Family Residential Zoning District

Request: Applicants Guy and Deborah Ransom are requesting to complete the construction of an addition to a principal dwelling which will be separated by a distance of 10'4" from a detached accessory garage which will have a floor area of 780 square feet upon completion, and therefore requesting a variance from the following section of the Charter Township of Van Buren Zoning Ordinance:

Section 7.202(A), Table 3 pertaining to minimum required separation between detached accessory buildings greater than 768 square feet and dwellings in the R-1B Single Family Residential Zoning District:

- Required: 24.00 feet
 - Existing: 21.92 feet
 - Proposed: 10.33 feet
 - Variance requested: 13.67 feet
- A. Presentation by Township Staff.
 - B. Presentation by the Applicant.
 - C. Board of Zoning Appeals Discussion.
 - D. Board of Zoning Appeals Action.

ANNOUNCEMENTS, COMMENTS, AND OPEN DISCUSSION

ADJOURNMENT

**CHARTER TOWNSHIP OF VAN BUREN
BOARD OF ZONING APPEALS AGENDA
Tuesday, October 11, 2022 – 7:00 PM
Van Buren Township Hall Board Room
46425 Tyler Road**

Draft Minutes

Per guidance provided by the Wayne County Local Public Health Department for meetings of governmental bodies held under public act 228 of 2020, effective January 1, 2022, the following Zoom link is provided to enable remote participation in a meeting of the public body by the general public:

CALL TO ORDER

This meeting was called to order at 7:01 pm by Chairperson John Herman

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: John Herman (Chair), John Haase, Aaron Sellers, Medina Atchinson (Planning Commission Alt.)

Absent Excused: Charles Larocque, Amos Grissett, Kevin Martin, Jeffrey Jahr

Staff: Ron Akers (Director of Municipal Services), Brittney Williams (Recording Secretary)

Planning Representative: Vidya Krishnan (Senior Principal Planner, McKenna)

ACCEPTANCE OF AGENDA:

Haase motioned; Sellers seconded to accept the Agenda as presented.

ROLL CALL:

Yeas (4): Herman, Haase, Sellers, Atchinson

Nays (0): None

Absent (2): Larocque, Grissett, Martin, Jahr

Motion Carried

APPROVAL OF MINUTES:

Haase motioned; Sellers seconded to approve the minutes from June 14, 2022 as presented.

ROLL CALL:

Yeas (4): Herman, Haase, Sellers, Atchinson

Nays (0): None

Absent (2): Larocque, Grissett, Martin, Jahr

Motion Carried

CORRESPONDENCE:

Herman mentioned he had attended an MSU Seminar and will forward the documents to all the members because it could be very beneficial to all since they are local cases that were discussed.

PUBLIC HEARING (new business items)

1. Case Number: 22-038 – Mike’s Kitchen

Location: 11511 Belleville Road (Mike’s Kitchen) Parcel ID # 83-086-99-0012-001

Request: Applicant Joseph Altman on behalf of owner David Nucullaj is requesting a variance from the following section of the Charter Township of Van Buren Zoning Ordinance:

Section 3.112 (E) for C-2 Extensive Highway Business District:

- Required: 25.00 feet
- Existing: 5.00 feet
- Proposed (restroom addition): 5.00 feet, 7.50 feet (storage room addition)
- Variance requested: 20.00 feet

Atchinson motioned; Haase seconded to open public hearing for New Business Item 22-038 Mike Kitchen.

ROLL CALL:

Yeas (4): Herman, Haase, Sellers, Atchinson

Nays (0): None

Absent (2): Larocque, Grissett, Martin, Jahr

Motion Carried

No public comment on zoom.

Director Akers presented 2 emails written from neighbors in support of Mike's Kitchen. The emails were from residents: David and Michille Traskos at 45245 Jeannette Ave and Cheryl Peters at 45350 Jeannette Ave.

Haase motioned; Sellers seconded to close the public hearing for 22-038 Mike Kitchen.

ROLL CALL:

Yeas (4): Herman, Haase, Sellers, Atchinson

Nays (0): None

Absent (2): Larocque, Grissett, Martin, Jahr

Motion Carried

2. Case Number: 22-039 – Lower Huron Metropark Turtle Cove Renovation

Location: 17879 Savage Road (Lower Huron Metropark Turtle Cove) Parcel ID# 83-141-99-0001-000

Request: Applicant Jason Bibby on behalf of owner Huron Clinton Metropark Authority requests a variance from the following section of the Charter Township of Van Buren Ordinance:

Section 7.202(A), Table 3 pertaining to detached accessory structures in the AG – Agricultural and Estates District, to construct a tower structure with three (3) slides that exceeds the allowable height as listed below:

Maximum Detached Accessory Structure Height:

- Required: 20.00 Feet
- Proposed: 35.58 Feet
- Variance requested: 15.58 Feet

Sellers motioned; Haase seconded to open public hearing for new business item 22-039 Lower Huron Metropark Turtle Cove Renovation.

ROLL CALL:

Yeas (4): Herman, Haase, Sellers, Atchinson

Nays (0): None

Absent (2): Larocque, Grissett, Martin, Jahr

Motion Carried

No public comment.

Sellers motioned; Atchinson seconded to close the public hearing for 22-039 Lower Huron Metropark Turtle Cove Renovation.

ROLL CALL:

Yeas (4): Herman, Haase, Sellers, Atchinson

Nays (0): None

Absent (2): Larocque, Grissett, Martin, Jahr

Motion Carried

UNFINISHED BUSINESS: None

NEW BUSINESS

1. Case Number: 22-038 – Mike’s Kitchen

Location: 11511 Belleville Road (Mike’s Kitchen) Parcel ID # 83-086-99-0012-001

Request: Applicant Joseph Altman on behalf of owner David Nucullaj is requesting a variance from the following section of the Charter Township of Van Buren Zoning Ordinance:

Section 3.112 (E) for C-2 Extensive Highway Business District:

- Required: 25.00 feet
- Existing: 5.00 feet
- Proposed (restroom addition): 5.00 feet, 7.50 feet (storage room addition)
- Variance requested: 20.00 feet

Haase made mention that we had done this case before. It was stated that yes, but it has expired and needs to be reapplied for.

Presentation by Township Staff

Ms. Krishnan presented her letter dated September 27, 2022:

We have reviewed the above referenced application submitted by Joseph Altman on behalf of David Nucullaj to construct additions to the existing Mike’s Kitchen Restaurant. The proposal requires a variance from side yard setback standards. The following are our review comments based on the criteria in the Zoning Ordinance and the information provided:

File Number: VBT-19-039

Parcel Size and Tax ID: ≈0.78 Acres/Parcel ID# 83-086-99-0012-001

Property Owner: David Nucullaj

Zoning and Existing Use: C-2 Extensive Highway Business District. The parcel is currently occupied by a restaurant that is not operational.

Project Description: Applicant is proposing additions to the existing restaurant which necessitates a variance from the side yard setback. The applicant received approval for the requested variance in February 2020; however, due to the subsequent pandemic restrictions, was unable to proceed with the project in a timely fashion. As a result the variance expired and the applicant is required to re-apply for the same.

Notice: Notice for the public hearing was published in the Belleville Independent on September 22, 2022 in accordance with the Michigan Zoning Enabling Act and notices were mailed to the owners of real property within 300' of the subject property on September 17, 2022.

Variance Request:

Section 3.112 (E) Dimensional Regulations for C-2 District:

Side (South) Yard Setback: Required: 25.00 feet

Existing: 5.00 feet

Proposed: 5.00 feet (restroom addition); 7.50 feet (storage room addition)

Variance requested: 20.00 feet

COMMENTS

Per Section 12.403.C of the Township Zoning Ordinance and the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, the Board must, prior to acting on a proposed variance, consider and make findings regarding several factors. The Board may grant a dimensional or non-use variance upon a finding that practical difficulties exist. To meet the test of practical difficulty, the applicant must demonstrate compliance with the following:

1. That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose and would thereby render the conformity unnecessarily burdensome for other than financial reasons.

Section 3.112 (D) of the Zoning Ordinance requires structures in the C-2 zoning district to have a minimum 25 rear yard setback. The subject site is a corner lot with frontage onto Belleville Road and I-94 S. Service Drive. The parcel is shaped like an inverted reverse "L", which poses a challenge for any structure located on it. The site has an existing building which was constructed in 1972 (per Assessor's records) and is currently non-conforming with a setback of 5 feet. The structure suffered severe water damage in 2018-19, and the restaurant has been shut down since then.

The applicant is proposing to make major renovations to the interior, update the façade and build additions to accommodate additional storage area and restrooms which per the applicant are required for its functioning. Due to the shape of the existing structure and its non-conforming footprint, non-conforming location of the existing restaurant, any addition on the rear side is also likely to be non-conforming. The existing floor plan allows for a kitchen and dining area but has very limited storage and utility space. The proposed addition is intended to provide for the restaurant's storage needs and also restroom facilities which are code compliant.

Strict compliance with the side yard setback would likely allow for the construction of a very small storage space, but would not allow for the construction of the restroom addition. The existing restaurant is located in the Belleville Road Overlay District, which has specific design requirements. The structure is outdated, in need of an upgrade and has remained vacant for a while which increases the state of disrepair. The proposed additions and interior renovations are intended to make the restaurant viable and also comply with all applicable building codes. Not allowing for an additions with could be as being unnecessarily burdensome.

2) That a variance would do substantial justice to the applicant, as well as to other property owners in the district, (the BZA, however, may determine that a reduced relaxation would give substantial relief and be more consistent with justice to others).

A variance would do substantial justice to the applicant by enabling them to build the additions proposed which they consider essential for the viability of the restaurant. The subject site is located at a corner with street frontage to the north and west. The proposed addition is on the south/southeast side of the structure, which abut the drive-through of a bank and the restaurant parking lot, respectively. The proposed additions are located 50'+ from the bank building to the south and are not likely to impact emergency access or safety.

3) That plight of the owner is due to the unique circumstances of the property.

As noted previously, the subject site is an odd shaped parcel which poses a challenge for placement of structures. While there may be other commercially zoned parcels in the Township with an unusual configuration, at this time we are aware of the applicant site only.

4) That the problem is not self-created.

The need for the variance is not a self-created problem. As noted previously, the restaurant on the subject site was a long standing fixture in the community till it suffered severe water damage and had to shut down. At this time the applicant is attempting to fix the structure and make changes that would bring it up to compliance with code and make it a viable business again.

Section 12.403 (D) Standards of approval.

1) That the proposed appeal or variance is related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.

Zoning is a valid exercise of the police power bestowed by the State of Michigan in the Michigan Zoning Enabling Act (PA 110 of 2006). The Zoning Enabling Act specifically gives local municipalities the authority to have a Board of Zoning Appeals and to grant dimensional variances when practical difficulty is demonstrated.

2) The proposed appeal or variance will not impair an adequate supply of light and air to adjacent property or increase the congestion in public streets.

Approving the variance will not impair an adequate supply of light and air to adjacent property or increase the congestion in the public streets. As previously noted, the proposed addition is located more than 50 feet from the bank building on the abutting site to the south. There are no other structures within close proximity to the proposed additions.

3) Will not increase the hazard of fire or flood or endanger the public safety.

The proposed additions are not likely to increase the hazard of fire or flood or endanger the public safety. The addition will be required to comply with all applicable building codes.

4) Will not unreasonably diminish or impair established property values within the surrounding area.

Renovation and remodeling of the restaurant which has remained closed since the water damage, would enhance the value of the subject site and is not likely to diminish or impair established property values within the surrounding areas.

5) Will not in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township.

Allowing the proposed building additions in the required side yard setback is not likely to impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township.

6) Will not alter the essential character of the neighborhood.

The proposed additions are located in the rear of the building and are not visible from the public street frontages. The site is located on Belleville Road just off the I-94 freeway, in an area with other commercial operations. The proposed additions are not altering the character of the area in which they are located.

7) Is necessary to meet the intent and purpose of the zoning regulations; is related to the standards established in the Ordinance for the land use or activity under consideration and is necessary to ensure compliance with those standards.

The purpose of zoning regulations is to provide for orderly and planned use of land. The request at this time does not alter the use of the land and is intended to accommodate additions to facilitate the re-opening of the restaurant.

Recommendation

Subject to any additional information presented and discussed by the applicant, Board, and/or the public during the public hearing and incorporated into the record prior to any findings being made, we recommend that the Board of Zoning Appeals approve the requested variance for the property located at 11511 Belleville Road. The above recommendation is based on the following findings of fact:

1. Strict compliance with the required side yard setback would likely prevent the construction of the addition to accommodate the bathroom and would greatly reduce the storage addition, which can be construed as being unnecessarily burdensome.
2. A variance would provide substantial justice to the applicant and is not averse to the interests of other property owners in the district.
3. The subject site is an unusually shaped parcel.
4. The existing non-conforming building footprint limits the placement of any additions.
5. The structure suffered severe water damage (not self-created) which resulted in the need for a full renovation and remodeling.
6. The proposed variance is related to the valid exercise of police power.
7. The variance is not likely to impair light and air to adjacent property or increase the congestion in the public streets.
8. The variance is not likely to increase the hazard of fire or flood or endanger the public safety.
9. The variance is not likely to diminish or impair established property values within the surrounding areas.
10. The variance is not likely to impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township.
11. The variance is not likely to alter the essential character of the neighborhood.
12. The variance allows for the re-establishment of a long-standing business in the community.
13. The variance was previously granted and expired due to the pandemic related difficulties which were beyond the control of the applicant.

Presentation by Applicant: No questions or comments.

Board of Zoning Appeals Discussion: None

Board of Zoning Appeals Action:

Haase motioned; Sellers seconded to grant approval for the request by Joseph Altman on behalf of Dabid Nucullaj for 11511 Belleville Road (mike's Kitchen Restaurant) Parcel ID #83-086-99-0012-001 for a variance from Section 3.112 € for C-2 Extensive highway Business District and subject to the finding of facts in the McKenna letter dated September 27, 2022.

ROLL CALL:

Yeas (4): Herman, Haase, Sellers, Atchinson

Nays (0): None

Absent (2): Larocque, Grissett, Martin, Jahr

Motion Carried

2. Case Number: 22-039 – Lower Huron Metropark Turtle Cove Renovation

Location: 17879 Savage Road (Lower Huron Metropark Turtle Cove) Parcel ID# 83-141-99-0001-000

Request: Applicant Jason Bibby on behalf of owner Huron Clinton Metropark Authority requests a variance from the following section of the Charter Township of Van Buren Ordinance:

Section 7.202(A), Table 3 pertaining to detached accessory structures in the AG – Agricultural and Estates District, to construct a tower structure with three (3) slides that exceeds the allowable height as listed below:

Maximum Detached Accessory Structure Height:

- Required: 20.00 Feet
- Proposed: 35.58 Feet
- Variance requested: 15.58 Feet

Presentation by Township Staff

Ms. Krishnan presented her letter dated September 27, 2022:

We have reviewed the above referenced application submitted by Jason Bibby on behalf of Huron-Clinton Metropolitan Authority to construct a tower structure with three (3) water slides as an addition to the existing Turtle Cove Family Aquatic Park located within the Lower Huron Metropark. The proposal requires a variance maximum structure height. The following are our review comments based on the criteria in the Zoning Ordinance and the information provided:

File Number: VBT-22-039

Parcel Size and Tax ID: 327 Acres/Parcel ID# 83-141-99-0001-000

Property Owner: Amy McMillan (per application)

Zoning and Existing Use: AG, Agricultural and Estates District

Project Description: Applicant is proposing to add a tower style structure with 3 different water slides coming off the top, as an additional accessory structure to the existing Turtle Cove Water Park.

Notice: Notice for the public hearing was published in the Belleville Independent on September 22, 2022 in accordance with the Michigan Zoning Enabling Act and notices were mailed to the owners of real property within 300' of the subject property on September 17, 2022.

Variance Request:

Section 7.202 (A) Dimensional Regulations for AR District:

Maximum Height: Required: 20.00 feet

Proposed: 35.58 feet

Variance requested: 15.58 feet

COMMENTS

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Per Section 12.403.C of the Township Zoning Ordinance and the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, the Board must, prior to acting on a proposed variance, consider and make findings regarding several factors. The Board may grant a dimensional or non-use variance upon a finding that practical difficulties exist. To meet the test of practical difficulty, the applicant must demonstrate compliance with the following:

1) That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose and would thereby render the conformity unnecessarily burdensome for other than financial reasons.

Section 7.202 of the Zoning Ordinance limits the height of accessory structures in the AG district to 20 feet. The intent behind the standard is to allow for taller structures in the agricultural districts with larger lot sizes than single family residential districts; however, not allow such structures to be imposing in height.

The applicant is proposing to add a tower feature with three (3) different water slides coming off the top platform. The three (3) slides are of different designs to provide a fun experience to the visitors of the water park. In order to allow for adequate room for the curved tube slides and length, the height of the tower platform is 35+ feet. The required front, side and rear yard setbacks in the AG district are 50 feet, 10/25 feet and 35 feet, respectively. Per the applicant the slide has a front yard setback of 540 feet, a side yard of 650 feet and a rear yard setback of several thousand feet.

Strict compliance with the ordinance standards would likely eliminate two (2) of three (3) proposed slides and result in the project not being implemented. The proposed tower with slides is not a conventional accessory structure that can be commonly requested in other AG parcels and cannot easily be modified by merely adjusting a roof pitch, pillar height or other similar dimension. The structure is strictly accessory to the public recreation facility. The structure will be located at a significant setback from all property lines, rendering it practically invisible from any of the adjacent properties. Therefore, not allowing for the deviation from the height provision can be construed as being unnecessarily burdensome since it would render the project unfeasible.

2) That a variance would do substantial justice to the applicant, as well as to other property owners in the district, (the BZA, however, may determine that a reduced relaxation would give substantial relief and be more consistent with justice to others).

A variance would do substantial justice to the applicant by enabling them to build the proposed tower feature with three (3) slides as envisioned in the Lower Huron Master Plan planning process, which involved community input and stakeholder feedback, per the applicant. Allowing for the increased height would provide substantial justice to the public in general which will be the end user of the facility. Parks and public amenities definitely contribute to the quality of life of a community, and the proposed facility works towards that goal and secures a public benefit.

3) That plight of the owner is due to the unique circumstances of the property.

The Lower Huron Metropark is a 1,256-acre regional park which was established in 1953 and likely pre-dates the Township's zoning regulations. The park is a regional community facility and one of its kind within the Township boundaries. The ordinance limitation on maximum structure height was intended for AG based uses. The park facility with its size and operation presents a completely unique circumstance that is not be found on other similar zoned parcels within the Township.

4) That the problem is not self-created.

The need for the variance is not a self-created problem. As noted previously, the subject site is a regional park. The accessory structure is being added on as an amenity to the Turtle Cover Water Park on the site. The slides are likely designed to specific dimensions to meet safety standards and the applicant cannot arbitrarily decide on a different height that may not be safe or suitable.

Section 12.403 (D) Standards of approval.

1) That the proposed appeal or variance is related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.

Zoning is a valid exercise of the police power bestowed by the State of Michigan in the Michigan Zoning Enabling Act (PA 110 of 2006). The Zoning Enabling Act specifically gives local municipalities the authority to have a Board of Zoning Appeals and to grant dimensional variances when practical difficulty is demonstrated.

2) The proposed appeal or variance will not impair an adequate supply of light and air to adjacent property or increase the congestion in public streets.

Approving the variance will not impair an adequate supply of light and air to adjacent property or increase the congestion in the public streets. As previously noted, the proposed addition is located hundreds to several thousand feet from all property lines. The proposed water slide feature is part of the Turtle Cove Water Park and placed well inside the Lower Huron Metropark.

3) Will not increase the hazard of fire or flood or endanger the public safety.

The proposed additions are not likely to increase the hazard of fire or flood or endanger the public safety. The addition will be required to comply with all applicable building codes.

4) Will not unreasonably diminish or impair established property values within the surrounding area.

Addition of the taller water slides are not likely to diminish or impair established property values within the surrounding areas.

5) Will not in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township.

Allowing the proposed variance from accessory structure height is not likely to impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township.

6) Will not alter the essential character of the neighborhood.

The proposed structure is located inside the large Lower Huron Regional Metropark and is not visible from any major arterial such as Haggerty Road. The proposed addition will have no impact on the existing character of the neighborhood.

7) Is necessary to meet the intent and purpose of the zoning regulations; is related to the standards established in the Ordinance for the land use or activity under consideration and is necessary to ensure compliance with those standards.

The purpose of zoning regulations is to provide for orderly and planned use of land. The request at this time does not alter the use of the land and is intended to enhance the existing public recreational amenity.

Recommendation

Subject to any additional information presented and discussed by the applicant, Board, and/or the public during the public hearing and incorporated into the record prior to any findings being made, we recommend that the Board of Zoning Appeals approve the requested variance for the Turtle Cove Family Aquatic Park located at 17879 Savage Road. The above recommendation is based on the following findings of fact:

1. Strict compliance with the required side yard setback would likely prevent the construction of the slide structure, which can be construed as being unnecessarily burdensome.
2. A variance would provide substantial justice to the applicant and provides a definite public benefit to all citizens who use the regional park facility.
3. The use of the site is unique.

4. The Lower Huron Metropark within which the subject facility is located was established in 1953, likely pre-dating Township zoning regulations.
5. The proposed variance is related to the valid exercise of police power.
6. The variance is not likely to impair light and air to adjacent property or increase the congestion in the public streets.
7. The variance is not likely to increase the hazard of fire or flood or endanger the public safety.
8. The variance is not likely to diminish or impair established property values within the surrounding areas.
9. The variance is not likely to impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township.
10. The variance is not likely to alter the essential character of the neighborhood.
11. The variance does not alter the use of land and is intended to enhance a public recreational facility.

Presentation by the Applicant: None

Board of Zoning Appeals Discussion

Atchinson asked the applicant if this is a new slide system or an addition with the third slide. Jason Bibby on behalf of owner stated it is an addition to the existing facility with the zero-depth entry pool and lazy river with an existing water slide. With public input they have come up with this plan on their 2017 update to the Lower Huron Metropark plan and a regional wide survey that was completed earlier this year to see what the recreational needs are for this facility. These all influenced this type of structure to be added to the existing facility and fence line. With its own mechanical building and not directly connected the current slides and water features with the only connection to the existing features is the flat work.

Atchinson followed up with asking when they anticipate this to be completed. Jason Bibby on behalf of the owner stated they are waiting for this variance approval as well as administrative site plan review approval to move forward with building permits which have been submitted. They are looking into the cost of the slide manufacturing at this current time and may fall within the budget of 2023.

Board of Zoning Appeals Action

Haase motioned; Sellers seconded to grant approval for the request by Jason Bibby on behalf of owner Huron Clinton Metropark Authority for 17879 Savage Road (Lower Huron Metropark – Turtle Cove Playground) / Parcel ID# 83-141-99-0001-000 for a variance from Section 7.202(A), Table 3 pertaining to Detached accessory structures in the AG – Agricultural and Estates District to construct a tower structure with three (3) slides that exceeds the allowable height as listed below:

Maximum Detached Accessory Structure Height:

- Required: 20.00 Feet
- Proposed: 35.58 Feet
- Variance requested: 15.58 Feet

This motion is based on the findings of fact derived from Section 12.403(C) and (D) of the Van Buren Township Zoning Ordinance.

Chairman Herman brought to attention that within the packet on the application we did not have a notarized copy. We will check our hard copy records in our office or have the applicant submit a new

notarized application. Jason Bibby stated he had requested it from their secretary but will check that it was completed and we receive the corrected application.

ROLL CALL:

Yeas (4): Herman, Haase, Sellers, Atchinson

Nays (0): None

Absent (2): Larocque, Grissett, Martin, Jahr

Motion Carried

ANNOUNCEMENTS, COMMENTS, AND OPEN DISCUSSION: None

ADJOURNMENT

Sellers motioned, Haase seconded to adjourn meeting at 735 p.m.

ROLL CALL:

Yeas (4): Herman, Haase, Sellers, Atchinson

Nays (0): None

Absent (2): Larocque, Grissett, Martin, Jahr

Motion Carried



VAN BUREN CHARTER TOWNSHIP

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

46425 TYLER ROAD, VAN BUREN TOWNSHIP, MI 48111

PHONE (734) 699-8913 FAX (734) 699-8958

BOARD OF ZONING APPEALS APPLICATION

APPLICANT INFORMATION

NAME: <u>GUY & DEBBIE RANSOM</u>	PHONE: <u>734-697-4543</u>
ADDRESS: <u>47760 Huron River DR</u>	CELL PHONE: <u>DEB # 734-604-5314</u>
CITY, STATE & ZIP: <u>BELLEVILLE, Mich 48111</u>	FAX: <u>N/A</u>
EMAIL: <u>DEBORAH.RANSOM@AOL.COM</u> / <u>GRANSOM@ME.COM</u>	

PROPERTY OWNER INFORMATION (If different than the applicant)

NAME: <u>SAME AS ABOVE</u>	PHONE:
ADDRESS:	CELL PHONE:
CITY, STATE & ZIP:	FAX:
EMAIL:	

SITE INFORMATION

PROJECT ADDRESS: <u>47760 W. HURON RIVER DR BELLEVILLE, M. 48111</u>		
PROPERTY LOCATION: On the <u>N.</u> Side of <u>W. Huron Dr</u> Road; Between <u>EWELL</u> Road and <u>ORMOND</u> Road.		
SIZE OF LOT WIDTH: <u>80'</u>	SIZE OF LOT DEPTH: <u>AVG 216</u>	ACREAGE OF SITE: <u>.40</u>
DATE PROPERTY ACQUIRED: <u>1969</u>	TYPE OF OWNERSHIP OF PROPERTY: <u>RESIDENTIAL</u>	
STATE ALL DEED, SUBDIVISION IMPROVEMENT AND PROPERTY RESTRICTIONS IN EFFECT AT THIS TIME, TOGETHER WITH DATES OF EXPIRATION: <u>N/A</u>		

VARIANCE REQUEST

VARIANCE TO ZONING ORDINANCE SECTION(S): <u>SECTION 7.202</u>
EXPLANATION OF THE PRACTICAL DIFFICULTY OF THE PROPERTY AS DEFINED IN SECTION 19.07 (OR EXPLANATION OF REQUEST FOR ADMINISTRATIVE REVIEW): <u>SEE ATTACHED</u>
APPLICANT MUST ALSO SUBMIT PHOTOGRAPHS OF THE BUILDING AND/OR STRUCTURES ON SITE AS WELL AS SKETCH PLAN OR PLOT PLAN SHOWING THE DIMENSIONS OF THE LOT AND THE EXISTING AND PROPOSED SETBACKS.

OWNER'S AFFIDAVIT

Deborah M. Ransom Deborah Ransom 10/12/22
PRINT PROPERTY OWNER'S NAME SIGNATURE OF PROPERTY OWNER DATE

STATE OF MICHIGAN
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this 13th day of OCTOBER 2022
Deanne S. Murphy Notary Public, Wayne County, Michigan

My Commission expires 11/1/2028



MEMO

TO: Van Buren Township Board of Zoning Appeals (BZA)
FROM: Dan Power– Director of Planning and Economic Development
Vidya Krishnan – Senior Principal Planner / McKenna
RE: 47760 West Huron River Drive Variance Review.
Application Received and dated 10-13-2022.
DATE: December 7, 2022 (revised December 12, 2022)

Dear Board Members:

We have reviewed the above referenced application submitted by Guy and Deborah Ransom to complete the construction of an addition to a principal dwelling. The proposed addition will be separated by a distance of 10'4" from an existing detached garage which has a floor area of 780 square feet. The following are my review comments based on the criteria in the Zoning Ordinance and the information provided:

File Number: VBT-22-050

Parcel Size and Tax ID: 0.42 acres / Parcel ID# 83 113 99 0009 000

Property Owner: Guy and Deborah Ransom

Zoning and Existing Use: R-1B (Single Family Residential District). The parcel is currently improved with two (2) buildings - a single-family residential dwelling with a footprint of 2,229 square feet, and a garage with a floor area of 780 square feet.

Project Description: The applicant is proposing to construct an addition with a footprint of 258.97 square feet and a total area of approximately 485 square feet. The proposed addition will be separated by 10'4" from the existing 30' x 26' (780 square foot) detached garage.

Notice: Notice for the public hearing was published in the Belleville Area Independent on November 23, 2022 in accordance with the Michigan Zoning Enabling Act and notices were mailed to the owners of real property within 300' of the subject property November 28, 2022.

Variance Request:

Section 7.202(A), Table 3 pertaining to minimum required separation between detached accessory buildings greater than 768 square feet and dwellings in the R-1B Single Family Residential Zoning District:

- **Required: 24.00 feet**
- **Existing: 21.92 feet**
- **Proposed: 10.33 feet**

- **Variance requested: 13.67 feet**

The applicant has stated that they have lived in the subject property for 53 years. In 2005—2006, a building permit was issued to replace a previous 26' x 26' (676 square foot) detached garage with the current 26' x 30' (780 square foot) garage, and this work was completed. The applicant now seeks to complete the construction of an addition to the dwelling. The applicant attributes the need for the addition to health issues which present an inability to navigate stairs, and the need to build an accessible bedroom / bath area on the main floor. The applicant has submitted a detailed variance request narrative which provides additional background and justification for the requested variance. The narrative is included with this application packet.

The applicant originally submitted a building permit application which included the removal and relocation of the north wall of the existing detached garage by 6 inches. This would result in a reduction in the garage dimensions to 25.5' x 30', for a total area of 765 square feet. By making such a change, the applicant would reduce the garage to an area below 768 square feet. For detached accessory buildings that are under 768 square feet in area, the minimum required separation distance between the principal dwelling and accessory building is only 10 feet. Therefore, the relocation of the north wall would have brought the garage into compliance with the Van Buren Township Zoning Ordinance.

During construction, the applicant sought to amend the previous building permit application by leaving the north wall of the garage in place rather than removing it and relocating it 6 inches inward, as was originally proposed. The applicant has indicated in their application materials that the relocation of the north / backside of the existing garage would lead to disruption of existing gas and electrical services to the dwelling as well as the need for a new foundation.

For detached accessory buildings that are over 768 square feet in area, the minimum required separation distance between the principal dwelling and accessory building is 24 feet. By maintaining and not relocating the north wall of the garage, the garage area will remain at 780 square feet. With a separation distance less than 24 feet between the garage and the principal dwelling, the requested construction is in violation of the Zoning Ordinance as described above in the "variance request" section.

Staff has recently researched the origins of these specific required separation distances. It appears that the Zoning Ordinance that was in place in July 2005 at the time the permit was issued for the current garage's construction required a separation distance of 50 feet for garages greater than 768 square feet in area, or a distance equal to the longest length of the accessory building, whichever is greater. This version of the Zoning Ordinance also provided a process for Planning Commission consideration of modifications to standards for accessory buildings, which does not appear in the current version of our Zoning Ordinance.

Despite the stated limitations involved with relocating the exterior wall 6 inches, the applicant and staff will continue to coordinate and explore possible options, if any, for reducing the size of the garage to less than 768 square feet, thus avoiding the need for a variance. Regardless of these efforts, the BZA is asked to review the request as submitted and evaluate the request on its merits.

COMMENTS

Per Section 12.403.C of the Township Zoning Ordinance and the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, the Board must, prior to acting on a proposed variance, consider and make findings regarding several factors. The Board may grant a dimensional or non-use variance upon a finding that practical difficulties exist. To meet the test of practical difficulty, the applicant must demonstrate compliance with the following:

- 1) That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose and would thereby render the conformity unnecessarily burdensome for other than financial reasons.**

The applicant provides some justification for the claim that the strict compliance with the 24 foot separation distance would prevent the owner from using their property for their permitted purposes. The filed floor plan for the dwelling shows that the main floor currently includes an existing living room, dining room, kitchen, and a 9' x 13' bedroom. The main floor does not include a master bedroom or an accessible bathroom. Due to mobility issues, the property owner cannot use the upper story and requires these amenities on the main floor. Further, the property is constrained by topography / grade limitations and setbacks. These constraints are more clearly illustrated in point 3 below.

For the applicant to provide the accessibility upgrades they seek in a way that complies with the Zoning Ordinance, they could possibly alter the area of the detached garage by either demolishing it, or reducing its size by relocating walls or other means.

Based on this background information, the applicant has provided some evidence for the BZA to consider that there are inhibitions to providing an accessible dwelling area for a person with mobility issues at ground level. To approve this finding completely, it must be found that these requirements constitute reasonable use of the property for a permitted use, and that the only reasonable means of constructing these improvements is to do so in an area that triggers the requested variance, without reducing the size of the garage below 768 square feet.

- 2) That a variance would do substantial justice to the applicant, as well as to other property owners in the district, (the BZA, however, may determine that a reduced relaxation would give substantial relief and be more consistent with justice to others).**

The requested variance would enable the applicant to create a more accessible living space on the ground floor of their principal dwelling where constraints of topography and setbacks are present. The site that is the subject of the variance has an existing garage which exceeds the maximum floor area threshold for allowing a 10-foot setback from the home by 12 square feet (780 square feet). The original floor plan was created and home was built in the 1930s. When considering the "substantial justice" criterion, the BZA should consider whether the granting of this type of variance in properties with a similar set of circumstances would be justifiable. A brief survey of nearby single-family residential dwellings in this zoning district reveals the following:

- 47900 West Huron River Drive: Bi-Level with Master Suite on Upper Level

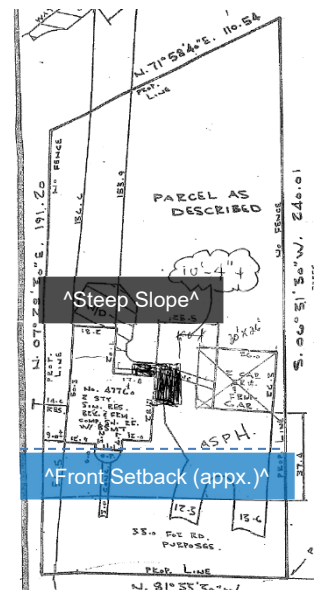
- 47818 West Huron River Drive: Unknown layout at time of writing this report
- 47776 West Huron River Drive: One-story home
- 47712 West Huron River Drive: One-story home
- 47670 West Huron River Drive: Two-story home, includes two bedrooms on ground floor and master bedroom on upper floor.

The BZA must consider whether a comparable reduced separation distance between dwellings and detached accessory buildings on these properties would be acceptable, if the properties are similarly constrained by physical characteristics of their sites, such that an expansion can occur only within an area designated as required separation distance.

3) That plight of the owner is due to the unique circumstances of the property.

The property's current building footprint and setbacks would only feasibly allow expansion of the principal dwelling toward the rear / lakeside or between the principal dwelling and the detached garage, as shown on the application included herein.

The applicant has submitted photographs that document a substantial downward slope in the rear / lakeside portion of the house that would be considered buildable, in terms of being able to expand in compliance with the allowable setbacks under the Van Buren Township Zoning Ordinance. See the images below:



The above information provides some justification for the "unique circumstances" criteria.

4) That the problem is not self-created.

At this time, the owner is seeking to expand the footprint of the home in a manner that encroaches within the required separation distance to the detached garage. The past garage construction expansion, in combination with the current construction of an addition to the dwelling, led to the problem that warranted this variance request. In order to adequately prove that the hardship was not self-created, it should be demonstrated the past and current construction was and is necessary for the viable use of the property, and that the past

construction activities could not have reasonably been anticipated to cause a future zoning issue.

Section 12.403 (D) Standards of approval.

- 1) That the proposed appeal or variance is related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.**

Zoning is a valid exercise of the police power bestowed by the State of Michigan in the Michigan Zoning Enabling Act (PA 110 of 2006). The Zoning Enabling Act specifically gives local municipalities the authority to have a Board of Zoning Appeals and to grant dimensional variances when practical difficulty is demonstrated.

- 2) The proposed appeal or variance will not impair an adequate supply of light and air to adjacent property or increase the congestion in public streets.**

Approving the variance will not appear to impair an adequate supply of light and air to adjacent property or increase the congestion in the public streets. The proposed expansion will not affect a setback to an adjacent property. The proposed addition will also not result in the lot being covered by an area that approaches the maximum 30 percent lot coverage in the R-1B zoning district.

- 3) Will not increase the hazard of fire or flood or endanger the public safety.**

The proposed variances are not likely to increase the hazard of fire or flood or endanger the public safety, so long as a minimum 10-foot separation is maintained between the dwelling and the detached garage.

- 4) Will not unreasonably diminish or impair established property values within the surrounding area.**

The proposed addition is not anticipated to diminish or impair established property values within the surrounding area.

- 5) Will not in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township.**

The BZA must find that the reduced separation will not impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township for this criterion to be met. Minimum separation distances between principal and accessory buildings on a lot are intended to maintain a certain standard of safety in conjunction with the currently adopted building codes. A garage with a 10'4" separation distance (3.3% greater than the minimum required 10' separation distance for buildings less than or equal to 768 square feet in area), which exceeds the area of a 768 square foot garage by 12 square feet (1.6%), will provide sufficiently scaled separation from the principal dwelling.

- 6) Will not alter the essential character of the neighborhood.**

The proposed addition will not negatively alter the essential character of the neighborhood. The proposed construction materials are consistent with the materials that are currently present on the principal dwelling.

7) Is necessary to meet the intent and purpose of the zoning regulations; is related to the standards established in the Ordinance for the land use or activity under consideration, and is necessary to ensure compliance with those standards.

The purpose of zoning regulations is to provide for orderly and planned use of land. For the BZA to grant the requested variance, they must find that the variance will continue to fulfill the purpose of zoning regulations to provide for the orderly and planned use of land.

Recommendation

For the BZA to consider granting the requested variance, they will need to conclude that there are positive findings for all four (4) "practical difficulty" criteria and all seven (7) listed standards of approval. I find that additional information may be required to justify positive findings regarding the following required criteria for establishing "practical difficulty":

- Section 12.403(C)(1). That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose and would thereby render the conformity unnecessarily burdensome for other than financial reasons; and
- 12.403(C)(4). That the problem is not self-created.

I have provided a motion template with this report to assist the BZA in making their decision on this variance request. The BZA may grant the requested variance, with or without conditions, postpone their decision, or deny the request. If the BZA decides to postpone their decision on the request, they should provide specific tabling conditions to instruct staff and the applicant regarding what is required to return for further consideration of the request by the BZA.

Thank you for allowing me to comment on this request.

Sincerely,



Dan Power, AICP
Planning and Economic Development Director
Public Services Department
Charter Township of Van Buren

CC: Vidya Krishnan, Senior Principal Planner / Van Buren Township Planning Consultant,
McKenna Associates

October 13, 2022

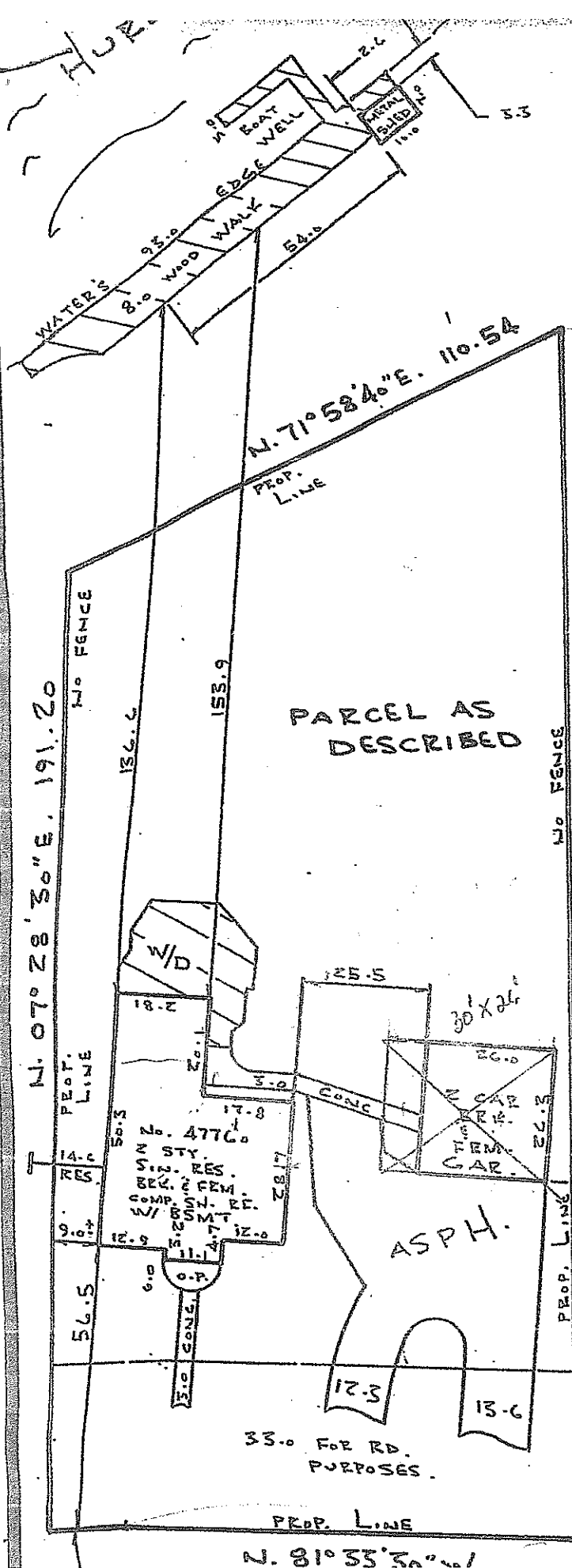
Variance request - Attachment for Ransom household

Variance to zoning ordinance sections: 7.202

Explanation of the practical difficulty of the property as defined in Section 7.202 (explanation for administrative review):

- Homeowners health presents an inability to navigate stairs due to brain surgery, neuropathy and heart attack. This has created the need to build an accessible bedroom/bath area on the main floor.
- Variance was not requested prior to the start of the project due to the timeline with relationship to the weather concerns in enclosing the new structure attached to the existing house. For further context, the existing home and garage were built in the 1930's and prior to beginning the addition, were not in compliance with the current codes.
- The current code asks for a reduction of square footage of approximately 12 square feet translating to removing 6 inches from the North/backside of the existing garage. This leads to disconnecting gas, electrical from the existing house as well as the possibility of a new foundation. The costs and inconvenience associated with this additional work presents a heavy burden in comparison to the impact on the property.
- As a 53-year resident of this home and as a senior citizen, it seems to be a reasonable request to approve the existing garage structure to remain intact as is. It does not pose any harm or interference with the neighboring property or access to the lake.

T. 3 S., E. 3 E.
VAN. BUREN TWP.,
W. C. M.



N

SCALE: 1"=30'

000.125
F1205

NOTE: PROPERTY SUBJECT TO
EASEMENTS AND/OR RESTRICTIONS
OF RECORD, IF ANY.

WE HEREBY CERTIFY that we have surveyed the property herein described; that the buildings and improvements are located as shown. Photographs were taken and prints attached hereto; NOTE: This survey is for Mortgage Purposes only and should not be used to establish the property lines for the construction of improvements or the erection of fences.

CERTIFIED TO ALL TITLE COMPANYS:

Survey No: 188730

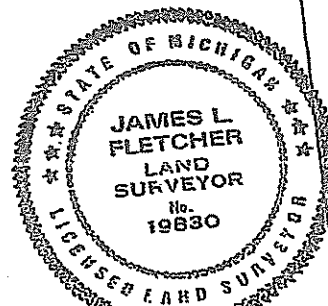
Date: 8-19-92

Purchaser: Guy G. &
Deborah M. Ransom.

SEE ATTACHED

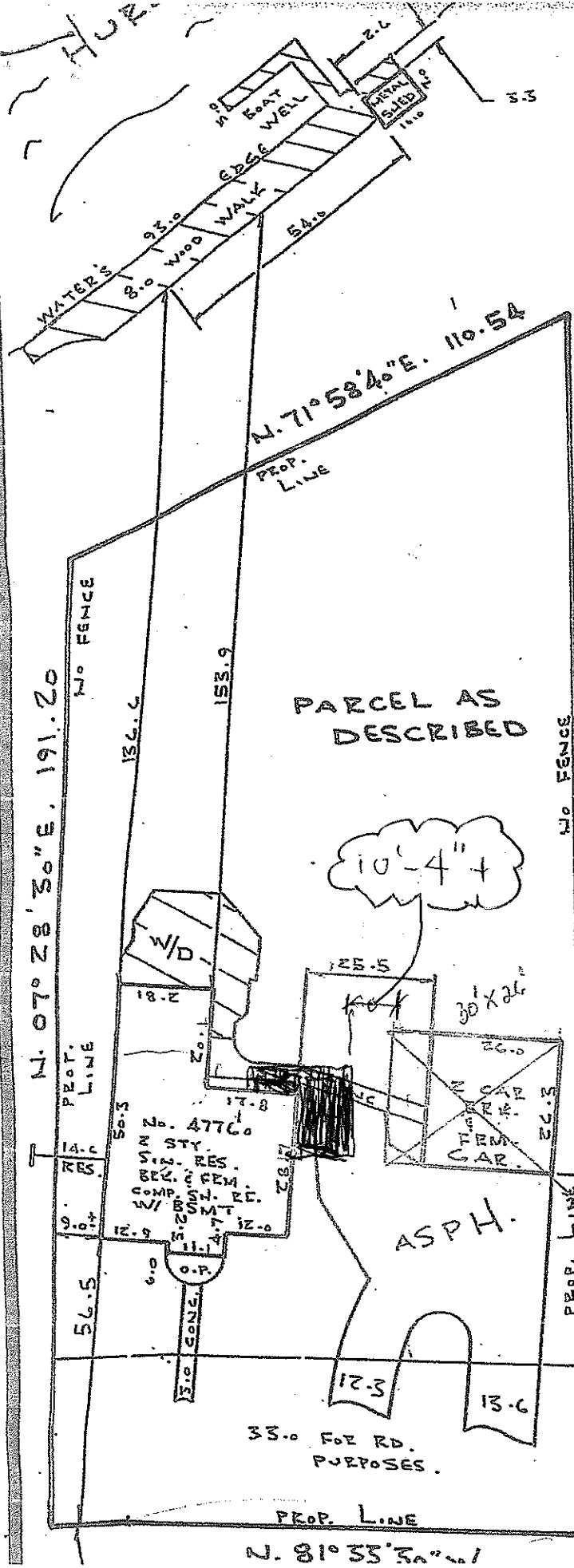
SHEET 1 of 2

BEFORE
ADDITION



N. $81^{\circ} 33' 30''$ W. 1006.0

T. B. S., E. BE
VAN. BUREN TWP.,
W. C. M.



N

SCALE: 1" = 30'

521.50
F10005

NOTE: PROPERTY SUBJECT TO
EASEMENTS AND/OR RESTRICTIONS
OF RECORD, IF ANY.

WE HEREBY CERTIFY that we have surveyed the property herein described; that the buildings and improvements are located as shown, photographs were taken and prints attached hereto; NOTE: This survey is for Mortgage Purposes only and should not be used to establish the property lines for the construction of improvements or the erection of fences.

CERTIFIED TO ALL TITLE COMPANYS:

Survey No: 188730

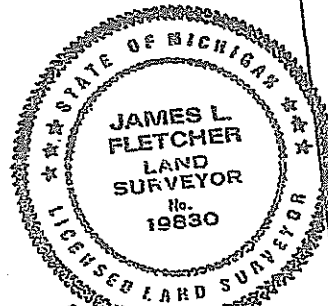
Date: 8-19-92

Purchaser: Guy G. &
Deborah M. Ransom.

SEE ATTACHED

SHEET 1 of 2

AFTER
ADDITION



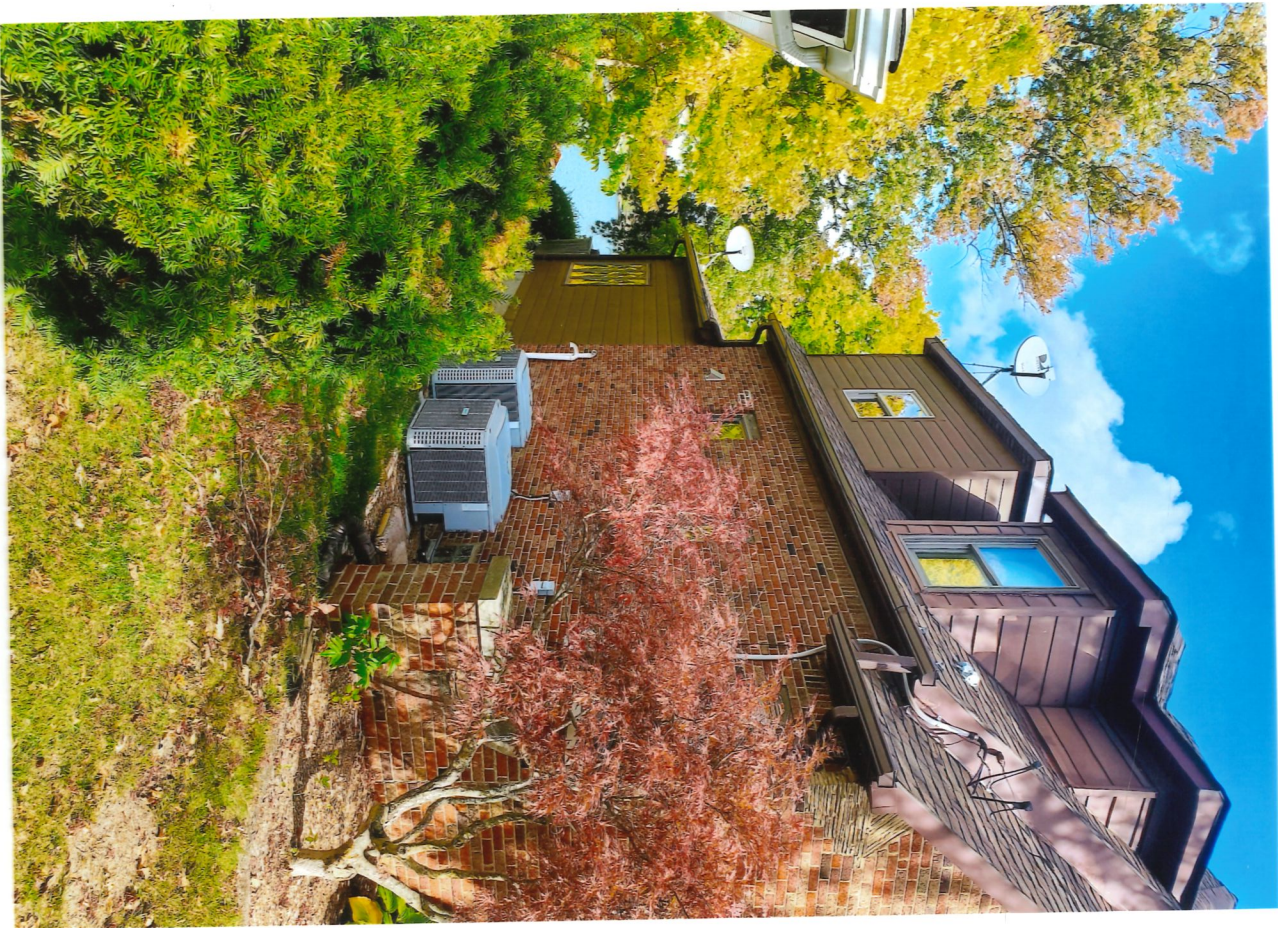
N. 81° 35' 30" W. 1006.0













Motion: Variance Request for Van Buren Township Planning Case 22-050

Case 22-050: I make a motion to (approve / **deny**) the request by Guy and Deborah Ransom for 47760 West Huron River Drive / Parcel ID# 83 113 99 0009 000 for a variance from Section 7.202(A), Section 7.202(A), Table 3 pertaining to minimum required separation between detached accessory buildings greater than 768 square feet and dwellings in the R-1B Single Family Residential Zoning District:

- Required: 24.00 feet
- Existing: 21.92 feet
- Proposed: 10.33 feet
- Variance requested: 13.67 feet

This motion is based on the findings of fact derived from Section 12.403(C) and (D) of the Van Buren Township Zoning Ordinance:

Practical difficulty is presented by the following findings

- (1) That strict compliance with area, setbacks, frontage, height, bulk or density (would / **would not**) unreasonably prevent the owner from using the property for a permitted purpose and would thereby render the conformity unnecessarily burdensome for other than financial reasons;
- (2) That a variance (would / **would not**) do substantial justice to the applicant, as well as to other property owners in the district, (the BZA, however, may determine that a reduced relaxation would give substantial relief and be more consistent with just to others);
- (3) That plight of the owner (is / **is not**) due to the unique circumstances of the property;
- (4) That the problem (**is** / is not) not self-created.

Findings of fact: _____

Standards of approval. In consideration of all appeals and all proposed variances under this Ordinance, the BZA has determined the following:

- (1) That the proposed appeal or variance (**is** / is not) related to the valid exercise of the police power and purposes which are affected by the proposed use or activity;



- (2) The proposed appeal or variance (**will / will not**) impair an adequate supply of light and air to adjacent property or increase the congestion in public streets;
- (3) (**Will / Will not**) increase the hazard of fire or flood or endanger the public safety;
- (4) (**Will / Will not**) not unreasonably diminish or impair established property values with in the surrounding area;
- (5) (**Will / Will not**) not in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the Township;
- (6) (**Will / Will not**) not alter the essential character of the neighborhood; and
- (7) (**Is / is not**) necessary to meet the intent and purpose of the zoning regulations; is related to the standards established in the Ordinance for the land use or activity under consideration, and is necessary to ensure compliance with those standards.

Findings of fact: _____

Conditions: Recommended Condition (if variance is granted): The applicant agrees to the conditions noted in the Planning and Economic Development Director's letter dated December 5, 2022.

Additional condition: _____

Additional condition: _____

Motion made by: _____

Support from: _____

Ayes: _____ Nays: _____

Motion **carries** / **fails**



Van Buren Township

46425 Tyler Road, Van Buren Township MI 48111-1240

www.vanburen-mi.org

Phone (734) 699 8913

Fax: (734) 699 8958

Inspection Line: (734) 699-6564

PB22-0426

Building

Issued: 08/09/22
Expires: 08/09/23

This permit conveys no right to occupy any STREET, ALLEY, or SIDEWALK, or any part thereof either temporarily or permanently.

LOCATION	OWNER	APPLICANT
47760 W HURON RIVER DR 83 113 99 0009 000 Plat/Sub:	RANSOM, GUY-DEBORAH 47760 W HURON RIVER DR VAN BUREN TOWNSHIP MI 48111 Ph.: (734) 697 4543 Mobile Fx.:	RANSOM, GUY-DEBORAH 47760 W HURON RIVER DR VAN BUREN TOWNSHIP MI 48111 Ph.: (734) 697 4543

Work Description: EXTEND: BASEMENT FOUNDATION FOR 1ST FLOOR EXPANSION, EXISTING 1ST FLOOR BEDROOM & NEW BATHROOM, ATTIC SPACE ABOVE BEDROOM. RELOCATE NORTH WALL IN GARAGE 6 TO MAKE GARAGE 768-SF

SEPARATE PERMITS REQUIRED FOR ELECTRICAL, MECHANICAL & PLUMBING

Stipulations: Must conform to all 2015 Michigan Residential Building Codes and Township Ordinances. Must call 24 hours in advance for all inspections

Permit Item	Work Type	Fee Basis	Item Total
01 Base Permit Fee	Base Fee	1.00	\$40.00
01A Archiving Fee	Base Fee	1.00	\$25.00
Plan Review - Outside Consultant	Standard Item	1.00	\$55.00
02 Addition-(Minimum 200.00)	Standard Item	485.00	\$363.75

I agree this permit is only for work described, and does not grant permission for additional or related work, which requires separate permits. I understand that this permit will expire, and become null and void if work is not started within 180 days, or if work is suspended or abandoned for a period of 180 days at any time after work has commenced; I am responsible for assuring all required inspections and requested in conformance with the applicable code. I hereby certify that the owner authorizes the proposed work, and that I am authorized by the owner to make this application as his/hers authorized agent. I agree to conform to all of the State of Michigan and the local jurisdiction. All information on the permit application is accurate to the best of my knowledge. I also understand all permits are non-refundable.

Fee Total: \$483.75
Amount Paid: \$0.00
Balance Due: \$483.75

Licensee or Designee

Permits are to be
pulled separately

Building Department

Issued by

PAID

AUG 09 2022

CHARTER TOWNSHIP OF VAN BUREN





VAN BUREN CHARTER TOWNSHIP

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

46425 TYLER ROAD, VAN BUREN TOWNSHIP, MI 48111

PHONE (734) 699-8913 FAX (734) 699-8958

RECEIVED

AUG 3 2022

Initial: *C. H. H. H.*

APPLICATION FOR PLAN EXAMINATION AND BUILDING PERMIT

NOTICE TO HOMEOWNERS: It is recommended that if you have hired a contractor to do the work for you that the contractor is the one to obtain the permit. A final inspection is required for all permitted work; the final inspection should be done before releasing your contractor.

LOCATION OF BUILDING

ADDRESS: 47760 Huron River Dr	VAN BUREN TOWNSHIP, MICHIGAN 48111
-------------------------------	---------------------------------------

PROPERTY OWNER OR LESSEE

NAME: GUY & DEBBIE RANSOM	PHONE: 248-697-4543
ADDRESS: 47760 Huron River Dr	EMAIL ADDRESS: gransom9me.com
CITY: BELLEVILLE	STATE: MICHIGAN
ZIP: 48111	

CONTRACTOR

NAME: HOME OWNER (Above)	PHONE:	
ADDRESS:	EMAIL:	
CITY:	STATE:	ZIP:
BUILDERS LICENSE NUMBER:	EXPIRATION DATE:	
FEDERAL EMPLOYER ID NUMBER:	WORKERS COMP INSURANCE CARRIER:	

TYPE OF CONSTRUCTION / IMPROVEMENT

☒ RESIDENTIAL

☐ COMMERCIAL

<input type="checkbox"/> NEW BUILDING	<input type="checkbox"/> GARAGE ADDITION	<input type="checkbox"/> ALTERATION
<input type="checkbox"/> MODULAR / MOBILE HOME	<input type="checkbox"/> DECK / CAT WALK / LAKESIDE STAIRS	<input type="checkbox"/> FOUNDATION ONLY
<input checked="" type="checkbox"/> GARAGE / POLE BARN / SHED	<input type="checkbox"/> HANDICAP RAMP	<input type="checkbox"/> FINISHED BASEMENT
<input type="checkbox"/> SWIMMING POOL	<input type="checkbox"/> SIDING / WINDOWS / DOORS	<input type="checkbox"/> OTHER _____
<input type="checkbox"/> RE-ROOF	<input type="checkbox"/> GUTTERS	
<input checked="" type="checkbox"/> HOUSE	<input type="checkbox"/> WRECKING / DEMO	

NOTICE TO APPLICANT

Section 23a of the state Construction Code Act of 1972, Act NO. 230 of the Public Acts of 1972, being section 125, 1523a of the Michigan Compiled laws, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines.

PROJECT DESCRIPTION

Please use the space below to provide us with a detailed description of the proposed project.

EXTEND BASEMENT FOUNDATION FOR 1ST FLOOR EXPANSION. EXTEND
EXISTING 1ST FLOOR BEDROOM AND NEW BATHROOM. ATTIC SPACE
ABOVE BEDROOM. RELOCATE NORTH WALL IN GARAGE 6" MAKE
GARAGE 768 SF.

DIMENSIONS OF PROPOSED STRUCTURE

DIMENSIONS OF PROPOSED STRUCTURE: 11'-7" x 18'-3" HEIGHT OF STRUCTURE: 22'-0"

NUMBER OF STORIES: 2

New FLOOR AREA: 260 SF New BASEMENT AREA: 225 SF GARAGE AREA: 112 SF

New TOTAL AREA: 473 SF TOTAL AREA OF PRINCIPAL STRUCTURE(HOUSE): 1400 SF

485 SF
TOTAL AREA OF ALL EXISTING STRUCTURES (EXCLUDING HOUSE): 780

TOTAL LAND AREA: 31,620 SF ESTIMATED CONSTRUCTION VALUE: \$155,000

TYPE OF WATER SUPPLY

- ☒ MUNICIPAL SUPPLY
☐ PRIVATE WELL (PERMIT MUST BE OBTAINED THROUGH WAYNE COUNTY DEPT. OF HEALTH (734) 727-7400)

TYPE OF SEWAGE DISPOSAL

- ☒ MUNICIPAL SUPPLY
☐ PRIVATE SEPTIC SYSTEM (PERMIT MUST BE OBTAINED THROUGH WAYNE COUNTY DEPT. OF HEALTH (734) 727-7400)

SOIL EROSION

IF WORK IS WITHIN 500 FEET OF A WATERWAY OR WILL BE DISTURBING MORE THAN ONE (1) ACRE, A SOIL EROSION PERMIT MUST BE OBTAINED THROUGH WAYNE COUNTY (734) 326-3936

Two complete sets of working drawings must accompany this application. Construction documents shall be of sufficient clarity to indicate the nature and extent of the work proposed and shown in detail that it will conform to the provisions of all applicable codes.

Two complete plot plans (Mortgage Survey) and must include:

- The distance between the proposed structure and the property lines.
- All existing structures on the subject property, their dimensions and distance from proposed structure.
- The distance between proposed structure and any easements, utilities or waterways.

Homeowners Affidavit: I hereby certify the construction activities described in this permit application shall be installed by myself in my own home which I am living or about to occupy. All work shall be installed in accordance with the currently Building Code and shall not be enclosed, covered up, or put into operation until it has been inspected and approved by the Township Building Inspector. I will cooperate with the Building Inspector and assume the responsibility to arrange the necessary inspections.

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as their authorized agent, and we agree to conform to all applicable laws of the State of Michigan. All information submitted on this application is accurate to the best of my knowledge.

Applicant Signature: _____

Date: _____

8/3/22

THIS PAGE FOR OFFICIAL TOWNSHIP USE ONLY

ZONING REVIEW / APPROVAL / SOIL EROSION

NOTES FOR DEPARTMENT USE

Brookman
Pavilion ✓ on

Accession Book INFO
 $30' \times 25.5' = 765$ 中
✓ 10' Awon Town Hook
✓ 768 中

Signature: _____

[Signature]
Don Power

Approval Date: _____

8/8/22

PLAN REVIEW

CORRECTION LIST		
ITEM #	DESCRIPTION	CODE SECTION

BUILDING PERMIT NOTES

Conservation Pond Addition 2 story
485 sq ft 11'7" x 18'3" x 22 Ht GA

BUILDING PERMIT APPROVED BY

Signature: _____

[Signature]

Approval Date: _____

8-9-2022

Printed Name and Title: _____

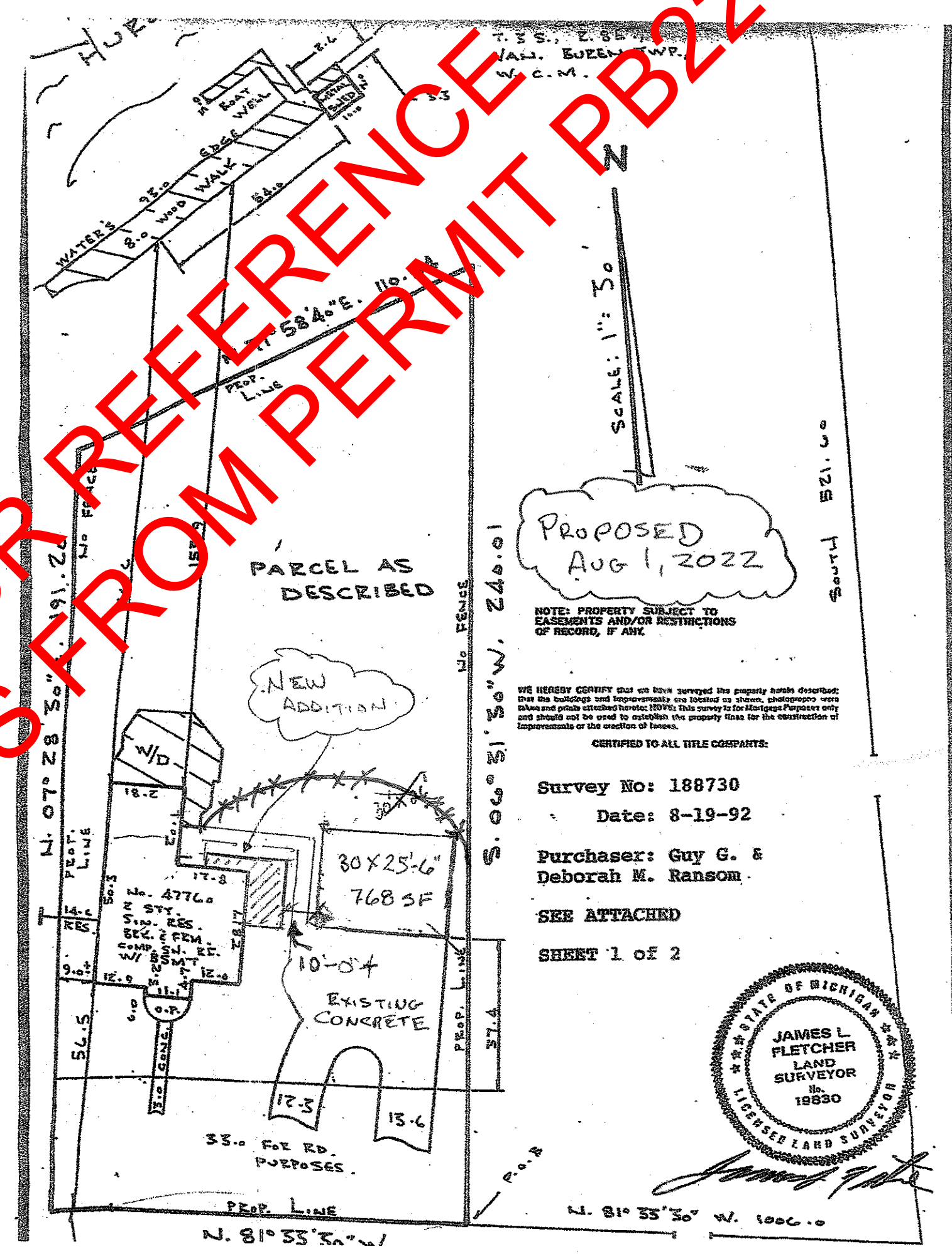
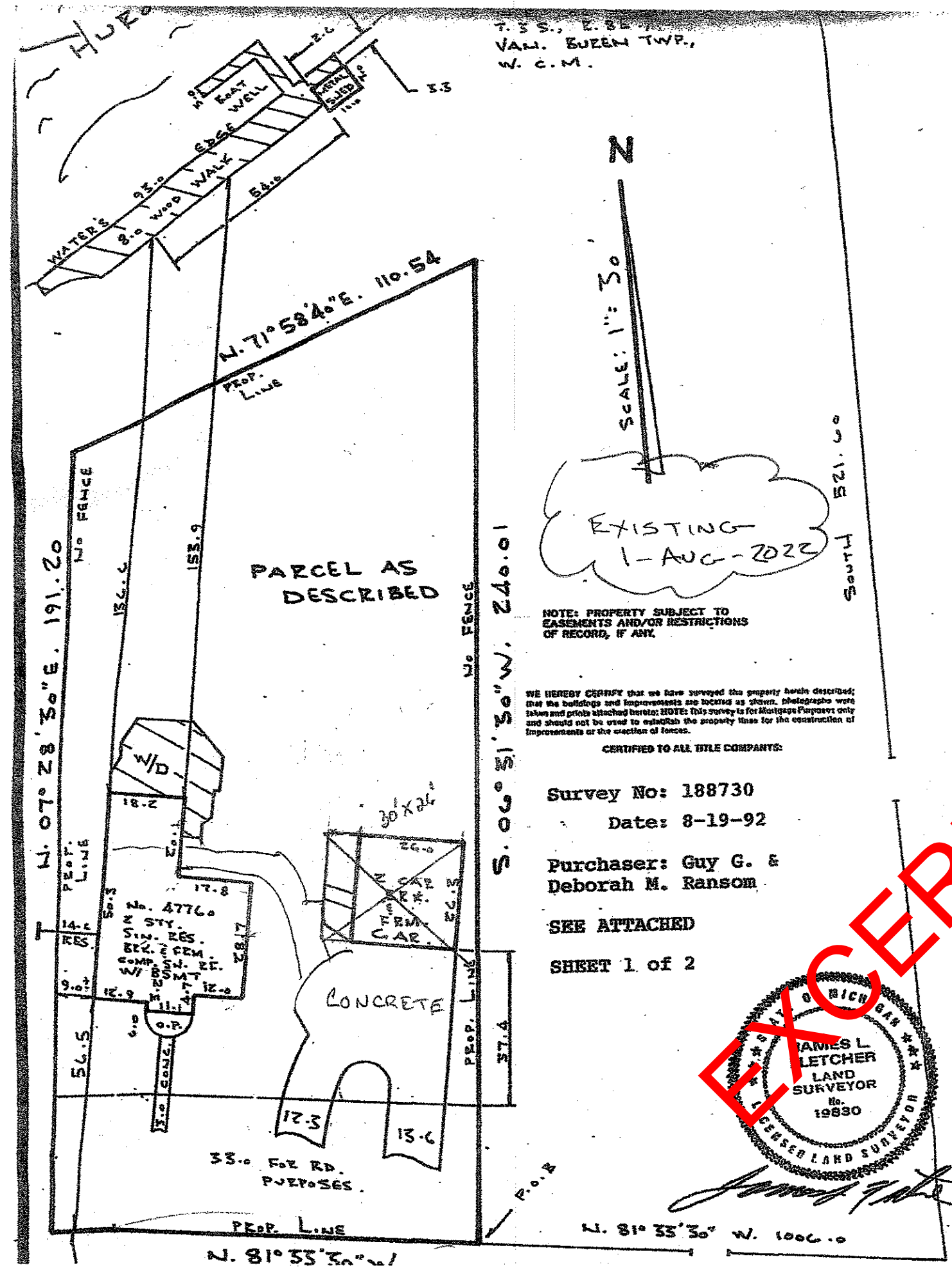
George E. Hansen Jr

Permit Fee: _____

363.75

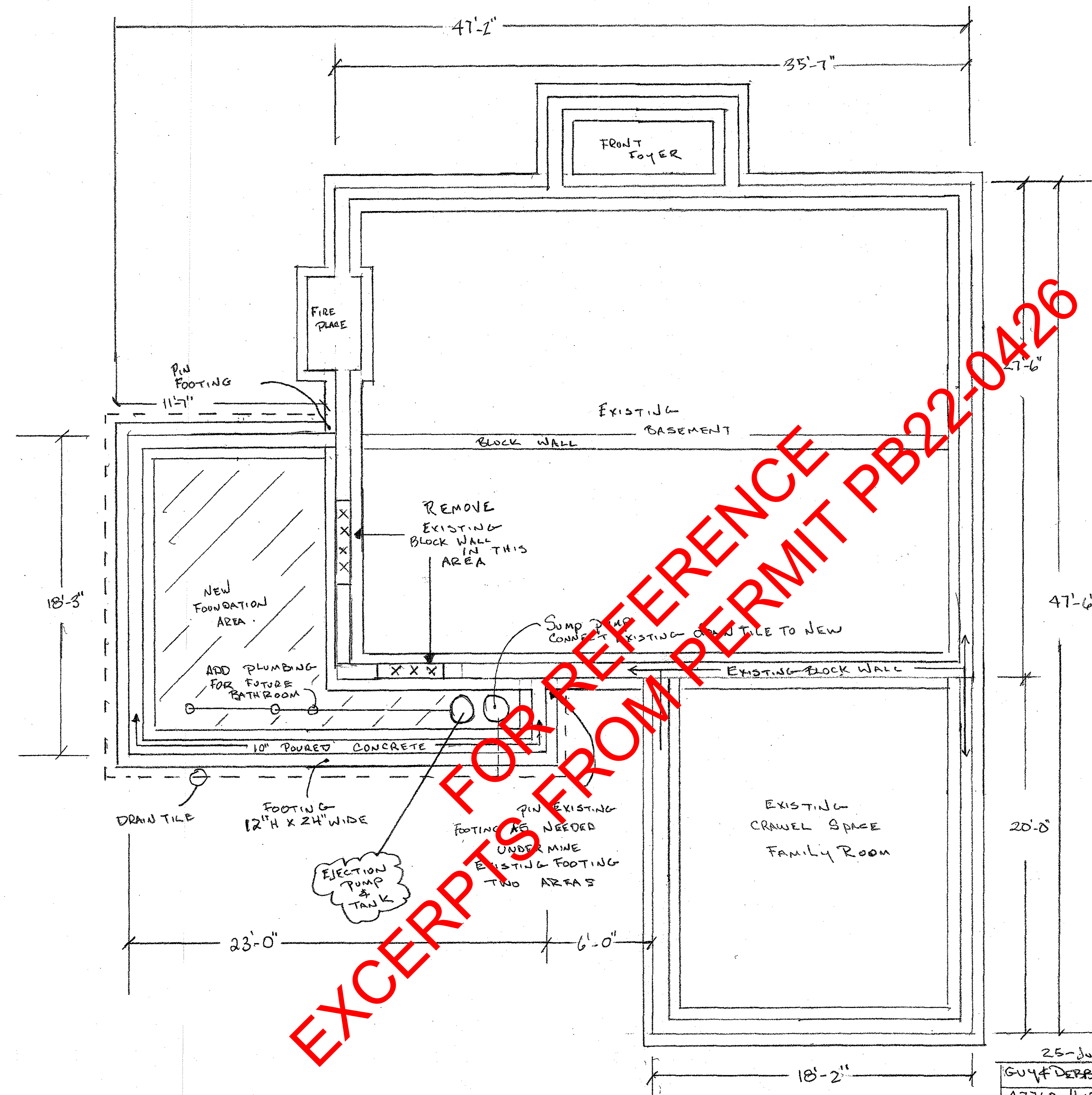
(TOWNSHIP COPY)
PB22-0426
RECEIVED
AUG 8 2022
Initial: *Chm*

APPROVED
AS MARKED
VAN BUREN TWP. BLDG. DEPT
BY: *Chm*
DATE: 8-9-2022



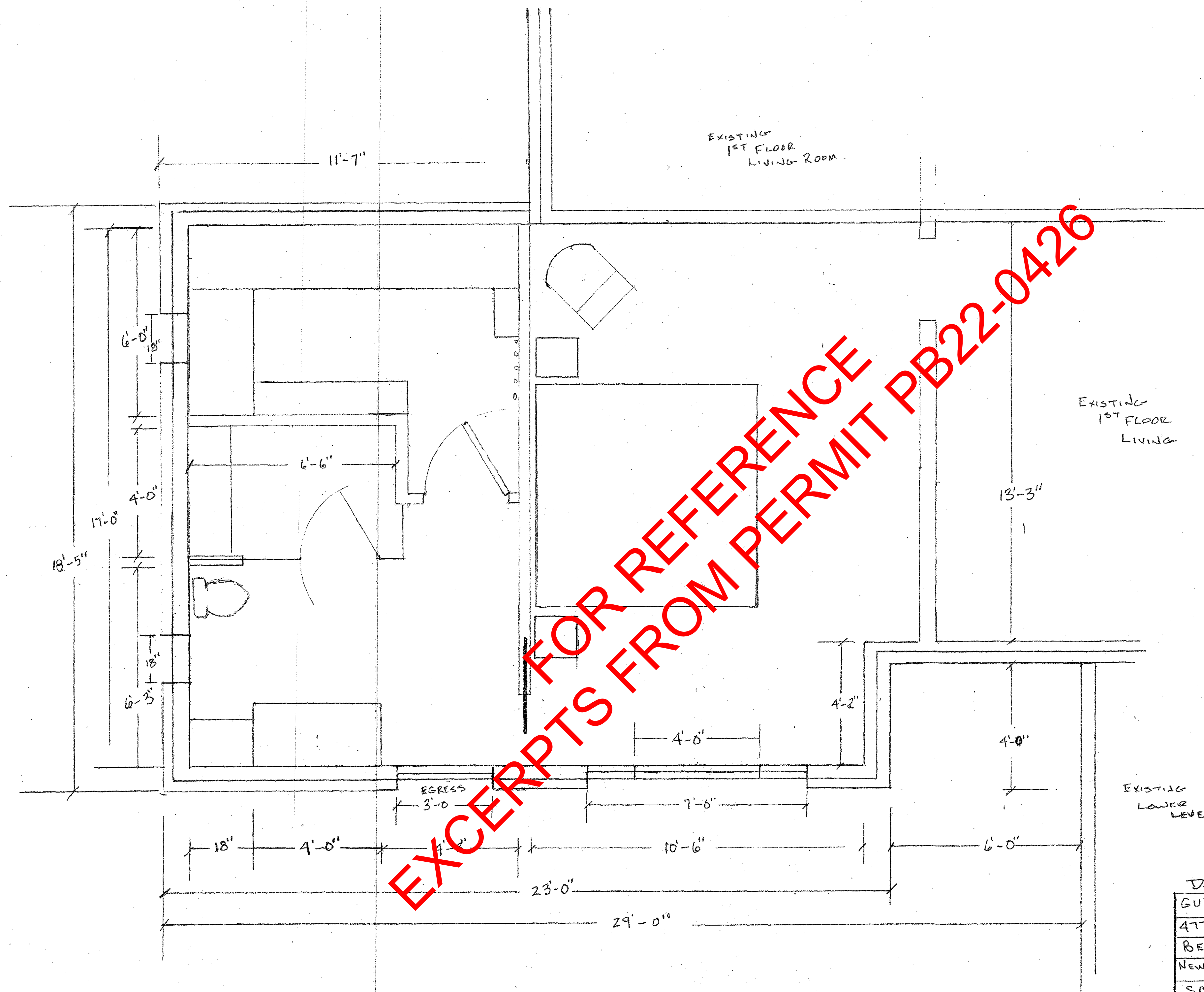
XXXXXX ENVIRONMENTAL FENCE

GUY & DEBBIE RANSOM
47760 HURON RIVER DR
BELLEVILLE, MI 48111
SURVEY DATED 8-19-92
DRAWING: S-1

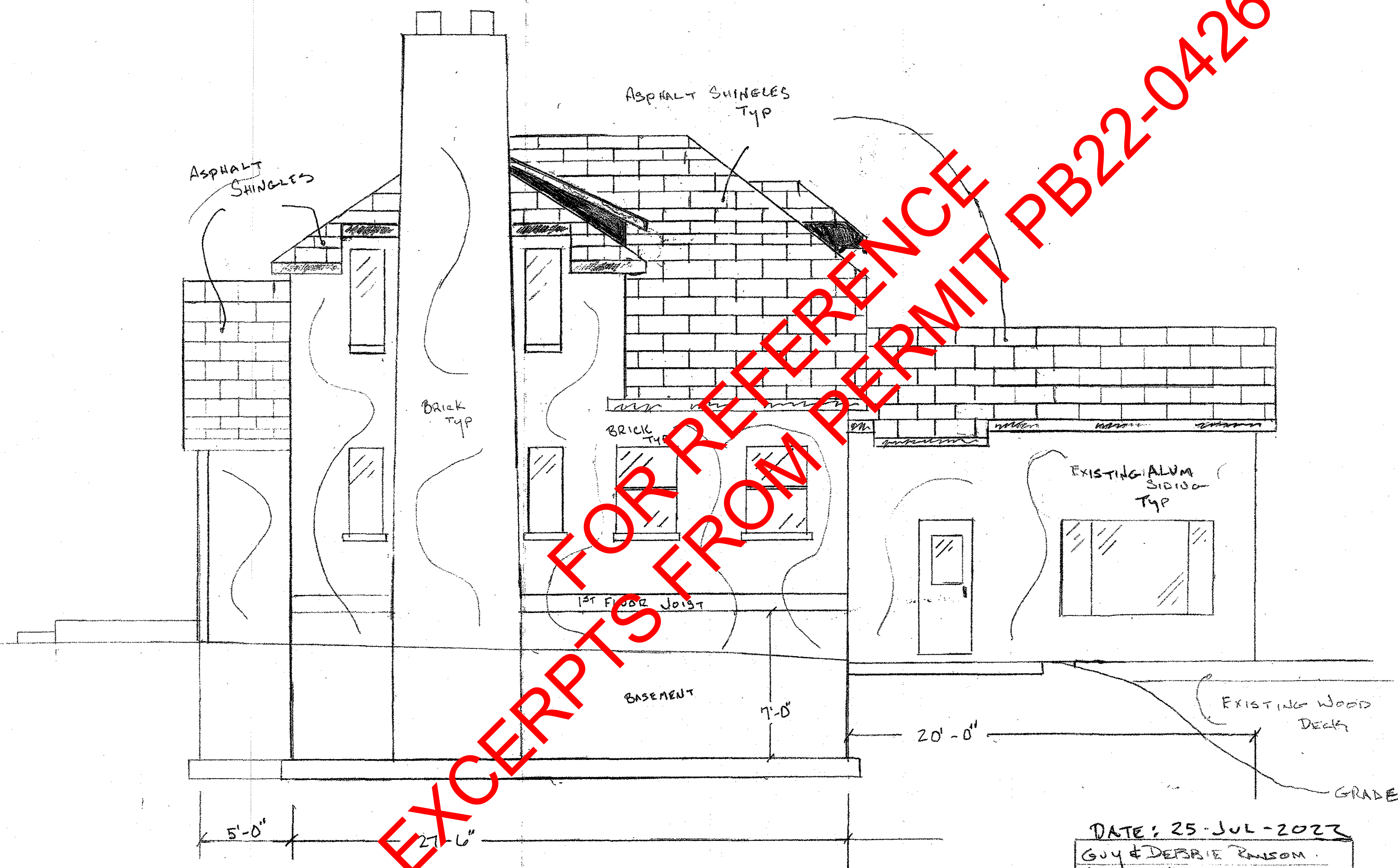


EXCERPT FOR REFERENCE
PERMIT PB22-0426

25-JUL-2022
 GUY & DEBBIE TANSOM
 47760 HURON RIVER DR
 BELLEVILLE, MI 48111
 FOUNDATION PLAN
 SCALE: 1/4" = 1'-0"
 DRAWING: D-3

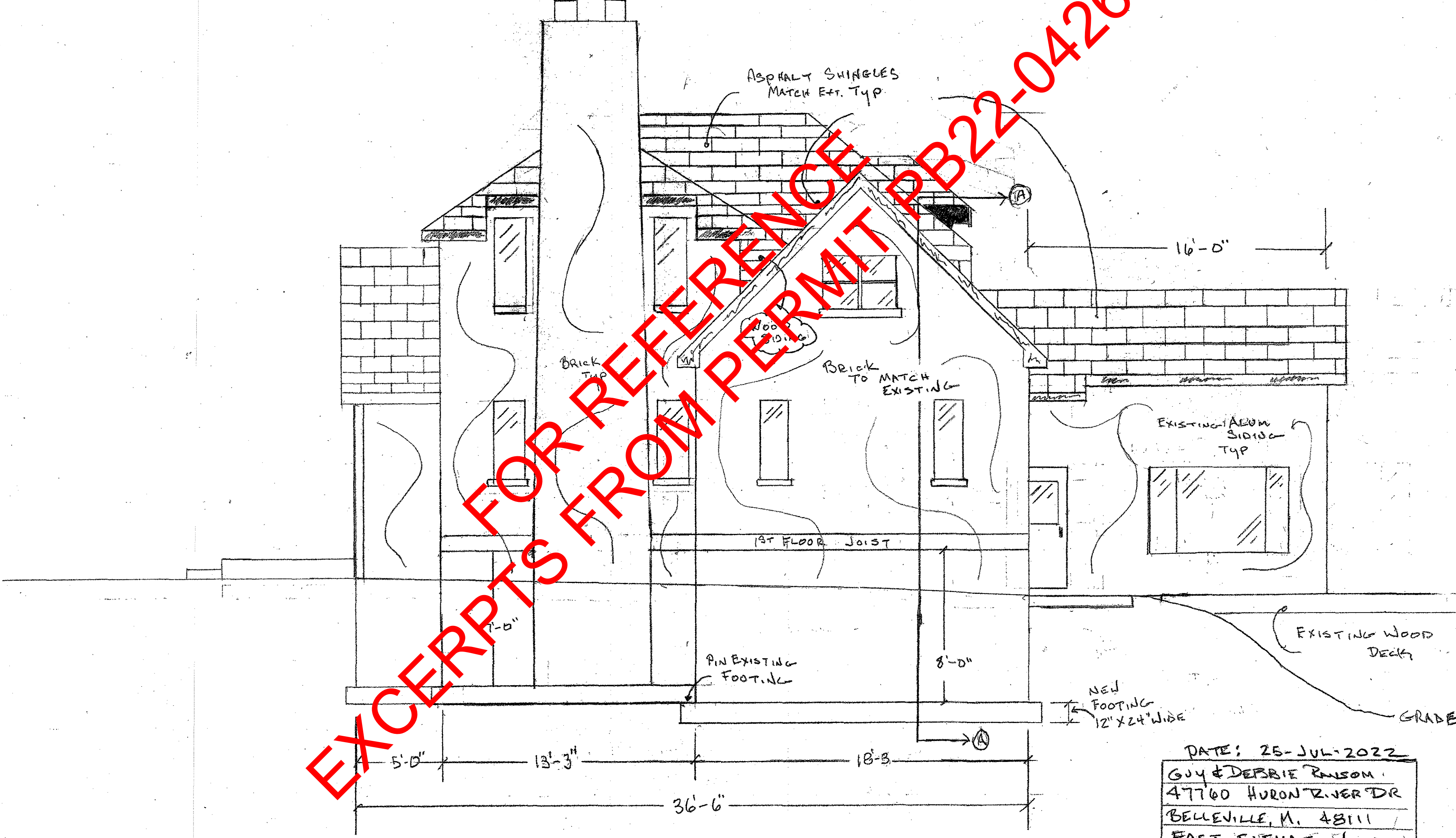


DATE: 25-JUL-2022	
GUY & DEBBIE RANSOM	
47700 HURON RIVER DR	
BELLEVILLE, MI 48111	
NEW FLOOR PLAN FOR BEDROOM	
SCALE: 1/2" = 1'-0"	
DRAWING:	MB-1

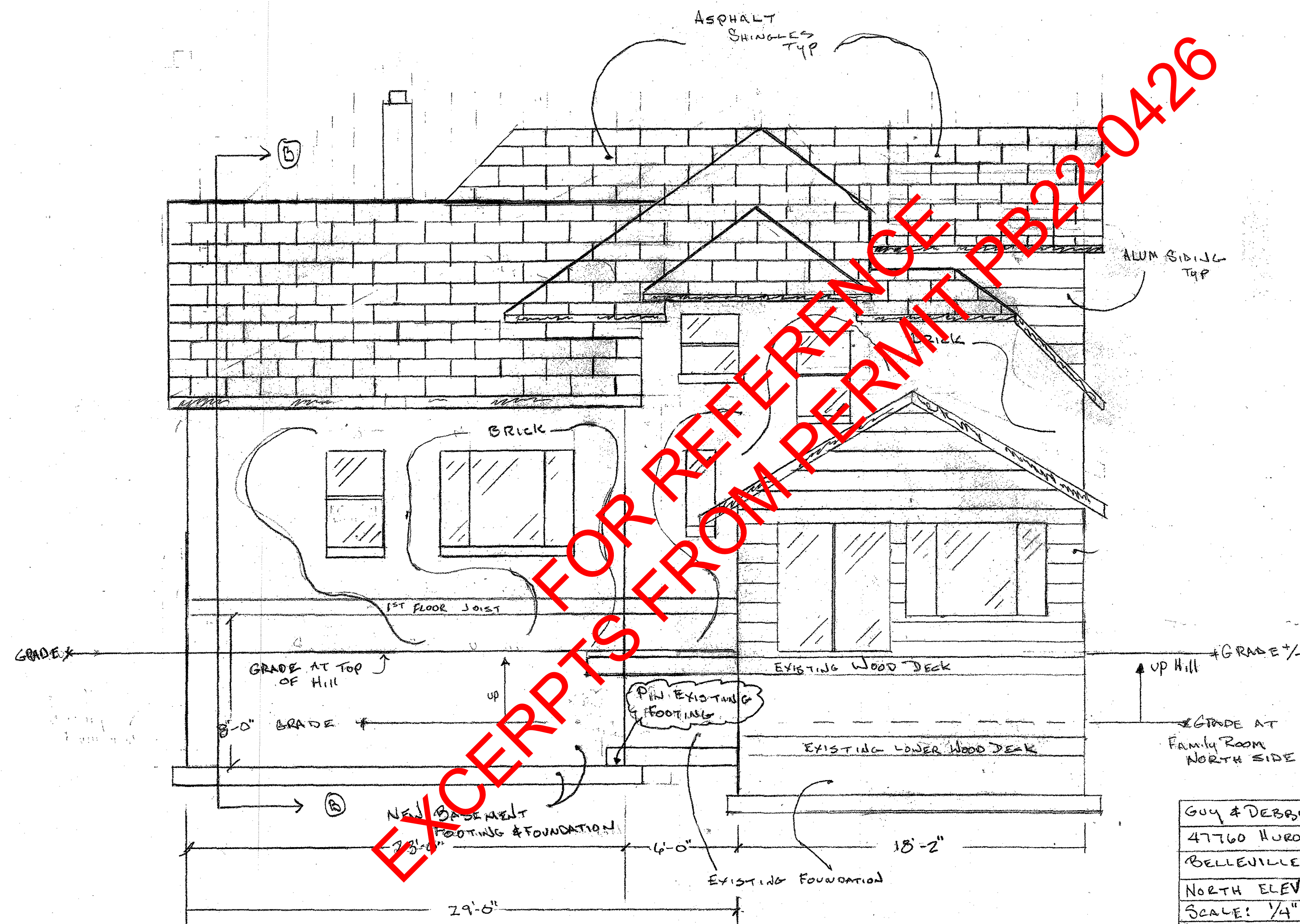


DATE: 25-JUL-2023
GUY & DEBBIE RYANSON
47160 HURON RIVER DR
BELLEVILLE, MI 48111
EXISTING EAST ELEVATION
SCALE 1/4" = 1'-0"
DRAWING: E-1

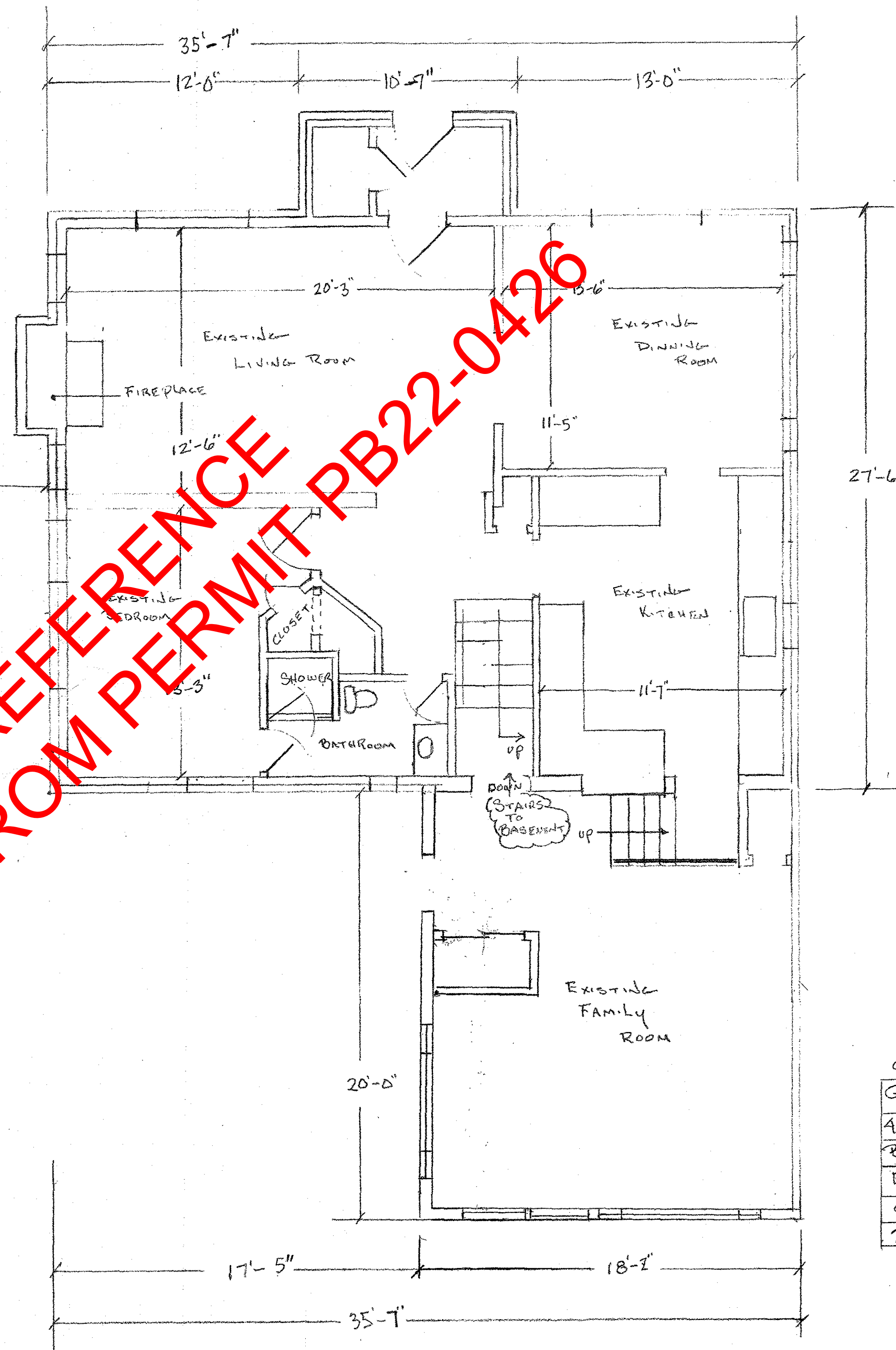
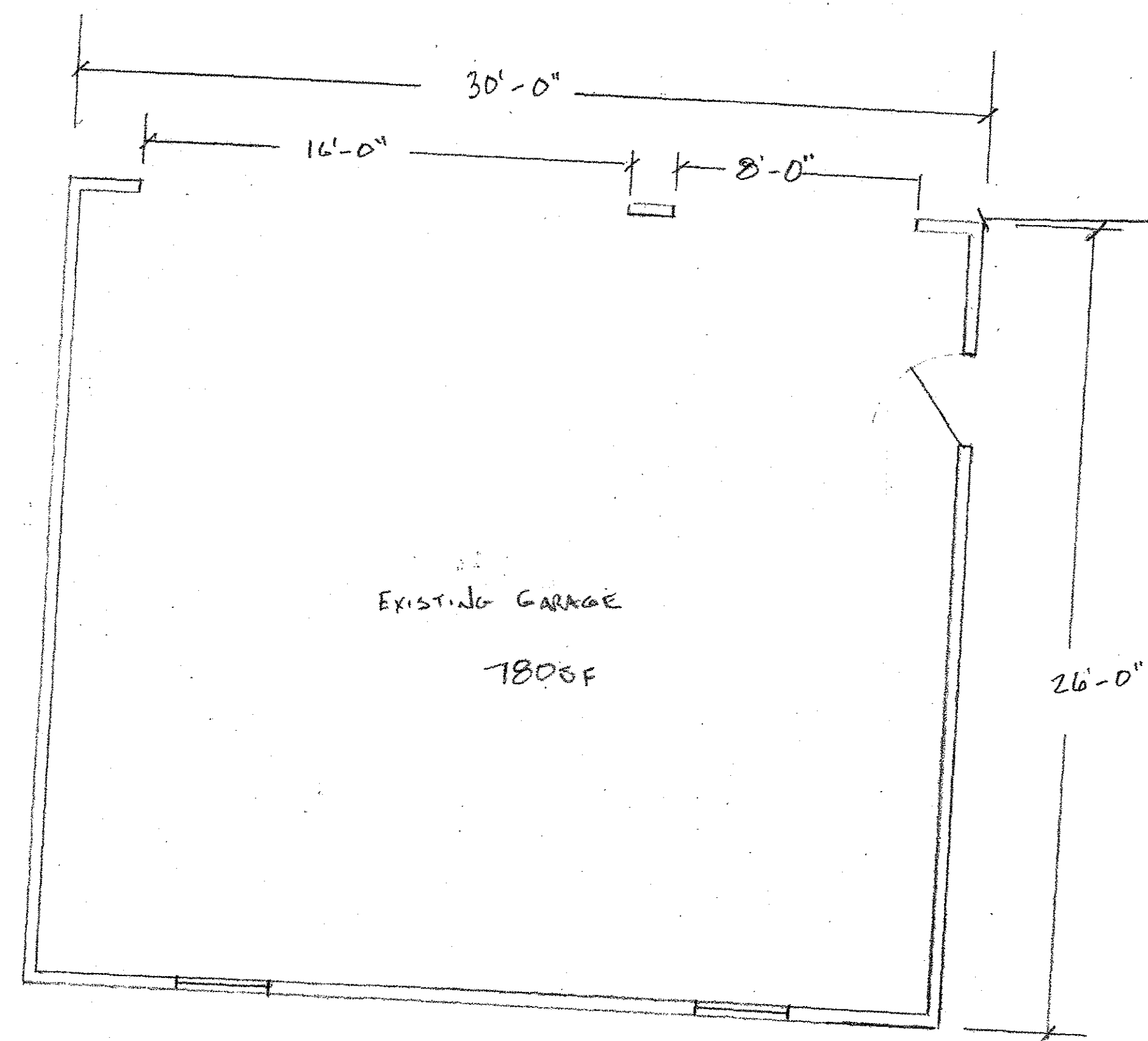
EXCERPTS FOR REFERENCE FROM PERMIT DB22-0426



DATE: 25-JUL-2022
GUY & DEBBIE RANSOM
47760 HURON RIVER DR
BELLEVILLE, MI 48111
EAST ELEVATION
SCALE 1/4" = 1'-0"
DRAWING: E-2

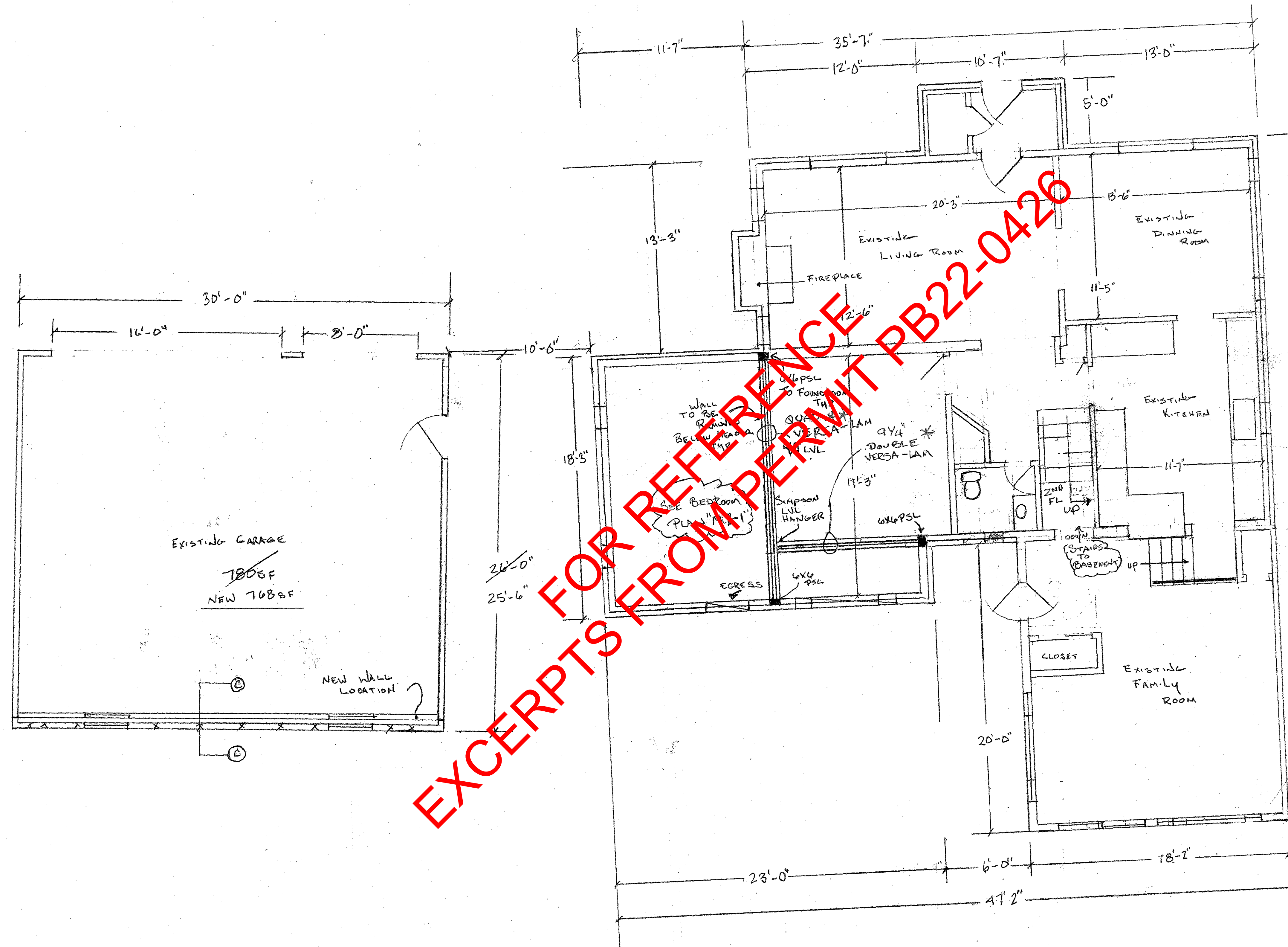


GUY & DEBBIE RANSOM	
4760 HURON RIVER DR	
BELLEVILLE, MI. 48111	
NORTH ELEVATION	
SCALE: 1/4" = 1'-0"	
DRAWING	E-3



FOR REFERENCE
EXCERPTS FROM PERMIT PB22-0426

DATE: 25-JUL-2022
GUY & DEBBIE RAMSON
47160 HURON RIVER DR
BELLEVILLE, MI 48111
EXISTING CONDITION
SCALE 1/4" = 1'-0"
DRAWING D-1



NOTES:
2ND FLOOR
EXISTING HAS
TWO BEDROOMS
AND TWO FULL
BATHROOMS
WE ARE NOT
TOUCHING 2ND FLOOR

25-JUL-2022
GUY & DEBBIE RANSON
4760 AURON RIVER DR
BELLEVILLE, MI 48111
PLAN VIEW
SCALE 1/4" = 1'-0"
DRAWING: D-2

CHARTER TOWNSHIP OF VAN BUREN

BOARD OF ZONING APPEALS

PUBLIC HEARING

Notice is hereby given that the Charter Township of Van Buren Board of Zoning Appeals (BZA) will hold a public hearing on **Tuesday, December 13, 2022 at 7:00 p.m.**, at the Van Buren Township Hall, 46425 Tyler Road, Van Buren Township, MI 48111/ Members of the public may additionally participate in the meeting electronically per guidance provided by the Wayne County Local Public Health Department for meetings of governmental bodies held under public act 228 of 2020, effective January 1, 2022. Instructions for attending the meeting electronically are provided in this notice. The BZA will meet to consider the following variance request:

1. **Case # 22-050-** A request by Guy and Debbie Ransom for 47760 West Huron River Drive (Parcel ID# 83 113 99 0009 000) for a variance from Section 7.202(A), Table 3 pertaining to detached accessory buildings in the R-1B Single Family Residential Zoning District, to complete the construction of an addition to a principal dwelling which will be separated by a distance of 10'4" from a detached accessory garage which will have a floor area of 780 square feet upon completion, as described below:

Minimum required separation between principal dwelling and detached accessory building greater than 768 square feet:

- Required: 24.00 feet
- Proposed: 10.33 feet
- Variance requested: 13.67 feet

Members of the public may access the agenda materials via the Township website – www.vanburen-mi.org by **December 12, 2022**. On the meeting website, members of the public will also gain access to **means of participating in the electronic meeting**. **On the agenda for the meeting**, a unique Zoom weblink and dial-in phone number with a meeting ID for meeting videoconference or teleconference access will be provided. The meeting will be available to view live on the Van Buren Township YouTube Channel which can be reached from the live meeting link located on the Van Buren Township website home page (www.vanburen-mi.org). Closed captioning will be available after YouTube fully renders meeting video.

A complete **procedure for public comment by electronic means** is provided on a guide which is accessible on the Van Buren Township website (www.vanburen-mi.org). Participants may also choose to submit written comments that will be read into record during public comment by the Chairperson. Submit any written comments or questions about the meeting via e-mail to dpower@vanburen-mi.org.

To comply with the Americans with Disabilities Act (ADA), any citizen requesting accommodation to attend a meeting, and/or to obtain this notice in alternate formats, please contact the Clerk's Office at 734.699.8900 extension 9205.

Posted: 11/19/2022

Published: 11/24/2022