

**CHARTER TOWNSHIP OF VAN BUREN  
BOARD OF ZONING APPEALS AGENDA (REVISED)  
Tuesday, January 9, 2024 – 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 the link to join the webinar: <https://us06web.zoom.us/j/83054755773>

Or One tap mobile :

+13052241968,,85620992309# US

+13092053325,,85620992309# US

Or Telephone: Dial: US: +1 305 224 1968

Webinar ID: 830 5475 5773

International numbers available: <https://us06web.zoom.us/j/kcaczfGuVq>

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**ACCEPTANCE OF AGENDA**

**APPROVAL OF MINUTES:** Approval of minutes from November 14, 2023

**CORRESPONDENCE**

**PUBLIC HEARING (new business items)**

**1. Case Number: 23-061 – Alvin Marshal / 7267 Sadie Lane**

**Location:** The subject property is located at 7267 Sadie Lane (parcel ID number 83 007 04 0005 000), located on the east side of Sadie Lane between Ecorse Road and Sophie Drive. The property is zoned R-1B – Single Family Residential District.

**Request:** Request for a dimensional variance by Kevin Farrell of Great Day Improvements on behalf of owner Alvin Marshal to construct an addition to a home to within 26.0' of a rear lot line. The request is contrary to the requirements of Section 3.106(D) of the Zoning Ordinance as described below:

**Section 3.106 (D)** – R-1A, R-2A, R-1B, and R-1C: Single-Family Residential Districts – Dimension Regulations (via Section 7.202(A), Table 3: Accessory Structures and Buildings – All Districts - Dimensional Regulations of Accessory Buildings and Structures):

- Minimum required rear yard setback for attached accessory buildings: 35.0 feet (same as principal structure)
- Proposed rear yard setback: 26.0 feet
- Variance requested: 9.0 feet (25.71%)

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

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

### **1. Case Number: 23-061 – Alvin Marshal / 7267 Sadie Lane**

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- Minimum required rear yard setback for attached accessory buildings: 35.0 feet (same as principal structure)
- Proposed rear yard setback: 26.0 feet
- Variance requested: 9.0 feet (25.71%)

- A. Presentation by Township Staff.
- B. Presentation by the Applicant.
- C. Board of Zoning Appeals Discussion.
- D. Board of Zoning Appeals Action.

### **2. Rules of Procedure / Bylaws Discussion**

The Board of Zoning Appeals (BZA) will discuss proposed changes to the BZA's Rules of Procedure / Bylaws.

- A. Presentation by Township Staff.
- B. Board of Zoning Appeals Discussion.
- C. Board of Zoning Appeals moves to consider further discussion or recommend draft changes to be presented at a future meeting.

### **3. Election of Officers for 2024**

- A. Presentation by Township Staff.
- B. Board of Zoning Appeals will elect Officers for 2024

### **4. Approval of 2024 Meeting Schedule**

## **ANNOUNCEMENTS, COMMENTS, AND OPEN DISCUSSION**

### **1. Recognition of Amos Grissett**

Recognition of Amos Grissett, who has resigned from the Board of Zoning Appeals.

## **ADJOURNMENT**

**CHARTER TOWNSHIP OF VAN BUREN  
BOARD OF ZONING APPEALS AGENDA  
Tuesday, November 14, 2023 – 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:

**CALL TO ORDER**

This meeting was called to order at 7:00pm by Chairperson John Herman

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present:** John Herman (Chair), Kevin Martin, Aaron Sellers, Jeff Jahr (Planning Commission Rep.),

**Absent Excused:** Amos Grissett, John Haase, Charles Larocque

**Staff:** Dan Power (Director of Planning & Economic Development), Brittney Williams (Recording Secretary)

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

**ACCEPTANCE OF AGENDA**

Sellers motioned; Jahr seconded to accept the Agenda as presented. **Motion Carried**

**APPROVAL OF MINUTES:**

Jahr motioned; Sellers seconded to approve the minutes from May 9, 2023 as presented. **Motion Carried**

**CORRESPONDENCE**

None

**PUBLIC HEARING (new business items)**

**1. Case Number: 23-059 – Crossroads Distribution Center North 11, LLC**

**Location:** The subject property is located at parcel ID number V-125-83 005 99 0009 701, located on the south side of Van Born Road, between Morton Taylor Road and Haggerty Road. The property is zoned M-T – Industrial Transportation District.

**Request:** Request for a **dimensional variance** by Ashley Capital on behalf of owner Crossroads Distribution Center North 11, LLC to construct a Distribution Center that will include trailer staging spaces that will be within 207.3 feet of a residential zoning district. The property is zoned M-T – Industrial Transportation District. The adjacent residentially zoned land is zoned R-1B, Single Family Residential District, and is also owned by the subject property owner. The request is contrary to the requirements of Section 5.112(C) of the Zoning Ordinance as described below:

**Section 5.112(C) – Development Standards for Specific Uses - Distribution Centers**

- Minimum setback from a residential zoning district to truck docks, overhead doors, and trailer staging areas accessory to a distribution center: 350 feet
- Proposed setback from a residential zoning district to truck docks, overhead doors, and trailer staging areas accessory to a distribution center: 207.3 feet

- Variance requested: 142.7 feet (40.77%)

Martin motioned; Sellers second to open public hearing. **Motion Carried**

No Public comment; in person or on zoom.

Jahr motioned; Martin second to close public hearing. **Motion Carried**

## **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

### **1. Case Number: 23-059 –Crossroads Distribution Center North 11, LLC**

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**Request:** Request for a **dimensional variance** by Ashley Capital on behalf of owner Crossroads Distribution Center North 11, LLC to construct a Distribution Center that will include trailer staging spaces that will be within 207.3 feet of a residential zoning district. The property is zoned M-T – Industrial Transportation District. The adjacent residentially zoned land is zoned R-1B, Single Family Residential District, and is also owned by the subject property owner. The request is contrary to the requirements of Section 5.112(C) of the Zoning Ordinance as described below:

#### **Section 5.112(C) – Development Standards for Specific Uses - Distribution Centers**

- Minimum setback from a residential zoning district to truck docks, overhead doors, and trailer staging areas accessory to a distribution center: 350 feet
- Proposed setback from a residential zoning district to truck docks, overhead doors, and trailer staging areas accessory to a distribution center: 207.3 feet
- Variance requested: 142.7 feet (40.77%)

Director Power summarized Memo letter dated November 7, 2023 and turned it over to Senior Principal Planner Vidya Krishnan.

Senior Principal Planner Vidya Krishnan summarized the McKenna letter dated October 30, 2023. McKenna and Associates recommends 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 setback variance for Crossroads North Building 11, to be located on the property as described in this letter. The above recommendation is based on the following findings of fact:

1. Strict compliance with setbacks would prevent the applicant from constructing a viable distribution center building and would render the conformity unnecessarily burdensome.
2. The parcel has significant wetlands and the R-1B zoned parcel from which the applicant is seeking the setback deviation is to be preserved with a permanent conservation easement.
3. The nearest single-family residential use is located over 900 feet away.

4. The requested variance would provide substantial justice to the applicant and is not averse to the interests of the other property owners.
5. The applicant's proposal still meets the intent of the ordinance.
6. The subject site is located in the only area of the Township zoned for industrial transportation and distribution center uses.
7. The site is challenged by a diagonal property line that does not allow for easy placement of structures onsite.
8. The proposed variance is related to the valid exercise of police power.
9. Approving the variance is not likely to impair adequate supply of light and air to the adjacent properties
10. Approval of the variances is not likely to increase the hazard of fire.
11. Approval of the variances is not likely to diminish or impair established property values within the surrounding areas.
12. Approval of the variances is not likely to impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township.
13. Approval of the variances is not likely to alter the essential character of the neighborhood.
14. Approval of the variances does not alter the use of the land.

Kyle Morton from Ashley Capital on behalf of the owner Crossroads Distribution Center North 11, LLC. Overall site plan building 4 is a multi-tenant building, 5 is fed-ex and 6 is Our Next Energy. Building 11 does have a tenant for around 400,000 ft of the building and has the option to extending to the rest of the building. The tenant will be DSV which is a Danish Logistics provider currently located in Romulus in a building about half this size so this will be a great growth for them. In our opinion they are a very high-quality tenant that will be servicing some of the tier 1 automotive companies and OEM. Building 11 is basically a replica of buildings 5 and 6, just slightly narrower and slightly longer to fit between existing wetlands and forested areas that are going to remain. We are requesting a dimensional variance because of our unique circumstance, we purchased these 2 parcels that have residential zoning from DTE/ITC 22 years ago. There is a mis alignment in the master plan with what our intended use is going to be, so our 2 options were a dimensional variance or file for rezoning on this sliver of property that will never be developed and is a conservation easement. To be able to use the existing land to the east that is zoned industrial we had to be a little creative on this corner. We have been doing delineation work since the middle of 2020 and received our permit from EGLE earlier this year. We have a substantial amount of acreage that is under a conservation easement that is about 26 acres that is apart of this 175 acres. Also purchased the neighboring property which is 76 acres and that entire property will be going under a conservation easement. At some point down the line this conservation will be open to the public, this is roughly 100 acres that will remain forested and have wetlands on it. With these areas and additional plantings of trees and native grasses we will have a buffer to residential properties nearby.

Commissioner questions:

Is it proper to do a variance instead of a rezoning?

- Mrs. Krishnan responded and stated the applicants first request was a rezoning however once you rezone this parcel to M-1 or M-T you would then have to amend the masterplan. Secondly once a parcel is rezoned it is hard to put limitations on what can be done on the parcel. We know now the area is a conservation easement.

5-6 homes on Van Born Road, have those been purchased?

- Kyle Morton, Ashley Crossroads North representative stated, we did purchase one earlier this year when it was on the market. We have been in contact with most of those individuals. We are not trying to force anyone out of their home, if they are interested in selling we are interested in

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buying. But for now, we do not have plans that are within several hundred feet of those houses. There is also a conservation easement that goes in the North East corner kind of behind these houses so we can't build a building directly in their backyard there is a big setback.

Sellers motioned to approve the request for a dimensional variance for case number: 23-059 – Crossroads Distribution Center North 11, LLC Location: The subject property is located at parcel ID number V-125-83 005 99 0009 701, located on the south side of Van Born Road, between Morton Taylor Road and Haggerty Road. The property is zoned M-T – Industrial Transportation District. Request: Request for a dimensional variance by Ashley Capital on behalf of owner Crossroads Distribution Center North 11, LLC to construct a Distribution Center that will include trailer staging spaces that will be within 207.3 feet of a residential zoning district. The property is zoned M-T – Industrial Transportation District. The adjacent residentially zoned land is zoned R-1B, Single Family Residential District, and is also owned by the subject property owner.

- (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.
- (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 because based on where it is at closest is 1,000 ft to anything else.
- (3) **Will not** increase the hazard of fire or flood or endanger the public safety.
- (4) **Will not** unreasonably diminish or impair established property values with in 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
- (6) **Will not** alter the essential 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.

Motion to approved based on statements 1 through 14 based on a McKenna letter dated 10-30-23.

Supported by Jahr, could we amend the motion to indicate there is an agreement with the findings of facts in the McKenna letter and that our decision is based on the findings in the letter to staff dated November 7<sup>th</sup> and the McKenna letter dated October 30<sup>th</sup>.

Sellers supports amended motion.

**ROLL CALL:**

Yeas (4): Sellers, Jahr, Herman, Martin

Nays (0): None

Absent (3): Grissett, Haase, Larocque

**Motion Carried**

**2. Rules of Procedure / Bylaws Discussion**

The Board of Zoning Appeals (BZA) will discuss changes to Rules of Procedure, including the addition of a required date for appeal from a Planning Commission decision in Section 7 (Voting), a statement that unapproved minutes will be available no later than eight (8) business days after the meeting in accordance with Sec. 15.269 of the Michigan Open Meetings Act (Public Act 267 of 1976), rules regarding voting by

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BZA members who serve on the Planning Commission, and statements regarding voting on interpretations and dimensional variances.

Board discussed items that need updated in the BZA bylaws.

Board discussed trainings.

Board discussed Clean Energy 2021 Zoning Ordinance.

#### **ANNOUNCEMENTS, COMMENTS, AND OPEN DISCUSSION**

None

#### **ADJOURNMENT**

Sellers motioned; Jahr seconded to adjourn the meeting at 7:58pm. **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: Great Day Improvements / Kait Farrell	PHONE: (313) 636-1324
ADDRESS: 28421 Highland Rd	CELL PHONE: (313) 636-1324
CITY, STATE & ZIP: Romulus, MI 48174	FAX:
EMAIL: detroit@greatdayimprovements.com	

### PROPERTY OWNER INFORMATION (If different than the applicant)

NAME: Alvin Marshall	PHONE: (734) 858-7943
ADDRESS: 7267 Sadichn	CELL PHONE:
CITY, STATE & ZIP: Van Buren Twp, MI 48111	FAX:
EMAIL: fmarshall1942@gmail.com	

### SITE INFORMATION

PROJECT ADDRESS: 7267 Sadichn Van Buren Twp, MI 48111		
PROPERTY LOCATION: On the _____ Side of _____ Road; Between _____ Road and _____ Road.		
SIZE OF LOT WIDTH:	SIZE OF LOT DEPTH:	ACREAGE OF SITE:
DATE PROPERTY ACQUIRED:		TYPE OF OWNERSHIP OF PROPERTY:
STATE ALL DEED, SUBDIVISION IMPROVEMENT AND PROPERTY RESTRICTIONS IN EFFECT AT THIS TIME, TOGETHER WITH DATES OF EXPIRATION: Please See Plot Plan		

### VARIANCE REQUEST

VARIANCE TO ZONING ORDINANCE SECTION(S): Setbacks, Rear
EXPLANATION OF THE PRACTICAL DIFFICULTY OF THE PROPERTY AS DEFINED IN SECTION 19.07 (OR EXPLANATION OF REQUEST FOR ADMINISTRATIVE REVIEW): Current Setback of 37' will be reduced to 26' due to Build. The submitted plans to build the room is to try and maximize usefulness of the room and minimize effect on setbacks.
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

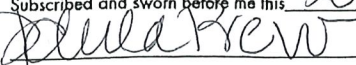


 11-30-23  
 PRINT PROPERTY OWNER'S NAME SIGNATURE OF PROPERTY OWNER DATE

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 30th day of November 2023


 Notary Public Wayne County, Michigan My Commission expires 10/31/2029

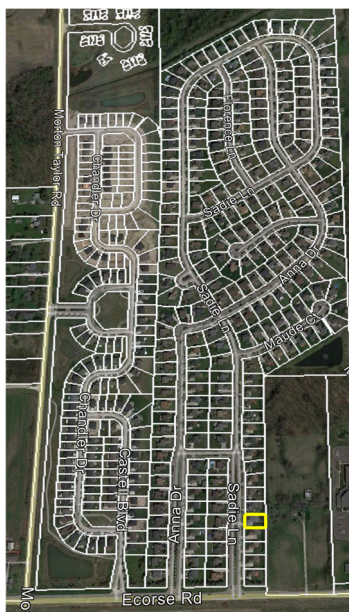
PAULA PREVO  
 Notary Public - State of Michigan  
 County of Wayne  
 My Commission Expires Oct 31, 2029  
 Acting in the County of Wayne

## MEMO

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TO: Van Buren Township Board of Zoning Appeals (BZA)  
 FROM: Dan Power– Director of Planning and Economic Development  
 RE: Case # 23-061 – 7267 Sadie Lane Rear Yard Setback  
 Variance Request  
 DATE: January 3, 2024

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Dear Board Members:

I have reviewed the above referenced application submitted by Kevin Farrell of Great Day Improvements on behalf of owner Alvin Marshall to construct an addition to a home. The following are my review comments based on the criteria in the Zoning Ordinance and the information provided:

**File Number:** 23-061

**Parcel Size and Tax ID:** 0.230 acres / Parcel ID # 83 007 04 0005 000. The subject property is located at 7267 Sadie Lane, located on the east side of Sadie Lane, between Ecorse Road and Sophie Drive. The parcel was part of the original *Homestead* site condominium, which was constructed beginning in the mid-1990s.

**Property Owner:** Alvin Marshall

**Zoning and Existing Use:** R-1B (Single Family Residential District). The parcel currently contains a principal dwelling with a floor area of 1,526 square feet (not including an attached garage and deck) that was constructed in 1998.

**Project Description:** The applicant is proposing to construct to construct the addition of an approximately 121 -sq. ft. covered sunroom to a home to within 26.0' of a rear lot line.

**Notice:** Notice for the public hearing was published in the Belleville Area Independent on December 20, 2023 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 December 20, 2023.

**Variance Request:**

**Section 3.106(D)** - R-1A, R-2A, R-1B, and R-1C: Single-Family Residential Districts – Dimension Regulations, Section 7.202(A), Table 3: Accessory Structures and Buildings – All Districts - Dimensional Regulations of Accessory Buildings and Structures):

- **Minimum required rear yard setback for attached accessory buildings:** 35.0 feet (same as principal structure)
- **Proposed rear yard setback:** 26.0 feet
- **Variance requested:** 9.0 feet (25.71%)

**Background.** The applicant submitted a building permit application for the proposed addition which was filed with the Van Buren Township Department of Planning and Economic Development on October 4, 2023. During completion of zoning review for the proposed addition, I observed the non-compliant setback and noted that it required correction. I advised the applicant to consider constructing the attached accessory building to the side yard and, in a subsequent correspondence and upon the applicant's request, I outlined the process for applying for a variance.

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 subject lot is part of a site condominium development with 267 comparably sized units (lots). The subject contains a principal dwelling with a floor plan that includes 1,526 square feet of floor area, not including an attached garage and deck. The home includes 3 bedrooms,



Site plan for Unit 5. The plan shows a building footprint with a hatched area labeled "PR. HOUSE PLAN: WINDSOR \*A\*" and "PR. FIN. GR. 679.69". To the right of the hatched area is a yellow-shaded "Buildable Area". The building includes a "3 CAR GARAGE" and a "BAY". Setbacks and easements are indicated: "12' STORM" (top and left), "18' EASEMENT" (top), "10' EASEMENT" (left), and "Side yard setback" (right). Dimensions include "80.01'" (top), "124.47'" (left), "125.75'" (right), "35.00'" (top-left), "14.00'" (left), "47'0"

- The effect of the requested variance would be to provide 25.7% rear yard setback leniency to a property which conforms to the lot area requirements of the underlying zoning district and has no other significant physical or environmental limitations, with a single-family dwelling which meets the Zoning Ordinance requirements for minimum floor area. The effect of this variance would be far reaching if applied to the many other properties in the R-1B zoning district with similar characteristics. The broadness of this impact should be considered when contemplating the "substantial justice" criterion.

- The unit (lot) meets minimum area (10,000-sq. ft.) and width (80') requirements for the underlying R-1B zoning district. There does not appear to be a significant variation in elevation on the lot and there appears to be no easements or other constraints in a roughly 558-sq. ft. portion of the lot where building could occur (see image above). There do not appear to be significant unique circumstances of the property at the time of writing this report. The most significant circumstance of the property and structure impacting this case is the principal dwelling's rear wall, which currently lies on the required 35' rear yard setback.

- The home has changed owners several times since its construction in 1998. The current owners did not build the home in its current position and the home configuration that led to the home's rear wall being at the 35' rear yard setback line. The problem therefore does not appear to be self-created, other than that the current owners purchased the property with the presumption of being aware of these constraints.

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).

**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.**

The subject property's rear lot line abuts a large single-family residential lot at 42930 Ecorse Road. The addition would be over 220' from this dwelling at its nearest point and would not appear to impair this property's supply of light and air. In the future, if the property at 42930 Ecorse Road is divided and there are residences in closer proximity to the subject parcel, the concerns about light and air may be increased, but there is still likely to be ample setback distance for this not to be a significant concern.

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

The proposed variance is not likely to increase the hazard of fire or flood or endanger the public safety.

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

The requested variance is not anticipated to diminish or impair surrounding property values.

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

On a site-specific basis, granting the requested variance is not anticipated to significantly degrade the vicinity of the subject site. However, granting the requested variance could more broadly impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township if its effect is used to justify future variance requests.

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

The requested variance will increase the visual mass of the subject property's dwelling and could alter the essential character of the neighborhood. If the variance is granted, Staff would closely review the submitted architectural detail in order to ensure it complies with the architectural requirements of the Zoning Ordinance.

**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. At the time of the writing of this report, I find that three of the four (4) "practical difficulty" criteria are not substantially addressed to justify granting a variance.

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.

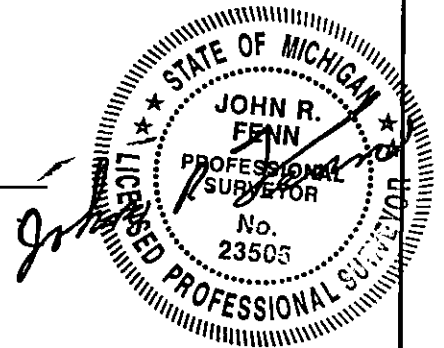
Thank you for allowing me to comment on this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan Power".

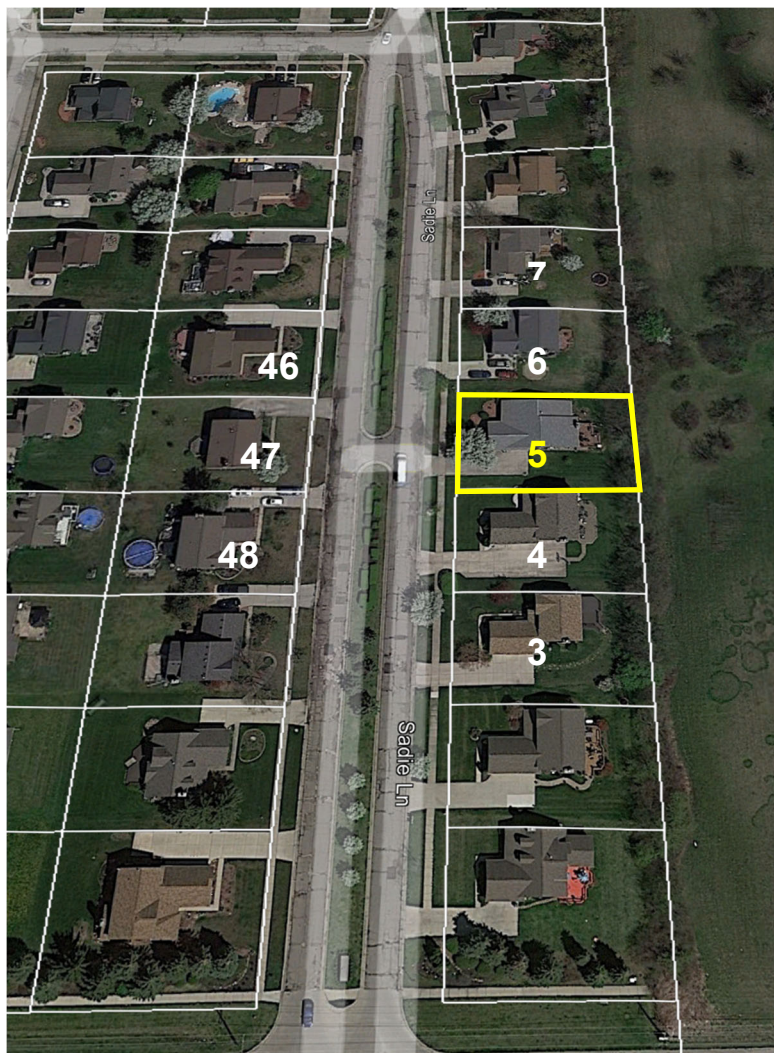
Dan Power, AICP  
Planning and Economic Development Director  
Public Services Department  
Charter Township of Van Buren

CC: Ron Akers, AICP – Municipal Services Director, Van Buren Charter Township  
Vidya Krishnan, Senior Principal Planner / Van Buren Township Planning Consultant,  
McKenna Associates



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## Exhibit A – Nearby Residential Lots and Yard Areas



### Areas of Comparison Lots, Areas of Principal Dwellings:

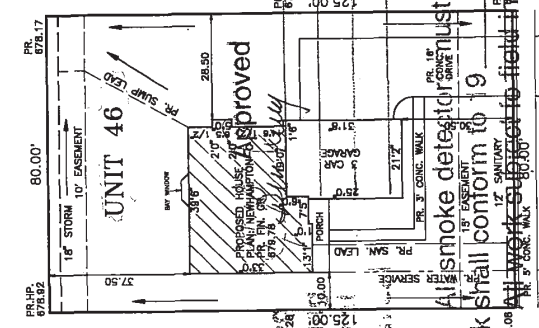
Lot / Unit	Address	Lot / Unit Area (ac)	Dwelling Floor Area (sq. ft.)
3	7311 Sadie Lane	0.234	1,685
4	7291 Sadie Lane	0.233	2,186
5	7267 Sadie Lane	0.230	1,526
6	7245 Sadie Lane	0.230	2,157
7	7225 Sadie Lane	0.230	1,603
46	7242 Sadie Lane	0.230	2,186
47	7264 Sadie Lane	0.230	1,992
48	7288 Sadie Lane	0.230	2,170



7242 SADIE LN

Township  
Plot  
Plans

Lot  
46



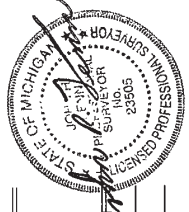
UNIT 45

UNIT 47

Building  
Plumbing  
Electrical  
Mechanical

Work shall conform to 19  
Boca Codes.  
All work subject to field inspections.

SADIE LANE  
100' WD.



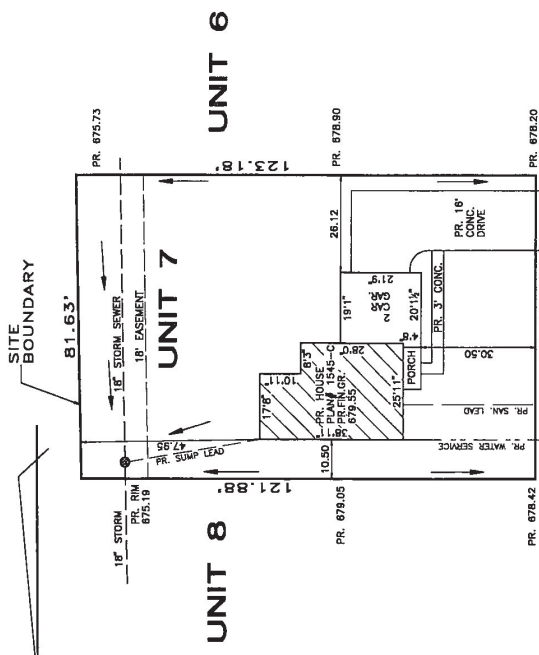
NOTE: THIS DRAWING IS FOR PLOT PLAN PURPOSES ONLY. IF THIS NOTE DOES NOT APPEAR ON THE PLAN, IT IS NOT AN AUTHORIZED COPY.

NOTE: FENN AND ASSOCIATES ASSUMES NO RESPONSIBILITY FOR GIVEN HOUSE DIMENSIONS PRIOR TO CONSTRUCTION. THIS PLOT PLAN DOES NOT RELIEVE THE OWNER/BUILDER OF COMPLIANCE WITH ALL APPLICABLE CODES AND/OR ORDINANCES.

NOTE: ACTUAL AS-BUILT LEAD LOCATIONS MUST BE OBTAINED FROM THE TWP.

<b>Fenn &amp; Associates Inc.</b>		42802 Mound Road Sterling Heights, Michigan 48314 PHONE (810) 254-9377	
PLOT PLAN	UNIT 46	CLIENT: S.R. JACOBSON DEVELOPMENT	
"HOMESTEAD CONDOMINIUM"		DATE: 9-5-97	JOB NO. 97-6086
PART OF THE S.W. 1/4 AND N.W. 1/4 OF SECTION 2, T.35S., R.8E., VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN		SCALE: 1" = 30'	CHECKED: R.J.
		FIELD BY: NONE	DRAWN: CRISTINA WAWKNER
			SHEET 1 OF 1

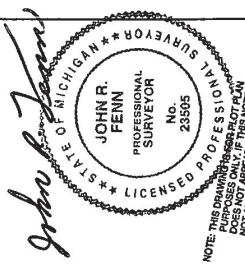
ENVRN\PLTTP\LAN\97-6086\97-6086 CHRISTINA 9/6/97 9:01



UNIT 6

UNIT 8

SADIE LANE 100' WD.



NOTE: FENN AND ASSOCIATES ASSUMES NO RESPONSIBILITY FOR GIVEN HOUSE DIMENSIONS PRIOR TO CONSTRUCTION. THIS PLOT PLAN DOES NOT RELIEVE THE OWNER/BUILDER OF COMPLIANCE WITH ALL APPLICABLE CODES AND/OR ORDINANCES.

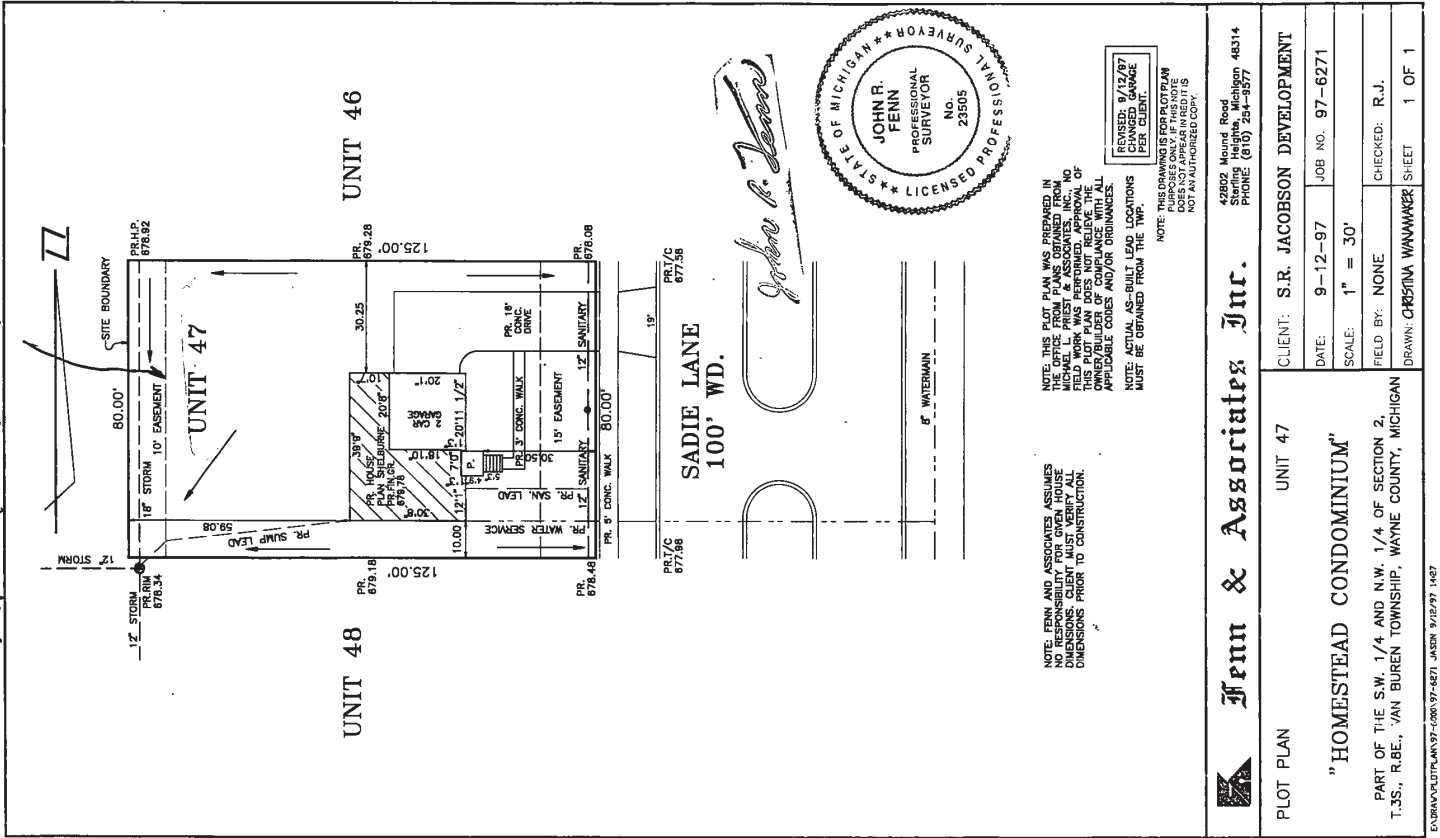
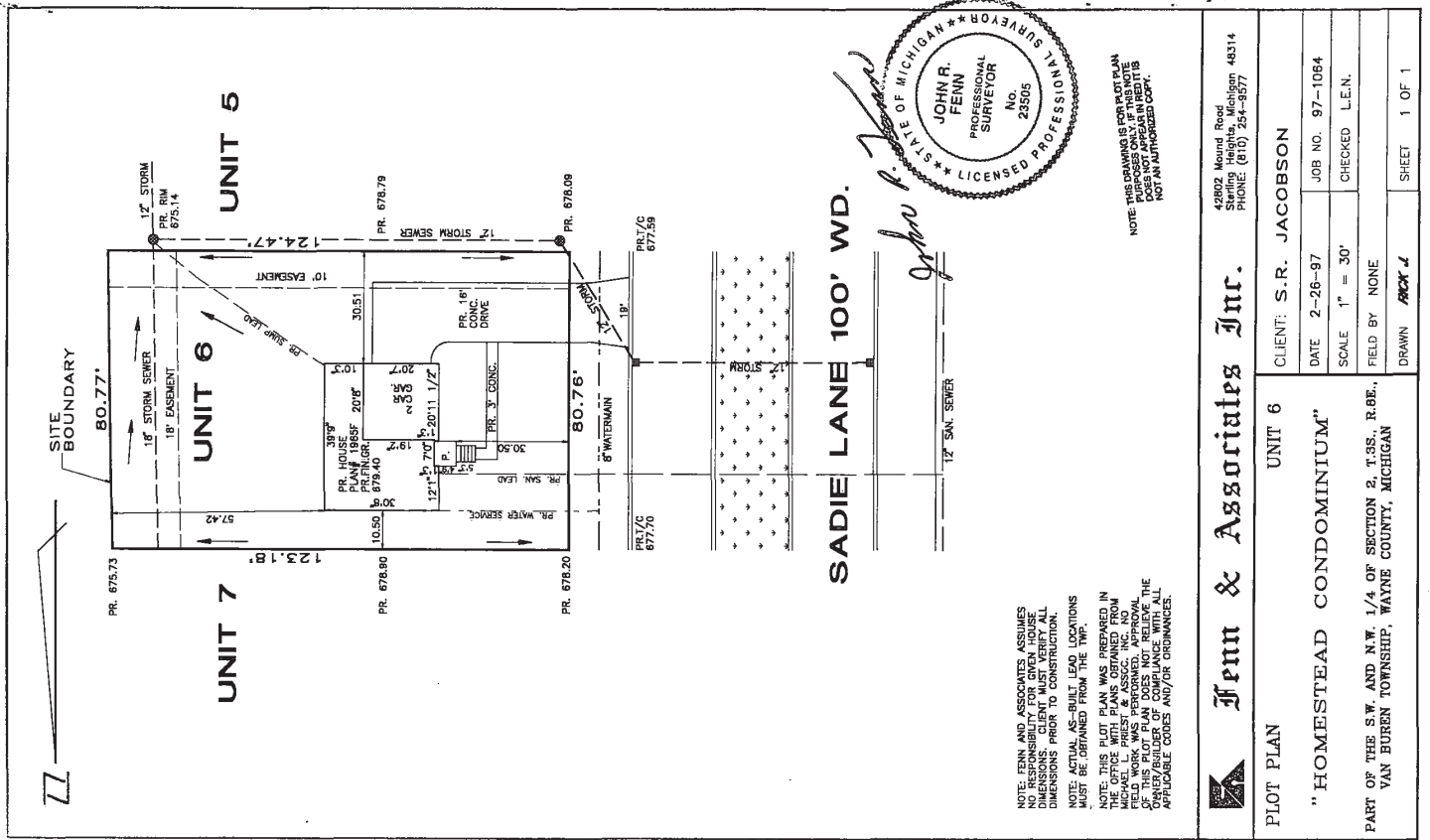
NOTE: ACTUAL AS-BUILT LEAD LOCATIONS MUST BE OBTAINED FROM THE TWP.

NOTE: THIS PLOT PLAN WAS PREPARED IN THE OFFICE WITH PLANS OBTAINED FROM MICHAEL L. PRIEST & ASSOC. INC. NO FIELD WORK WAS PERFORMED. APPROVAL OF THIS PLOT PLAN DOES NOT RELIEVE THE OWNER/BUILDER OF COMPLIANCE WITH ALL APPLICABLE CODES AND/OR ORDINANCES.

<b>Fenn &amp; Associates Inc.</b>		42802 Mound Road Sterling Heights, Michigan 48314 PHONE (810) 254-9377	
PLOT PLAN	UNIT 7	CLIENT: S.R. JACOBSON	
"HOMESTEAD CONDOMINIUM"		DATE: 2-26-97	JOB NO. 97-1063
PART OF THE S.W. AND N.W. 1/4 OF SECTION 2, T.35S., R.8E., VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN		SCALE: 1" = 30'	CHECKED: L.E.N.
		FIELD BY: NONE	DRAWN: RICK
			SHEET 1 OF 1

ENVRN\PLTTP\LAN\97-1063\97-1063 RICK 2/28/97 13:23

# Townships Plot Plan

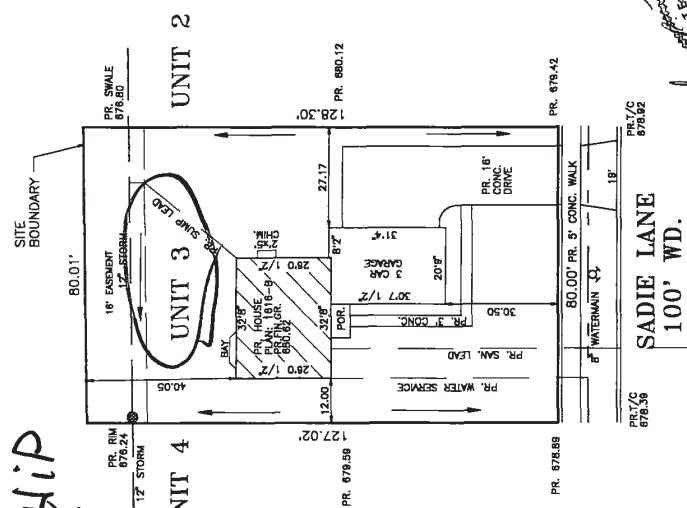


<b>Fenn &amp; Associates Inc.</b> 42802 Mound Road Sterling Heights, Michigan 48314 PHONE: (810) 254-9577	<b>UNIT 6</b>	
	<b>PLOT PLAN</b>	<b>CLIENT: S.R. JACOBSON</b>
	<b>"HOMESTEAD CONDOMINIUM"</b>	<b>DATE: 2-26-97</b>
	<b>PART OF THE S.W. AND N.W. 1/4 OF SECTION 2, T.35S., R.8E., VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN</b>	<b>JOB NO. 97-1064</b>
<b>UNIT 5</b>		<b>CHECKED L.E.N.</b>
<b>UNIT 4</b>		<b>FIELD BY NONE</b>
<b>UNIT 3</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT 2</b>		<b>DATE: 9-12-97</b>
<b>UNIT 1</b>		<b>JOB NO. 97-6271</b>
<b>UNIT 0</b>		<b>CHECKED: R.J.</b>
<b>UNIT -1</b>		<b>FIELD BY: NONE</b>
<b>UNIT -2</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -3</b>		<b>DATE: 9-12-97</b>
<b>UNIT -4</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -5</b>		<b>CHECKED: R.J.</b>
<b>UNIT -6</b>		<b>FIELD BY: NONE</b>
<b>UNIT -7</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -8</b>		<b>DATE: 9-12-97</b>
<b>UNIT -9</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -10</b>		<b>CHECKED: R.J.</b>
<b>UNIT -11</b>		<b>FIELD BY: NONE</b>
<b>UNIT -12</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -13</b>		<b>DATE: 9-12-97</b>
<b>UNIT -14</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -15</b>		<b>CHECKED: R.J.</b>
<b>UNIT -16</b>		<b>FIELD BY: NONE</b>
<b>UNIT -17</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -18</b>		<b>DATE: 9-12-97</b>
<b>UNIT -19</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -20</b>		<b>CHECKED: R.J.</b>
<b>UNIT -21</b>		<b>FIELD BY: NONE</b>
<b>UNIT -22</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -23</b>		<b>DATE: 9-12-97</b>
<b>UNIT -24</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -25</b>		<b>CHECKED: R.J.</b>
<b>UNIT -26</b>		<b>FIELD BY: NONE</b>
<b>UNIT -27</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -28</b>		<b>DATE: 9-12-97</b>
<b>UNIT -29</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -30</b>		<b>CHECKED: R.J.</b>
<b>UNIT -31</b>		<b>FIELD BY: NONE</b>
<b>UNIT -32</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -33</b>		<b>DATE: 9-12-97</b>
<b>UNIT -34</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -35</b>		<b>CHECKED: R.J.</b>
<b>UNIT -36</b>		<b>FIELD BY: NONE</b>
<b>UNIT -37</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -38</b>		<b>DATE: 9-12-97</b>
<b>UNIT -39</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -40</b>		<b>CHECKED: R.J.</b>
<b>UNIT -41</b>		<b>FIELD BY: NONE</b>
<b>UNIT -42</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -43</b>		<b>DATE: 9-12-97</b>
<b>UNIT -44</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -45</b>		<b>CHECKED: R.J.</b>
<b>UNIT -46</b>		<b>FIELD BY: NONE</b>
<b>UNIT -47</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -48</b>		<b>DATE: 9-12-97</b>
<b>UNIT -49</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -50</b>		<b>CHECKED: R.J.</b>
<b>UNIT -51</b>		<b>FIELD BY: NONE</b>
<b>UNIT -52</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -53</b>		<b>DATE: 9-12-97</b>
<b>UNIT -54</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -55</b>		<b>CHECKED: R.J.</b>
<b>UNIT -56</b>		<b>FIELD BY: NONE</b>
<b>UNIT -57</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -58</b>		<b>DATE: 9-12-97</b>
<b>UNIT -59</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -60</b>		<b>CHECKED: R.J.</b>
<b>UNIT -61</b>		<b>FIELD BY: NONE</b>
<b>UNIT -62</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -63</b>		<b>DATE: 9-12-97</b>
<b>UNIT -64</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -65</b>		<b>CHECKED: R.J.</b>
<b>UNIT -66</b>		<b>FIELD BY: NONE</b>
<b>UNIT -67</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -68</b>		<b>DATE: 9-12-97</b>
<b>UNIT -69</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -70</b>		<b>CHECKED: R.J.</b>
<b>UNIT -71</b>		<b>FIELD BY: NONE</b>
<b>UNIT -72</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -73</b>		<b>DATE: 9-12-97</b>
<b>UNIT -74</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -75</b>		<b>CHECKED: R.J.</b>
<b>UNIT -76</b>		<b>FIELD BY: NONE</b>
<b>UNIT -77</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -78</b>		<b>DATE: 9-12-97</b>
<b>UNIT -79</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -80</b>		<b>CHECKED: R.J.</b>
<b>UNIT -81</b>		<b>FIELD BY: NONE</b>
<b>UNIT -82</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -83</b>		<b>DATE: 9-12-97</b>
<b>UNIT -84</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -85</b>		<b>CHECKED: R.J.</b>
<b>UNIT -86</b>		<b>FIELD BY: NONE</b>
<b>UNIT -87</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -88</b>		<b>DATE: 9-12-97</b>
<b>UNIT -89</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -90</b>		<b>CHECKED: R.J.</b>
<b>UNIT -91</b>		<b>FIELD BY: NONE</b>
<b>UNIT -92</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -93</b>		<b>DATE: 9-12-97</b>
<b>UNIT -94</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -95</b>		<b>CHECKED: R.J.</b>
<b>UNIT -96</b>		<b>FIELD BY: NONE</b>
<b>UNIT -97</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -98</b>		<b>DATE: 9-12-97</b>
<b>UNIT -99</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -100</b>		<b>CHECKED: R.J.</b>
<b>UNIT -101</b>		<b>FIELD BY: NONE</b>
<b>UNIT -102</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -103</b>		<b>DATE: 9-12-97</b>
<b>UNIT -104</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -105</b>		<b>CHECKED: R.J.</b>
<b>UNIT -106</b>		<b>FIELD BY: NONE</b>
<b>UNIT -107</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -108</b>		<b>DATE: 9-12-97</b>
<b>UNIT -109</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -110</b>		<b>CHECKED: R.J.</b>
<b>UNIT -111</b>		<b>FIELD BY: NONE</b>
<b>UNIT -112</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -113</b>		<b>DATE: 9-12-97</b>
<b>UNIT -114</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -115</b>		<b>CHECKED: R.J.</b>
<b>UNIT -116</b>		<b>FIELD BY: NONE</b>
<b>UNIT -117</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -118</b>		<b>DATE: 9-12-97</b>
<b>UNIT -119</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -120</b>		<b>CHECKED: R.J.</b>
<b>UNIT -121</b>		<b>FIELD BY: NONE</b>
<b>UNIT -122</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -123</b>		<b>DATE: 9-12-97</b>
<b>UNIT -124</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -125</b>		<b>CHECKED: R.J.</b>
<b>UNIT -126</b>		<b>FIELD BY: NONE</b>
<b>UNIT -127</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -128</b>		<b>DATE: 9-12-97</b>
<b>UNIT -129</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -130</b>		<b>CHECKED: R.J.</b>
<b>UNIT -131</b>		<b>FIELD BY: NONE</b>
<b>UNIT -132</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -133</b>		<b>DATE: 9-12-97</b>
<b>UNIT -134</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -135</b>		<b>CHECKED: R.J.</b>
<b>UNIT -136</b>		<b>FIELD BY: NONE</b>
<b>UNIT -137</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -138</b>		<b>DATE: 9-12-97</b>
<b>UNIT -139</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -140</b>		<b>CHECKED: R.J.</b>
<b>UNIT -141</b>		<b>FIELD BY: NONE</b>
<b>UNIT -142</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -143</b>		<b>DATE: 9-12-97</b>
<b>UNIT -144</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -145</b>		<b>CHECKED: R.J.</b>
<b>UNIT -146</b>		<b>FIELD BY: NONE</b>
<b>UNIT -147</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -148</b>		<b>DATE: 9-12-97</b>
<b>UNIT -149</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -150</b>		<b>CHECKED: R.J.</b>
<b>UNIT -151</b>		<b>FIELD BY: NONE</b>
<b>UNIT -152</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -153</b>		<b>DATE: 9-12-97</b>
<b>UNIT -154</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -155</b>		<b>CHECKED: R.J.</b>
<b>UNIT -156</b>		<b>FIELD BY: NONE</b>
<b>UNIT -157</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -158</b>		<b>DATE: 9-12-97</b>
<b>UNIT -159</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -160</b>		<b>CHECKED: R.J.</b>
<b>UNIT -161</b>		<b>FIELD BY: NONE</b>
<b>UNIT -162</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -163</b>		<b>DATE: 9-12-97</b>
<b>UNIT -164</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -165</b>		<b>CHECKED: R.J.</b>
<b>UNIT -166</b>		<b>FIELD BY: NONE</b>
<b>UNIT -167</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -168</b>		<b>DATE: 9-12-97</b>
<b>UNIT -169</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -170</b>		<b>CHECKED: R.J.</b>
<b>UNIT -171</b>		<b>FIELD BY: NONE</b>
<b>UNIT -172</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -173</b>		<b>DATE: 9-12-97</b>
<b>UNIT -174</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -175</b>		<b>CHECKED: R.J.</b>
<b>UNIT -176</b>		<b>FIELD BY: NONE</b>
<b>UNIT -177</b>		<b>SCALE: 1" = 30'</b>
<b>UNIT -178</b>		<b>DATE: 9-12-97</b>
<b>UNIT -179</b>		<b>JOB NO. 97-6271</b>
<b>UNIT -180</b>		<b>CHECKED: R.J.</b>
<b>UNIT -181</b>		<b></b>



7311 SADIE LN LOT 34

Township  
Plot  
Plan



NOTE: FENN & ASSOC. INC. ASSUMES NO RESPONSIBILITY FOR GIVEN HOUSE DIMENSIONS. CLIENT MUST VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.

NOTE: THIS DRAWING IS FOR PLOT PLAN PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN AUTHORIZATION OF FENN & ASSOC. INC.

<b>Fenn &amp; Associates Inc.</b> 42902 Mount Road Spring Lake, Michigan 49314 PHONE (616) 241-8377		CLIENT: S.R. JACOBSON	
PLOT PLAN	UNIT 3	DATE 4-3-98	JOB NO. 98-2185
"HOMESTEAD CONDOMINIUMS"		SCALE 1" = 30'	CHECKED S.H.
PART OF THE S.W. & N.W. 1/4 OF SECTION 2, T.3S., R.6E., VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN		FIELD BY NONE	SHEET 1 OF 1
DRAWN: CHADVA WAWER			



On behalf of Mr. and Mrs. Alvin Marshall,

The application for variance has been submitted for Mr. and Mrs. Alvin Marshall at 7267 Sadie Ln Van Buren Twp, MI 48111 to discuss the rear setback that will be affected by the building of their sunroom.

The design of the room was put together considering the setback and to maximize the value and livability of the room for the Marshalls. The design will reduce the setback to 26', a difference of 11'. We are very aware that this is a substantial ask. The submission to consider this was, however, made with good intentions considering the Marshall's request to build.

The Marshalls are in their senior years and want to be able to access the outdoors safely and comfortably. The dimensions of the sunroom will allow them to furnish the space so they can sit in an enclosed setting and enjoy the outdoors. The enclosure will also extend the amount of time each year they can be in the outdoors as the enclosure provides some protection from the elements.

The additional space will also increase the value of the home. This will be a benefit to the community, and more importantly a legacy they can leave to their family.

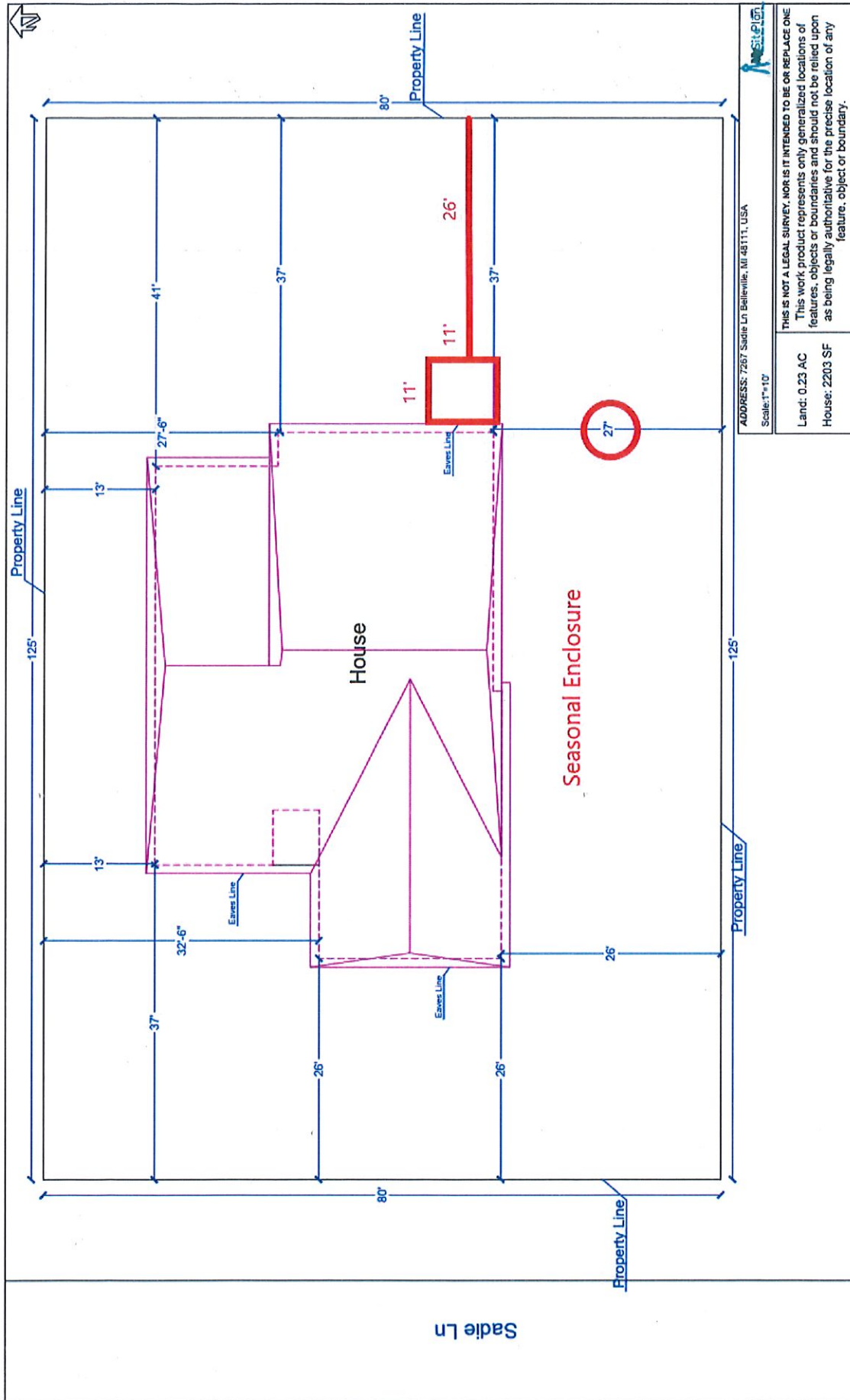
The build is behind the home and not affecting the curb appeal of the home or neighborhood. There are no incursions to the left or right setbacks, therefore, there will be no issues with easements or other ordinances.

Again, our submission is in good faith and in an effort to serve one of your constituents to the fullest extent. Please consider allowing this project to be built for Mr. and Mrs. Marshall.

Thanks,

Patio Enclosures

~~PB23-0640~~



ADDRESS: 7267 Saddle Ln, Belleville, MI 48111, USA  
Scale: 1" = 10'

THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE  
This work product represents only generalized locations of  
features, objects or boundaries and should not be relied upon  
as being legally authoritative for the precise location of any  
feature, object or boundary.

RECEIVED

OCT 04 2023

Initial: \_\_\_\_\_



RECEIVED

OCT 04 2023

PB23-0640

Initial: \_\_\_\_\_

GREAT DAY IMPROVEMENTS, DETROIT  
MARSHALL RESIDENCE

DRAWING #	DESCRIPTION
1	COVER
2	ELEVATION "B" WALL
3	ELEVATION "A" & "C" WALL
4	DECK PLAN
5	ELECTRICAL PLAN
6	FLOOR PLAN
7	ROOF PLAN
8	STANDARD DECK DETAILS
9	STANDARD DECK DETAILS
10	SYSTEM DETAILS
11	SYSTEM DETAILS

MINIMUM DESIGN LOADS: PER 2015 IRC / 2015 IRC  
W/ MI AMENDMENTS

SUNROOM CATEGORY II (PER 2015 IRC R301.2.1.1.1  
& AIAA / NPEA / NSA 2100)

SNOW LOADS: GROUND SNOW LOAD 25 PSF

ULTIMATE DESIGN WIND SPEED: 120 MPH, 3 SEC. GUSTS

LIVE LOADS:

1. ROOF: 20 PSF
2. FLOOR: 40 PSF

THIS SUNROOM IS NOT TO BE CONDITIONED  
OR USED AS A PERMANENT LIVING AREA.

NOTES:

1. ALLVIEW (CA5) SUNROOM; WHITE IN COLOR
2. CONSTRUCT SUNROOM ON NEW DECK
3. NO HEAT BY GDI; ELECTRICAL BY GDI
4. ALL CONCRETE TO BE 3000 PSI MINIMUM
5. ALL DECK LUMBER IS PRESSURE TREATED SYP #2 OR BETTER
6. THIS SUNROOM IS CONSIDERED AS NON-CONDITIONED SPACE, EXEMPT FROM ENERGY REQUIREMENTS (PER 2015 IRC SECTION N1102.1, NOTE 2)

ALLOWABLE SOIL PRESSURE CONSIDERED  
(PRESUMPTIVE) = 1500 PSF

THIS SUNROOM AND FOUNDATION HAVE BEEN EVALUATED FOR  
DESIGN LOADS REQUIRED BY THE IRC CODE. THIS INCLUDES ALL  
MATERIALS, COMPONENTS, CONNECTIONS, AND ATTACHMENTS  
WHEN CALCULATING THE LOAD REQUIREMENTS.



10-03-2023

DATE 9/8/23

ERIC OETJEN, P.E., M. ENG.  
MI PROFESSIONAL ENGINEER (M.L. LIC. #6201310800)  
5 GREENE STREET  
FORT THOMAS, KY. 41075  
PH. # 859-393-9049

DRAWN DML

SCALE

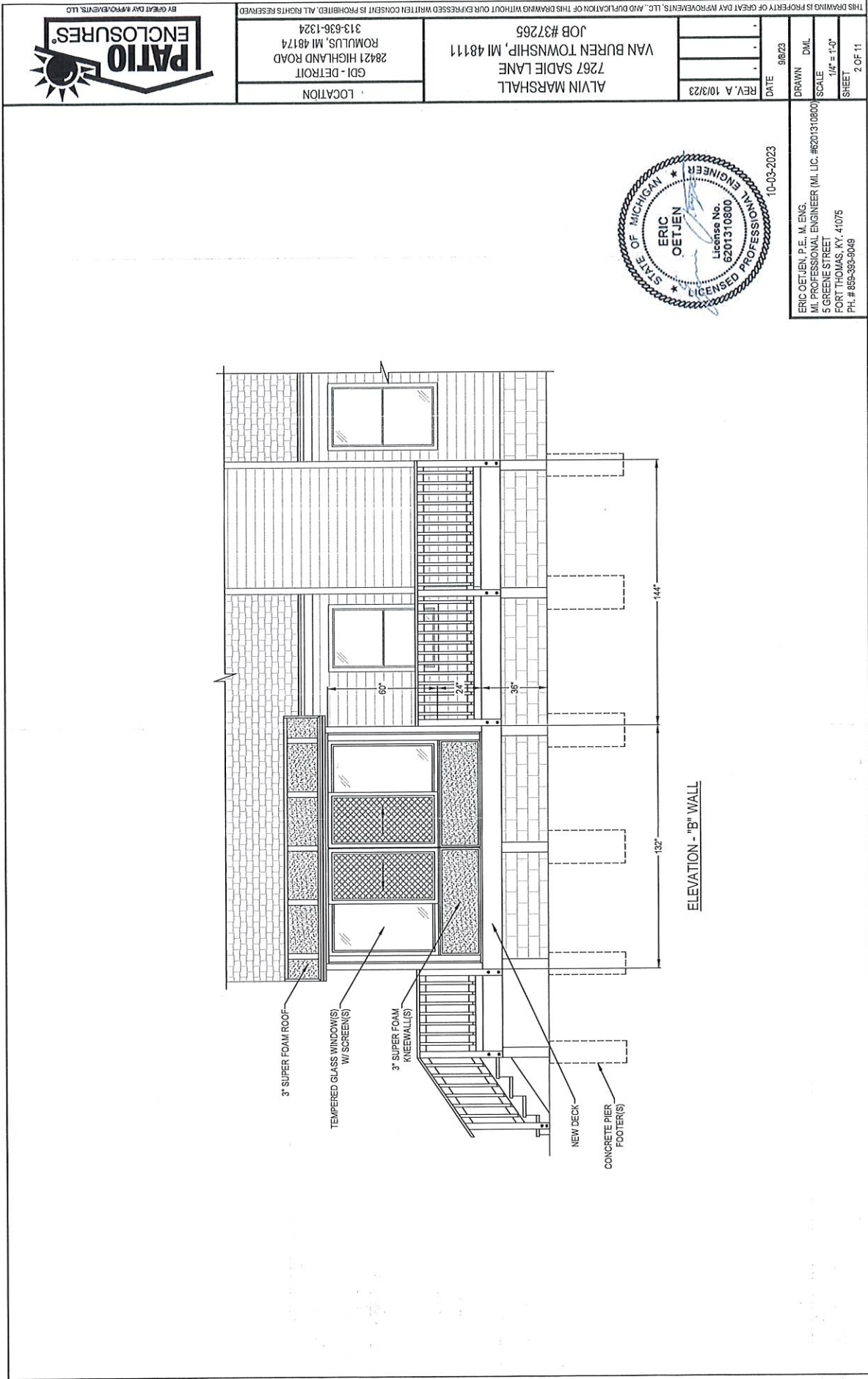
NTS

SHEET

1 OF 11



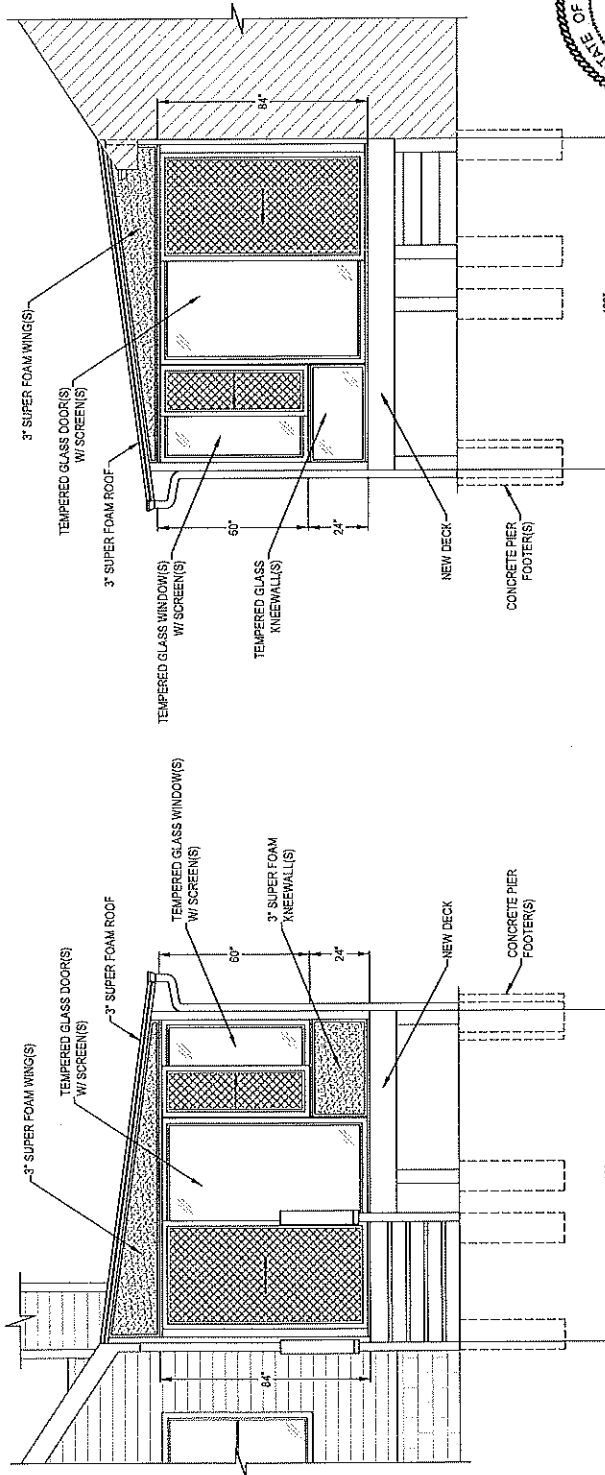
LOCATION	GDI - DETROIT 28421 HIGHLAND ROAD ROMULUS, MI 48174 313-636-1324
ALVIN MARSHALL 7267 SADIE LANE VAN BUREN TOWNSHIP, MI 48111 JOB #37265	THIS DRAWING IS PROPERTY OF GREAT DAY IMPROVEMENTS, LLC. AND PUBLICATION OF THIS DRAWING WITHOUT OUR EXPRESSED WRITTEN CONSENT IS PROHIBITED. ALL RIGHTS RESERVED.
REV. A 10/3/23	BY GREAT DAY IMPROVEMENTS, LLC.







LOCATION	ALVIN MARSHALL 7267 SADIE LANE VAN BUREN TOWNSHIP, MI 48111 JOB #37265	DATE	REV. A 10/3/23
		DATE	9/8/23
		DRAWN	DML
		SCALE	1/4" = 1'-0"
		SHEET	3 OF 11



ERIC OETJEN, P.E. M. ENG.  
M.I. PROFESSIONAL ENGINEER (M.I. LIC. #6201310800)  
9 GREENE STREET  
FORT THOMAS, KY. 41075  
PH. # 859-393-9049



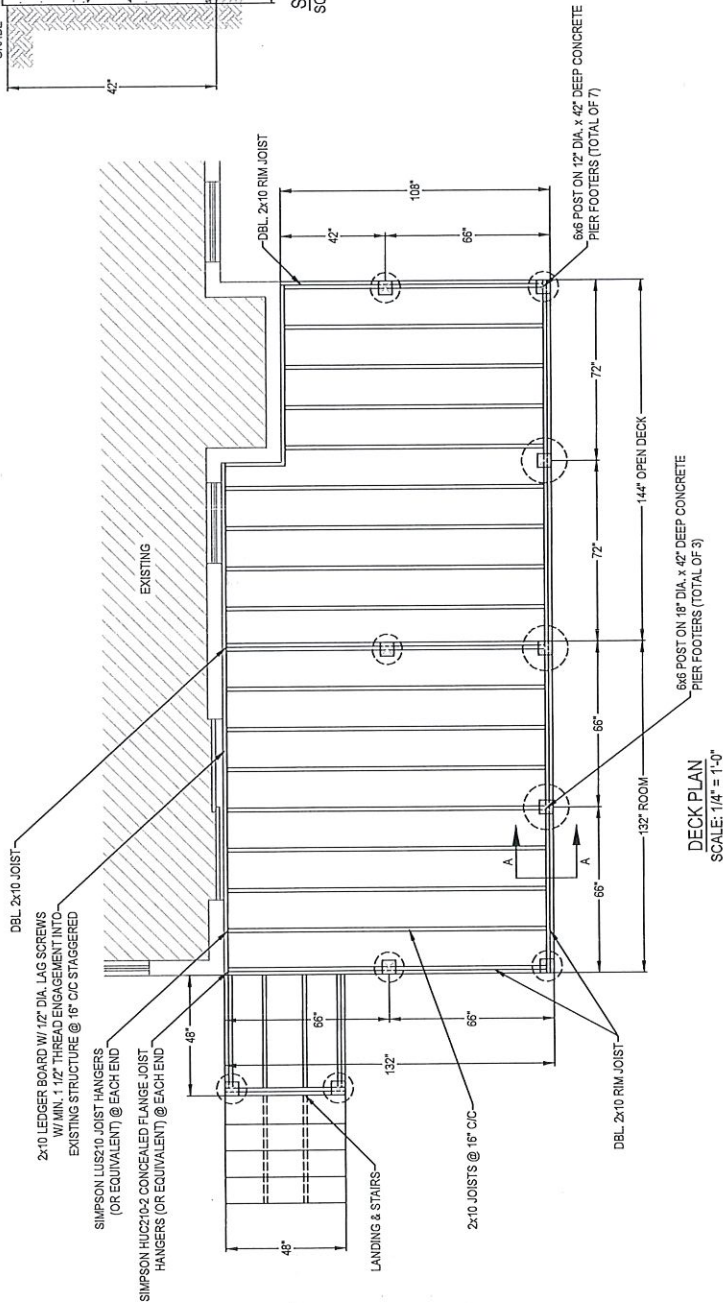
LOCATION	GDI - DETROIT 28421 HIGHLAND ROAD ROMULUS, MI 48174 313-636-1324	JOB #37265 VAN BUREN TOWNSHIP, MI 48111 ALVIN MARSHALL 7267 SADIE LANE	REV. A 10/3/23 DATE 9/8/23 DRAWN DML SCALE AS NOTED SHEET 4 OF 11
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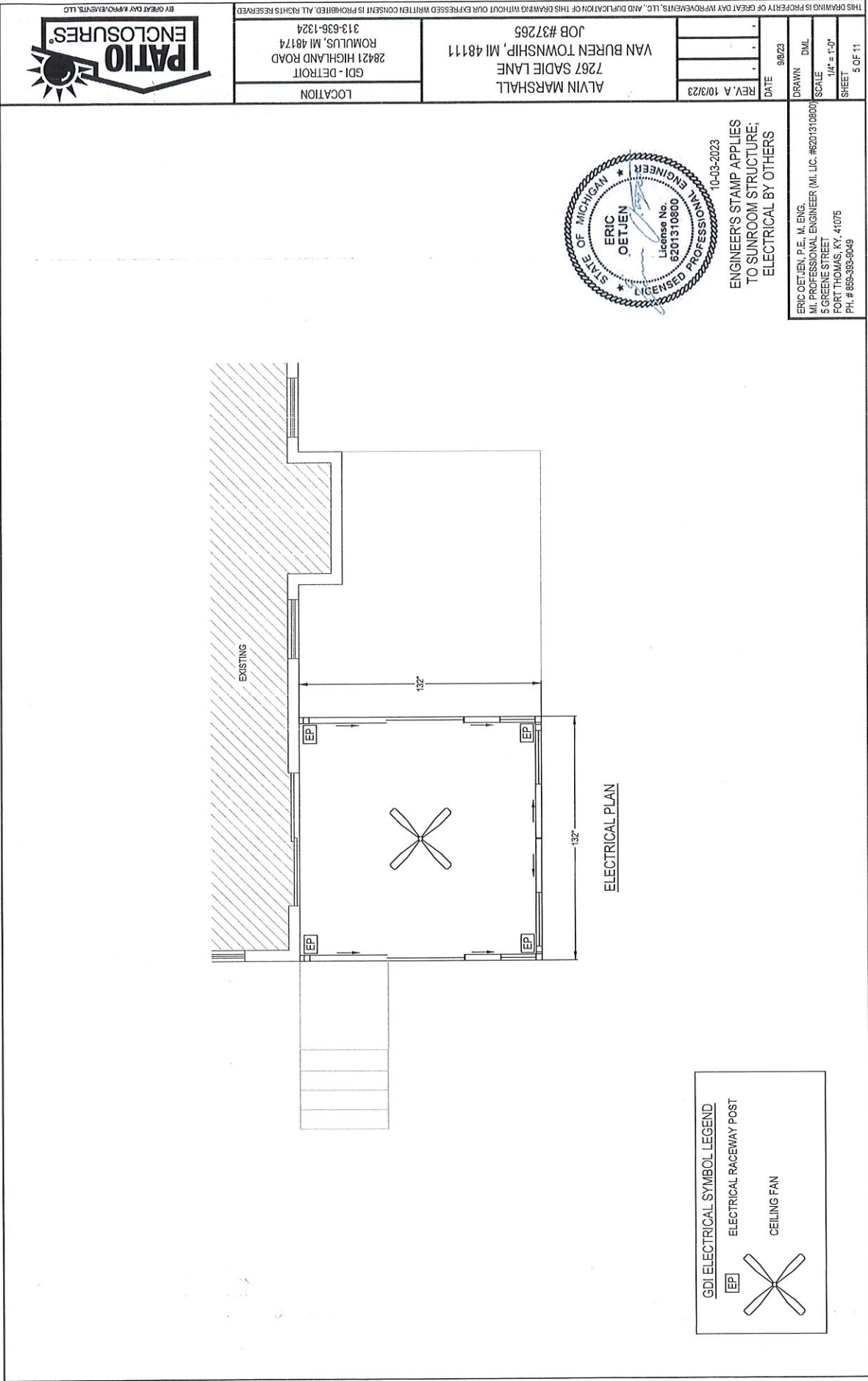
3/4" SUBFLOOR OR DECKING  
 (AS APPLICABLE)  
 2x10 JOISTS @ 16" C/C  
 DBL 2x10 RIM JOIST FASTEN  
 W/ (2) 10d NAILS SPACED  
 MINIMUM 16" C/C  
 (2) 1/2" DIA. THRU-BOLTS  
 8x6 SUPPORT POST  
 (NOTCHED)  
 SIMPSON LUS210  
 JOIST HANGERS  
 (OR EQUIVALENT)  
 SIMPSON P86EZ POST BASE  
 (OR EQUIVALENT) CAST  
 INTO NEW CONCRETE  
 CONCRETE PIER  
 FOOTER  
 GRADE  
 42"

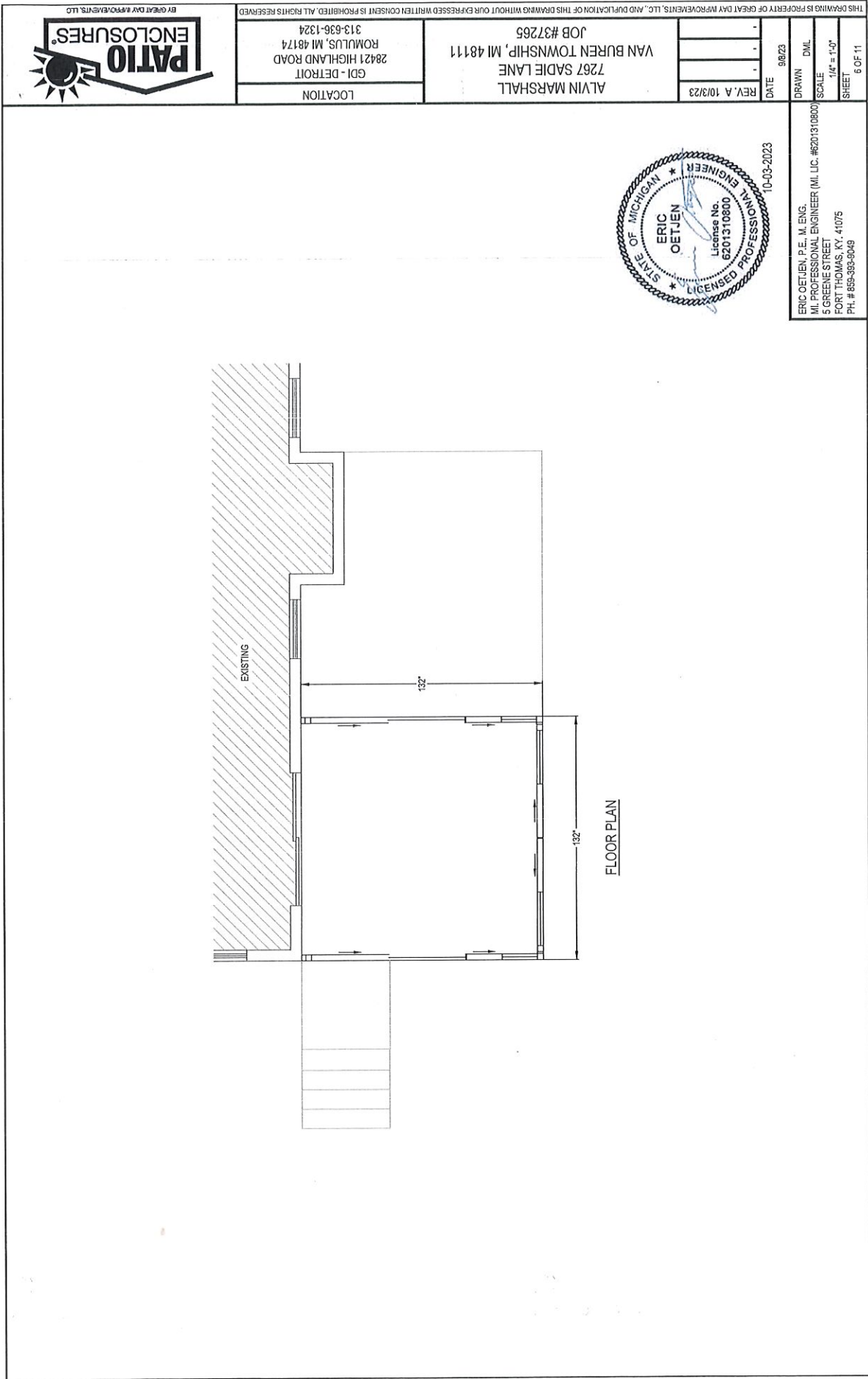
SECTION A-A  
 SCALE: 1/2" = 1'-0"



ERIC OETJEN, P.E., M. ENG.  
 M.I. PROFESSIONAL ENGINEER (M.I. LIC. #6201310800)  
 5 GREENE STREET  
 FORT THOMAS, KY. 41075  
 PH. # 859-393-9049







ERIC OETJEN, P.E., M. ENG.  
M.I. PROFESSIONAL ENGINEER (M.I. LIC. #6201310800)  
5 GREENE STREET  
FORT THOMAS, KY. 41075  
PH. # 859-393-9049

10-03-2023

DATE	9/8/23
DRAWN	DML
SCALE	1/4" = 1'-0"
SHEET	6 OF 11

REV. A 10/3/23

ALVIN MARSHALL  
7267 SADIE LANE  
VAN BUREN TOWNSHIP, MI 48111  
JOB #37265

LOCATION  
GDI - DETROIT  
28421 HIGHLAND ROAD  
ROMULUS, MI 48174  
313-636-1324



BY GREAT DAY IMPROVEMENTS, LLC

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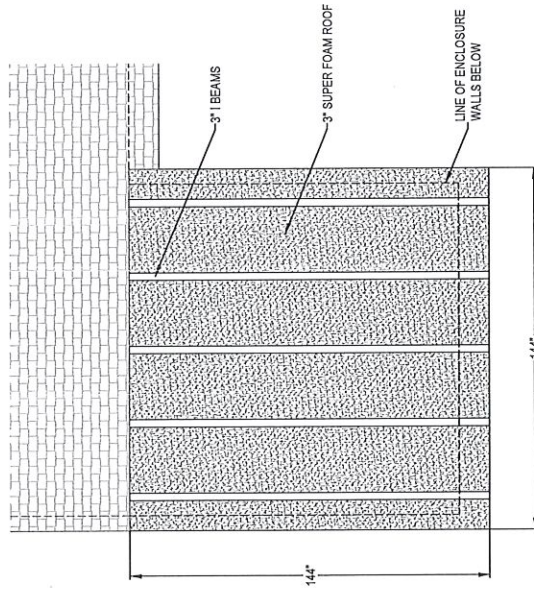


LOCATION GDI - DETROIT 28421 HIGHLAND ROAD ROMULUS, MI 48174 313-636-1324		ALVIN MARSHALL 7267 SADIE LANE VAN BUREN TOWNSHIP, MI 48111 JOB #37265		REV. A 10/3/23	DATE 9/8/23	DRAWN DML	SCALE 1/4" = 1'-0"	SHEET 7 OF 11
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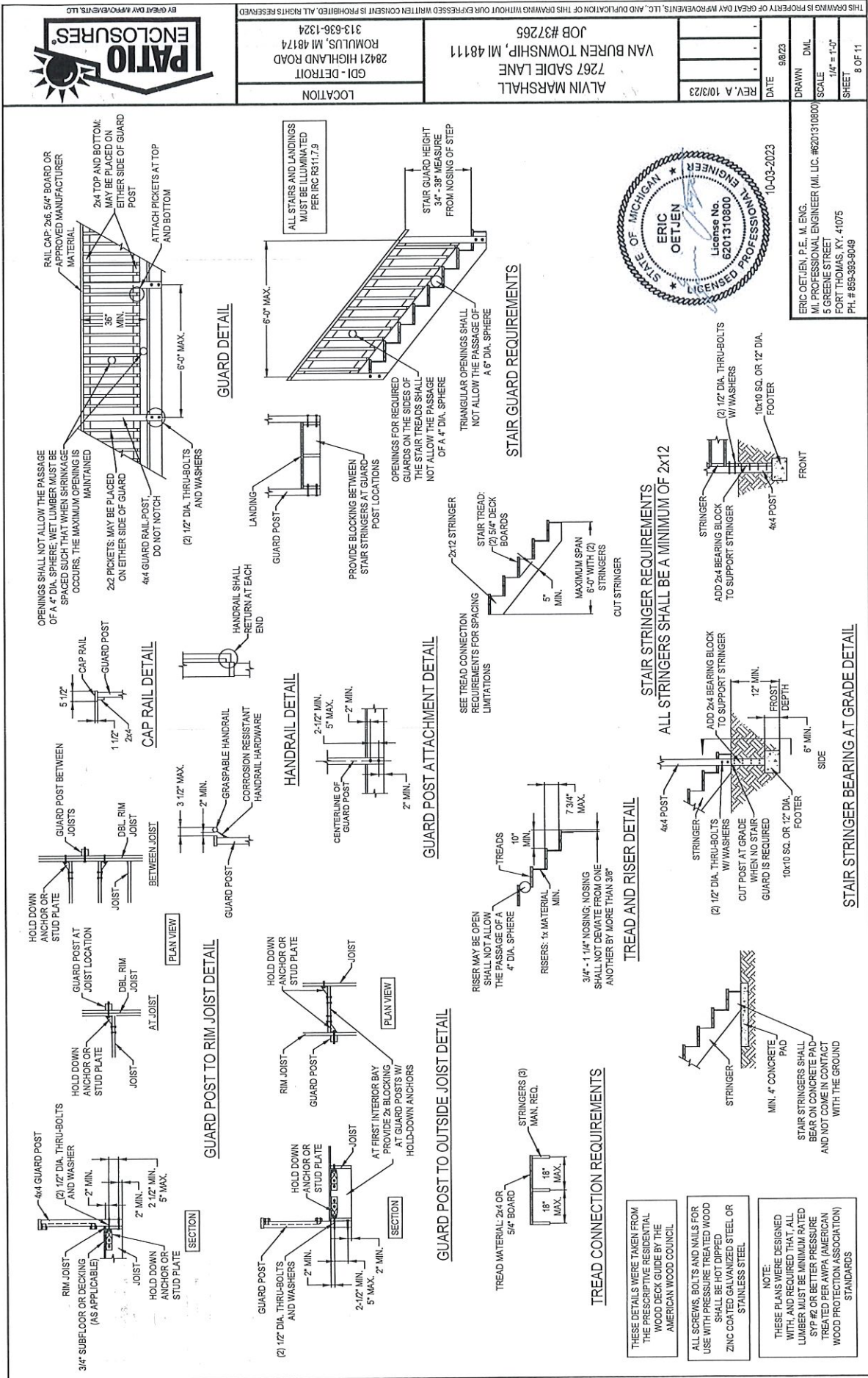
10-03-2023

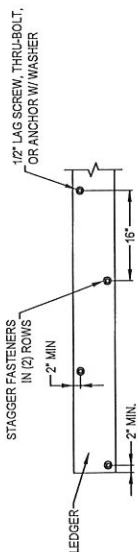
ERIC OETJEN, P.E., M. ENG.  
 MI PROFESSIONAL ENGINEER (MI LIC. #6201310800)  
 5 GREENE STREET  
 FORT THOMAS, KY. 41075  
 PH. # 859-393-9049



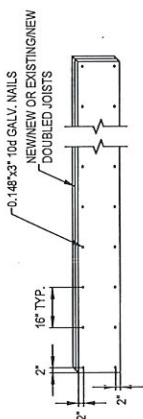
ROOF PLAN



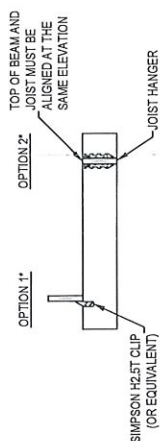




## LEDGER BOARD FASTENER SPACING AND CLEARANCE

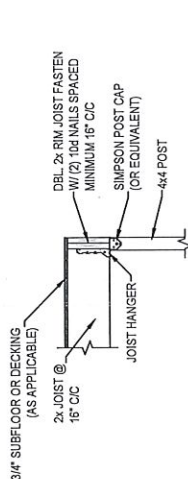


## NAIL PATTERN FOR DOUBLED JOISTS

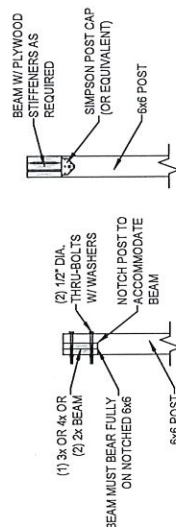


JOIST TO BEAM CONNECTION DETAIL

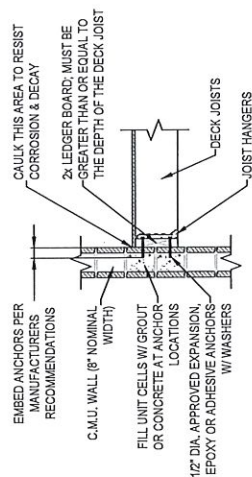
SEE MANUFACTURERS RECOMMENDATIONS  
FOR ADDITIONAL REQUIREMENTS



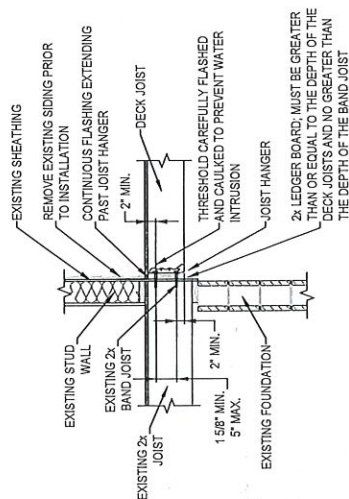
### RIM JOIST DETAIL



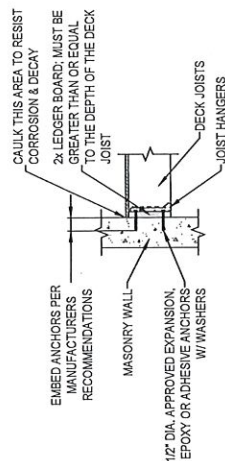
### POST TO BEAM DETAIL



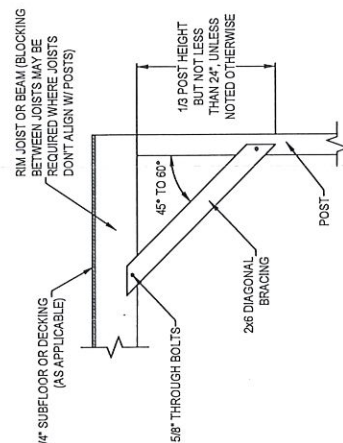
LEDGER BOARD ATTACHMENT DETAIL -  
HOLLOW MASONRY WALL



**LEDGER BOARD ATTACHMENT DETAIL - BAND JOIST**



LEDGER BOARD ATTACHMENT DETAIL -  
CONCRETE OR SOLID MASONRY WALL

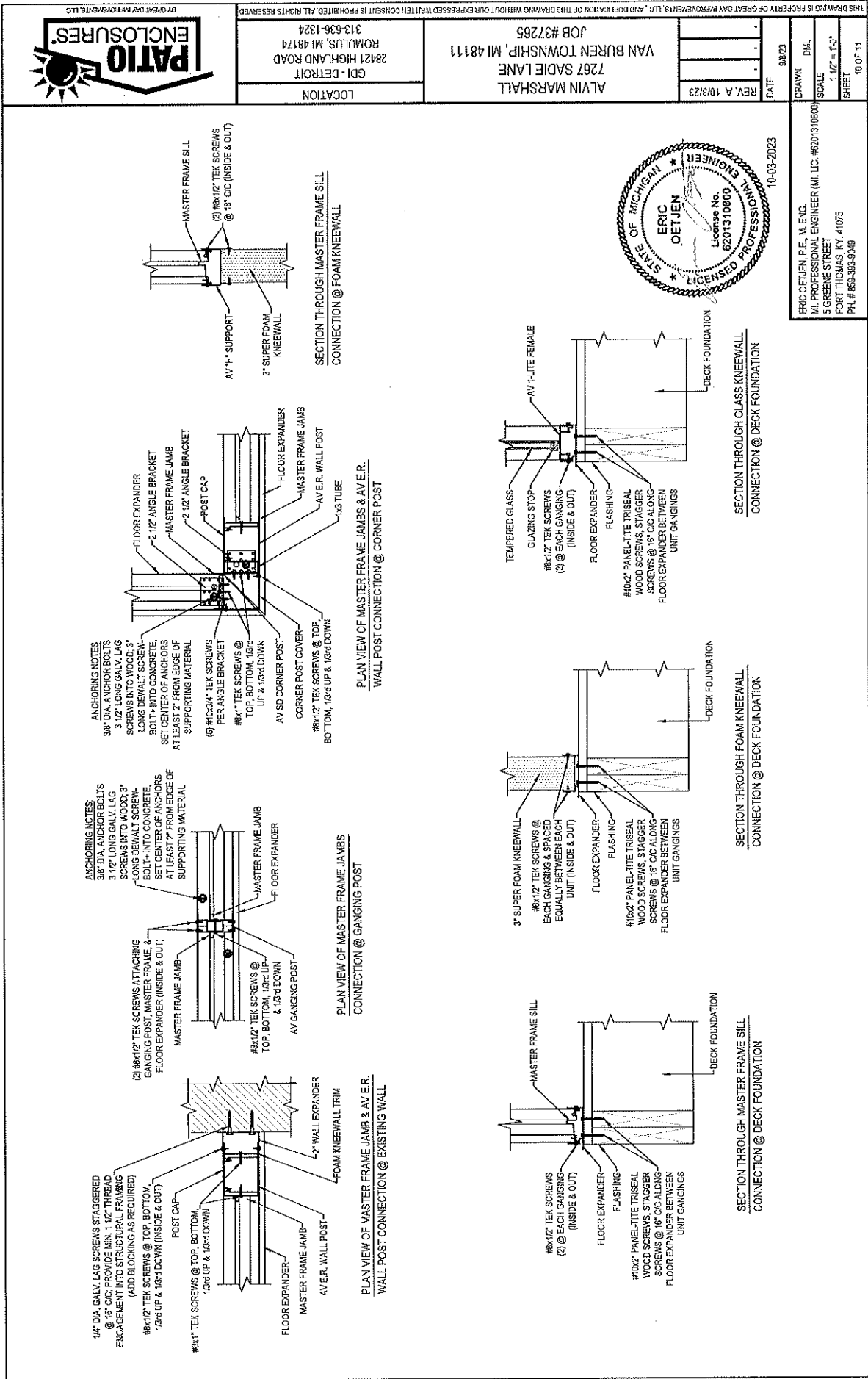


### DIAGONAL BRACE DETAIL



10-03-2023

ERIC OETJEN, P.E., M. ENG.  
M.I. PROFESSIONAL ENGINEER (M.I. LIC. #6201310800)  
6 GREENE STREET  
FORT THOMAS, KY. 41075  
PH. # 859-393-9049





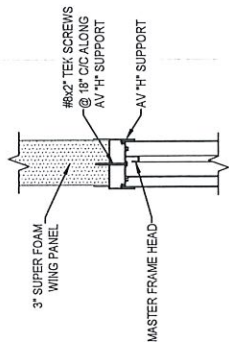


LOCATION  
GDI - DETROIT  
2421 HIGHLAND ROAD  
ROMULUS, MI 48174  
313-636-1324

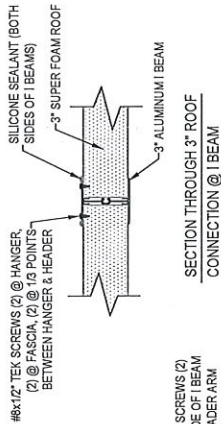
ALVIN MARSHALL  
7267 SADIE LAINE  
VAN BUREN TOWNSHIP, MI 48111  
JOB #37265

REV. A 10/3/23  
DATE 9/8/23  
DRAWN DML  
SCALE 1 1/2" = 1'-0"  
SHEET 11 OF 11

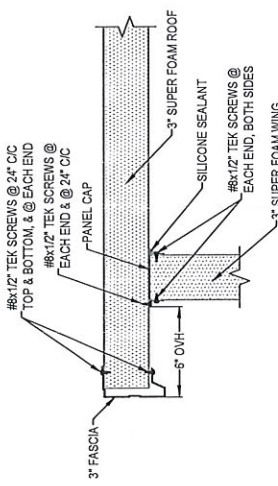
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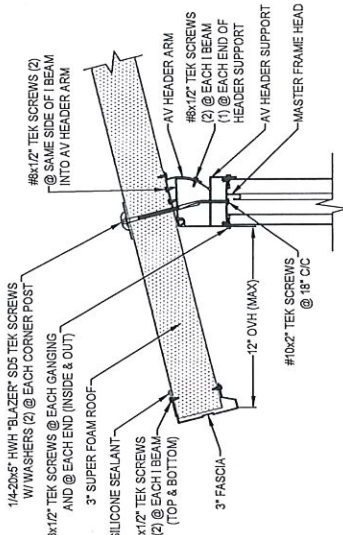
SECTION THROUGH MASTER FRAME HEAD CONNECTION @ FOAM WING



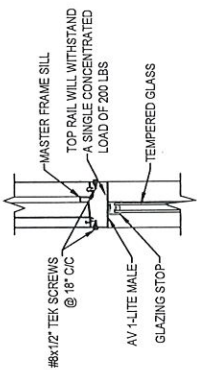
SECTION THROUGH 3\"/>



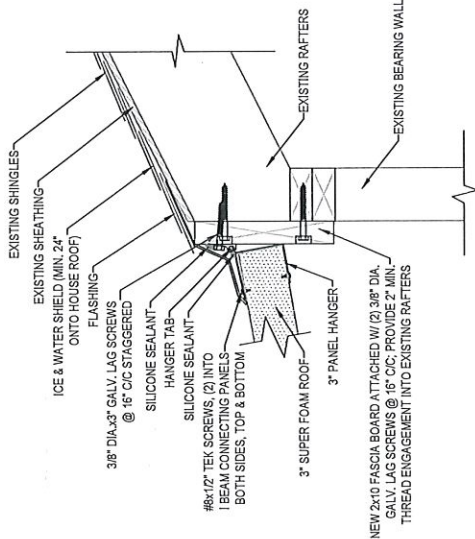
SECTION THROUGH 3\"/>



SECTION THROUGH MASTER FRAME & HEADER CONNECTION @ 3\"/>



SECTION THROUGH MASTER FRAME SILL CONNECTION @ GLASS KNEEWALL



SECTION THROUGH 3\"/>

**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, January 9, 2024 at 7:00 p.m.**, at the Van Buren Township Hall, 46425 Tyler Road, Van Buren Township, MI 48111. The BZA will meet to consider the following request:

**Case # 23-061-** Request for a **dimensional variance** by Kevin Farrell of Great Day Improvements on behalf of owner Alvin Marshal to construct an addition to a home to within 26.0' of a rear lot line. The subject property is located at 7267 Sadie Lane (parcel ID number 83 007 04 0005 000), located on the east side of Sadie Lane between Ecorse Road and Sophie Drive. The property is zoned R-1B – Single Family Residential District. The request is contrary to the requirements of Section 3.106(D) of the Zoning Ordinance as described below:

**Section 3.106 (D)** – R-1A, R-2A, R-1B, and R-1C: Single-Family Residential Districts – Dimension Regulations (via Section 7.202(A), Table 3: Accessory Structures and Buildings – All Districts - Dimensional Regulations of Accessory Buildings and Structures):

- Minimum required rear yard setback for attached accessory buildings: 35.0 feet (same as principal structure)
- Proposed rear yard setback: 26.0 feet
- Variance requested: 9.0 feet (25.71%)

Members of the public may 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. Members of the public may access the agenda materials via the Township website – [www.vanburen-mi.org](http://www.vanburen-mi.org) by **January 8, 2024**. On the meeting webpage, 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. 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](http://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](mailto: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: December 14, 2023

Published: December 20, 2023

Regarding the request for a dimensional variance by \_\_\_\_\_  
(NAME)

**Practical difficulty** is presented by the following findings

(1) 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 **because**

\_\_\_\_\_

(2) 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 just to others) because

\_\_\_\_\_;

(3) Plight of the owner **is** due to the unique circumstances of the property because

\_\_\_\_\_;

and

(4) The problem **is not** self-created because

\_\_\_\_\_.

**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** related to the valid exercise of the police power  
and purposes which are affected by the proposed use or activity because

\_\_\_\_\_;

(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 because

\_\_\_\_\_;

(3) **Will not** increase the hazard of fire or flood or endanger the public safety because

\_\_\_\_\_;

(4) **Will not** unreasonably diminish or impair established property values with in the surrounding area because

\_\_\_\_\_  
\_\_\_\_\_;

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

\_\_\_\_\_  
\_\_\_\_\_;

(6) **Will not** alter the essential character of the neighborhood because

\_\_\_\_\_  
\_\_\_\_\_;

and

(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 because

\_\_\_\_\_  
\_\_\_\_\_;



## MEMO

---

TO: Van Buren Township Board of Zoning Appeals (BZA)  
FROM: Dan Power– Director of Planning and Economic Development  
RE: Discussion of Rules of Procedure  
DATE: January 3, 2024

---

Dear members of the BZA:

At the request of the Chair, the Board of Zoning Appeals (BZA) will discuss changes to the BZA's Rules of Procedure, including the potential changes to clarify voting, recording, and joint board and commission membership procedures. These items were first discussed at the November 14, 2023 BZA meeting. At the January 9, 2024 meeting, we will review the proposed changes in detail. For your reference, a redlined version of the current Rules of Procedure are attached to this packet.

I look forward to this discussion.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Power', is written in a cursive style.

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

CC: Ron Akers, AICP – Municipal Services Director, Van Buren Charter Township  
Vidya Krishnan – Planning Consultant / Principal Planner, Van Buren Charter Township

**CHARTER TOWNSHIP OF VAN BUREN**  
**BOARD OF ZONING APPEALS RULES OF PROCEDURE**

Effective: ~~June 5, 2018~~xxxx ##, 2024

**ARTICLE 1: AUTHORITY**

These rules of procedure are adopted by the Charter Township of Van Buren Board of Zoning Appeals (hereinafter referred to as the "BZA"), to facilitate the duties of the BZA as outlined in Public Act 110 of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 et. seq.) and the Charter Township of Van Buren Zoning Ordinance.

**ARTICLE 2: MEMBERSHIP**

**Section 1.** The BZA shall consist of seven (7) regular members and two (2) alternate members appointed by the Charter Township of Van Buren Board of Trustees as follows:

- A. Planning Commission Liaison.** One (1) member shall be a member of the Township Planning Commission. One (1) regular member of the BZA shall be the Chairperson of the Planning Commission, or some other member of the Planning Commission appointed by the Planning Commission, to serve as the Planning Commission Representative to the BZA. The Planning Commission may appoint an additional Planning Commission member to serve as alternate representative to the BZA. This alternate representative shall only be allowed to sit in place of the Planning Commission Representative to the BZA and/or vote when the when the regular Planning Commission Representative is absent or has conflict, and may not serve as an alternate for other regular or alternate members of the BZA. An alternate member of the BZA shall only be allowed to sit in place of the Planning Commission Representative when both the regular Planning Commission Representative and the Planning Commission alternate representative are absent or have conflict.
- B. Township Board Liaison.** One (1) member of the Township Board may be a regular member or alternate member of the BZA, but shall not be the chairperson of the BZA.
- C. Other Members.** The remaining members shall be electors of the Township selected and appointed by the Township Board from among the electors, residing in the unincorporated area of the Township, who shall be representative of the population distribution and of the various interests present in the Township. No employee or contractor of the Township Board may serve simultaneously as a member or employee of the BZA.
- D. Alternates.** The Township Board shall appoint two (2) alternate members to the BZA who shall have authority to vote on appeals that come before the BZA. The alternate members shall only be allowed to sit in place of a regular member of the BZA. The alternate members shall only be allowed to sit as members of the BZA and/or vote when a regular member of the BZA is absent. Alternates shall be expected to attend all BZA meetings regardless as to whether they are sitting as members or not.
- E. Terms.** Terms of members and alternates of the BZA shall be for three (3) years, except for members serving because of their membership on the Planning Commission or Township Board, whose terms shall be limited to the time they are members of the Planning Commission or Township Board, respectively, and the period stated in the resolution appointing them. When members and

alternates are first appointed, the appointments may be for less than three (3) years to provide for staggered terms. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired. All vacancies for unexpired terms shall be filled for the remainder of the term.

- F. Removal.** Appointed members may be removed for misfeasance, malfeasance, or nonfeasance in office by the Township Board only after misconduct of written charges and a public hearing by the Township Board, pursuant to Public Act 110 of 2006 as amended. Failure of a member to disqualify him/herself from a vote in which he has a conflict of interest shall constitute malfeasance in office.
- G. Resignation.** A member may resign from the BZA by sending a letter of resignation to the Township Supervisor or the Township Board.

**Section 2.** Members of the BZA shall be subject to the following membership requirements.

- A. Attendance.** If any member of the BZA is absent from three (3) consecutive meetings, whether excused or unexcused, then that member shall be considered delinquent. Delinquency can be grounds for the Township Board to remove a member of the BZA for nonperformance of duty or misconduct after holding a public hearing on the matter.
- B. Training.** Each member shall have attended at least four (4) hours of training per year in planning and zoning during the member's current term of office. Failure to meet the training requirements may result in the member not being reappointed to the BZA. Training can be provided from a variety of sources which may include the Michigan Association of Planning, Michigan State University Extension, Michigan Township Association, Michigan Municipal League, or any other applicable organization.
- C. Staff Support.** Township staff will have the ability to participate in discussion with the BZA and nothing else. Township staff cannot vote, introduce motions, initiate any other parliamentary action, be counted for a quorum or be expected to comply with attendance requirements in these rules of procedure. Township staff includes employees, agents and consultants of Charter Township of Van Buren. Other individuals may be allowed to participate in discussion at the discretion of the chairperson.

### **ARTICLE 3: OFFICERS**

**Section 1.** The BZA shall elect a Chairperson, a Vice Chairperson and a Secretary from its members and may create and fill such other officers or committees as it may deem advisable. The BZA may appoint advisory committees outside of its membership. The terms of all officers shall be for one (1) year.

- A. Duties of the Chairperson.** The Chairperson retains his or her ability to discuss, make motions, and vote on issues before the Appeals Board. The Chairperson shall:
  - 1. Preside at all meetings with all powers under parliamentary procedure;
  - 2. Shall sign all decisions of the BZA pursuant to M.C.L. 125.3606(3);
  - 3. Shall rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics;

- profanity; or other remarks which are not about the topic before the BZA;
- 4. Restate all motions or request the Recording Secretary to restate all motions prior to voting on said motions;
- 5. Appoint committees;
- 6. May call special meetings pursuant to Section 5.3 of these Rules of Procedure;
- 7. Review with staff, prior to an BZA meeting, the items to be on the agenda if he or she chooses to do so;
- 8. Acts as the BZA's chief spokesman to represent the BZA at local, regional, and state government levels;
- 9. Represent the BZA, along with the Township Board BZA member before the Township Board;
- 10. Represent the BZA along with the Planning Commission member, before the Planning Commission; and
- 11. Perform such other duties as may be ordered by the BZA.

**B. Duties of the Vice-Chairperson.** The Vice-Chairperson shall:

- 1. Act in the capacity of Chairperson, with all the responsibilities, powers, and duties outlined in these Rules of Procedure, in the Chairperson's absence; and
- 2. Perform such other duties as may be ordered by the BZA.

**C. Duties of the Secretary.** The Secretary shall:

- 1. Preside at meetings in the absence of the Chairperson and the Vice-Chairperson; and
- 2. Perform such other duties as may be ordered by the BZA.

**D. Absence of Elected Officers.** Should neither the Chairperson, Vice-chairperson, nor the Secretary be present at a meeting, a temporary chairperson shall be elected by a majority vote of the members present under the following process:

- 1. Any member of the BZA may call the meeting to order.
- 2. The first order of business after calling the roll will be to appoint a temporary chairperson for that evenings meeting. The temporary chairperson will be appointed by a simple majority of the members present.
- 3. The temporary chairperson shall assume the position immediately following their appointment.

**Section 2.** The election of officers shall be carried out in the following manner.

**A. Elections.** At the first meeting of the calendar year, the BZA shall select from its membership a Chairperson, a Vice-chairperson, and a Secretary who shall serve for a twelve-month (12) period and who shall be eligible for re-election. A candidate receiving a majority vote of the membership present shall be declared elected. Newly elected officers will assume their office at the next meeting.

**B. Vacancies.** Vacancies in office shall be filled by regular election procedure and shall only serve the remainder of the term.

**ARTICLE 4: ADMINISTRATIVE DUTIES**

**Section 1. Duties of Township Staff.** Township Staff is responsible for the execution of documents



in the name of the BZA and shall perform the duties hereinafter listed below, and other such duties as the BZA may determine.

**A. Records.** Township staff shall keep, or cause to be kept, a record of BZA meetings, which shall at a minimum include an indication of the following:

1. A copy of the meeting posting as required in Section 6.D, 6.E, 6.F, 6.G of these Rules of Procedure.
2. A copy of the minutes of the meeting.
3. A signed statement indicating that notices, as required in Section 6.D, 6.E, 6.F, 6.G of these Rules of Procedure, were sent out, with a list of to whom, and an indication of by whom, and a copy of a newspaper notice, if one was published.
4. A copy of the Application for Appeal, including any maps, drawings, site plans, etc.
5. The records of any action on a case by the zoning administrator.
6. The records of all past records regarding the property involved in a case (previous permit, special use permit, variances, appeals).
7. Any relevant maps, drawings, photographs, presented as evidence at a hearing.
8. Copies of any correspondence received or sent out in regard to a case.
9. A copy of relevant sections, or a list of citations of sections of the zoning ordinance.
10. A copy of any follow-up correspondence to or from the petitioner regarding the decision.

**B. Minutes.** BZA minutes shall be prepared by the Recording Secretary. The minutes shall contain the following:

1. Time and place the meeting was called to order.
2. Attendance.
3. Indication of others present (listing names if others choose to sign in and/or a count of those present).
4. Summary or text of points of all reports (including reports of what was seen and discussed at a site inspection) given at the meeting and who gave the report and in what capacity. An alternative is to attach a copy of the report if offered in writing.
5. Summary of all points made in public participation or at a hearing by the applicant, officials, and guests and an indication of who made the comments. An alternative is to attach a copy of the public's statement, petition, or letter, if it is provided in written form.
6. Full text of all motions introduced, whether seconded or not, who made the motion, and who seconded the motion. For each motion, the following should be included:
  - a. Who testified and a summary of what was said.
  - b. A statement of what is being approved (e.g. special use permit, variance, conditional use permit, subdivision, land division, etc.)
  - c. The location of the property involved (tax parcel number and description, legal description is best).
  - d. What exhibits were submitted (list each one, describe each, number or letter each and refer to the letter or number in the minutes).
  - e. What evidence was considered (summary of discussion by members at the meeting).
  - f. The administrative body's findings of fact.
  - g. Reasons for the decision made. (If the action is to deny, then each reason should refer to a section of an ordinance which would be violated or with which not complied.)
  - h. The decision (e.g. approve, deny, approve with modification).
  - i. A list of all required improvements (and if they are to be built up-front or name the type of performance security to be used), if any.
  - j. List of all changes to the map/drawing/site plan that was submitted. (Sometimes it is easier

to use a black flair felt pen and draw the changes on the map of what was applied for, rather than listing the changes. Do not use different colors. The map will most likely be photo copied. Then colors on the copy will not show at all or will just be black.)

- k. Make the map/drawing/site plan part of the motion (e.g. "...attached to the original copy of these minutes as appendix 'A', and made a part of these minutes...").
  7. A summary of all points made by members and staff in debate or discussion on the motion or issue.
  8. Who called the question.
  9. The type of vote and its outcome. If a roll call vote, indicate who voted yes, no, abstained or a statement the vote was unanimous. If not a roll call vote, then simply a statement: "the motion passed/failed after a voice vote."
  10. That a person making a motion withdrew it from consideration.
  11. All the Chairperson's rulings.
  12. All challenges, discussion, and vote/outcome on a Chairperson's ruling.
  13. All parliamentary inquiries or points of order.
  14. When a voting member enters or leaves the meeting.
  15. When a voting member or staff has a conflict of interest and when the voting member ceases or resumes participating in discussion, voting, and deliberations at a meeting.
  16. All calls for an attendance count, the attendance, and the ruling if a quorum exists or not.
  17. The start and end of each recess.
  18. All chair's rulings of discussion being out of order.
  19. Full text of any resolutions offered.
  20. Summary of announcements.
  21. Summary of informal actions, or agreement on consensus.
  22. Time of adjournment.
- ~~22.~~ Van Buren Township shall make proposed minutes available for public inspection within 8 business days after the meeting to which the minutes refer. Van Buren Township shall make approved minutes available for public inspection within 5 business days after the meeting at which the minutes are approved by the BZA.

- C. **Correspondence.** Township Staff shall be responsible for the issuance of formal written correspondence with other groups or persons, as directed by the BZA.
- D. **Attendance & Training.** Township Staff shall be responsible for maintaining an attendance & training record for each member of the BZA.
- E. **Notices/Agenda.** Township Staff shall issue such notices and prepare the agendas for all meetings.
- F. **Retention.** The record of each meeting shall be permanently kept on file with a copy filed with the Township Clerk. All pertinent documents and minutes for each case shall be maintained by the Planning & Economic Development office.

## ARTICLE 5: MEETINGS

**Section 1. Regular Meetings.** Regular meetings of the BZA shall be scheduled the second Tuesday of every month. The dates and times shall be posted at the Township Hall in accordance with the Open Meetings Act. Any changes in the date or time of the regular meetings shall be posted in the same manner as originally established. When a regular meeting falls on or near a legal holiday, suitable alternate dates in the same month shall be selected in accordance with the Open Meetings Act.

**Section 2. Meeting Notices.** All meetings shall be posted at the Township Hall according to the Open Meetings Act. The notice shall include the date, time and place of the meeting.

**Section 3. Special Meetings.** A special meeting may be called by three members of the BZA upon written request to the chairperson or by the chairperson himself/herself. The business which the BZA may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. Public notice of the time, date, and place of the special meeting shall be given in a manner as required by the Open Meetings Act, and Township Staff shall send notice of a special meeting to BZA members.

**Section 4. Open Meetings.** All meetings of the BZA shall be opened to the public and held in a place available to the general public. A person shall be permitted to address the BZA during public comment or during the public hearing on a specific item before the BZA. A person shall not be excluded from a meeting of the BZA except for breach of the peace, committed at the meeting. The Chairperson may limit the amount of time allowed for each person wishing to make public comment at a BZA meeting. The Chairperson may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson. If a single spokesperson is selected, that individual shall be able to make public comment at the BZA meeting with an extended time limit.

**Section 5. Public Record.** All meetings, minutes, records, documents, correspondence, and other materials of the BZA shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

**Section 6. Quorum.** In order for the BZA to conduct business or take any official action, a quorum consisting of the majority of the voting members of the BZA shall be present. When a quorum is not present, no official action, except for closing of the meeting shall occur. The members of the BZA may discuss matters of interest, but can take no action until the next regular or special meeting. All public hearings without a quorum shall be scheduled for the next available regular meeting.

**Section 7. Voting.** Any decision made by the BZA shall require a majority vote of the membership of the BZA, meaning four (4) or more votes in the affirmative, including appeals of a Planning Commission decision, appeals of an administrative decision, appeals for the interpretation of the provisions of the Zoning Ordinance, requests to determine the precise boundary lines between zoning districts as they appear on the zoning map when there is dissatisfaction with the decision on such subject pursuant to the Zoning Ordinance, dimensional variances, and requests for special exceptions and interpretations related to the provisions of Section 3.120 of the Zoning Ordinance (Belleville Lake Shoreline Districts). Voting shall ordinarily be voice vote; provided however that a roll call vote shall be required if requested by any BZA member or directed by the chairperson. All BZA members shall vote on every motion placed on the floor unless there is an impermissible conflict of interest, as established in ARTICLE 6 or is otherwise prohibited.

Any member of the BZA shall avoid situations where they are sitting in judgement and voting on a decision, which they had a part in making. As used here, sitting in judgement and voting on a decision which they had a part in making at a minimum shall include, but not necessarily be limited to, the following:

- A. When the appeal is of an administrative or other decision by the Planning Commission, and the member of the BZA sits both on the Planning Commission and BZA. A member of the zoning

board of appeals who is also a member of the Planning Commission or the Board of Trustees shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the Planning Commission or the Board of Trustees. However, the member may consider and vote on other unrelated matters involving the same property.

- B. When the appeal is of an administrative or other decision by the Township Board, and the member of the BZA sits both on the Township Board and BZA.
- C. When the appeal is of an administrative or other decision by any committee of the Planning Commission, Township Board, other committee, and the member of the BZA sits both on that committee and the BZA.

D. Any member abstaining from a vote shall indicate their intention to abstain prior to any discussion on that item and shall not participate in the discussion of that item.

E. ~~In order to approve or deny an appeal for:~~ ~~Voting requirements for~~ ~~interpretations,~~ ~~Appeals, and~~ ~~Use Variances:~~

~~Voting Requirements:-~~

- ~~A~~For appeals and interpretations, a ~~s;~~ ~~Interpretations:~~ ~~M~~majority of membership of the ~~BZA~~Board must vote in the affirmative per MCL 12501.3603(2). ~~(Sec. 603(2) of the act.~~
- ~~D~~For dimensional ~~v~~variances, a majority of membership of the Board must vote in the affirmative. ~~:-Majority of Membership.~~
- Use Variance: Use variances are prohibited under Section 12.404(B) of the Van Buren Township Zoning Ordinance.
- Voting requirements is based on total membership, (7), not just those present.

**Section 8. Agenda.** A written agenda for all regular meetings shall be prepared as follows: The required agenda items for all regular meetings shall be:

- A. Call to Order, Pledge of Allegiance, and Roll Call
- B. Approval of Agenda and Minutes
- C. Correspondence
- D. Public Comment
- E. Unfinished Business
- F. New Business
- G. Announcements, Comments, and Open Discussion
- H. Adjournment

**Section 9. Rules of Order.** All meetings of the BZA shall be conducted in accordance with generally accepted parliamentary procedure, as governed by “Robert’s Rules of Order” as modified by the BZA.

**Section 10. Public Hearings.** Hearings shall be scheduled and due notice given in accordance with the Charter Township of Van Buren Zoning Ordinance and the Michigan Zoning Enabling Act. Public hearings conducted by the BZA shall be run in an orderly and timely fashion. This shall be accomplished by the established hearing procedures as follows.

**A. Announce Subject.** The chairperson announces each agenda item and describes the subject to be

considered.

- B. Open Public Hearing.** The chairperson summarizes the hearing rules and then opens the hearing to the floor.
- C. Close Public Hearing.** The chairperson should give ample opportunity for comment, including a “last call” for comments. The chairperson will then close the hearing.
- D. Deliberation.** Any action of the BZA must be supported by reasonable findings and conclusions, which will become part of the record through minutes, resolutions, staff reports, etc. All motions shall summarize these findings, or provide reasons for the suggested action. If a matter is tabled to a specific meeting date, it is not necessary to re-advertise the hearing so long as the public hearing was opened and closed and proper notice as specified in the zoning ordinance and Zoning Enabling Act was given.
- E. Action.** After deliberation, the BZA may take any of the following actions:
  - 1. In the event of a variance request, the BZA may table the request, approve the request, deny the request or approve the request with conditions.
  - 2. In the event of an administrative appeal, the BZA may decide in favor of the Zoning Administrator or may reverse any order, requirements, decision, or determination of the Zoning Administrator.
  - 3. In the event of a request to make an interpretation of the zoning ordinance, the BZA may take action explaining the interpretation.

**Section 11. Postponement of a Decision on a Variance Request.** The BZA may postpone a decision on a variance request until the next regular meeting provided that the date and time of the meeting is provided in the motion. The BZA shall not authorize more than two (2) requests to postpone a variance decision. If additional time is needed by the applicant that would require a decision to be postponed more than twice, the BZA may, after written request from the applicant, remove the item from the agenda and allow the applicant to reapply at a later date. If the applicant reapplies then the variance request shall be treated as a new request with a new case number, a new public hearing notice as required by the Michigan Zoning Enabling Act, (M.C.L. 125.3101 et. seq.), and a new application fee shall be paid.

[Section 12. Appeals. Appeals from a decision of the zoning board may be made pursuant to MCL 125.3606.](#)

## **ARTICLE 6: CONFLICT OF INTEREST**

**Section 1. Declaration of Conflict.** No BZA member shall participate in any matter where they have an impermissible conflict of interest. BZA members shall declare a conflict of interest when any one (1) or more of the following occur:

- A.** The BZA member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant’s company, agency, or association.
- B.** A relative or other family member of a BZA member has a business or financial interest in the

property involved in the request, or has a business or financial interest in the applicant's company, agency, or association.

- C. Where an action made by the BZA will result in a monetary benefit to the BZA member.
- D. The employer or an employee of the BZA member is an applicant, agent for an applicant, or has a direct interest in the outcome.
- E. The BZA member or a relative or other family member of a BZA member owns or has a financial interest in neighboring property. For purposes of this Section, a neighboring property shall include any property falling within the three hundred (300) foot notification radius for the request, as required by the Zoning Ordinance and Michigan Zoning Enabling Act.
- F. There is a reasonable appearance of a conflict of interest, as determined by the BZA member declaring such conflict.

**Section 2. Requirements.** When a conflict of interest exists, the member of the BZA shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:

- A. Prior to the meeting in which they have a conflict, the BZA member shall contact either Township staff or the Chairperson to make them aware of the conflict. Township staff and/or the Chairperson shall then contact the alternate(s) to ensure there are a sufficient number of members present and without conflict to conduct business at the meeting;
- B. Declare a conflict exists at the meeting;
- C. Cease to participate at the BZA meetings, or in any other manner, or represent one's self before the BZA, its staff, or others; and
- D. During the deliberation of the agenda item before the BZA, the member declaring a conflict of interest shall leave the meeting room until that agenda item is concluded.

## **ARTICLE 7: POWERS OF THE BZA**

**Section 1. Powers and Duties.** The BZA shall have the following powers/duties as granted by the Michigan Zoning Enabling Act and the Charter Township of Van Buren Zoning Ordinance:

**A. Appeal of Planning Commission Decision.** In accordance with Section 12.401 of the Van Buren Township Zoning Ordinance, the duty to hear and decide appeals from a Planning Commission decision. An appeal from the Planning Commission shall be taken to the Board of Zoning Appeals, a written appeal shall be filed within thirty (30) days after the decision. No appeal shall be taken to the BZA from a decision of the Planning Commission and/or the Township Board in connection with a special approval use. No appeal shall be taken to the BZA from a decision of the Planning Commission in connection with an approved and/or proposed site plan unless such appeal has first been reviewed by the Planning Commission and comments regarding the variance are provided in the minutes.

**A.B. Administrative Review.** To hear and decide appeals where it is alleged by the appellant and there is an error in any order, requirement, permit, decision or refusal made by the building official or any other administrative official or body in carrying out, enforcing, any provision of the Zoning Ordinance.



**B.C. Interpretation.** To hear and decide in accordance with the provisions of the Township's Zoning Ordinance.

1. Appeals for the interpretation of the provisions of the Zoning Ordinance.
2. Requests to determine the precise location of the boundary lines between zoning districts as they are displayed on the zoning map.

**C.D. Variances.** The BZA shall have the power to authorized, upon appeal, specific variances from such dimensional requirements as lot area and width regulations, building height and square foot regulations, yard width and depth regulations; such requirements as off-street parking and loading space, requirements, sign regulations and other similar requirements as specified in the Ordinance, provided such modifications will not be inconsistent with the purpose and intent of such requirements. To obtain a variance the applicant must show practical difficulty by meeting the specified criteria in the Zoning Ordinance.

**D.E. Belleville Lake Shoreline District Special Exceptions.** The BZA may interpret the Belleville Lake Shoreline District (Section 3.120) section of the Zoning Ordinance if questions arise and may approve modifications to particular provisions of this Section, and grant special exceptions for a given case in accordance with the standards for special exceptions (Section 3.120(F)(7)(c)). In exercising its powers, the BZA shall have the primary goal of reaching an equitable conclusion and allocation of use of the Township Lake property for the purposes stated in [Section 3.120\(A\)](#) of the Zoning Ordinance.

**Section 2. Prohibited Variances.** The BZA is prohibited from granting the following variances:

- A. Special Approval Uses.** No variance shall be made in connection with a condition attached to a special approval use approved by the Township Board.
- B. Use Variance.** No variance shall be made in the use of land, and the BZA shall not consider use variance requests.

## **ARTICLE 8: OTHER DUTIES**

**Section 1. Duties.** The following are duties which are expected of the individual members of the ZBA.

- A. Ex Parte Contact.** Ex parte contact occurs when a party to a case or someone involved with a party, talks or writes to or otherwise communicates directly with a BZA member about the issues in a case without the other BZA members or party's knowledge. Members shall avoid Ex Parte contact, whenever possible. Sometimes it is not possible to avoid Ex Parte contact. When this occurs the member should take detailed notes about what was discussed and report it to the BZA at a public meeting so that every member and other interested party is made aware of what was said.
- B. Site Inspections.** Members may perform site inspections, however, no more than one (1) member may perform a site inspection at the same time. Members should avoid discussing the merits of the request with the applicant, family member of the applicant or agent of the applicant.
- C. Accepting Gifts.** Per the Township's Ethics Policy, no BZA member shall solicit, accept, or receive, directly or indirectly, any gift, compensation, or anything of economic value, whether in the form of money, service, loan, travel, entertainment, hospitality or any other form, or a promise of any of

these things for an agreement that the vote or decision of the BZA member would be influenced thereby.

- D. Conduct.** Each member of the BZA, upon appointment, shall comply with all applicable Township policies and ordinances.
- E. Policy.** The BZA may also formulate and provide advice and may advise policy to the Planning Commission, Township Board, or any committee thereof, on issues dealing with administration, text, map, and enforcement of the Zoning Ordinance.

#### **ARTICLE 9: ADOPTION, REPEAL, AND AMENDMENTS**

**Section 1. Adoption.** Upon adoption of these Rules of Procedure, they shall become effective and all previous rules of procedure, as amended, shall be repealed.

**Section 2. Amendments.** These Rules of Procedure may be amended at any regular or special meeting by a majority vote of the total members of the BZA, so long as such amendment does not result in a conflict with state law, zoning ordinance, or court decision.

**Section 3. Temporary Suspension of the Rules of Procedure.** Any Rule of Procedure may be temporarily suspended by a majority vote of the total members of the BZA, so long as such temporary suspension does not result in a conflict with state law, zoning ordinance, or court decision.



## MEMO

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TO: Van Buren Township Board of Zoning Appeals

FROM: Dan Power– Director of Planning and Economic Development

RE: Election of Officers

DATE: January 8, 2024 (revised)

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Per the BZA rules of procedure, the BZA is required to select from its membership at the first meeting of the calendar year a Chairperson, Vice-Chairperson, and Secretary. The 2023 Officers are as follows:

Chairperson – John Herman  
Vice-Chairperson – *Amos Grissett (vacant)*  
Secretary – John Haase

Typically the process for electing officers requires a nomination, a support of that nomination, and a vote on the nomination. These positions will be filled through the remainder of 2024. Please feel free to contact me with any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Power'.

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

**CHARTER TOWNSHIP OF VAN BUREN  
BOARD OF ZONING APPEALS  
MEETING SCHEDULE 2024**

The Board of Zoning Appeals Meetings are held on the 2<sup>nd</sup> Tuesday of the month at 7:00 p.m. in the Board of Trustees Room at Township Hall, 46425 Tyler Road, Van Buren Township, MI 48111.

**January 9**

**February 13**

**March 12**

**April 9**

**May 14**

**June 11**

**July 9**

**August 13**

**September 10**

**October 8**

**November 12**

**December 10**

In Compliance with the Americans with Disabilities Act, reasonable accommodations will be made available with advance notice.

For more information, please call the Department of Public Services at (734) 699-8913.