

**CITY OF SOUTH LYON
ZONING BOARD OF APPEALS
August 18, 2011**

Chairman Weipert called the meeting to order at 7:01 p.m.

PRESENT: Chairman Weipert and Commissioners Ron Morelli, Bill Rodman, T.J. Connolly, James Herman, Keith Bradley and Joe Rzyzi. Also present, Building Official Charles Boulard.

David Murphy, City Mgr. – Excused.

APPROVAL OF MINUTES:

ZBA 08-18-11 APPROVAL OF MINUTES – July 21, 2011

Motion by Herman, supported by Rzyzi

To approve the minutes with the following corrections: Both Joe Rzyzi and Keith Bradley were Excused Absences at the July 21, 2011 meeting (had called to say they would not be at the meeting).

VOTE: **MOTION CARRIED UNANIMOUSLY**

OLD BUSINESS

None

ZBA 08-18-11 APPROVAL OF AGENDA

Motion by Weipert, supported by Connolly

VOTE: **MOTION CARRIED UNANIMOUSLY**

NEW BUSINESS

Singh Homes II, LLC - 225 Cuyahoga Ct.

Chairman Weipert – Come up and state your name, tell us what your case is about, what is unique about the property and why you have a practical difficulty?

Mr. Mundt – (John Mundt came up and introduced himself). I am from Singh Development. The address is 225 Cuyahoga Ct., essentially what our hardship is, is the grade of the lot. The lot happens to be an unlevel grade and there are wetlands so to put in a patio on the lower level is not feasible due to the grade. We would like to build an elevated deck

Chairman Weipert – How big of a variance are you requesting?

Mr. Mundt – 2%.

Chairman Weipert – What size deck would be allowed and what size are you requesting?

Mr. Mundt – We are looking for a 30' x 16' deck.

Chairman Weipert – It will be elevated off the main living space?

Mr. Mundt – Correct. There is a walk out, but due to the grade putting in a concrete, flat patio is not feasible.

Chairman Weipert – Will there be an elevated deck and a lower deck?

Mr. Mundt – No. Just an elevated deck.

Commissioner Morelli – You are in the building envelope correct?

Mr. Mundt – Correct.

Chairman Weipert – Does anyone else have any questions?

Commissioner Morelli – No questions, but I will say that I have asked our City Manager and City Attorney to look into this. This is our third deck from Charleston. They should have raised the percentage for every single house. You are putting the deck on, are in the building envelope and you are still over your percentage. We need to see if we can get put in that judgment this percentage number changed.

Mr. Mundt – We (Singh) would like to do that as well.

Commissioner Morelli – Hopefully or attorney goes to court and will be able to change that. I have no problem with this deck. I don't know how much 2% is, but it can't be much.

Chairman Weipert – So, you are saying that the uniqueness of your lot is that it is a walk-out, odd shaped and the elevation is poor. That is the reason why you are asking for a variance.

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Mr. Mundt – Yes. The drop in the grade from front to back would be hard to put in a level patio for decent entertainment area on the back of the house so we would like to build this elevated deck so the homeowner's can entertain guests.

Chairman Weipert – Anyone else? Anyone from the audience that would like to speak?

Commissioner Morelli – Do you know what the calculation was?

Inspector Boulard – I know it was 20 some percent. I could figure it out; the lot is 170' x 134'. Mr. Murphy had contacted me earlier in the week about the decking issues in Charleston.

ZBA 08-18-11 – SINGH HOMES II, LLC – 225 CUYAHOGA CT.

Motion by Morelli, supported by Herman

Motion to approve the 2% variance per Section 102-85 (a,b).

Chairman Weipert – Any more discussion?

VOTE:

MOTION CARRIED UNANIMOUSLY

Chairman Weipert – Come in to get your permit.

STAFF REPORTS:

Commissioner Rzyzi – I sent a formal resignation this afternoon, effective tomorrow I will no longer be on the ZBA Board.

ZBA 08-18-11 – ADJOURNMENT

Motion by Herman, supported by Bradley

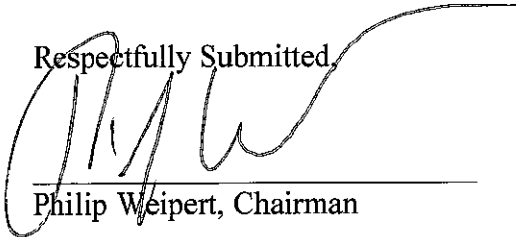
To adjourn the meeting at 7:12 p.m.

VOTE:

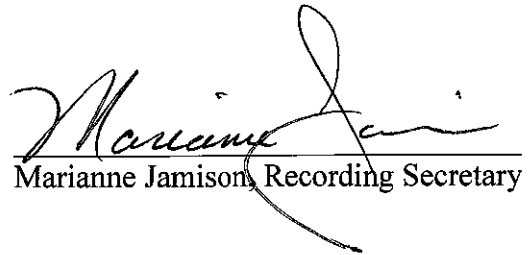
MOTION CARRIED UNANIMOUSLY

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Respectfully Submitted,



Philip Weipert, Chairman



Marianne Jamison, Recording Secretary