

**CITY OF SOUTH LYON  
ZONING BOARD OF APPEALS  
August 20, 2009**

Chairman Weipert called the meeting to order at 7:00 p.m.

PRESENT: Chairman Weipert and Commissioners James Herman, Ron Morelli, Bill Rodman, Keith Bradley and Joe Rzyzi. Also present, Director of Building Safety and Engineering, Joe Veltri.

**APPROVAL OF MINUTES:**

**ZBA 08-20-09 APPROVAL OF MINUTES – June 18, 2009**

Motion by Morelli, supported by Herman

To approve the minutes with zero corrections of June 18, 2009.

**VOTE:** **MOTION CARRIED UNANIMOUSLY**

Chairman Weipert – There is still one (1) vacancy on the board.

Mr. Malmsten attended the meeting to talk about previous meeting minutes. He requested that a portion of the minutes of that meeting be “changed” per his current paperwork (enclosed). Mr. Malmsten was not on the agenda for this meeting. He was informed that minutes of the meeting is what actually occurred at the meeting and cannot be changed.

**NEW BUSINESS**

**Kenneth and Lisa Spratke – 1017 Colt Lane**

Commissioner Morelli – Before we start I would like the board to know that the applicant is part of our Eucher group along with Weipert and Rodman.

Mr. Spratke – Don’t cash the check.

Inspector Veltri – It is a dimensional variance.

All on board agree there is no conflict.

Chairman Weipert – Your name and address for the record.

Mr. Spratke – My name is Kenneth Spratke – 1017 Colt Ln., South Lyon, MI 48178.

We are requesting a six (6') foot variance to the 25% set-back. We want to build a deck and it does not meet the 25% set-back but it does meet every other ordinance in the City (as far as I know). Our position is that we live in a cul-de-sac with a pie shaped lot. We have an unusual grade in the backyard. There is a ten foot berm that eats up at least a quarter of my yard. The deck we want to put in does not interfere with our drainage system, if it rains, it will be able to drain well. It is not like putting a concrete slab in. We did get these plans approved by our homeowner's association prior to coming here. We live at the City and Township limits.

Chairman Weipert – Your difficulty is that you have a pie shaped lot and bad grade.

Mr. Spratke – Correct. We live in a cul-de-sac.

Commissioner Morelli – Joe reminded me of this today, we made that 25% ordinance almost specifically for Trotter's Pointe. They were putting 20 lbs. in a 10 lb. sack.

Commissioner Bradley – I thought it was more in Charleston.

Inspector Veltri – No, Charleston is over the 25% lot coverage.

Commissioner Morelli – Trotter's Point is 25% rear yard set-back and they built the houses and people would come in for decks and would only be able to build a three (3') foot deck.

So, the variance you are looking for is six (6') feet past that.

Commissioner Herman -- There is no one behind you.

Mr. Spratke – Now it is 13 acres and sits in another county.

Inspector Veltri – Just for the record, it is the City/Township border not County.

Commissioner Morelli – I certainly have no problem with it, no one is behind him and his house sits back farther than any of his neighbors.

Commissioner Herman – There will be no roof over it or doors?

Mr. Spratke – No.

Commissioner Morelli – You are not tearing out the slab?

ZBA Minutes  
Page Three  
August 20, 2009

Mr. Spratke – No.

Commissioner Morelli – The back of the deck will be five (5') to six (6') feet off the ground.

Mr. Spratke – Yes, due to the unusual grade.

Chairman Weipert – Good storage area.

Commissioner Rodman – That is against the homeowner's association.

Chairman Weipert – So we have found that he has a pie shaped lot, the house sits back and he has a bad grade.

Inspector Veltri – Not a bad grade, he has a very good grade, his yard drains.

Mr. Spratke – Yes.

Chairman Weipert – It was his words. Any more discussion on it?

Commissioner Rodman – No, we have approved a lot worse.

**ZBA 08-20-09 – KENNETH AND LISA SPRATKE – 1017 COLT**

Motion by Morelli, supported by Bradley

I move that we approve the six (6') foot variance for the property in question. Per Schedule 102-85 (2) (b).

**VOTE:**

**MOTION CARRIED UNANIMOUSLY**

Chairman Weipert – Get your building permit and you are in business.

Mr. Spratke – Thank you.

**STAFF REPORTS:**

I put some information in your packets, a couple of sheets with some good information and I hope everyone read it. No meeting is scheduled at this time for September 2009.

ZBA Minutes  
Page Four  
August 20, 2009

**ZBA 08-20-09 – ADJOURNMENT**

Motion by Rodman, supported Rzyzi

To adjourn the meeting at 7:18 P.M.

**VOTE:**

**MOTION CARRIED UNANIMOUSLY**

Respectfully Submitted,

11-19-09  
Philip Weipert, Chairman

Marianne Jamison  
Marianne Jamison, Recording Secretary