

**MEMBERS PRESENT:** Richard Chowaniec, Chairman; George Joerin, Vice-Chairman; Members Richard Huber, Richard Lemke, Lance Oberg, Dale Wiltse

**ABSENT:** Keith Cheresko, Secretary

**ALSO PRESENT:** Scott MacDonald, Greg Oldford, eight audience members, Timothy Brandt, Building Official, Planning & Zoning Administrator; Holly Brandt, Township Clerk

Chairman Chowaniec called the meeting to order at 7:30 and determined a quorum was present.

The Pledge of Allegiance was recited.

**PLANNING COMMISSION LIAISON REPORT**

Mr. Lemke reported on the meeting of August 25, 2011.

**TOWNSHIP BOARD REPORT**

Mr. Wiltse reported on the meeting of August 17, 2011.

**PUBLIC HEARING**

CASE V-11-003, SCOTT MACDONALD, MACDONALD CUSTOM BUILDING, 4181 WINDMILL FARMS, 16-19-301-012. APPLICANT REQUESTS VARIANCE FROM ORDINANCE #196, SECTION 32-572 (5) B. ACCESSORY BUILDINGS GREATER THAN 120 SQUARE FEET MUST BE LOCATED 25' FROM A SIDE OR REAR PROPERTY LINE. APPLICANT PROPOSES A 240 SQUARE FOOT STRUCTURE THREE FEET FROM PROPERTY LINE.

Chairman Chowaniec opened the public hearing at 7:32 p.m.

Mr. MacDonald, owners' representative, stated he was hired to construct an addition, in-ground pool and equipment shed/bathroom, and to correct landscaping erosion drainage issues by constructing retaining walls on the southwest side of the property. He stated the proposed equipment shed/bathroom was placed three feet from the property line between the boundary line and the retaining wall because of the grade and elevation changes. Mr. MacDonald stated the dimensions of the proposed structure were 18 x 14' and the owner wanted the pool equipment enclosed so it would be less intrusive to the area. Mr. MacDonald explained that grade and erosion issues had previously existed to the east corner at the rear of the house and now the septic system is located there.

Mr. Greg Oldford, property owner, explained the drainage for the proposed bathroom, which would be below grade.

Mr. Anders Linell, N. Labadie Road, Milford, the adjacent property owner to the west of the applicant stated he objected to anything less than a 25' setback.

Chairman Chowaniec asked if there were any more comments from the public and being none closed the public hearing at 7:45 p.m.

**NEW BUSINESS**

CASE V-11-003, SCOTT MACDONALD, MACDONALD CUSTOM BUILDING, 4181 WINDMILL FARMS, 16-19-301-012.

Mr. Lemke questioned the square footage of the proposed structure. Mr. MacDonald confirmed it was 252 square feet.

Mr. Oldford stated there are wetlands along Mr. Linell's property line that would make it difficult to build on that portion of Mr. Linell's property. He stated the property line adjacent to the proposed shed location was a hill.

The Board, Mr. Linell, and Mr. Oldford reviewed and discussed the site plan and location for the proposed pool and structure. Mr. Oldford stated the structure would enclose the pool equipment to keep it out of view. After review of the site plan, Mr. Linell stated his only objection was that 3' was very close to the property line in case of future property disputes.

Mr. Lemke stated the Board is charged with granting as minimal a variance as possible in relation to the hardship presented for each request. The Board and Mr. Oldford discussed reviewing the site plan to possibly reduce the variance request. Mr. Oldford stated to minimize the request, the structure was proposed so only one corner would encroach the property line.

Mr. Wiltse stated if the square footage of the proposed structure could be reduced it would minimize the request.

The Board and Mr. Oldford discussed the construction of two structures with the allowable square footage, which would not require a variance.

Chairman Chowaniec asked Mr. Linell what his concerns were. Mr. Linell stated the proposed structure was crowding the property line and would be more comfortable with a greater distance from it such as five feet.

The Board requested the applicant provide a site plan with detailed dimensions distances from existing and proposed construction and aerial views.

Mr. MacDonald requested to postpone the request until next month so they could re-examine the proposed construction and variance request.

Mr. Lemke moved, Mr. Wiltse seconded to postpone until the next meeting. Vote unanimously carried.

REGULAR MEETING  
ZONING BOARD OF APPEALS  
CHARTER TOWNSHIP OF MILFORD

SEPTEMBER 14, 2011  
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**APPROVAL OF MINUTES, MAY 11, 2011 AND JUNE 8, 2011**

Chairman Chowaniec stated Mr. Cheresko was not present to review the minutes.

Mr. Lemke moved, Mr. Wiltse seconded to postpone the approval of the minutes of May 11, 2011 until the next meeting. **Vote unanimously carried.**

Mr. Oberg moved, Mr. Huber seconded to postpone the minutes of June 8, 2011 until the next meeting. **Vote unanimously carried.**

Charter Township of Milford,

Holly Brandt  
Recording Secretary