

## **BOARD OF ZONING APPEALS MINUTES**

A regular meeting of the Farmington Board of Zoning Appeals was held on Wednesday, October 7, 2020 via Zoom remote technology. Notice of the meeting was posted in compliance with Public Act 1976.

Secretary Schiffman called the meeting to order at 7:32 p.m.

### **ROLL CALL:**

**PRESENT:** Crutcher, Gensheimer, Pitluk, Schiffman

**ABSENT:** None

A quorum of Commissioners was present.

**CITY OFFICIALS PRESENT:** Building Inspector Bowdell, Recording Secretary Murphy, Brian Golden, Director of Media Services.

### **APPROVAL OF AGENDA**

MOTION by Crutcher, supported by Gensheimer, to approve the agenda as presented.

Motion carried, all ayes.

### **MINUTES OF PREVIOUS MEETING OF DECEMBER 4, 2019 AND AUGUST 5, 2020**

MOTION by Crutcher, supported by Gensheimer, to approve the minutes of the December 4, 2019 and September 2, 2020 Zoning Board of Appeals meetings.

Motion carried, all ayes.

### **MINUTES OF PREVIOUS PLANNING COMMISSION MEETING OF AUGUST 10, 2020**

The minutes of the previous Planning Commission meeting of August 20, 2020 were received and filed.

### **ELECTION OF OFFICERS**

**A. Chairperson**

**B. Vice Chairperson**

**C. Secretary**

Discussion was held regarding maintaining the current slate of officers.

MOTION by Crutcher, supported by Pitluk that the Election of Officers be deferred to the next scheduled meeting of the Zoning Board of Appeals.

Motion carried, all ayes.

## BOARD OF ZONING APPEALS MINUTES -2-

**APPEAL OF:** **Andrew Clark and Colleen Coogan**  
**33821 Glenview Dr**  
**Farmington, MI 48335**

1. Request for a dimensional (area) variance from sections 35-41 and 35-73. The Applicant wishes to construct a covered, but open front porch 3'3" into the required front yard setback.

Secretary Schiffman introduced this item and turned it over to staff.

Building Inspector Bowdell stated that he was contacted by the Applicant's builder and who was astute of the rules and educated the Applicant that there may be some challenges with regard to setback in order to put a covered front porch on their home. Not only could it encroach in the front yard but it's also a challenge on a curbed street. So it was very close to being approved, the way the ordinance reads, and I made a couple of trips to the site and ultimately the Applicant paid for an actual survey of their property to determine the setback lines on that radius. In your packet you can see on page 33, the setback, they can build the porch, the porch is not the issue. The issue is the covering on the porch. So the covering on the porch by right is allowed to be on that line and maybe a little farther because you're allowed to have architectural features. It got to a point where I said I can't approve this, I thought it was a little bit less than this but at the end of the day I thought it was just the front corner but it ended up with the survey being in this line but because of the curve of the street, certainly to the people to the south it will have absolutely no effect on the visual appearance on what you see out of a house. So the people on the north side it may stick out a little bit as you see, and that porch whatever it is, it's 3 foot something of a setback, that's the most of the setback, it's less naturally on the south side. And they really want to have a covered front porch so they can sit out there and enjoy outdoors, so that's why they're in front of you for that odd shaped piece. That setback line is 25-feet back and an open unenclosed porch can encroach into the front yard by 6 or something more feet technically, but it's the covered porch that's the issue.

Schiffman asked if the lot was straight and they didn't have some abnormal curved shape in the front, the variance they would be looking for is on the shorter side and it would be 1'8" and Bowdell replied that is correct.

Crutcher stated if you look at the survey drawings, it shows from the northwest corner of the house to the property line, it's showing 31.1 feet, so you have 6 feet to the setback. And on the plan what I think the plan is showing is the property line is a curve.

Bowdell replied that's true, the builder didn't do his calculus to figure out that curve, but he showed you in the form of a straight line.

Crutcher then stated he thinks the variance is less than what's shown in the drawing and Bowdell replied visually he's correct.

Schiffman then called on the Petitioner.

### **BOARD OF ZONING APPEALS MINUTES -3-**

Colleen Coogan stated they had spent a lot of time walking the neighborhood and determining that they wanted a front porch and stopped and talked to neighbors who have porches and how wide is theirs, so that is how they came to how they wanted the porch to be. She stated they had talked to Inspector Bowdell who was extremely helpful and they determined the best way is to not do an enclosed area around it, so they will leave it with pillars and it will be an open porch, so it will be an open porch with pillars.

Petitioner Clark explained the process of how they came up with the 10 feet and that that they are investing in the process because they feel it is well spent.

Schiffman asked if there were any letters received in response to the appeal and Bowdell replied no and went on to comment that the Applicants went above and beyond to apply for the variance by having a professional survey done.

Schiffman then asked the individual commissioners their opinion to afford the Applicants the option to go forward with their appeal at this meeting or wait for a full board.

Commissioner Pitluk replied that he had no questions.

Commissioner Gensheimer asked the Applicants how long they had been living in their home and Clark replied they have been occupants since July of last year.

He then asked if they had been in contact with their neighbors and Petitioner Coogan responded that they are working together with them in this project.

Crutcher stated that the variance the Applicants are applying for is actually less than what is shown in the drawing.

Schiffman then asked the Applicants if they would like to wait for a full board to hear their request for variance and the Applicants replied they would like to go forward with their appeal.

MOTION by Gensheimer, supported by Crutcher, to approve the request for variance for Andrew Clark and Colleen Coogan, 38821 Glenview Drive, for the following reasons and findings of fact:

1. That the installation of this porch would have no detrimental effect on the neighboring properties.

FURTHER, that the variance be granted with the following conditions:

1. That the porch will not be enclosed.

MOTION carried, all ayes.

### **PUBLIC COMMENT**

None heard.

**BOARD OF ZONING APPEALS MINUTES -4-**

**ADJOURNMENT**

MOTION by Pitluk, supported by Crutcher, to adjourn the meeting.  
Motion carried, all ayes.

The meeting adjourned at 8:03 p.m.

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Matthew Schiffman, Secretary