

**VILLAGE OF FRANKLIN
SIGN BOARD OF APPEALS
ZONING BOARD OF APPEALS
REGULAR MEETING
Thursday, April 21, 2016 at 7:00 P.M.
At the Franklin Community Center/Kreger House
26225 Carol, Franklin, Michigan**

I. MEETING CALLED TO ORDER

The Regular Meeting of the Zoning/Sign Board of Appeals was called to order by Randy Brakeman, Chairman, at the Franklin Community Center/Kreger House, Franklin, Michigan at 7:04 P.M.

II. ROLL CALL

Present: Randy Brakeman, Bill Couger, J. Bennett Donaldson, Fred Gallasch, Matthies Meyer, Dean Moenck

Absent: Bruce Kueck

Also Present: Bill Dinnan, Building Official; Eileen Pulker, Village Clerk

III. ADOPTION OF AGENDA

Motion by Moenck, seconded by Couger to adopt the Agenda for the April 21, 2016 Regular Zoning/Sign Board of Appeals meeting, as presented and published.

Ayes: Brakeman, Couger, Donaldson, Gallasch, Kueck, Meyer, Moenck

Absent: Kueck

Nays: None

Motion carried.

Brakeman explained the normal procedures for the Zoning/Sign Board of Appeals.

IV. NEW BUSINESS

- A. Case: #16-03
Village of Franklin, Planning and Zoning Code, Approval Period, Section 1244.09.
Request Extension for Case #14-01**

**Appellant: Bjorn Mader
Property: 26040 German Mill
Parcel: 24-06-226-041
Zoning: R-1**

Description of Proposed Request: Home Addition - Remodel

The Applicant is requesting that the Zoning Board of Appeals grant variances regarding an addition and remodel application for a dwelling, as follows:

1. Front variances of 10.31' to existing dwelling, in violation of 39.69'; 12.26' to new porch, in violation of 37.74'; 14.25' garage corner, in violation of 35.75'.
2. Side variance of 16.00 for deck, in violation of 2.60'.

Both items 1 & 2 as provided in the Village of Franklin Zoning map for R-1 zoned property regulations in Appendix B. Schedule of Regulations.

3. The garage area and east of the garage is proposed to be filled greater than five feet. Per Village of Franklin Ordinances Section 1268.17, "At no point on a site shall the combined effect of filling or excavation result in a change of grade of greater than five feet or over the entire site. The provision shall not apply to filling and excavation necessary to provide vehicular access to a site." This area may be required to have an interpretation from the Zoning Board of Appeals to define what area is necessary for vehicular access.

Bill Dinnan, Building Official, presented the case to the ZBA, stating that the ZBA had previously reviewed and approved this request and variance in 2014 (Case#14-01). It has now come back before the Board as current Case # 16-03 because the project did not proceed within the regulated timeframe as stated in Ordinance Section 1244.09. Mr. Mader, the appellant, has returned with the identical request.

The appellant has two (2) situations he needed to deal with: an extension or re-approval of the previous approval from 2014, Case #14-01, and the fulfillment of the conditions from the HDC relative to types of materials, colors, and design. The previous approval of the HDC did recommend approval of the variances and approval of the concept and façade of the building in 2014, all of which remain relevant. The only pending issue with the HDC was its final approval.

None of the conditions, plans, variances, or appellant had changed since the 2014 application.

Dinnan explained the different approval periods and the corresponding approval Process found in Section 1244.09.

Motion by Moenck, seconded by Donaldson, that the Board members consider the Finding of Facts for Case #16-01 which had been previously granted for Case #14-01 in 2014, be extended and approved.

Ayes: Brakeman, Couger, Donaldson, Gallasch, Meyer, Moenck
Absent: Kueck
Nays: None
Motion carried.

Motion by Brakemen, seconded by Donaldson, that this Board using the approved Findings of Facts and variances previously granted on 9/18/14 for Case# 14-01 approve an extension of the unchanged application to the same appellant for Case #16-01.

Ayes: Brakeman, Couger, Donaldson, Gallasch, Meyer, Moenck
Absent: Kueck
Nays: None
Motion carried.

- V. **Consider Revision to Procedures for Zoning/Sign Board of Appeals, from five (5) Members present to four (4) members present to constitute a quorum.**

Board discussed this item and some of its ramifications. The process of putting items on the agenda was clarified, emphasizing that this item had not been presented to the Chairman or Vice Chairman before being placed on the agenda.

Motion by Couger, seconded by Moenck to table this item.

The Board questioned the timing and motivation for this item. Discussion ensued regarding the entire Board being present for such a discussion. Ordinance 1244.04 Meetings was read into the record underlining the Chairman and/or Vice Chairman's responsibility to call the meetings.

The process of changing Ordinances was discussed.

Ayes: Brakeman, Couger, Donaldson, Gallasch, Meyer, Moenck
Absent: Kueck
Nays: None
Motion carried.

VI. APPROVAL OF MINUTES: March 17, 2016.

Motion by Moenck, seconded by Couger to approve the minutes of March 17, 2016 ZBA meeting as presented.

Ayes: Brakeman, Couger, Donaldson, Gallasch, Meyer, Moenck
Absent: Kueck
Nays: None
Motion carried.

VII. ADJOURNMENT

Motion by Couger, seconded by Moenck, to adjourn the meeting.

Ayes: Brakeman, Couger, Donaldson, Gallasch, Meyer, Moenck
Absent: Kueck
Nays: None
Motion carried.

There being no further business the meeting was adjourned at 7:36 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk