

**VILLAGE OF FRANKLIN
SIGN BOARD OF APPEALS
ZONING BOARD OF APPEALS
REGULAR MEETING
Thursday, March 16, 2017 at 7:00 P.M.
At the Franklin Village Hall
32325 Franklin Road, Franklin, MI**

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 Village Hall, Franklin, Michigan at 7:06 P.M.

II. ROLL CALL

Present: Randy Brakeman, Bill Couger, Bruce Kueck, Matthias Meyer, Dean Moenck
Absent: Fred Gallasch (excused) J. Bennett Donaldson
Also Present: Bill Dinnan, Building Official; Eileen Pulker, Village Clerk

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

III. ADOPTION OF AGENDA

Motion by Moenck, seconded by Couger to adopt the Agenda for the March 16, 2017 Regular Zoning/Sign Board of Appeals meeting, as presented and published.

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

IV. NEW BUSINESS

A. Case: #17-02
Appellant: Michael Novak
Property: 32800 Brandingham, Franklin, Michigan
Parcel: 24-06-201-003
Zoning: R-1

Description of Proposed Request:

The Applicant is requesting that the Zoning Board of Appeals grant a variance regarding a Remodel - Addition, as follows:

The Village of Franklin Ordinances being the Schedule of Regulations, Appendix B, zoning district R-1, requires a front yard setback of 50 feet. The existing one story structure in the non-confirming area is setback 45 feet 11 inches. Therefore the second story addition will be in violation of the code as an increase to the non-confirming house of 4 feet 1 inch.

Bill Dinnan, Building Official, presented the case to the ZBA, stating that drawings had been received relevant to the remodel-addition. As a note, the original site plan issued to him had two (2) areas (front yard and side yard) of non-conformity. After the issuance of Dinnan's first Letter of Denial for both areas, the Appellant revised his variance request to only be for the remodel in the front yard.

Brakeman clarified that the original footprint remains the same and it is the increased volume of the second story that necessitates a variance.

Michael Novak, owner, provided a brief history of the family situation and its desire to expand the number of bedrooms. After receiving the first denial for the two variances, the decision was made to focus on making a more livable house for their family and what would be the most value for the neighborhood. The back (side yard) is not a mandatory issue. The plan is to finish off the lower level and add a bedroom and bath on the second floor. At the present time there are major water issues because of the flat roof. There is no need to replace any of the footings.

The Zoning Board of Appeals made the following Findings of Facts with respect to the Request for a 4 ft. 1 inch front yard variance:

1. The Property Address is 32800 Brandingham.
2. The Parcel ID is 24-06-201-003.
3. The Zoning is R-1.
4. The location of the property is not in the Historic District.
5. The Village did not receive any letters or comments about the request for the variance.
6. The Village Clerk sent out about letters to about 80 surrounding neighbors and a notice to the local paper.
7. The lot is pre-existing, legally non-conforming, and irregularly-shaped.
8. The remodel of the 2nd story does not increase the footprint but would increase the volume of the home.
9. The house was built in the 1940's which pre-dates any Zoning Ordinances within the Village. The lot being a "non-conformity" was established in the 1970's when the Zoning Ordinances were enacted.
10. The house was designed as a two (2) bedroom home and a family of five (5) needs more space.

Motion by Brakeman, seconded by Meyer, that the Board members consider the Proposed Findings of Facts with respect to the request for a variance regarding a 4 ft. 1 inch front yard setback at 32800 Brandingham, and if you believe a decision regarding this variance request should be made using the above Findings of Fact indicate by saying "Aye" and if you do not believe that the proposed Findings of Facts are appropriate for making a decision you should vote "Nay".

Ayes: Brakeman, Couger, Kueck, Meyer, Moenck

Absent: Gallasch, Donaldson

Nays: None

Motion carried.

Motion by Brakeman, seconded by Meyer that each member of the ZBA approve the variance requested based on the approved Findings of Facts, for 32800 Brandingham and of the Appellant's request for a variance regarding a 4 ft. 1 inch setback , he should vote "Aye" and if he does not believe the facts support the variance, he should vote "Nay".

Ayes: Brakeman, Couger, Kueck, Meyer, Moenck

Absent: Gallasch, Donaldson

Nays: None

Motion carried.

Motion by Brakeman, seconded by Meyer to approve the minutes of February 16, 2017 ZBA meeting as presented.

Ayes: Brakeman, Couger, Kueck, Meyer, Moenck

Absent: Gallasch, Donaldson

Nays: None

Motion carried.

VI. ADJOURNMENT

Motion by Brakeman seconded by Couger to adjourn the meeting.

Ayes: Brakeman, Couger, Kueck, Meyer, Moenck

Absent: Gallasch, Donaldson

Nays: None

Motion carried.

There being no further business the meeting was adjourned at 7:26 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk