

**CHARTER TOWNSHIP OF COMMERCE  
ZONING BOARD OF APPEALS MEETING  
\*\*SPECIAL MEETING\*\***

*Thursday, May 27, 2010*  
2009 Township Drive  
Commerce Township, Michigan 48390

**CALL TO ORDER:** Rusty Rosman, Chairperson called the meeting to order at 5:00pm.

**ROLL CALL:** Present: Rusty Rosman, Chairperson  
Jorge Pacheco, Secretary  
Bill McKeever  
Rick Sovel  
Absent: Clarence Mills (excused)  
Also Present: Kathleen Jackson, Township Planner

Chairperson Rosman introduced the Members of the Board to those present. She reviewed the requirements for receiving a variance from the Zoning Board of Appeals including the fact that all the standards are to be met by the applicant. She assured the applicants present that the sites of the proposed variances have been visited by the members of the Zoning Board. She also explained that if a petitioner's variance request is granted, they will receive their letter of approval by mail. It is imperative that the letter be presented when applying for a building permit. A variance is valid for 365 days from the date of the approval letter.

She added that in order to have a variance approved this evening; applicants would need the approval of 3 out of the 4 Zoning Board of Appeals members present.

**APPROVAL OF MEETING MINUTES**

**MOTION** by Pacheco, supported by McKeever, to approve the Zoning Board of Appeals Meeting minutes of February 18, 2010, as written.

**MOTION CARRIED UNANIMOUSLY**

**UPDATE OF ACTIVITIES**

Rick Sovel – Township Board & Library

- Kathleen Jackson is the new (Interim) DDA Director.
- At last night's Township Board meeting, two ballot proposals were approved for the August election. Increases of 2.7 mils for police and 2.0 mils for the fire department would be proposed as special assessment districts as opposed to the traditional manner.
- This would allow the police and fire department budgets to be independent of the general fund in order to maintain current staffing levels.
- The new laws only allow elections to be held on certain dates – it is no longer arbitrary.
- If this doesn't pass in August, it would be presented again on the November ballot with revisions that would require layoffs of police and fire.
- If this doesn't pass in August or November, then the police and fire contracts would be expiring in 2011. The fire department could be eliminated at that point.

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**UPDATE OF ACTIVITIES (continued)**

- Repairs of \$80,000.00 were approved for the Library to correct water issues. No improvements or expansions are scheduled yet as the Township is still awaiting documentation from the DDA to transfer the property. Once that happens, expansion will be reviewed.
- Construction on the M5 extension and Martin Parkway will begin and conclude in 2011.

Open discussion continued regarding several items including road construction, legal matters, boat storage, etc.

Bill McKeever – Planning Commission

- We are getting a new assisted living and memory care facility at the West Winds site.
- The meetings have revolved around mostly housekeeping items, especially the Zoning Ordinance.

Rick Sovel – The Township Board did approve the new Zoning Ordinance.

Chairperson Rosman – Congratulations on all your hard work on the Ordinance! It was a big effort.

**PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA**

None

**ITEM I: A10-02 – WINSTON HILL – PUBLIC HEARING**

Winston Hill of Commerce MI is requesting a variance from Section 2003 of the Commerce Township Zoning Ordinance to exceed the maximum height for an accessory structure located at 2251 Welch Road. Sidwell No.: 17-23-476-018

Chairperson Rosman opened the public hearing.

Mr. and Mrs. Hill were present to speak to the variance.

Mr. Hill – The garage had been there for about 45 years. It was 30' off the back, about 6' off the side, and stood about 18' tall. I want to put up a straight pole barn, but I need additional height for the roof and door to allow me to back the motor home in. We originally asked for 24' wide by 50' long, but the maximum square footage is 900, so we can live with 20'x45'. We just need the extra 3' in height to accommodate the motor home. Our neighbors have no problems with it.

Chairperson Rosman read one letter for the record. The letter was submitted by Kenneth and Pamela Funderburk, 2345 Welch Ct., Commerce Township, MI, and indicated that although they were unable to attend the meeting, they wanted to notify the Board that they were in support of Mr. Hill's request.

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**ITEM I: A10-02 – WINSTON HILL – PUBLIC HEARING**

Chairperson Rosman closed the public hearing as there were no additional questions or comments.

There were -0- returns and -1- letter.

**Board Comments:**

Pacheco –

- No major problems.
- In the Finding of Fact, it does state that there are other options available – the structure could be built in a manner that would meet the height requirements of the Ordinance. I'm not sure I understand...

Sovel – I guess that means that it could be done without the additional height; however, it would not fit the motor home. This is unique for the height in relation to a specific vehicle.

McKeever – Nothing to add.

Sovel – No other comments.

Rosman – No objections. The building that was there was destroyed and the previous structure did accommodate storage of the motor home.

**MOTION** by Sovel, supported by Pacheco, to approve, with a condition, Item A10-02, the request by Winston Hill Commerce MI for a variance from Section 2003 of the Commerce Township Zoning Ordinance to exceed the maximum height for an accessory structure located at 2251 Welch Road. Sidwell No.: 17-23-476-018. Approval is granted for a 2' 6" variance to allow for an accessory structure that will exceed the maximum height requirement to allow the petitioner to store his motor home out of sight on his property. The request meets all other zoning requirements. Approval is subject to the condition that no water installation or water service will be allowed for the accessory structure. Approval is for the reason that the proposed will not be materially detrimental to the public health, safety and welfare, and it will not be materially injurious to the property or improvement in such zone or district in which the property is located. Approval is also in consideration of the Finding of Fact as stated within the Planning Department's report.

**MOTION CARRIED UNANIMOUSLY**

**OTHER MATTERS TO COME BEFORE THE BOARD**

The Board members would like to suggest the addition of a doorbell on the entrance(s) to the Township as the doors are generally locked during meeting times.

**NEXT MEETING DATE: THURSDAY, JULY 22, 2010.**

**ADJOURNMENT**

**MOTION** by Rosman, supported by McKeever to adjourn the meeting at 7:23 pm.

**MOTION CARRIED UNANIMOUSLY**

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**Jorge Pacheco, Secretary**