The regular meeting of the Groveland Township Board of Zoning Appeals was called to order by Vice Chairman Thompson at 7:15 p.m. Members present were Branca, Cason, Coxon and Thompson. Sevigny was contacted by telephone. See attached list of others in attendance.

MINUTES:

A motion was made by Coxon, seconded by Branca to approve the minutes of the August 14, 2012 meeting as submitted. ALL YES. MOTION CARRIED.

NEW BUSINESS:

BZA 2013-001. PAUL BREAKIE, SEC. 04. 02-04-400-002, 4770 GROVELAND ROAD, ORTONVILLE. VARIANCE REQUEST TO LEAVE EXISTING ACCESSORY BUILDING ON A VACANT PARCEL AND IN FRONT OF THE PROPOSED RESIDENCE.

Vice Chairman Thompson explained that the Board was aware that the Applicant would not be present at this meeting. This is an existing nonconforming parcel, and if the variance request is approved, the matter will go back to the Planning Commission for the proposed land division and two nonconforming parcels will be created.

Township Planner Iacoangeli is of the opinion that because the two parcels are nonconforming (approximately 11 to 1 length to width ratio) and a land division would reduce the nonconformity (7 to 1). In addition, the parcel to the west has a very large accessory building in front of the principal residence.

Mr. Lockhart, neighboring resident, was present and stated he is opposed to the variance request.

After discussion and upon Chairwoman Sevingy's arrival, the situation was further explained. From the Planning Commission's standpoint, it was determined that the Applicant should appear before the Board of Zoning Appeals and ask for this variance request prior to returning to the Planning Commission for the requested land division.
Of great concern to the Board is that, if the proposed land division is approved, the existing septic field would remain on the parcel to the north and the existing residence on the parcel to the south would have no septic field. After discussion, the Board agreed that a contractual agreement, specific to the existing septic field location would resolve this matter.

After discussion a motion was made by Thompson, seconded by Cason to approve BZA 2013-001, PAUL BREAKIE, SEC. 04. 02-04-400-002, 4770 GROVELAND ROAD, ORTONVILLE. VARIANCE REQUEST TO LEAVE EXISTING ACCESSORY BUILDING ON A VACANT PARCEL AND IN FRONT OF THE PROPOSED RESIDENCE subject to the following conditions: 1) the Applicant obtain a building permit from the Township within ninety (90) days from the date the proposed land division is approved; 2) the Applicant post a cash surety bond in the amount of $50,000; 3) the surety bond shall remain in effect until a Certificate of Occupancy is issued by the Township; not to exceed two (2) years from the date the building permit is issued; 4) the Applicant shall provide a contractual agreement, disclosing the location of the existing septic field, between the owners of both parcels; 5) the contractual agreement shall be recorded with the Oakland County Register of Deeds and appear on the property’s title; and, 6) request the Planning Commission also require the contractual agreement described in 4 & 5) be made a condition of their motion to approve the land division. ROLL CALL VOTE. YES - BRANCA, CASON, COXON, SEVIGNY AND THOMPSON. NO - 0. MOTION CARRIED.

There being no further business to come before the Board of Zoning Appeals, a motion was made by Thompson, seconded by Cason to adjourn at 8:45 p.m. ALL YES. MOTION CARRIED.

RESPECTFULLY SUBMITTED,

JUDY SCHULTE
RECORDING SECRETARY