

**Sumpter Township**  
**Zoning Board of Appeals Meeting**  
**Thursday, October 18, 2018, 7:00 p.m.**  
**23480 Sumpter Rd., Belleville, MI 48111**  
**Minutes**

Meeting called to order by Chairperson Pedersen at 7:13 pm. Showing present: Stalmack, Bednark, Beaudrie, Oddy, and Pedersen. Also showing present: Planner Atkin, Deputy Clerk D. Hadyniak and 2 residents.

4. Motion by Stalmack, supported by Oddy to approve the Zoning Board of Appeals Minutes of September 18, 2018. Motion by Beaudrie to approve with correction. Motion carried.

**5. Public Hearing:**

Motion by Oddy, supported by Bednark to open the Public Hearing. Public hearing opened at 7:15 pm. Motion carried.

**Applicant is requesting dimensional variances from Section 5.3(a)(4)A., Section 5.3(a)(4), and 5.3(a)(5) of the zoning ordinance. The first request is to construct a 1,500 sq/ft accessory structure, 136 sq/ft greater than the existing principal structure; the second request is seeking a 500 square foot gross floor area increase for an accessory structure on a parcel 0.50 acres or less, maximum allowable area is 1,000 square feet; and the third request is to place the accessory structure six and a half feet (6.5) from the side yard property line, minimum setback is fifteen (15) feet. The site for the requested variances is located at 45289 Willis Road, Belleville, MI 48111.**

Thomas Sampson of 45289 Willis Rd. explained he is looking to build an accessory structure to use for storage of his personal property. Chairperson Pedersen explained to the commission the applicant would like to construct a 1,500 square foot (30' x 50') accessory structure; there are three (3) variances Mr. Sampson is requesting. Commissioner Beaudrie asked how close is the existing accessory structure to the lot line. Planner Atkin stated current setback on the existing structure is six (6) feet eight (8) inches, maybe six (6) feet five (5') inches. Commissioner Beaudrie then asked how old is the existing garage. Planner Atkin said he believes the structure was built in the 1980s. Planner Atkin stated the first request Mr. Sampson is seeking to construct a 1,500 square feet (30' x 50') accessory structure which would be an increase of 500 square feet from the zoning ordinance. Mr. Sampson's primary structure is 1,364 square feet; the area of the proposed accessory structure exceeds the area of the principal structure by 136 square feet. According to the zoning ordinance the maximum allowable size a parcel approximately 0.41 acres is 1,000 square feet. The setback of six (6) feet five (5) inches isn't in questions right now. Commissioner Beaudrie wanted to know if the Planner knew the yard to rate lot ratio; Planner Atkin didn't know. Planner Atkin then went on to say Mr. Sampson has overhead power lines running in his backyard and that is why he wanted to move the structure back. Planner Atkin explained Mr. Sampson tried to increase his lot size by talking with neighbor to see if they would sell. Chairperson Pederson stated the current ordinance requires a fifteen (15') foot setback but believes when the current structure was build it was only eight (8') feet. Mr. Sampson explained he lives next door to a gas station and all of this personal property is exposed to the steady stream of traffic coming and going. He is a very clean and neat person and would like to keep his property kept up. Chairperson Pedersen wanted to know if Mr. Sampson would be utilizing a larger accessory structure for a business. Mr. Sampson replied no. Commissioner Bednark asked if the side wall was going to be twelve (12') feet in height, 6/12 pitch, have overhangs, what kind of roof, concrete floor and rollup or sliding doors. Mr. Sampson replied yes but wasn't sure about the material of the roof and would be rollup doors. Commissioner Oddy asked Mr. Sampson if the accessory structure was going to exceed the height of the house. Planner Atkin stated they haven't got to that point yet. Commissioner Oddy believes the zoning ordinance

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states Mr. Sampson couldn't build an accessory structure taller than his principal resident structure. Commissioner Oddy asked about the overhang, would it be another foot off of the structure. Commissioner Bednark followed up by stated overhangs can create run off problems especially when there is a small green space available. Commissioner Bednark explained he didn't see much problem when the request but felt once the accessory structure was built is would be too big for the property. Commissioner Stalmack stated she had a problem with the request because it didn't comply with the ordinance. Commissioner Oddy asked if Mr. Sampson would be willing to build a 30' x 40' accessory structure. Commissioner Stalmack stated that size of the structure is still non-conforming. Commissioner Bednark stated he is all about the home owner's property rights but he also respects the ordinances. Commissioner Bednark asked if Mr. Sampson would be willing to reduce his accessory structure to 24 by 40 with a 6/12 pitch and 10 (ten) to twelve (12) feet walls. Mr. Sampson stated he didn't feel the structure would be large enough if he lost six (6) to ten (10) feet. Scott Kittle of 45257 Willis Rd. spoke on behalf of Mr. Sampson saying he didn't have a problem with the structure. Planner Atkin pointed out that Mr. Sampson is only .10 acres shy of being able to build a larger structure. Commissioner Oddy stated he liked that Mr. Sampson property line is next to a commercial property and a grinder pump, only having one side residential neighbor. Commissioner Bednark stated Mr. Sampson is zoned R-2 (single family residential) and just next to him is CBD (central business district) which is a big jump. Commissioner Beaudrie asked Mr. Sampson how close is the existing accessory structure to the neighbor's garage. Mr. Kittle stated you can fit two riding lawnmowers between the buildings, but no more than ten (10') feet. Chairperson Pederson asked Mr. Sampson if he was going to keep the horseshoe driveway because it would help if there is ever a fire. Mr. Sampson stated he planned on keeping the horseshoe driveway but hasn't had time to do the up keep. Planner Atkin has the setback will be from the foundation. Deputy Clerk Hadyniak stated E. Kruetzer called on September 17 at 2:37 pm stating he has no problem with the variance that backs up to his property.

Motion by Oddy, supported by Bednark to close the Public Hearing. Public Hearing closed at 7:39 pm. Motion carried.

Motion by Oddy, supported by Bednark to approve an accessory structure size of 27 by 50 feet. Commissioner Bednark said truss size would have to be order, maybe increasing to 28 feet. Motion failed. Motion by Stalmack, supported by Oddy to approve an accessory structure size of 26 by 50 feet. Motion carried. Second request doesn't apply. Motion by Oddy, supported by Beaudrie to approve six and a half feet (6.5) from the side yard property line, minimum setback of fifteen (15) feet. Motion carried.

**6. Open Floor:** Commissioner Oddy reminded the members the Board of Trustee passed a motion for all members to attend one (1) training session per calendar year. Planner Atkin stated a future training session will be offered by Carlisle Wortman.

**7. Adjournment:** Motion by Oddy, supported by Bednark to adjourn at 7:49 pm. Motion carried.

Minutes prepared by,  
Dawn Hadyniak  
Deputy Clerk, Sumpter Township