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Chairperson Bertin introduced this agenda item and asked the Petitioner to come to the podium.

Terry Maxwell, 22745 Violet Street, Farmington, 48336, came to the podium.

Chairperson Bertin then called on Building Inspector Koncsol to address the issue before them.

Building Inspector Koncsol stated that for clarification the matter before them is that Mr. Maxwell is looking to take his existing garage, with an attached porch structure, to add square footage to that structure and in doing so the Ordinance as currently set up allows for detached structures that are covered that they can be up to half of the occupiable square footage of the home so as to be somewhat subordinate in size. As a matter of past history for the Board's clarification and taking into account his time going back thirty years, the Ordinance allowed for detached garages to be up to a 750 square foot maximum, period, no coordination to the size of the house in any way, shape or form. So you could have a 1,000 square foot house with a 750 square foot garage back in the days. And since then, probably in the last six to eight years with Ordinance updates and such the Planning Commission in conjunction with the consultants in looking at zoning qualifications, decided it was appropriate to somewhat keep accessory buildings proportional to a degree to the size of the home so as not to overpower the home itself. So, the Ordinance evolved as we have it today, that it cannot exceed one-half (1/2) of the living space of the home. So, a 1,000 square foot house would equate to a 500 square foot garage to correlate with that proportion. He called on the Petitioner to explain his request.

Maxwell stated that the plans as submitted shows the porch as being enclosed and he stated that is not the case, the porch is not enclosed. He stated originally when he bought the house it was an enclosed porch and garage. He stated if he understands it correctly, if it's an open porch the footage would not go against the calculations.

Koncsol inquired when he said open, did he mean open on the sides or open as a roof.

Maxwell replied completely open with a roof over it.

Koncsol then stated it's the roof structure that creates the lot coverage, whether there are sides to it or not, it's the footprint that these make that have a roof structure on them. If it was an open patio or a deck with no roof, then that would not fit into the equation.

Maxwell stated that the reason he wants to add this footage is that right now the way it's set up he would be able to go out three feet and that would be within the Code but he is hoping to go out to 12 feet total, and it's for his business, construction wise, a place to store stuff so he's not paying for storage.

He indicated both houses on each side of his are the exact same square footage as his house and both those garages are obviously grandfathered in but they are way larger than what he is looking to do and he is on an alley so it's not like there are houses behind him that are going to be looking at this structure.

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Bertin asked the Petitioner what he meant when he said it was for business purposes and the Petitioner responded that he does construction work and that his garage is full and he needs space and he can't leave stuff in the yard.

Bertin asked if he is operating a business out of his home and the Petitioner responded in the negative.

Crutcher asked what kind of things he needs storage for and the Petitioner responded that he does remodeling of kitchens and bathrooms and he has everything from ladders to saws and so on that are eating up space. So he is asking for this variance to allow him to alleviate the need to pay for storage and he wants to make the garage look the same way it is, just to extend it back with a door leading out to the side lot so it will look like the original, nothing new, and that it would save him money down the road and avoid the extra expenditure of time in going to and from the storage area to load up the supplies needed.

Aren inquired about the neighboring properties and whether he was considering having the access lead back towards the alley and whether he is considering that down the road.

The Petitioner responded that no, when they did the subdivision they split up the lots so if you look at the road originally there are curbs cut out where there's not driveways. He stated his entrance door is on the opposite side of his driveway so that he is one of the three houses that actually has a driveway leading to the garage. He stated he does not want to go out to the alley from the garage, by no means, he wants to leave that enclosed.

Perrot stated there is an existing gate to the alley currently and the Petitioner responded yes, there is a gate there that he can open but there are no plans to pave the driveway and that he is planning on putting in a steel entry door to get in and out of it.

Schiffman asked if the patio that is there now, did he think about enclosing that and creating more storage and not needing the variance.

The Petitioner responded that it would give them a little space but that they use the patio so he would rather not if he didn't have to. He went on to say as far as opening up to the alley, he wouldn't want anybody to have access from there, you don't want people to come in from there.

Perrott asked if there was any feedback from the neighbors knowing that the City had sent out letters to property owners and the Petitioner responded that Carl Szazek (ph), he kiddingly gave him a hard time, but that the neighbors were fine with it.

Koncsol asked Chairman Bertin to read the letters they had received into the record.

Bertin stated the following letters were received:

Laurie Scott Willis, 22710 Violet – approval, I have no problem with this variance request.

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Jan Janowiak, 22774 Violet, approval.

Rowena Merrill, 22728 Violet, approval.

Bertin stated there were no negative comments or letters from anyone.

Crutcher inquired about the tools he uses for his work, does he load them up in the morning, go to work, and then come back and unload the truck. The Petitioner responded yes, he can back up the truck to the garage from the front side. He said it is easier to do that than to go up the stairs at the storage facility he is currently using.

Crutcher asked what kind of tools would he be loading and unloading and the Petitioner stated small stuff, tile saws, odds and ends, stuff for drywall, plumbing.

Crutcher then asked where would he be loading from and the Petitioner replied from the driveway to the front of the house. He stated right now he is coming out of the front of the garage with the stuff and would be walking down the side of the garage.

Crutcher indicated on the drawing there is something on the side of the garage and the Petitioner replied that is the door to get in and out of the garage on the side. He stated that the covered porch helps when it's a rainy day because it will provide coverage for him as he walks from the garage to his truck and also provides coverage for things as he is pulling them from the garage.

Crutcher asked if he would be able to get into the garage from the porch and the Petitioner responded that yes, that's where the entrance is, on that side of the building. Crutcher stated the floor plan doesn't show that, it shows a 7 x 12 foot door. The Petitioner stated he is not going with the bigger door and that there is a rodent problem in the alley and if he installs a steel door, that would help with the rodent problem.

Crutcher asked if he would be keeping personal things in the garage along with his tools and equipment and the Petitioner responded that there will probably be bikes and odds and ends from the house in there as well.

Crutcher stated that there are two car garages that are running about the same size on adjacent properties so that the Petitioner's variance request would not be out of character for the neighborhood. The Petitioner replied that the one on the south side of his home is considerably larger.

Chairperson Bertin opened the floor for questions from the audience.

Annette Leroux, Trustee for the Mary Leroux Trust which owns 22748 Orchard Lake Road which is directly behind Mr. Maxwell's home. She stated she has no problem with the variance from the description that was provided this evening as long as access to a garage door can never be added in the future as the alley is only one lane wide and currently they have had issues as well as in the past with everyone coming through, all the business properties. The alley is older and does not support extra traffic, it's a residential area and that's commercial use. She stated as long as there is no ability to bring vehicles through the alley, she has no problem with the variance.

Koncsol stated that Ms. Leroux's property is immediately north of School of Rock at Astor and Orchard Lake, across from Wendy's, the next industrial building is hers and

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there is access as she has indicated and that he had had prior conversations over the years on that exact issue of traffic making some type of movement through their property to the alley in one way or the other. He stated it is appropriate for the Board to put some stipulations in their granting of the variance that access to the rear and to the alley would be prohibited.

Ms. Leroux stated they actually had to replace the driveway a few years back and that so many people cut through that one year they had to add ten yards of gravel to the grass area because the trucks and cars had dug it up so bad.

Koncsol stated that some of the traffic was from the party store, that people used her property to get in and out of the party store lot.

Crutcher inquired of Koncsol if this variance were granted, if some future owner or someone down the road wanted to put a garage door for access to the alley, would it come back before the Zoning Board with that request. Koncsol stated he doesn't know if the door itself creates the issue but rather the vehicular movement.

The Petitioner stated it's not easy to get out of the alley, that he has seen people take out his neighbor's fence as well as a telephone pole. He then stated as far as his drawing goes, he would be more than willing to go with a 44-inch steel entrance door and further discussion was held.

Aren stated that was one of her main concerns, and she started thinking about her first home which was a two-bedroom, 800 square feet, with a one and a half car garage and there was not a lot of storage space and that's why she moved to Farmington and that she doesn't want to lose neighbors due to that same problem so she would be favorable to the variance with the stipulation included in it.

Koncsol stated if it was in a motion with that stipulation, the document would enforce it after the fact.

MOTION by Aren, seconded by Schiffman, to approve the variance request of Terry Maxwell, 22745 Violet, with the stipulation that the building not have an exit towards the alley on the west side and the door is not to exceed 44 inches in size.
Motion carries, all ayes.

PUBLIC COMMENT

Director Koncsol introduced Jeff Bodell, his replacement as Building Inspector beginning August 1, 2018 and spoke about his background. The Board welcomed him.

Aren brought up the topic that Karen Knight from the DDA had spoken about, instituting a mural ordinance and further discussion was held.

Recording Secretary Murphy thanked Director Koncsol for his service to Farmington and stated that it was a privilege and a pleasure working alongside of him all these years.

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ADJOURNMENT

MOTION by Crutcher, seconded by Schiffman, to adjourn the meeting.
Motion carried, all ayes.

The meeting adjourned at 7:32 p.m.

John D. Koncsol , Building Inspector