

**Chair**  
Christopher LaGrand  
**Vice-Chair**  
Steve Gobbo  
**Secretary**  
Robert Reese, III  
**Board Members**  
Max Calder, Trustee  
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Andrew Richards  
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Jim N. Foulds

**Recording Secretary**  
Linda K. Parkinson

**ZONING BOARD OF APPEALS MINUTES  
WEDNESDAY, DECEMBER 21, 2011  
7:00 P.M.**

The regularly scheduled meeting of the DeWitt Charter Township Board of Appeals was called to order at 7:00 p.m. by Chairman LaGrand.

The Pledge of Allegiance to the Flag was said by those present.

ROLL CALL by Secretary Reese.

**MEMBERS PRESENT:** Donald Riel, Christopher LaGrand, Robert Reese, Steve Gobbo, Andrew Richards and Trustee Calder.

**MEMBERS ABSENT.** None.

**VACANCY;** 1 (Glynn)

**APPROVAL OF AGENDA:** **Gobbo moved to approve the Agenda as presented. Supported. MOTION CARRIED.**

**APPROVAL OF MINUTES:** **Gobbo moved to approve the minutes of the November 16, 2011 regular meeting as printed. Supported. MOTION CARRIED.**

**CORRESPONDENCE:** Staff Memorandum regarding Tory Niewiadomski as staff support was received and noted by the Board of Appeals members.

**PUBLIC COMMENTS:** None.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

**I. PUBLIC HEARING - Appeal 11-770004 – From Maureen Murphy,** requesting an eighteen (18) foot variance to the required fifty-five (55) foot rear yard setback, as set forth in Section 5.18.1, Schedule of Regulations, of Zoning Ordinance 60 for the R3 (Residential Single Family) zoning district, for property located at 12617 Airport Road, DeWitt, MI 48820, Lot #6 of Willow Creek Farms Subdivision, on the northeast corner of Airport Road and Prairie Lane, in the southwest ¼ of Section 7 of DeWitt Charter Township, to be allowed to construct an attached three season room to the rear of the existing dwelling that would be thirty-seven (37) feet from the rear property line.

**A. Open Public Hearing.** Chairman LaGrand declared the Public Hearing open at 7:05 pm.

B. Administrative Comments/Applicant/Public Comments.

Township staff Tory Niewiadomski briefly reviewed staff's report dated December 14, 2011. He commented that the applicant is seeking an eighteen foot variance to the required fifty-five foot rear yard setback. He explained that the applicant would like to convert an existing unenclosed deck into a three season's room attached on the backside of the home. He provided that the applicant would not be extending any further out into the rear yard than what the deck currently is.

Niewiadomski went on to review the location and features of the proposed site. The site is surrounded by single family residential land uses on all sides. He also noted that there are many other homes within close proximity to the site that have three season's rooms.

It is staff's analysis that the request meets all of the Basic Conditions and Special Condition (b) listed in Section 4.2.3 of the Zoning Ordinance, as indicated in staff's report. Therefore, staff recommends approval of the variance request.

Hearing no comments from the Zoning Board of Appeals members regarding this request, Chairman LaGrand invited the applicant to speak.

Maureen Murphy, applicant, 12617 Airport Road, Dewitt, MI 48820, stated that her intent is to build a three season's room on the backside of her home. She explained that she would like to enclose her deck to add additional living space for her family.

Hearing no questions, LaGrand invited public comment.

C. Close Public Hearing.

**Hearing no public comment, LaGrand declared the Public Hearing closed at 7:15 pm.**

D. Discussion and possible action by Board of Appeals.

**Reese moved that Appeal 11-770004 from Maureen Murphy, requesting a variance of 18 feet from the required rear yard setback of 55 feet in the R3 (Residential Single Family) zoning district, as set forth in Section 6.1.5, Schedule of Regulations, of the DeWitt Charter Township Zoning Ordinance 60, to permit the construction of a three seasons room which will be attached to the existing structure at 12617 Airport Road be approved. Approval is based on a finding that Basic Conditions a) through d) have been complied with and that Special Conditions a) and b) listed in Section 4.2.3 of the Zoning Ordinance have been met. Supported.**

**ROLL CALL vote on motion:**

**AYES: 6      NAYES: 0      VACANCY: 1**

**MOTION CARRIED.**

E. Possible Certification of Decision.

**Gobbo moved to approve the Certification of Decision for Appeal 11-770004. Supported. MOTION CARRIED.**

**II. PUBLIC HEARING - Appeal 11-770005 – From Stan and Joan Rusiecki, requesting a one (1) foot variance to the required ten (10) foot side yard setback and an eight (8) foot variance to the required fifty-five (55) foot rear yard setback, as set forth in Section 5.18.1, Schedule of Regulations, of Zoning Ordinance 60 for the R3 (Residential Single Family) zoning district, for property located at 15176 Chetwyn Drive, Lansing, MI 48912, Lot #274 of Clinton Village #3 Subdivision, in the northeast ¼ of Section 27 of DeWitt Charter Township, to be allowed to construct a thirty (30) foot by twenty-four (24) foot extension/addition to the rear of their existing attached garage that would be nine (9) feet from the side property line and forty-seven (47) feet from the rear property line..**

- A. Open Public Hearing. **Chairman LaGrand declared the public hearing open at 7:18 pm.**
- B. Administrative Comments/Applicant/Public Comments.

Township staff Tory Niewiadomski briefly reviewed staff's report dated December 14, 2011. He commented that the applicant is seeking a one foot side yard and eight foot rear yard setback variance to the required fifty-five foot rear yard setback. He explained that the applicant would like to extend the existing attached garage into the rear yard for the storage of vehicles. He added that the existing garage was built within the side yard setback by one foot and that the garage would not encroach any further into the side yard setback.

Niewiadomski went on to review the location and features of the proposed site. The site is surrounded by single family residential land uses on all sides. He noted that there is a fence on the side of the home where the garage exists and runs along the property line.

It is staff's analysis that the request meets all of the Basic Conditions and Special Condition (b) listed in Section 4.2.3 of the Zoning Ordinance, as indicated in staff's report. Therefore, staff recommends approval of the variance request.

Hearing no comments from the Zoning Board of Appeals members regarding this request, Chairman LaGrand invited the applicant to speak.

Stan Rusiecki, applicant, 15176 Chetwyn Drive, Lansing, MI 48912, stated that his intent is to add on to the existing garage so he can store classic cars that are currently stored at family members home. He added that the family member is in the process of selling their home and will need to find somewhere to store his vehicles. Along with storing vehicles, he would like to use the space to store other equipment such as lawnmowers on his property rather than building an accessory shed.

Hearing no questions, LaGrand invited public comment.

- C. Close Public Hearing. **Hearing no public comment, LaGrand declared the Public Hearing closed at 7:35 pm.**
- D. Discussion and possible action by Board of Appeals.

**Calder moved that Appeal 11-770005 from Stan and Joan Rusiecki, requesting a variance of 8 feet from the required rear yard setback of 55 feet and a variance of 1 foot from the required 10 foot side yard setback in the R3 (Residential Single Family) zoning district, as set forth in Section 6.1.5, Schedule of Regulations, of the DeWitt Charter Township Zoning Ordinance 60, to permit the construction of an attached accessory structure to an existing attached garage which would not exceed the total allowable square footage of 1200 square feet, be approved. Approval is based on a finding that Basic Conditions a) through d) have been complied with and that Special Condition b) listed in Section 4.2.3 of the Zoning Ordinance have been met. Supported.**

**ROLL CALL vote on motion:**

**AYES: 6      NAYS: 0      VACANCY: 1**

**MOTION CARRIED.**

- E. Possible Certification of Decision.

**Gobbo moved to approve the Certification of Decision for Appeal 11-770005. Supported.  
MOTION CARRIED.**

PUBLIC COMMENTS ON NON-AGENDA ITEMS: None.

TRUSTEES REPORT:

Trustee Calder gave a brief report on business conducted and action taken at the recently held Board of Trustees meetings.

DISCUSSION: None

ADJOURNMENT:

**Gobbo moved to adjourn the meeting at 7:38 p.m. Supported. MOTION CARRIED.**



Linda K. Parkinson, Recording Secretary



Robert Reese, III, Secretary