

West Bloomfield Zoning Board of Appeals Meeting

July 19, 2007

PRESENT: Chrmn. Houck, Dean Huff, James Foote & Bob Swain

ABSENT: Cindy Kretchmer & Scott Storke, Code Enforcement Officer

ALSO PRESENT: Peter Parker

7:40PM - Chrmn. Houck opened the meeting and read the Legal Notice for tonight's Public Hearing.

PUBLIC HEARING:

Peter Parker - Area Variance..... Mr. Parker was present and explained that he wanted to build a pole barn for storage purposes only. He planned on using it for his truck and sometimes his boat, as well as the snow blower and tractor. It wasn't going to have a slab or any kind of flooring. He noted that he had to build the barn at the location shown on the map because there is a gully that goes thru and winds around both sections of his property. (Mr. Parker owns the vacant parcel, where he wants to build the pole barn, alongside another parcel where his residence is located) Bob Swain suggested he merge his two properties together so he would have the required width of 150'. Mr. Parker replied he would still be required to obtain a Variance because, if the properties were combined, the proposed location of the pole barn would be in front of his existing house. He explained again that he could not build it behind his house because of the gully. Jim Foote and Mr. Parker discussed the drainage issues and perhaps putting in a culvert. Mr. Parker was not receptive to that idea. Jim suggested various locations around the property that would be suitable if Mr. Parker built it up or filled it in. Again, Mr. Parker said he would not be interested in doing that due to the amount of money involved. Bob Swain pointed out one of the disadvantages of building a pole barn in the location proposed is that it would prohibit access to the back of the property. Also, if Mr. Parker ever decided he wanted to build a house on the property, he would need to apply again for a Variance as it would have to be built behind the pole barn. This scenario would make it difficult to sell the parcel as a building lot as well. Mr. Parker noted that he appreciated everyone's input and concern but he had no intention of building a house on the property. He explained he simply wants to build a pole barn. He added that, one of the reasons for not putting a floor in it was so it could be taken down easily (if necessary). He also noted that he was going to put electricity in the barn but no heat or water. Jim Foote advised Mr. Parker that, in looking over the Planning Board's referral, a lot line adjustment was suggested. He stated that he didn't know what the procedure was for accomplishing this but if he were to move his property line over 50', then he wouldn't need a Variance. A neighbor of Mr. Parker's had come to the meeting with him (did not sign in) and advised the Board members that if Mr. Parker were to move his property line over 50' (from the vacant parcel) towards the parcel upon which his house is located, the utilities would then be on the vacant parcel.

At that point Bob Swain stated that he thinks it would be in the Town's best interest if the vacant parcel was left as is, with a width of 100' at that point, instead of "opening" it up to 150' thus creating the potential for a house to be built on the lot. More discussion followed. After looking thru his zoning book, Bob suggested that perhaps Mr. Parker wouldn't need a Variance after all. He pointed out that, due to the configuration of the (vacant) parcel, it has a width of 100' at one location and another 342' width in another. If you add the (2) widths together, you would have more than the required 150' (front) lot width. The Board members discussed this briefly and agreed they did not see where it was stated anywhere in the Code that determining the width of a parcel is based on a contiguous line. Chrmn. Houck noted that maybe Scott hadn't thought of that scenario. Mr. Parker agreed he hadn't thought of that either. There were no further questions or comments and Public Hearing phase was closed at 8:20PM.

REGULAR MEETING:

Chrmn. Houck asked if the Board wished to discuss this further or if anyone was prepared to make a motion on this matter? Bob Swain suggested they advise Scott that it is the opinion of the Zoning Board that the lot width (of the parcel in question) exceeds 150' due to the total of the (2) pieces. They feel Scott's explanation that the minimum requirement of 150' does not exist is incorrect, as zoning does not specify the width must be contiguous. **Therefore, no Variance is required for Mr. Parker to build a pole barn in the proposed location shown on the map.** Chrmn. Houck made a motion to accept Bob's declaration. Dean Huff seconded the motion, with ayes by all present, and motion carried. **It is the determination of the Zoning Board that a Variance is not required.**

June 6th Minutes: There were not enough people present (that attended that meeting) to be able to vote tonight.

June 21st Minutes: There were a few things that needed to be corrected prior to voting on the minutes - **#1.** Jim Foote advised the Clerk there was an error in the June 21st minutes when referring to a vote taken on the May minutes. He noted that he was not present at the June 21st meeting therefore did not vote. **#2.** Bob Swain noted that, in reference to the discussion on Justin Novitzki's Taxidermy business, there was a question on whether or not DEC involvement is required. Since the question was not answered, Bob feels the question should be taken out of the minutes and noted that it had no bearing on their decision anyway. **#3.** Chrmn. Houck noted that he did not make the comment that he felt there was a similarity between an Antique Shop and a Taxidermy Business. He stated he felt there was a similarity between a Craft Shop and a Taxidermy Business. The Clerk noted she would make that correction also.

9:15PM - There was no further business to come before the board. Dean Huff made a motion to adjourn. Bob Swain seconded the motion, with ayes by all, and motion carried.

Respectfully Submitted By,
Debbie MacDowell