

CHARTER TOWNSHIP OF ORION ZONING BOARD OF APPEALS AGENDA
MONDAY, AUGUST 22, 2022 – 7:00 PM
ORION TOWNSHIP MUNICIPAL COMPLEX BOARD ROOM
2323 JOSLYN RD.
LAKE ORION, MICHIGAN 48360

1. OPEN MEETING

2. ROLL CALL

3. MINUTES

A. 08/08/2022, ZBA Meeting Minutes

4. AGENDA REVIEW AND APPROVAL

5. ZBA BUSINESS

A. AB-2022-23, Tracey Guaiana, 1150 Hemingway, 09-15-201-028

(Returned to the Planning & Zoning Department for more information at the 6/27/2022 Mtg.)

The petitioner is seeking 2 variances from Zoning Ordinance #78 – Zoned R-1

Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2)

1. A 10-ft. side yard setback variance from the required 10-ft. for a 6-ft. privacy fence to be 0-ft. from the side property line to the south.
2. A 10-ft. rear yard setback variance from the required 10-ft. for a 6-ft. privacy fence to be 0-ft. from the rear property line to the west.

B. AB-2022-25, Armando Vuktilaj, 2005 Bald Mountain Rd., 09-24-100-007

(Postponed from 7/25/2022 meeting)

The petitioner is seeking 5 variances from Zoning Ordinance #78 – Zoned R-1

Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2)

1. A 40-ft. front yard setback variance from the required 40-ft. to erect a 6-ft. privacy fence 0-ft. from the road right-of-way line along Bald Mountain Road (west).
2. A 37-ft. front yard setback variance from the required 40-ft. to erect a 6-ft. privacy fence 3-ft. from the front property line along Starlight Trl (north).
3. A 37-ft. front yard setback variance from the required 40-ft. to erect a 6-ft. privacy fence 3-ft. from the front property line along Starlight Trl (east).
4. A 7-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 3-ft. from the side property line (south).

Article XXVII, Section 27.03(G)(2)

5. Corner clearance requirement variances to erect a 6-ft. fence at the intersection of a driveway and a road right-of-way (north & south).

C. AB-2022-28, Georgette Dib, 563 Oakland St., 09-11-316-023

(Postponed from 7/25/2022 meeting)

The petitioner is seeking 2 variances from Zoning Ordinance #78 – Zoned R-3

Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2)

1. A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line to the east.
2. A 10-ft. rear yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the rear property line south.

D. AB-2022-34, BACA Systems, 101 Premier Dr., (Sidwell #09-35-451-001).

The petitioner is seeking 4 variances from Zoning Ordinance #78 – Zoned IP
Article XVIII, Section 18.03 (I)(1)(2)

1. A variance to allow a covered trash receptacle (dumpster) to be located in the side yard, north, rather than the required rear yard.
2. A variance to omit the required masonry brick type walls and the opaque lockable gate around the covered trash receptacle (dumpster).

Article XXVII, Section 27.19 (B)(2)(3)(4)

3. A variance to allow accessory/outdoor storage to be located in the side yard, east, rather than the required rear yard.
4. A variance to omit the required 8-ft. chain link fencing and screening around the accessory/outdoor storage.

E. AB-2022-35, 3850 Joslyn Road, 3850 Joslyn Road, 09-28-376-031

The petitioner is seeking 15 variances from Zoning Ordinance #78 – Zoned GB
Article XIV, Section 14.02(A)

1. A 66-ft. setback variance, from the required 100-ft. from residential property, to build a building with a drive-thru 34-ft. from the west property line.
2. A 32-ft. setback variance, from the required 50-ft. from residential property, for a drive-thru maneuvering lane to be 18-ft. from a residential property.

Article XIV, Section 14.03(C)(3)

3. A 22-ft. side yard setback variance, from the required 30-ft. along residential property, for parking spaces to be located 8-ft. from the north property line.

Article XIV, Section 14.03(I)(1)

4. A variance to allow a covered trash receptacle (dumpster) to be located in a side yard (north).

Article XIV, Section 14.03(J)(1)

5. A variance to allow a loading & unloading area to be in a side yard adjacent to residential property.
6. A variance to allow a loading & unloading area to be in a front yard (Hammerslea Road).

Article XIV, Section 14.04

7. A 2.42-ft. building height variance, from the maximum height limit of 25-ft., for the building to be 27.42-ft. high.
8. An 18-ft. side yard setback variance from the required 20-ft. for a structure (propane tank) to be 2-ft. from the side property line (north).

Article XXVII, Section 27.04

9. A 24-ft. landscape greenbelt width variance, from the required 30-ft., for the landscape greenbelt width to be 6-ft. along the north property line.
10. A 25-ft. landscape greenbelt width variance, from the required 30-ft., for the landscape greenbelt width to be 5-ft. along the west property line.

Article XXVII, Section 27.04(A)(4)

11. A 20-ft. greenbelt width variance, from the required 20-ft. greenbelt between road right-of-way and parking, for a 0-ft. greenbelt along the south & east sides.

Article XXVII, Section 27.05(A)(4)

- 12. A variance of 7 trees from Joslyn Road & 7 trees from Hammerslea Road to have 0 trees along the road right-of-ways of Joslyn Road and Hammerslea Road.

Article XXVII, Section 27.05(A)(6)

- 13. A variance to omit 2 required trees from the interior landscaping requirements of 1 tree per 200-sq. ft. of interior landscape space.
- 14. A 66-sq.ft. variance for interior landscape areas, from the required 400-sq. ft., to have 334-sq. ft. of interior landscape areas.
- 15. A 6-ft. variance from the required 10-ft. for interior landscape area to be 4-ft. wide.

F. AB-2022-36, Mat Dunaskiss and Pete & Nancy Smilanic, vacant parcel 2 parcels south of 576 Cushing St., 09-03-278-027

The petitioner is seeking 8 variances from Zoning Ordinance #78

Article VI, Section 6.04, Zoned R-3

- 1. A 10.25-ft front yard setback variance from the required 30-ft., to build a house with a deck 19.75-ft. from the front property line (lakeside).
- 2. A 17-ft. rear yard setback variance, from the required 35-ft., to build a house 18-ft. from the rear property line (Cushing St.).
- 3. A 1-ft. side yard setback variance from the required 8-ft. to build a house 7-ft. from the side property line (north)
- 4. A 1-ft. side yard setback variance from the required 8-ft. to build a house 7-ft. from the side property line (south).
- 5. A 10.18-ft. height variance from the required 30-ft. to build a house 40.18-ft. high.
- 6. 14.85% lot coverage variance from the required 25% for a total lot coverage of 39.85%.

Article XXVII, Section 27.02(A)(4)

- 7. 8-ft. side yard setback variances for retaining walls to be 0-ft. from the property lines, north & south.

Article XXVII, Section 27.17(B)

- 8. A 5.25-ft. wetland setback variance, from the required 25-ft., to build a house with a deck 19.75-ft. from a wetland (lake).

6. PUBLIC COMMENTS

7. COMMUNICATIONS

8. COMMITTEE REPORTS

9. MEMBER COMMENTS

10. ADJOURNMENT

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In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the Township at least seventy-two hours in advance of the meeting when requesting accommodations.
