

**ZONING BOARD OF APPEALS MEETING  
CITY OF WIXOM  
49045 PONTIAC TRAIL  
MONDAY, AUGUST 14, 2006 - 7:30 PM**

Chairman Mogridge called the meeting to order at 7:30 pm.

**PRESENT:**

Dave Berry  
David Dewar  
Dennis McMillan  
Jim McNeff  
Jon Mogridge, Chairman  
Bill Reinhardt  
Louis Veros

**CITY STAFF:**

John R. Lipchik, Building Official

**RECORDING SECRETARY:**

Jennifer Garrett

**ABSENT:**

Mary Baumgartner (unexcused)  
Jeff Caplan (excused)

There being a quorum, the meeting was declared in session.

**APPROVAL OF MINUTES:**

**Regular Board of Appeals Minutes – July 10, 2006**

**MOTION** and second by Mr. McNeff and Mr. Berry to approve the July 10, 2006 minutes as published.

**VOTE:**

**MOTION CARRIED**

**RULES OF CONDUCT:**

Recording Secretary, Jennifer Garrett, read the Rules of Conduct.

**NEW BUSINESS:**

**ZBA CASE #020-06: GENEVIEVE AND CONRAD McCOY, 2958 LOON DRIVE, WIXOM, MI**

**48393:** The applicant is seeking the following variances from the Wixom Municipal Code, Schedule of Regulations 18.76.010:

**PROPOSED DIMENSION**

6.5 ft. front yard setback  
10,893 sq. ft. lot size  
Expanding a nonconforming structure

**REQUIRED DIMENSION**

35 ft. front yard setback  
12,500 sq. ft. lot size minimum  
18.88.070 a non conforming structure  
may not be enlarged or altered.

The property is located at 2958 Loon Drive and zoned RA-1, Single Family Residential. The tax parcel number is 17-29-327-005.

**James McCoy**, 2958 Loon Drive, Wixom, MI 48393, stated they have a free-standing garage that was built in 1955. He knows that for a fact because inside the door is the building permit. He commented it is showing its age, and at first they were thinking about renovating it; but after looking at it a little bit he decided it would be better for everyone to tear it down and rebuild it the same size building. The advantages of rebuilding are that it would be structurally sound and modern. The location would be an

advantage because he intends to move it back away from the road so it would be in line with the existing house which he did remodel three years ago. This would also help his neighbor to the south because his sight line is right next to the garage, and it would be further away from the street at that point. The appearance would be much better. First of all, he matched the gable which is on his attached garage; the architecture he would carry through to the garage. He would use hardy plank siding which is the same that he used on the house renovation. He would also use architectural or dimensional shingles that were used on the house during renovation. The painting scheme would be the same as the home, so it would look like it was put together. In addition, he had raised the floor of the garage about 10 inches above grade so moisture would not leak into the garage like he is having now. All in all, he thinks it would be an improvement to the neighborhood.

Chairman Mogridge asked how far back he is going to move the garage.

Mr. McCoy said it would be three feet back from where it is now. Right now it is 3½ feet from the lot line.

Chairman Mogridge asked if the height was a situation here.

Mr. McCoy stated there was an additional 8 x 10 paper with the roof pitch on it which would show the height in addition the height given on the other plan.

Chairman Mogridge asked the 7' 3" over the 10 foot, and Mr. McCoy replied yes.

Chairman Mogridge questioned what the formula for that is.

Mr. Lipchik told him it is 14 foot at mid span.

Chairman Mogridge then asked if he happened to have a chance to do this because it looks like it is probably fine but he doesn't know.

Mr. Lipchik replied no, but he thinks it would be fine.

Mr. Veros asked where mid span is at, and Mr. Lipchik stated it is halfway between the ridge and the eave.

Chairman Mogridge mentioned that Mr. McCoy said the square footage was going to be the same. He is just moving it back, new foundation and everything; and Mr. McCoy said that was correct.

Chairman Mogridge commented that was one thing. He looked at it and said "Boy, that is right up there by the road." Now it will be 6½ feet from the road. It is basically going to look the same except the pitch is different, nicer doors and it will be a lot nicer.

Chairman Mogridge asked if there were any other questions for the applicant. He then asked if there was anyone from the audience that would like to address this case. There being no comments from the audience, the public hearing for ZBA Case #020-06 was closed at 7:40 pm.

Chairman Mogridge remarked it is kind of clear cut and is definitely going to be a bit better than what exists, especially if he moves it back three feet.

**MOTION** and second by Mr. McMillan and Mr. Dewar on ZBA Case #020-06 to grant the applicant a variance to move and rebuild a non-conforming structure with a 28.5 foot front yard setback variance on an irregular shaped lot due to structural stability of the existing garage.

**VOTE:**

**MOTION CARRIED**

**INFORMATION:**

There was no information on tonight's agenda for this meeting.

**CALL TO THE PUBLIC:**

There was no public present for public comment.

**BOARD MEMBER COMMENTS:**

Chairman Mogridge mentioned the sign; and Mr. Lipchik stated in our zoning ordinance the City has the ability to put things in the right-of-way, so there is no variance needed or requested.

Since he sometimes thinks our opinion here on the ZBA has gone to deaf ears, Mr. McNeff commented that he was curious to find out if the City ever applied for a permit for the gorilla that was at the VCA party. He since found out that they did not, and again his question is we request people like General Trailer and all these other people to get permits and pay fees to have gorillas for their sales. Yet it seems like the City is about the biggest offender we have of our own ordinances. He is still always confused as to why the City doesn't come before the ZBA. He asked if they pulled a permit.

Mr. Lipchik indicated no, there was none.

Mr. McNeff stated so there were no permits, no formality at all. He is just amazed that it continues to happen. If the City doesn't adhere to it, why should we expect anyone else to? He said he hates to be the zoning police but his other comment was that in that same party he noticed that Volare's had some really nice, large banners on their fencing. It looked nice, but he doesn't remember them coming before the ZBA for the banners. Here there are people down at the Saroki's complex where we were reading them the riot act for banners, and Volare's is up and they are VCA; and he guesses that must be okay. He thinks he would like to see Volare's come in front of us. If the City doesn't, he can't control that.

Mr. Veros stated it appears as though Uptown Market is abiding by the zoning ordinance now, and Mr. Lipchik said yes they are.

**STAFF COMMENTS:**

There were no comments made by staff.

**ADJOURNMENT:**

This meeting of the Wixom Zoning Board of Appeals was adjourned on motion by Mr. Dewar and Mr. Berry at 7:53 pm.

Jennifer Garrett  
Recording Secretary  
August 16, 2006