

1 ZONING BOARD OF APPEALS MEETING: City of Pontiac Zoning
2 Board of Appeals Meeting Minutes on Tuesday, August 15,
3 2017; Pontiac City Hall, 47450 Woodward Avenue, Pontiac,
4 Michigan 48342

5
6 COMMISSIONERS: Chair Carlos Bueno
7 Lucy Payne
8 Sam Anderson
9 Joseph Sinclair

10 FROM THE CITY: Chip Smith, City Planner

11 CHAIRMAN BUENO CALLED THE MEETING TO ORDER AT 7:10 P.M.

12 ROLL CALL:

13 PRESENT: Chair Bueno, Comm. Payne, Comm. Anderson,
14 Comm. Sinclair

15 ABSENT: Comm. Taylor, Comm. Bishop, Comm. Kirkendolph

16 Mr. Smith reported a quorum present.

17 COMMUNICATIONS: None.

18 MINUTES FOR REVIEW: 5-16-17

19 COMM. PAYNE MADE A MOTION TO POSTPONE TO GIVE BOARD
20 OPPORTUNITY TO REVIEW THE MINUTES

21 COMM. ANDERSON SECONDED

22 VOTE: AYES: Bueno, Sinclair,
23 Anderson, Payne

24 NAYS: None.

25 ABSTAIN: None.

Vote 4-0-0 motion carries.

OLD BUSINESS: NONE.

NEW BUSINESS:

25

1 PUBLIC HEARING AND VARIANCE REQUEST:

2 ZBA-17-12

3 PROPERTY ADDRESS: 250 S. Johnson St.

4 ZONE: R-2, Two-Family and Terrace Family
Dwelling District

5 LOCATION: Parcel # 14-32-151-009

6 APPLICANT: James Langlet

7 Presentation of facts given by Mr. Smith.

8 Mr. James Langlet, property owner, 250 South Johnson Street,
9 Pontiac, Michigan, stated that he is building a roof-only
10 carport so feels it wouldn't cause any closing-off issues
with the neighbors and that he has a letter from the
neighbor closest to the carport, stating they do not mind.

11 Mr. Smith read the letter from Mr. and Mrs. Evans, the
12 neighbors supporting the applicant.

13 Mr. Langlet indicated that he hopes the carport will help
with clearing the snow and that he has ordered a handicap
14 van for himself and that within one mile of his house there
are 22 houses with carports right on the property line.

15 CHAIR BUENO OPENED THE PUBLIC HEARING.

16 Ms. Mary Pietla, speaking as a certified home health aide,
17 indicated that, when you're using a walker, that does not
prevent you from slipping on ice.

18 Mr. Langlet indicated that the State and his doctor have
19 deemed him permanently handicapped but he parked far away
for this meeting so he could show the Board his permit.

20 CHAIR BUENO CLOSED THE PUBLIC HEARING AND ADVISED THE
21 APPLICANT THAT HE WOULD NEED ALL FOUR VOTES FOR THIS TO
PASS.

22 COMM. SINCLAIR STATED THAT THE SAFETY OF OUR CITIZENS IS THE
23 BOARD'S MAIN CONCERN AND BEING ABLE TO WORK WITH THEM IN
THESE MEASURES.

24 COMM. ANDERSON INQUIRED OF MR. LANGLET IF HE KNEW BEFORE
25 BEING CITED THE PROCEDURES TO GO THROUGH TO GET PERMITS OR
ANY OF THAT.

1 Mr. Langlet responded that he had gotten some bad advice
2 that the project had to be over \$3,000 but was told by the
3 Building Department that just about everything needs permits
4 these days.

5
6 COMM. ANDERSON INQUIRED OF THE APPLICANT IF HE HAD A
7 CONTRACTOR.

8 Mr. Langlet responded that he does not and that he has
9 friends helping him because he is unable to climb or lift.

10
11 COMM. ANDERSON INDICATED THAT HE WOULD HAVE A PROBLEM IF IT
12 WAS CLOSED. HE THEN CONFIRMED WITH THE APPLICANT THAT THE
13 CARPORT WILL BE OPEN.

14
15 Mr. Langlet confirmed and stated that the structure will be
16 against the house on one side and will consist of a roof and
17 six posts.

18
19 COMM. ANDERSON INQUIRED OF THE APPLICANT, IF YOU LOOKED AT
20 IT, IF YOU WOULD BE ABLE TO SEE ALL THE WAY THROUGH IT.

21 Mr. Langlet affirmed.

22
23 COMM. ANDERSON INQUIRED OF THE APPLICANT IF IT WAS NOT LIKE
24 A BUILDING WHERE HE WOULD BE DIGGING FOOTINGS OR ANYTHING
25 LIKE THAT.

26 Mr. Langlet indicated that he did dig the posts six feet
27 into the ground.

28
29 COMM. ANDERSON INQUIRED OF THE APPLICANT IF THERE WERE NO
30 FOOTINGS FOR A BUILDING OR ANYTHING LIKE THAT.

31 Mr. Langlet affirmed and indicated that, in the future, he
32 may want to pave the area underneath but will apply for a
33 permit before doing that.

34
35 COMM. PAYNE WANTED TO CONFIRM THAT TWO OTHER NEIGHBORS NEAR
36 THE APPLICANT'S HOME WERE OKAY WITH THE CARPORT AS WELL.

37
38 Mr. Langlet affirmed.

39
40 COMM. PAYNE INQUIRED OF THE APPLICANT IF THE CARPORT WOULD
41 BE IN FRONT OF THE HOUSE.

42 Mr. Langlet replied negatively and indicated that it would
43 be twelve feet back from the front of the house.

44

1 Mr. Smith advised Comm. Payne that the only concern with
this project was the side setback.

2 CHAIR BUENO INQUIRED OF MR. SMITH IF WHAT IS THERE IS
3 STRUCTURALLY SOUND.

4 Mr. Smith affirmed.

5 CHAIR BUENO INQUIRED OF MR. SMITH IF THE ONLY ISSUE WAS THE
ZONING PART OF IT.

6 Mr. Smith affirmed.

7 CHAIR BUENO INQUIRED OF MR. SMITH IF THE FIVE FOOT SETBACK
8 WAS ALSO REQUIRED IN AN R-1 ZONE.

9 Mr. Smith affirmed and indicated that the primary
extenuating circumstances here is the fact that it's a legal
10 nonconforming lot.

11 CHAIR BUENO INDICATED THAT IT WOULD BE HELPFUL TO HAVE A
PLOT PLAN WITH THE DIMENSIONS FROM THE HOUSE TO FENCE.

12 Mr. Langlet indicated that he did draw one for the Building
13 Department. He also stated that he is 6 inches from the
line at the front and 9 inches at the back from the line so
14 even the water dripping from the roof won't go onto the
neighbor's property.

15 CHAIR BUENO INDICATED THAT HE DROVE BY THE SITE AND THAT IT
16 LOOKED LIKE IT WAS HANGING OVER THE PROPERTY LINE SO HE
WANTED TO SUGGEST GUTTERS.

17 Mr. Langlet indicated that he was stopped on the project by
18 the City before he could trim the boards to a three-inch
overhang, as opposed to the twelve inches that is currently
19 there. He also indicated that, if the City would like him
to have gutters, he will but he did make sure that there
20 would be no water dripping or sliding snow onto his
neighbors' property.

21 Mr. Smith indicated that Mr. Langlet has been extremely
22 cooperative since receiving notice and thanked the
Applicant.

23 CHAIR BUENO INDICATED THAT HE HAS NO PROBLEM SINCE IT IS AN
24 OPEN CARPORT.

25 COMM. PAYNE INQUIRED IF THE BUILDING DEPARTMENT WOULD
ADDRESS THE GUTTER AND CODE ISSUES.

1 Mr. Smith affirmed.

2 Mr. Langlet inquired if Mr. Smith would be the person to
direct any further questions to.

3
4 Mr. Smith indicated that he can help facilitate him in
getting the answers and that Mr. Langlet needs to continue
working with the Building Department to make sure that
5 drainage is continued on the site.

6 CHAIR BUENO INQUIRED IF THE APPLICANT WANTED THE BOARD TO
PROCEED WITH A VOTE.

7
8 Mr. Langlet affirmed.

9
10 COMM. SINCLAIR MOTIONED TO APPROVE A DIMENSIONAL VARIANCE.

11 COMM. ANDERSON SECONDED.

12 VOTE: AYES: Payne, Bueno, Sinclair,
Anderson

13 NAYS: None.

14 ABSTAIN: None.

15
16 Vote 4-0-0 motion carries.

17 COMM. PAYNE MOVED TO ADJOURN.

18 COMM. ANDERSON SUPPORTED.

19 VOTE: AYES: Payne, Bueno, Sinclair,
Anderson

20 NAYS: None.

21 ABSTAIN: None.

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