

MEMORANDUM

To: Zoning Board of Appeals Members

From: 
Michael Deem, Township Planner

Date: August 3, 2010

**Subject: ZBA #10-1921– 6190 Meadowwood Lane
PID # 12-12-526-048, R-2 (Single Family)
Request: Variance for a Fence**

PURPOSE

The applicant is seeking relief from the Grand Blanc Township Zoning Ordinance for a six (6) foot privacy fence in the front yard located at 6109 Meadowwood Lane, Orchard Haven Subdivision.

BACKGROUND

The subject site is zoned R-2, Single Family Residential. The applicant has erected a thirty (30) foot section of privacy fence along the south side of his front property line without benefit of permit. Code Enforcement visited the site and sent the applicant a violation letter. Applicant responded and was informed that a variance was needed to keep the privacy fence in front yard.

On September 16, 2008 the Zoning Board of Appeals approved a six (6) foot privacy fence in the front yard located at 4359 E. Hill Road.

REQUESTED VARIANCE

The applicant is seeking a variance from Article 5, Section 5.3 No. 7 Privacy Fences. Applicant is proposing at total of 30 feet of privacy fence on the south side of the front property line for landscaping purposes, (hanging baskets, etc.), privacy from neighbors, and shelter for grandchildren.

STANDARDS FOR CONSIDERATION

Article 7.4.5.A states that the ZBA may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions “i-v” or condition “vi” applies:

- i. Practical difficulty: This means that site conditions on the subject site exist to unreasonably prevent the proposed building from strict compliance with the Ordinance.

Please refer to the application for a statement of practical difficulty.

- ii. Unique situation: This means that the above-demonstrated practical difficulty results from exceptional circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

Please refer to the application for a statement of unique situation.

- iii. Not self-created: This means the applicant is not creating the problem.

Please refer to the application for a statement that the problem is not self-created.

- iv. Substantial justice: This means that granting these variances would provide property rights similar to those enjoyed by the majority of other properties in the vicinity and in the same zoning district.

Please refer to the application for a statement of substantial justice.

- v. Minimum variance necessary: This means that the requested variances are the minimum necessary to grant relief from the demonstrated practical difficulty.

Please refer to the application for a statement that this is the minimum variance necessary.

- vi. Compliance with other laws: This means that other local, state, or federal laws allow for less strict regulations.

To the best of staff's knowledge, no other local, state, or federal laws would allow for less strict regulations.