

**PITTSFIELD TOWNSHIP ZONING BOARD OF APPEALS MINTUES**

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**Members Present:** Ishwar Naik, Kenneth Brostrom, Alayna Stagg,  
Robert Grosshans, Edward Resha.

**Members Absent:** None.

**Others Present:** Larry Landman, Elaine Landman, Matthew Henry, Assistant Planner  
Susan McCoy, Planning Director Bruce E. Fowler, and Recording  
Secretary Laura Ford.

**1.0 Call Meeting to Order/Determination of a Quorum**

Chairperson Naik called the meeting to order at 6:34 p.m. A quorum was present.

**2.0 Approval of Agenda**

**Motion by member Resha, supported by member Grosshans, to approve the agenda,  
as presented.**

**MOTION CARRIED**

**3.0 Communications and Announcements**

None.

**4.0 Items from the Floor**

None.

**5.0 Old Business**

None.

**6.0 New Business**

**6.1 ZBA #05-05 Matthew Henry**  
[submitted for a variance]  
(3594 Fieldcrest Lane)

Planner McCoy reviewed her report of September 21, 2005 stating this was a request to allow the construction of a roofed, screened porch addition [on a portion of a deck] that extended into the rear yard setback. She said it appears the entire rear yard is the setback requirement for the property. She reviewed the findings.

Discussion:

Member Grosshans asked how many residences [in the Township] have the same setback problem.

Planner McCoy replied there were some within the Township.

Member Grosshans asked if the deck was ok.

Planner McCoy said you can have an uncovered deck or patio but once it was enclosed, it becomes part of the structure.

Chairperson Naik asked if the applicant is adding a roof to an existing deck.

Planner McCoy said the applicant is requesting to enclose and add a roof to a portion of the existing deck.

Member Resha said it appeared that when the house was built, the front and rear setbacks were met.

Member Grosshans said, after reviewing a copy of the plot plan, that it was not possible to add an addition could be added to the property and still meet the setbacks.

Member Resha said part of the problem is that builders try to build as much house as possible and do not leave any leeway. He said the setback information is part of the title work when the house is purchased.

Matthew Henry, 3594 Fieldcrest Lane and applicant, said this is unusual since this is a corner lot. If the porch is screened no one would notice. He said the neighbors have written that they approve.

Member Grosshans said the area is approximately eight (8) feet by 14 feet and is by the door wall.

Mr. Henry replied this would be a three (3) season room.

Member Grosshans asked whether pergolas are acceptable.

Planner Fowler replied yes.

Planner McCoy added that as long as the addition was not attached to the house.

Member Resha said it is possible to build under the eaves but not attach to the house.

Member Brostrom said the problem is the Zoning Ordinance. He felt this request is modest and did not feel screening in the area was an unreasonable request. He suggested staff revise the Ordinance and this then could be approved.

Member Resha asked Planner Fowler if he would explain why there are setback requirements.

Planner Fowler gave a brief explanation.

Member Resha suggested that the Planning Commission should review this section of the [Zoning] Ordinance.

Member Brostrom felt the [Zoning] Ordinance could be re-written but needed to be done carefully.

Member Resha said this would set a precedent and anyone could build an addition.

Member Brostrom suggested postponing and have staff review the [Zoning] Ordinance.

Members discussed briefly.

Elaine Landman, 3589 Fieldcrest Lane, asked if there are different regulations for different subs [subdivisions in the Township]. She said this area has ¼ acre lots.

Planner McCoy explained that the setbacks are different for different areas, depending on the zoning district of the subdivision. She said that anything that is enclosed is considered an addition and must meet setback requirements.

**Motion by Member Resha, supported by Member Brostrom, to postpone action on ZBA 05-05 Matthew Henry, until an amendment to the Zoning Ordinance is adopted to accommodate this type of situation or until it is determined that such an amendment is not feasible or advisable.**

**The Board requested that staff investigate the feasibility and advisability of such an amendment and, if appropriate, draft the amendment for consideration by the Planning Commission and adoption by the Township Board of Trustees.**

Discussion:

Chairperson Naik commented that he has not seen a screened porch that looked nice.

Member Brostrom said staff might figure out changes to the Zoning Ordinance. He said this could be an improvement.

Member Grosshans said if the property had a larger [building] envelope, then an addition could be added.

Member Resha said if this was allowed, this will set a precedent. He explained the process that would be needed to change the ordinance.

**ROLL CALL:**

**Yes:** Naik, Brostrom, Stagg, Grosshans, Resha.  
**No:** None  
**Absent:** None  
**Abstain:** None

**MOTION CARRIED  
(postponed)**

**7.0 Zoning Administrator's Report**

Planner Fowler said that with an Ordinance change, care would need to be taken to not create other problems. He asked who the members thought would be the reviewing body.

Members and staff briefly discussed that consideration should be given to what type of structures would be allowed, along with possible definitions and or restrictions. Approvals under this potentially revised Ordinance should be administrative, and not brought to the ZBA.

Planner Fowler reminded the members of the ZBA workshop Oct 29<sup>th</sup> [2005].

Members and staff briefly discussed various topics that would be covered during the workshop.

**8.0 Member's Report**

None.

**9.0 Secretary's Report**

None.

**10.0 Chairperson's Report**

**11.0 Approval of Prior Minutes**

**11.1 Minutes of June 13, 2005**

**11.2 Minutes of September 26, 2005**

**Motion by Member Resha to approve the minutes of June 13, 2005 and September 26, 2005.**

Motion failed, due to lack of support.

**Motion by Member Resha, supported Member Brostrom, to approve the minutes of September 26, 2005.**

**MOTION CARRIED**

**12.0 Adjournment**

**Motion by Member Resha supported by Member Stagg, to adjourn the meeting.**

**MOTION CARRIED**

Chairperson Naik adjourned the meeting at 7:46 p.m.