

**CITY OF THE VILLAGE OF CLARKSTON**  
**Artemus M. Pappas Village Hall**  
**375 Depot Rd.**  
**Clarkston MI 48346**  
**ZBA Meeting = May 11, 2022**  
**7:00pm**  
**MINUTES – 69 S. Main Street**

1. Meeting called to order, 7:05 p.m.
2. Roll Call:  
Meyland present, Casey absent, Catallo present, Cotter present, Clifton present
3. Approval of Agenda: Clifton made a motion to approve the agenda as presented, Catallo seconded  
  
In favor: Meyland, Catallo, Cotter, Clifton  
  
Opposed: None  
  
Motion passed
4. New Business:
  - a. Case Number 22-001 – 69 South Main Street  
Applicant is requesting a variance of Article XIV, General Provisions, Section 14.03 - Accessory Buildings and Structures, for the construction of an attached garage.

Chris Brosky, the applicant and homeowner of 69 South Main Street, was present and gave background regarding his application. Chris purchased the home in January 2021. The current garage is very small, and currently unable to accommodate a mid-size Sport Utility Vehicle. Adding a larger attached garage would greatly improve the livability of his home. Although the lot for 69 South Main Street is small, (4900.5 square feet) he does not believe the addition of a 22'x22' attached garage would monopolize the lot. Because of the configuration of the home on the property, an easement granting access to the existing garage and exterior parking for space of approximately 6 cars at the Southwestern edge of the existing parking lot of the adjacent property immediately to the North) Sutherland House (59 S. Main Street) is in place with the Sutherland House owners (59 S. Main Street) for a period of 50 years. (Easement copy attached with ZBA Application.)

Chris believes that the lack of a sufficiently sized garage, combined with the lack of a deck or porch area to enhance enjoyment of the rear yard contributed to the reason that the house was a rental property for such a long period of time. The current garage door is 94 inches wide, and the current garage is approximately 22 feet deep. Under his proposed plan, Chris would convert the existing garage to a mud room /workroom and cover the existing garage door with either a wall, or possibly a window.

Chris was asked the question about the possibility of simply extending the existing one car garage rearward, instead of building a new structure at the rear of the existing house. Chris indicated that he believes a 2-car garage with a deck area on top would look better and improve or enhance the livable space of the home. As he discussed it further, he also indicated that he is excited about becoming a resident of Main Street in Clarkston and sees his approach to improving or enhancing the livable space of the home as the addressing of a hardship, relating to livability and enjoyment of the property, in which he is planning to live as a Main Street resident forever.

Further discussion confirmed that under their proposed plan, is that the proposed garage foundation is set approximately 12 inches lower than the existing foundation for the existing house. That is the case due to the current lot profile, and that was also a factor in his proposal of a separate structure, rather than just the extension of the existing structure. When asked about the reasons for the dimensions of the proposed structure, the applicant indicated that the width of the house was unchanged with the proposal, and the length of the structure was designed to accommodate the minimum size associated with a two-car garage addition.

There was brief discussion around the fact that the HDC (Historic District Commission) could require some level of delineation, but that was outside of the scope of the ZBA discussion topic.

With this proposed attached structure addition, the existing lot coverage of 27.5% would increase to approximately 37%, or approximately 10% over the existing non-conforming lot coverage requirement. The current lot coverage ordinance is 25%. The ZBA mentioned that the precedence associated with proposed nonconforming lot coverage increases is difficult, certainly because it is expected that any variance granted is expected to be associated with minimizing the variance. Additionally, with a lot square footage size of only 4900.5 square feet, the property at 69 S Main St has a practical challenge due to its small lot size that any increase in coverage represents a disproportionately large percentage compared to most other properties in the village.

Throughout the history of the village, this property at 69 S. Main St has historically been a target for potential consideration of requested zoning changes, due to its unique location, and unique positioning, and consideration of the applicant's proposal could be in keeping with enhancement of the property consistent with R-1/residential suitability.

Chris reiterated that he loves the community, is very pro-city, and also genuinely interested in supporting a livability enhancement of the property and pursuing changes that are consistent with R-1/residential livability.

Prior to the ZBA hearing, 18 property owners located within 300 feet of 69 S. Main Street were notified about the hearing. Chris indicated that he had spoken with Mike Scott, the owner of 75 S. Main Street, the property adjacent to the South, and he was in favor of Chris' proposed addition and property enhancement.

No other feedback was provided at the meeting or to City Hall prior to the meeting from any of the other property owners contacted about the hearing.

Damon Rocho, from 24 E Washington St, spoke and indicated that the charm, aesthetics, and livability that were part of the applicant's proposal were all favorable for further establishing the house has a residence consistent with an owner, rather than a rental. Mr Rocho was in favor of the enhancements and values/supports people like the applicant moving into town and making improvements. He reiterated his excitement and support of the proposal.

Bob Hahn, from 11 Buffalo St, also spoke in support of Chris' proposed property enhancement, and felt that the enhancement combined with the view of Depot Park would be a win-win for the community to support.

Steve Wyckoff, from 6381 S Main St, also spoke in support of the improvements, believes the enhancements are positive, and a positive for the community.

Catallo indicated that the ZBA appreciates the feedback provided by the residents and indicated that she agrees with much of the feedback. She confirmed that the ZBA has to follow the applicable ordinances and be fair, and sensitive to the needs of everyone involved. The ZBA further confirmed that the proposal does involve unique circumstances, therefore there were no specific precedents that could be referred to from similar prior cases. The ZBA must protect the integrity of the ordinances while supporting livability enhancements and be transparent with the direction taken. The ZBA application lists the seven requirements for a variance to be granted.

Bob Hahn, from 11 Buffalo, spoke further about the current/recent enhancements made at Depot Park, and that the proposed addition could include an overlook area for the park, which would be a benefit for the community beyond just the property owner. Bob also indicated that the current owner Chris should not be penalized for less-than-optimal changes made to the property in the past.

The applicant Chris Brosky reiterated that the proposal for a separate, although attached structure was limited because the addition to the existing foundation height required significant modification to the foundation which was not feasible. He was attempting to be mindful of the minimizing of the variance when considering his project plan.

The zoning board of appeals findings of fact include:

- Practical difficulties exist with unique circumstances associated with this property.
  - o The small lot size of 4900.5 square feet, which is less than 1/3 the size of a requirement for a new build under the current zoning ordinance, accentuates the percentage associated with any proposed lot coverage increase.
  - o The existing attached garage size is limited.
  - o Although the existing easement provides for accessibility to the existing garage, and parking spaces for several cars immediately adjacent to the property, the unique layout of the property provides limited opportunities for the owners to

be able to fully enjoy the property with some level of privacy or separation from the parking lot area adjacent to it.

- o Existing home and attached garage (67.5'X22'), existing lot size of 33'X148.5' results in existing lot coverage of 27.5%.
- o Proposed attached garage addition of 22'X22' = 484 square feet, resulting in additional 10% of lot coverage.

Motion made by Clifton, seconded by Cotter:

- A motion is made to approve the variance request for an attached garage structure not to exceed 484 square feet in size. Additionally, it would be attached to the existing house, and would not exceed the current width of the existing house, while not infringing on associated side yard or height variances.
- Based on all the foregoing, the Board determines that all of the requirements of Section 13.02C for the granting of the variance requested have been met and approves a variance to allow for the addition of the attached garage structure.

Roll call: Meyland, in favor, Catallo, in favor, Cotter, in favor, Clifton, in favor

Motion passes

5. Administrative:
  - a. Set date for ZBA Administrative meeting

Meyland will distribute draft minutes for review and propose administrative meeting date and time in next 7 business days.

Clifton moved to adjourn; Cotter seconded.

Roll call: Meyland, in favor, Catallo, in favor, Cotter, in favor, Clifton, in favor

Motion passes

Meeting adjourned: 8:47 p.m.

Respectfully submitted,

Scott C. Meyland

ZBA Chair/Secretary