

**SUMMARY NOTES
OF THE MEETING OF THE
ZONING BOARD OF APPEALS
WEDNESDAY, MAY 5, 2021
VILLAGE OF NORTHFIELD**

On Wednesday, May 5, 2021, the Zoning Board of Appeals met at 7:00 p.m. via a Zoom webinar due to the coronavirus pandemic to consider one (1) issue:

Members in Attendance:

Richard Crotty, Chairperson
Cheryl Charnas
James Appel
Christine Geraghty
Ronald Cohen

Members Absent:

Bert Getz, Jr.
Robert Hayward

OTHERS PRESENT: Building Commissioner Ron Johnson.

Chairperson Richard Crotty called the meeting to order at 7:00 p.m. by introducing the Zoning Board of Appeals members and welcomed new member Ronald Cohen.

Chairperson Crotty mentioned in order for the variance to be approved, there must be four positive votes from the Board members.

Chairperson Crotty requested a motion on the consideration of the December 2, 2020, summary notes. A motion was made by Member James Appel and seconded by Member Christine Geraghty to approve the December 2, 2020, summary notes.

The following vote was taken:

AYES: 5

Richard Crotty, Chair
Cheryl Charnas
James Appel
Christine Geraghty
Ronald Cohen

NAYS: 0

ABSTAIN: 0

ABSENT: 2

Bert Getz, Jr.
Robert Hayward

Motion Carried

1) 318 LATROBE AVENUE - Consideration of a request for a north side yard variation from Appendix A, Article XVIII, Section 18.2 of the Village of Northfield's Zoning Code:

A) A north side yard 5.32 foot variation from the required 15.00 feet resulting in a 9.68 foot north side yard setback to allow for a hot tub.

Todd and Betsy Harootyan, petitioners, were present. Mrs. Harootyan outlined their request for a hot tub closer than what is allowed in the north side yard setback. She said their neighbor was moving out of state and gave them the hot tub. After receiving the hot tub, they realized the setback was 15 feet from the property line. Their property lot width is 50 feet. The hot tub will be placed on an existing patio. There is a large mature tree in the middle of the existing patio. There is also multiple electrical and phone wires crossing a portion of the patio area.

Moving the hot tub to a location off the already existing patio would require covering up grass and permeable landscaping.

The neighbor directly north of the property at 322 Latrobe Avenue has no objections to placing the hot tub in this location and has submitted an e-mail of support to the Village.

Mr. Harootyan added the hot tub will fall within the site lines of the house and will not be visible from the street. They notified the neighbors within 250 feet of their property and received no objections to the variance request.

Member Appel asked if the tree was healthy. Mr. Harootyan said the tree is healthy would not want to cut it down.

Member Appel asked if they will need to run electric to the hot tub.

Building Commissioner Ron Johnson said it would need electric. He has already talked to the electrician for the project and let him know what would be needed.

Member Crotty asked if the hot tub had a locking cover.

Building Commissioner Johnson said most hot tubs do come with a latching lockable safety cover.

Member Appel questioned if the variance is approved would it go with the homeowner and not the property.

Building Commissioner Johnson said it would go with the homeowner.

Mrs. Harootyan added the hot tub is portable so they would take it with them if they should move.

Member Crotty asked what would be the cost of additional hardscape in order to not need the variation.

Mrs. Harootyan said they already have a water issue in the backyard and would not want to take away any additional green scape.

Member Crotty asked if anyone was present to speak. No one was present.

Member Appel said it seems to be a reasonable request. It is a portable hot tub and not a fixed large structure. The neighbor most impacted with the proposed hot tub does not have problem with the variance request and it is not visible from the street.

Member Crotty asked what if the neighbor to the north moves or try to sell their house and the potential buyer feels the hot tub is too close to the property line.

Mrs. Harootyan said there is shrubbery along the north property line in between their house and the neighbors to help block the hot tub.

There being no further discussion, the following motion was made:

A motion was made by Zoning Board of Appeals Member James Appel, seconded by Christine Geraghty to approve the following:

1. Consideration of a request for a north side yard variation from Appendix A, Article XVIII, Section 18.2 of the Village of Northfield’s Zoning Code:

A) A north side yard 5.32 foot variation from the required 15.00 feet resulting in a 9.68 foot north side yard setback

to allow for a hot tub for the property located at 318 Latrobe Avenue consistent with the site plan and Architectural exhibits received on April 1, 2021.

Subject to the following development conditions:

- 1) An approval pursuant to any requested review by a Village consultant, staff member, Board or Commission shall be an approval of only those items specified in any motion, resolution, ordinance or written report. Under no circumstances shall such an approval be deemed to be the approval of any other matter by virtue of the fact that those other matters may appear on the supporting documents such as a site plan, engineering plan, or plat that was the subject of the review. Neither shall any such written approval be deemed to be an approval of any matter, which is within the jurisdiction of any other Village consultant, staff member, Board or Commission or any County, State or Federal Agency.
- 2) The petitioner shall comply in all respects with the ordinances of the Village of Northfield and nothing in this variance shall be construed as a waiver of any of those requirements.
- 3) This variation will be in effect until May 5, 2022. Any variation granted hereunder for any purpose shall lapse and be of no further force and effect unless a building permit has been issued by the Village for such purpose within one year after the effective date of the variation.

The following vote was taken:

AYES: 5
Richard Crotty, Chair
Cheryl Charnas
James Appel
Christine Geraghty
Ronald Cohen

NAYS: 0

ABSTAIN: 0

ABSENT: 2
Bert Getz, Jr.
Robert Hayward

Motion Carried

Member Appel wished to say a few words since this will be his last meeting on the Zoning Board of Appeals. With the ability to work remotely from home, they are selling their Northfield home and plan to spend their time in northern Michigan and Sarasota, Florida. He thanked the Village for his years of service and it has been an honor working with the Board. It has been a great time.

President Greg Lungmus was present and wished to thank Member Appel for his dedicated years of service and wanted to let everyone know John Goodwin will be coming back to the Board. As you may recall, he was on the Board prior to being appointed to Village Trustee.

There being no further discussion, a motion was made by Member James Appel and seconded by Member Christine Geraghty, the Zoning Board of Appeals adjourned their meeting at 7:25 p.m.

APPROVED 7/7/21