

NORTHFIELD TOWNSHIP MICHIGAN

8350 Main Street • Whitmore Lake, Michigan 48189-0576

Telephone: (734) 449-2880 • Building Dept. (734) 449-5000 • Fax: (734) 449-0123 • Web Site: www.twp-northfield.org

ZONING BOARD OF APPEALS HEARING APPLICATION

Applicant Information:	Proprietor/Owner Information:
Name: Vanston/O'Brien, Inc.	Name: Ann Arbor Dog Training Club
Address: 2375 Bishop Circle West Dexter, MI 48130	Address: 1575 E North Territorial Road Whitmore Lk, MI
Phone: 734-424-0661	Phone: 734-995-2801
Email: david.hughes@vanston.com	Email: maryhw@aol.com
If application is made by anyone other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.	
Proof of Ownership Attached: <input checked="" type="checkbox"/>	Non-Owner Affidavit Attached: <input checked="" type="checkbox"/>
If applicant is not the owner, describe applicants interest in the property: <u>Site planner, civil engineer & design build contractor</u>	
1. PROPERTY DESCRIPTION:	
A.) PROJECT ADDRESS: 1575 E North Territorial Road WL 48189	
B.) PARCEL ID(S): 02-21-300-017	IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C.) LEGAL DESCRIPTION: see attached site plan documents, Sheet C-1	
2. PRESENT ZONING CLASSIFICATION:	
AR LR MR MHP SR1 SR2 LC HC GC LI <input checked="" type="checkbox"/> GI RTM ES PUD PSC RC RO WLD-___ W.L./N.T. Overlay OTHER: _____	
3. PRESENT USE OF PROPERTY: <u>Dog obedience and agility training facility, "not a dog kennel"</u>	
4. NON-CONFORMING STATUS:	
A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use): <u>The township has declared the existing and proposed use to be similar to a "dog kennel", thus requiring a 10 acre minimum size lot and a 200' min set back distance to structures</u>	
B.) State year/month Non-Conformity began (to the best of your knowledge): <u>Township created non conformity in recent resolution</u>	
5. VARIANCE REQUEST:	
A.) Is a denial letter attached from the Zoning Administrator? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If no, identify each section of ordinance from which Varlance is requested: <u>We hereby request a variance to Section 36-714(1), minimum lot size of 10 acres, to allow the proposed use to remain and expand on parcel consisting of 6.26 acres and a variance to Section 36-714(2), minimum 200' sideyard setback from residential to allow a new structure to be constructed 61' from the east side property line</u>	

B.) Describe reason/need for Variance: see "Exhibit A" attached B. a.

C.) Explain existing special conditions or circumstances that are unique to the land or buildings involved which are not applicable to similar land or building in the same district:

see "Exhibit A" attached C. a. - g.

D.) Did the special condition or circumstances arise from your actions? Yes No

Describe: see "Exhibit A" attached D. a. - c.

E.) Explain why interpretation of the ordinance would deprive you of rights commonly enjoyed by other property owners in the same district: see "Exhibit A" attached E. a.

F.) Explain why this is the minimum variance necessary to allow for a reasonable utilization of the land or structure:

see "Exhibit A" attached F.a.

G.) Explain how this variance would be in harmony with the intent of the ordinance and not injurious to the neighborhood or neighbors or otherwise detrimental to the public interest: see "Exhibit A" attached G.a.

H.) I, the applicant, request the Zoning Board of Appeals grant the following: Grant a variance to section 36-714(1)

and section 36-714(2) to allow an expansion on a 6.26 acre parcel with a side yard setback of 61' from east property line.

6. REQUIRED DOCUMENTS:

Attach a scaled and accurate drawing (8 copies) correlated with the legal description and showing:

- All lot dimensions
- Dimensions and locations of all existing and proposed buildings/additions and drives
- Other improvements and easements of record
- Show distances between existing and proposed buildings and/ or additions
- Show locations and distances of wells, septic and/or sewer lines
- Locations, size, and distances of buildings/structures on adjoining lots
- All additional pertinent information as listed on the checklist on page 3

All documents must be submitted at time of application. If further information is needed, the Zoning Board of Appeals reserves the right to postpone the hearing to review new information.

7. If applicable, all lot lines and building corners must be staked out a minimum of 10 days before the hearing date.

8. The address of the property must be clearly marked and visible from the road.

9. A fee of dollars as established by the township board is attached to the application. Applicant understands that the fee will not be refunded in whole or in part regardless of the outcome of the decision.


- * \$595.00 - Single unit (excludes subdivisions, site condo plans, commercial or apartment buildings greater than 4 units.)
- \$795 = All others

10. THE APPLICANT:

- A.) Has received and read the attached provisions of the Township Zoning Ordinance in regards to Article XXX "Zoning Board of Appeals" and understands that a public hearing will be established within 45 days of the filing date and
- B.) Has also read the sections of the Township Zoning Ordinance that pertain to this request and
- C.) Has complied with the above requested information and understands that the Zoning Board of Appeals reserves the right to adjourn a meeting if the above stated information is not provided and to re-schedule it when the information is provided and
- D.) Understands that any approval or denial of this application shall not relieve the applicant of compliance with all other applicable provisions of the Township Zoning Ordinance or Building Code and each variance approved shall be null and void unless authorized activity commences within 180 days after the date of approval.

AUTHORIZED SIGNATURE

All information provided in this application is, in all respects, true and correct to the best of my knowledge, and I understand that incorrect information may be grounds for denying the application or voiding any approval granted hereunder.


Applicant(s) Signature

09/06/17
Date

APPLICANT CHECKLIST

The following information must be submitted to the Northfield Township Clerk prior to the application being scheduled for a public hearing:

- Completed application form
- Statement authorizing variance application if not the owner
- Proof of ownership property
- Legal description of property
- 8 copies of site plan and required information
- Review Fee

FOR ZONING BOARD OF APPEALS USE ONLY

APPEAL OF DECISION

1.) Name and Office of Official/Commission:

2.) Date of Decision: _____

3.) Describe Decision that is being appealed:

4.) Describe alternate interpretation or reason for the relief requested:

ACTION TAKEN

The Northfield Township Board of Appeals reviewed the above requested variance or appeal and;

Approved: Date _____ Denied: Date _____

Comments: _____

Signature of ZBA Chair

Signature of ZBA Secretary

Public Hearing date and time: _____

Notice sent to Newspapers: _____ for publication on: _____

(Notice shall be given not less than fifteen (15) days nor more than thirty (30) days before the date of public hearing.)

Notice sent to neighboring owners / occupants: _____

(Notice shall be sent to all persons to whom real property is assessed and to the occupants of all structures within 300 feet of the property.)

Notice sent to Zoning Board of Appeals Members: _____

Copies of Minutes sent to: _____ File _____

Applicant: _____

Building Department: _____

Ordinance Enforcement Officer: _____

RECEIVED

SEP 06 2017

NORTHFIELD TOWNSHIP

Received Date:

Paid Date:

PAID

SEP 06 2017

NORTHFIELD TOWNSHIP TREASURER

Existing Legal Non-Conformities:

Yes No

If yes, explain below:

ZONING COMPLIANCE CERTIFICATE:

Approved: Date _____

Approved As Noted: Date _____

Denied: Date _____

Conditional Use Required

Site Plan Approval Required

COMMENTS:

Zoning Administrator Signature _____

Date _____

AREA OF CONCERN

Landscaping:	Complies	Does Not Comply	N/A
1 Greenbelt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 Parking lot Islands, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 Site Landscaping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Foundation Planting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 Dumpster Screening	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6 Comments:			

Signs:

7 Number of Signs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 Size and area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9 Comments:			

Comments:

Engineering: _____

Utilities: _____ Connection fee's paid

Fire Chief: _____ Inspection Complete

Access: _____

Other Conditions of Approval: _____

Additional Comments: _____

B. Describe reason/ need for variance:

- a. The need for the variances is to keep the project viable. Our proposed building expansion is to improve our current business model and not lose students to other venues.

C. Explain existing special condition or circumstances that are unique to the land or buildings involved, which are not applicable to similar land or building in the same district:

- a. The unique circumstance is that the Township classified our use as, Option 8 "Other" in conditional use for GI zoning "similar to a kennel, but not a kennel."
- b. Kennel zoning has a side setback requirement of 200' and a 10-acre minimum lot size. These requirements are not applicable.
- c. Regarding noise, considering uses in the GI zoning district are of an industrial and generally noisy nature. The AADTC does not generate the "normal" type of noise in a GI use.
- d. The Club does not house or breed dogs. No animals stay over-night and are never left unattended unlike a kennel
- e. Flooding and Water Damage
 - i. Based on the swamp to the south and the current drainage patterns on site, relocating the building 200' to the west would put the new building directly in the natural path of the flow of storm water This will cause potential flooding and building water issues. Mitigating these types of issues would require raising the building on a pad and installing extensive piping, rather than relying on gravity flow for storm water.
- f. The following would create an undue financial burden for the project
 - i. Moving the building 200' to the west impacts a shared driveway easement with the neighbor, Advanced Disposal, and would require reworking the easements and private roads, cooperation from the neighbor, and include legal fees. At present, our main drive is through and easement on their property and their approach is through an easement on our property.
 - ii. The cost of 200 additional feet of excavation and pipe to the existing septic field.
 1. The septic field is between the existing building and the east property line.
 2. The proposed location has been approved by the Washtenaw County Health Department.
- g. The club has about 6 acres and therefore cannot be in compliance with 10-acre minimum requirement.
 - i. Enforcement of this requirement will cause the project to be abandoned at our current location.

D. Did the special condition or circumstances arise from your actions? YES _____ NO x _____

- a. Describe:
- b. The Ann Arbor Dog Training Club has been at their present site, with the same operation for more than 30 years.

- c. There has been no change on our part, other than we wish to expand our indoor operations. Our permit desire spurred the township to an addition of Kennel as a conditional use accepted use in the GI district.

- E. Explain why interpretation of the ordinance would deprive you of rights commonly enjoyed by other property owner in the same district:
 - a. No other property owner must accommodate a 200' side setback, which is extremely limiting on development options for a small (5.8 acre) parcel of property.

- F. Explain why this is the minimum variance necessary to allow for a reasonable utilization of the land or structure:
 - a. Relief from the 200' side setback and the 10-acre minimum parcel size, required for a Kennel Use, are the minimum variances necessary to achieve the desired building expansion for the Club.

- G. Explain how this variance would be in harmony with the intent of the ordinance and not injurious to the neighborhood or neighbors or otherwise be detrimental to the public interest:
 - a. The variance request is in harmony with the intent of the ordinance for GI zoning because the GI setbacks and other requirements would be met. Our request is for a variance from the Kennel requirements, which has a setback requirement greater than that of GI and larger lot size

WARRANTY DEED-864

The Grantor(s) SCB Northfield Partnership, a Michigan co-partnership, whose address is 401 East Stadium, Ann Arbor, MI 48104 convey(s) and warrant(s) to Ann Arbor Dog Training Club, Inc., a Michigan corporation,

whose address is c/o Judie Freeland, 5764 Textile Road, Ypsilanti, MI 48197

the following described premises situated in the Township of Northfield, County of Washtenaw and State of Michigan:

SEE ATTACHED SCHEDULE "A"

for the sum of One Hundred Sixty-five Thousand (\$165,000) Dollars. Exempt from state transfer tax pursuant to MCL 207.526(r);

subject to easements and building and use restrictions of record, and also subject to such encumbrances as shall have accrued or attached since April 10, 1985 through the acts or omissions of persons other than Grantor or its assigns.

Dated this 10 day of July, 1996

Signed in presence of:

Signed by:

Susan L Dwornick
* Susan L Dwornick
F. Ann Black
* F. ANN BLACK

SCB NORTHFIELD PARTNERSHIP
By: David E. Shipman
* David E. Shipman, Partner

MICHIGAN REAL ESTATE TRANSFER TAX
Dept of Taxation
County of Washtenaw
01 Aug 1996
\$181.50-C
\$0.00-S
#0012964

STATE OF MICHIGAN)
) ss.
COUNTY OF WASHTENAW)

The foregoing instrument was acknowledged before me this 10 day of July, 1996, by David E. Shipman, Partner, on behalf of SCB Northfield Partnership, a Michigan co-partnership.

SUSAN L. DWORNICK
Notary Public, Washtenaw County, Michigan
My Commission Expires Sept. 29, 1996

Susan L Dwornick
Notary Public, Washtenaw County, Michigan
My commission expires: 9/29/96

County Treasurer's Certificate
Washtenaw County Treasurer
Tax Certificate No. 101972

City Treasurer's Certificate

When Recorded Return To:
GRANTEE
(Name)
(Street Address)
(City and State)

Send Subsequent Tax Bills To:
GRANTEE

Drafted By:
Karen T. Mendelson, Esq.
Business Address:
505 East Huron, Suite 202
Ann Arbor, Michigan 48104

Tax Parcel B02-21-300-017-622

Recording Fee

Transfer Tax

*TYPE OR PRINT NAMES UNDER SIGNATURES.

SCHEDULE "A"

PARCEL A

Commencing at the S 1/4 corner of Section 21, T1S, R6E, Northfield Township, Washtenaw County, Michigan; thence N 01°55'10" E 2640.80 feet along the N-S 1/4 line of said section to the center of said section for a PLACE OF BEGINNING; thence S 05°06'30" W 470.13 feet along the centerline of Nollar Road; thence N 89°26'20" W 1251.09 feet; thence N 01°39'20" E 468.74 feet along the east line of the Ann Arbor Railroad; thence S 89°26'20" E 1279.41 feet along the E-W 1/4 line to the Place of Beginning, being a part of the SW 1/4 of said section, having rights of ingress and egress over a 33.0 foot wide private right-of-way having a west line described as follows:

Commencing at the S 1/4 corner of Section 21, T1S, R6E, Northfield Township, Washtenaw County, Michigan; thence N 01°55'10" E 2640.80 feet along the N-S 1/4 line of said section to the center of said section; thence S 05°06'30" W 470.13 feet along the centerline of Nollar Road; thence N 89°26'20" W 650.35 feet for a PLACE OF BEGINNING; thence S 01°39'20" W 767.09 feet for a Place of Ending.

Excepting therefrom, the following described property:

Commencing at the S 1/4 corner of Section 21, T1S, R6E, Northfield Township, Washtenaw County, Michigan; thence N 01°55'10" E 2640.80 feet along the N-S 1/4 line of said section to the center of said section; thence N 89°26'20" W 814.76 feet along the E-W 1/4 line of said section for a PLACE OF BEGINNING; thence S 01°39'20" W 468.74 feet; thence N 89°26'20" W 464.65 feet; thence N 01°39'20" E 468.74 feet along the east line of the Ann Arbor Railroad; thence S 89°26'20" E 464.65 feet along the E-W 1/4 line to the Place of Beginning, being a part of the SW 1/4 of said section.

And further excepting property described as follows:

Commencing at the south 1/4 corner of Section 21, T1S, R6E, Northfield Township, Washtenaw County, Michigan; thence N 01°55'10" E 2640.80 feet along the N-S 1/4 line of said section to the center of said section for a PLACE OF BEGINNING; thence S 05°06'30" W 470.13 feet along the centerline of Nollar Road; thence N 89°26'20" W 186.0 feet; thence N 05°06'30" E 470.13 feet; thence S 89°26'20" E 186.00 feet along the E-W 1/4 line to the Place of Beginning, being a part of the SW 1/4 of said section.

Washtenaw County Treasurer
 Tax Certificate No. 207572 *EL*

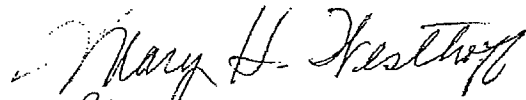
June 6, 2016

To Whom It May Concern:

Re: Letter of Authorization
Ann Arbor Dog Training Club
1575 E North Territorial Road
Whitmore Lake, MI 48189

Dear Sir/Madam:

I/we hereby authorize David Hughes of Vanston O'Brien, Inc. to act as agent in my/our behalf in all matters related to application and acquisition of Permits and Approvals from all governing agencies as may be required for the construction and use of all proposed improvements to 1575 E North Territorial Road, Whitmore Lake, MI. Said permits and approvals shall/may include, but not necessarily limited to Rezoning Approvals; Variance Approvals; Site Plan Approvals; Building Permits, Soil Erosion and Grading Permits.


PRESIDENT AADTC