

**SHIAWASSEE COUNTY ZONING BOARD OF APPEALS
APRIL 13, 2016– BOARD MINUTES**

1. **CALL TO ORDER:** Chair Henry W. Martin III called the regularly scheduled monthly Zoning Board of Appeals public hearing to order at 7:00 P.M. on Wednesday evening, April 13th, 2016. The hearing was held within the County Board of Commissioners’ meeting room located on the first floor of the Surbeck Building, 201 N. Shiawassee Street, in Corunna, MI.
 - a. **ROLL CALL:** Present: Bradley Hissong, Duane Wood, Julie Hales-Smith, Robert Ebmeyer, Paul Brake, Ann Gamboe Hall and Henry W. Martin III. Absent: None. Also present: Peter Preston, Community Development Director and Matthew Lafferty, Land Use Planner.
 - b. **EXCUSED ABSENCES:** None.
2. **CONFIRMATION OF LEGAL NOTICE:** The board was informed that a legal notice of the scheduled hearing had been posted within the Sunday March 27th, 2015 edition of the Independent Newspaper to all of their zones and that proof of publication was on file. Chair Henry Martin declared the hearing as legally noticed.
3. **APPROVAL OF THE AGENDA: Motion:** Hall moved to approve the agenda as printed. **Support:** Hales-Smith. **Motion carried: 7 ayes, 0 nays.**
4. **APPROVAL OF BOARD MINUTES: Motion:** Hissong moved to approve the January 13th, 2016 minutes as printed. **Support:** Wood. **Motion carried: 7 ayes, 0 nays.**
5. **PUBLIC COMMENTS ON NON-AGENDA ITEMS:** None.
6. **COMMISSIONER COMMENTS:** Commissioner John Horvath said that he was here to observe.
7. **OLD BUSINESS:** None.
8. **NEW BUSINESS:**
 - 8.a. **Application Request #PZBA16-001**
Applicant/Owner – Richard & Vicky Cesar
Site Location – 3872 S. County Line Rd., Durand, MI 48429; Tax ID.# 012-01-400-006-01; Section 01, Vernon Township.
Request – To allow the creation of a lot with a single-family dwelling on an approximately 10-acre parcel, which exceeds the maximum lot size requirement of 2.5-acres.
Ordinance Reference – Section 2.7.2.A .

Lafferty provided the staff report.

The Chair asked for the applicant's statement. The applicants, had no additional comments.

The Chair opened the floor for public comment in support of the applicant's request. Hearing none, the Chair called for public comment in opposition of the request. Hearing none, the Chair called for Township input. Lafferty had stated that there was no comment from Vernon Township. No rebuttal was necessary.

Chair Martin closed the public hearing.

Discussion between the Board members took place.

Lafferty presented the findings of fact and the Board further discussed each finding of fact.

Chair Martin entertained a motion.

Motion: Robert Ebmeyer motioned to **approve** request PZBA16-001, CESAR, for the proposed variance from Section 2.7.2.A as property legally described in Section 01, Vernon Township (Parcel Id. #012-01-400-006-01), based upon the following reasoning:

Reasoning:

1. The proposal satisfies the basic findings as set forth in Section 18.4.6 of the Zoning Ordinance.
2. The natural gas pipeline and natural features of the land appear to create difficulty of further developing the property.
3. The applicant's intention to use the property for recreational purposes and to protect the agricultural land of the property.

Support: Paul Brake.

Roll Call: Ayes to Approve: Bradley Hissong, Duane Wood, Julie Hales-Smith, Robert Ebmeyer, Paul Brake, Ann Gamboe Hall and Henry W. Martin. **Nays:** None.

Motion carried: 7 ayes, 0 nays.

9. INTERPRETATIONS OF THE ZONING ORDINANCE: None published.

10. ZONING ADMINISTRATOR'S REPORT: Preston said that there is the possibility of having a training session for the ZBA. There is a power point presentation that we can do in either June or July.

11. BOARD MEMBER COMMENTS: Martin noted that if the ZBA is handing out a lot of variances then there may be some changes that need to be made to the Zoning Ordinance.

The Board also discussed different options of how to present the Findings of Fact at the meetings.

12. PUBLIC COMMENT: None.

13. ADJOURNMENT: Motion: Brake moved to adjourn. **Support:** Hall. **Motion carried: 7 ayes, 0 nays.** The public hearing adjourned at approximately 8:15 P.M.

Recording Secretary: Matthew Lafferty

Approval Signature
Shiawassee County Zoning Board of Appeals

Approval Date