

**SHIAWASSEE COUNTY ZONING BOARD OF APPEALS
MAY 13, 2015– 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, May 13th, 2015. 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: Bradly Hissong, Duane Wood, Julie Hales-Smith, Steve Andrews, Ann Gamboe Hall and Henry W. Martin III. Absent: Fred Junger. Also present: Matthew Lafferty, Land Use Planner.
 - b. **EXCUSED ABSENCES:** **Motion:** Ann Gamboe Hall moved to excuse Fred Junger. **Support:** Bradley Hissong. **Motion carried: 6 ayes, 0 nays.**
2. **PROOF OF PUBLICATION:** The board was informed that a legal notice of the scheduled hearing had been posted within the Sunday May 3rd, 2015 edition to all zones of the Shiawassee County Independent and that proof of publication was on file. Chair Henry Martin declared the hearing as legally noticed.
3. **APPROVAL OF THE AGENDA:** **Motion:** Duane Wood moved to approve the agenda as printed. **Support:** Ann Gamboe Hall. **Motion carried: 6 ayes, 0 nays.**
4. **APPROVAL OF BOARD MINUTES:** **Motion:** Duane Wood moved to approve the April 8th, 2015 board minutes with the correction of excusing Bradly Hissong. **Support:** Steve Andrews. **Motion carried: 6 ayes, 0 nays.**
5. **PUBLIC COMMENTS ON NON-AGENDA ITEMS:** None.
6. **COMMISSIONER COMMENTS:** None.
7. **OLD BUSINESS:** None.
8. **NEW BUSINESS:**
 - 8.a. **Application Request #PZBA15-005**
Applicant – Don Spezia, 2363 Vernon Rd., Corunna, MI 48817
Owner – Roberta Kirkman, 6809 Lytle Rd., Corunna, MI 48817
Site Location – 6995 Lytle Rd, Corunna, MI; Tax Id.# 78-008-30-400-002; Section 30, Venice Township.
Request – To allow the creation of a parcel in the A-1 District to have less than the required minimum road frontage of 210’ for a corner lot.
Ordinance Reference – Section 3.2

Lafferty provided the staff report. The property subject to variance request is located on the northeast corner of the intersection of Lytle Rd. and Vernon Rd. The property is approximately 90-acres in size with approximately 1,157' of frontage on Lytle Rd and approximately 2,216' of frontage on Vernon Rd. The property contains two (2) single-family residential structures and four (4) associated accessory structures. The applicant is proposing to divide from the parent two (2) parcels of approximately 1-acre, with each containing a single-family residential structure. The proposed lot requiring a variance is on the southeast corner of the parent property. The corner lot is to have approximately 210' of frontage on Lytle Rd. and approximately 185' on Vernon Rd. The Board of Appeals is being petitioned to allow the creation of parcel in the A-1 District to have less than the required minimum road frontage of 210' for a corner lot.

The applicant Don Spezia stated that the current owner would like to sell the farm area of the property and keep back the two houses. The applicant stated that he had been farming the land for over 20-years and would like to have the farmland within the family.

The Chair thanked the applicant and opened the floor for public comment in support of the applicant's request. Don Brooks, a neighboring property owner, stated that he would like to see the variance approved. Chair called for public comment in opposition of the request. Hearing none, Chair called for Township input. Lafferty stated that no township input had been received.

Chair Martin entertained a motion.

Motion: Steve Andrews motioned to **Postpone** request PZBA15-005, SPEZIA, for the proposed 25' variance from Section 3.2 as legally described in Section 30, Venice Township (parcel Id. #78-008-30-400-002), based upon the following reasoning:

1. Additional information is necessary to assess the basic findings as set forth in Section 18.4.6 of the Ordinance.

Support: Ann Gamboe Hall.

Chair Martin called for all in favor to postpone say aye and all that oppose say nay. Hearing all ayes and no nays, Motion to Postpone Carries.

8.b. Application Request #PZBA15-006

Applicant/Owner – Frank & Susan Busnardo, 4849 Mohican Trail, Owosso, MI 48867

Site Location – 4849 Mohican Trail; **Tax Id.#** 78-010-52-035-000; Section 10, Bennington Township.

Request – To allow an addition on the rear side of a legally nonconforming structure that will further encroach into the minimum waterfront setback by 12 feet.

Ordinance Reference – Section 10.3

Lafferty provided the staff report. The property subject to variance request is located on the southeast side of Mohican Trail within the Manitou Knolls Subdivision. The subject property is approximately 0.496-acres in size with approximately one hundred sixty (160') feet of frontage and is approximately one hundred forty-five (145') feet in depth. The single-family residential structure on the property is considered legally nonconforming as it is within the one hundred (100') feet minimum required setback from the water's edge. The petition for variance is to increase the nonconformity for an existing nonconforming single-family residential structure as the proposed addition is closer to the water's edge, further encroaching into the one-hundred (100') feet waterfront setback.

The applicant, Sue Busnardo, stated that the current room is only four (4') feet wide and that it is too small. They wish to build a 3-season room to have a usable area to view the lake.

The Chair thanked the applicant and opened the floor for public comment in support of the applicant's request. The applicant presented several letters of support from neighboring properties and a letter of support from the subdivision's Lake Association. Chair called for public comment in opposition of the request. Hearing none, Chair called for Township input. Lafferty stated that the Bennington Township Planning Commission recommended approval of the variance application at a meeting held on May 4, 2015.

Lafferty presented the findings of fact. All findings of fact were in agreement.

Chair Martin entertained a motion.

Motion: Ann Gamboe Hall moved to **approve** request PZBA15-006, BUSNARDO, for the proposed variance from Section 10.4, Nonconforming Structures, in Section 10 of Bennington Township (parcel Id. #78-010-52-035-000), based upon the following reasoning and conditions:

1. The proposal does satisfies the basic findings as set forth in Section 18.4.6 of the Ordinance.
2. That the lower portion of the 3-season room remains open and that it is not to be enclosed.

Support: Bradly Hissong.

Roll Call: Ayes to Approve: Bradly Hissong, Duane Wood, Julie Hales-Smith, Steve Andrews and Ann Gamboe Hall. **Nays:** Henry W. Martin. **Motion carried: 5 ayes, 1 nay.**

9. INTERPRETATIONS OF THE ZONING ORDINANCE: None.

10. ZONING ADMINISTRATOR'S REPORT: None.

11. BOARD MEMBER COMMENTS: None.

12. PUBLIC COMMENT: None.

13. ADJOURNMENT: **Motion:** Steve Andrews moved to adjourn. **Support:** Julie Hales-Smith. **Motion carried:** 6 ayes, 0 nays. The public hearing adjourned at approximately 8:30 P.M.

Recording Secretary: Matthew Lafferty

Approval Signature
Shiawassee County Zoning Board of Appeals

Approval Date