

**SHIAWASSEE COUNTY ZONING BOARD OF APPEALS
JUNE 10, 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, June 10th, 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, Robert Ebmeyer and Henry W. Martin III. Absent: Fred Junger and Ann Gamboe Hall. Also present: Peter Preston, Community Development Director and Matthew Lafferty, Land Use Planner.
 - b. **EXCUSED ABSENCES: Motion:** Julie Hales-Smith moved to excuse Fred Junger and Ann Gamboe Hall. **Support:** Bradley Hissong. **Motion carried: 5 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 31st, 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:** Robert Ebmeyer moved to approve the agenda as printed. **Support:** Julie Hales-Smith. **Motion carried: 5 ayes, 0 nays.**
4. **APPROVAL OF BOARD MINUTES: Motion:** Bradly Hissong moved to approve the May 13th, 2015 board minutes with the correction of “Chair” instead of Vice Chair on pages 2 and 3. **Support:** Robert Ebmeyer. **Motion carried: 5 ayes, 0 nays.**
5. **PUBLIC COMMENTS ON NON-AGENDA ITEMS:** None.
6. **COMMISSIONER COMMENTS:** None.
7. **OLD BUSINESS:**
 - 7.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 informed the Board of the item that had been tabled at the May 13, 2015 meeting and provided the information requested by the Board.

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

Chair Martin entertained a motion.

Motion: Bradly Hissong moved to **approve** 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 and conditions:

1. The proposal satisfies the basic findings as set forth in Section 18.4.6 of the Ordinance.
2. Any encroachment concerning driveways, well and septic requirements take place at the time of sale.

Support: Duane Wood.

Roll Call: Ayes to Approve: Bradly Hissong, Duane Wood, Julie Hales-Smith, Robert Ebmeyer and Henry Martin. **Nays:** None. **Motion carried: 5 ayes, 0 nays.**

8. NEW BUSINESS:

8.a. Application Request #PZBA15-007

Applicant/Owner – Regina Felker, 1809 E. Grand River Rd., Bancroft, MI 48414

Site Location – Same as above; **Tax Id.#** 78-011-20-200-003-05; Section 20, Shiawassee Township.

Request – To allow a single-family dwelling on an approximately 11.46-acre parcel which exceeds the maximum lot size requirement of 2.5-acres by approximately 8.96-acres. Also, to allow a second single-family dwelling on an approximately 11.35-acre parcel which exceeds the maximum lot size requirement of 2.5-acres by approximately 8.85-acres.

Ordinance Reference – Section 2.7.2.A

Preston provided the staff report. The property subject to variance request is generally located at the northwest corner of E. Grand River Rd. and State Rd. The property has approximately 366' of frontage along E. Grand River Rd. starting approximately 617' west of the intersection of E. Grand River Rd. and State Rd. The property has approximately 488' of frontage along State Rd. starting approximately 271' north of the intersection of E. Grand River Rd. and State Rd. The applicant wishes to divide a parcel that is approximately 21.46-acres in size, creating a parcel approximately 11.46-acres in size containing the single-family residential dwelling and a lot of approximately 10-acres in size. The petition for variance is to allow a single-family dwelling on a parcel which exceeds the maximum lot size requirement of 2.5-acres. The applicant wishes to combine the remaining 10-acre parcel with the adjacent parcel that is approximately 1.35-acres in size (Parcel Id #78-011-20-200-003-03). The Board of Appeals is being petitioned to reduce a conforming 20-acre lot to an approximately 11.46-acre parcel which exceeds the maximum lot size requirement of 2.5-acres by approximately 8.96-acres and to allow a second single-family dwelling on an approximately 11.35-acre parcel which exceeds the maximum lot size requirement of 2.5-acres by approximately 8.85-acres.

The applicant Regina Felker explained the reasoning for the proposed variance.

The Chair thanked the applicant and opened the floor for public comment in support of the applicant's request. Mike Wachowicz, 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. Preston stated that no township input had been received.

Discussion between the Board members took place. It was noted that the intended use of the property is for recreational purposes, not agricultural. The property is not currently being used for agricultural purposes and the Ordinance was written with the intent to protect agricultural land.

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

Chair Martin entertained a motion.

Motion: Julie Hales-Smith motioned to **approve** request PZBA15-007, FELKER, for the proposed variance from Section 2.7.2.A as legally described in Section 20, Shiawassee Township (parcel Id. #78-011-20-200-003-05 and #78-011-20-200-003-03), based upon the following reasoning:

1. The proposal satisfies the basic findings as set forth in Section 18.4.6 of the Ordinance.
2. No special conditions that had been discussed be placed.

Support: Robert Ebmeyer

Roll Call: Ayes to Approve: Bradly Hissong, Duane Wood, Julie Hales-Smith, Robert Ebmeyer and Henry Martin. **Nays:** None. **Motion carried: 5 ayes, 0 nays.**

8.b. Application Request #PZBA15-008

Applicant – Kelly Bila, 1070 E. Main St. (P.O. Box 52), Owosso, MI 48867

Owner – Don Francis, 5995 E. Six Mile Creek Rd., Corunna, MI 48817, and Levi and Amanda Martindale, 5801 E. Six Mile Creek Rd., Corunna, MI 48817

Site Location – 5801 E. Six Mile Creek Rd.; **Tax Id.#** 78-003-13-200-001-02 and 78-003-13-200-002-01; Section 13, New Haven Township.

Request – To allow a single-family dwelling on an approximately 3.5-acre parcel which exceeds the maximum lot size requirement of 2.5-acres by approximately 1-acre.

Ordinance Reference – Section 2.7.2.A

Preston discussed that there was some difficulty with communication between the staff and the applicant. Staff has requested additional information regarding the item. Staff needs

signed approval by all parties involved. Also, additional site plan information was needed. New Haven Township had also requested time to review the item.

Motion: Bradly Hissong motioned to **Postpone** request PZBA15-008, 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: Duane Wood.

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.

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:** Julie Hales-Smith moved to adjourn. **Support:** Duane Wood. **Motion carried: 5 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