

**SHIAWASSEE COUNTY ZONING BOARD OF APPEALS  
NOVEMBER 4, 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, November 4<sup>th</sup>, 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: Fred Junger, Bradley Hissong, Duane Wood, Julie Hales-Smith, Robert Ebmeyer, Ann Gamboe Hall and Henry W. Martin III. Absent: None. Also present: Matthew Lafferty, Land Use Planner.
  - b. **EXCUSED ABSENCES:** None.
2. **PROOF OF PUBLICATION:** The board was informed that a legal notice of the scheduled hearing had been posted within the Sunday October 18<sup>th</sup>, 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:** Junger moved to approve the agenda as printed. **Support:** Hall. **Motion carried: 7 ayes, 0 nays.**
4. **APPROVAL OF BOARD MINUTES: Motion:** Junger moved to approve the October 14<sup>th</sup>, 2015 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 learn more about the ZBA process.
7. **OLD BUSINESS:** None.
8. **NEW BUSINESS:** No
  - 8.a. **Application Request #PZBA15-016**  
**Applicant/Owner** – Deborah Elaine  
**Site Location** – 1955 W. Hibbard Rd., Owosso, MI 48867; Tax ID.# 78-010-03-200-001; Section 3, Bennington Township.  
**Request** – To allow the creation of a parcel to have frontage on a legally nonconforming private road.  
**Ordinance Reference** – Section 3.2 & Section 6.5

Lafferty provided the staff report.

The Chair asked for the applicant's statement. The applicants, Deborah Elaine and Rebecca Ropp, stated that this had been family owned property and they want to split off their property with their house. The applicant presented pictures of the property to the Board.

The Chair opened the floor for public comment in support of the applicant's request. Speaker #1, the applicant's sister spoke in support. Speaker #2, a neighbor spoke in support. Speaker #3, a relative of the applicant spoke in support.

The Chair called for public comment in opposition of the request. Hearing none, the Chair called for Township input. The Chair stated that Bennington Township recommend approval.

Chair Martin closed the public hearing.

Discussion between the Board members took place.

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

Chair Martin entertained a motion.

**Motion:** Hales-Smith motioned to **approve** request PZBA15-016, ELAINE, for the proposed variance to allow the creation of parcel to have frontage on a legally nonconforming private road on property as legally described in Section 3, Bennington Township (Parcel Id. #78-010-03-200-001), based upon the following reasoning and conditions:

Reasoning:

1. The proposal satisfies the basic findings as set forth in Section 18.4.6 of the Ordinance.
2. This cures the existing nonconforming condition of two residential dwellings on one lot.

Conditions:

1. That the maintenance agreement as found in Section 6.5.7.J. subsections 1-4 be included as offered by the applicant.

**Support:** Bradley Hissong. **Roll Call: Ayes to Approve:** Fred Junger, Bradley Hissong, Duane Wood, Julie Hales-Smith, Robert Ebmeyer, 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:** None.

**11. BOARD MEMBER COMMENTS:** Ebmeyer asked for some clarification of precedence seeing how each case is made on its own merits. Emphasis should be on each individual case. Hall said that an example of a set precedence was with lake front properties. Junger stated that consistency with these cases is important.

**12. PUBLIC COMMENT:** None.

**13. ADJOURNMENT: Motion:** Hall moved to adjourn. **Support:** Junger. **Motion carried:** **7 ayes, 0 nays.** The public hearing adjourned at approximately 7:50 P.M.

**Recording Secretary:** Matthew Lafferty

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Approval Signature  
Shiawassee County Zoning Board of Appeals

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Approval Date

DRAFT