

**VEVAY TOWNSHIP
ZONING BOARD OF APPEALS
Regular Meeting/Public Hearing
Monday, July 8, 2019
Vevay Township Hall – 7:00 p.m.**

MINUTES

Members Present: Chair Jack Cady, Vice Chair Ilene Thayer, Secretary Bob Schnabelrauch, and Members Richard Lacasse, Bill Potter and Gary Howe

Members Absent: None

Staff Present: Supervisor Ramey, Clerk Kean, Trustee Lazet, Building/Zoning Official Vincent, Deputy Clerk Ruttan, Deputy Treasurer Blair, and Legal Counsel David Revore.

Others Present: Petitioner Todd Luks from *Elhorn Engineering Co. Inc.*, and four interested residents.

The meeting was called to order by Chair Cady at 7:03 p.m. and followed by the Pledge of Allegiance.

Approval of Agenda: The agenda was set as published.

Approval of Minutes: **MOTION** by Howe, seconded by Lacasse, to approve the December 3, 2018 Regular Session minutes as written.

Voice Vote: MOTION CARRIED UNANIMOUSLY

Public Comment: No comment on matters not on the agenda.

Public Hearing: **Application #19-01 for a Setback Variance Request for a Detached Accessory Building on an Irregular Lot 3.09 (D-1) (b) regarding the placement shall be 400 feet to the rear of the front lot dwelling; and 3.09 (E) regarding Accessory Building Size. The property is located at 889 Eden Road, Mason, MI. Parcel #33-10-10-16-400-017.**

Chair Cady announced he would recuse himself from the ZBA Board for this meeting as he has cast his vote as a Planning Commission member which required action by the Zoning Board of Appeals for variances approvals. Therefore, Vice Chair Ilene Thayer would ~~not~~ now Chair this meeting.

Chair Thayer announced at 7:05 the ZBA Board will recess for the public hearing.

Explanation of Appeal #19-01: Chair Thayer explained the appeal was for a setback variance on a Detached Accessory Building on an Irregular Lot regarding the 400 feet to the rear of the front lot dwelling and the Accessory Building size. Chair Thayer stated the neighbor in the front of the flag lot has provided both written and verbal confirmation of support and approval. Chair Thayer stated the Board would hear public comment on the Appeal for the Setback Variance Request on the Detached Accessory Buildings on an Irregular Lot 3.09 (D-1) (b).

Public Comment: Public Comment was provided by John Fischer, John Lazet and Byron Russell regarding the residential property in an industrial zone, the stifling of economic growth, and the limited placement of the structure due to wetlands. All three were in support of granting the variance.

Chair Thayer adjourned the public hearing on the Appeal for the Setback Variance Requested on the Detached Accessory Buildings on Irregular lots 3.09 (D-1) (b) at 7:14 p.m.

Chair Thayer announced the Board will hear public comment on the Accessory Building Size 3.09 (E).

Public Comment: Public Comment was provided by John Fischer relating to the building size requirement of an industrial zoned structure and John Lazet regarding the proposed structure is not an accessory building, but part of the principle use of the building for the service provided. Due to the preexisting wetlands, an addition to the existing structure could not be built. Both were in support of granting the variance.

Chair Thayer closed the public hearing on the Accessory Building Size 3.09 (E) and adjourned the public hearing at 7:27 p.m. and recommenced the regular ZBA Board meeting.

Discussion of the Board: The Board discussed the irregular size of the lot, public safety issues, the combined structures are well under the 85% industrial use requirement, and the wetlands limit the placement of the structure. ZBA Board Member Howe presented a comprehensive explanation of his onsite inspection.

The Board discussed the standards from Section 18.04 (A) (1 - 6) and established the Findings of Fact documents, attached to these minutes as Attachment A and Attachment B.

Chair Thayer called for a recess at 7:59 p.m. to prepare the Zoning Board of Appeals motions.

Chair Thayer recommenced the meeting at 8:48 p.m. for the purpose of reviewing the Zoning Board of Appeals motions.

MOTION Lacasse, supported by Potter, to adopt the Findings of Fact on Document A Granting the variance for 3.09 (D-1) (b) Detached Accessory Buildings on Irregular Lots and to adopt the Findings of Fact on Document B Granting the variance for 3.09(E) Accessory Buildings Size.

Vote: Ayes 5 Nays: 0 MOTION CARRIED

Any other Business of the Board: None

There being no further business before the Board, the meeting adjourned at 8:59 p.m.

Bob Schnabelrauch, Secretary