

CHARTER TOWNSHIP OF MONITOR
ZONING BOARD OF APPEALS

May 21, 2020

The meeting was called to order by Chairman J. Horen at 7 p.m.

Members present: J. Horen, J. Krueger, A. Lyday, G. Brandt, C. Schweitzer, D. Zube-Alternate

Members absent: None

Also in Attendance: K. Malkin, Supervisor, R. Sheppard, Attorney, Susan Hess, Leo and Jane Pietryga, Brad Pietryga

The pledge of allegiance was recited by all present.

Motion by Brandt, seconded by Schweitzer to adopt the agenda as presented.

Motion carried.

Motion by Horen, seconded by Krueger to approve the minutes of November 21, 2019 regular meeting as presented.

Motion carried.

Election of Officers

Nominations were opened for Chair

Motion by Krueger, supported by Brandt to nominate James Horen as Chair.

Nominations closed.

Motion carried to elect James Horen as Chair for 2020.

Nominations were opened for Vice-Chair

Motion by Horen, supported by Brandt to nominate Amy Lyday as Vice-Chair

Nominations closed.

Motion carried to elect Amy Lyday as Vice-Chair for 2020.

Nominations were opened by Secretary

Motion by Horen, supported by Lyday to nominate Joy Krueger as Secretary

Nominations closed.

Motion carried to elect Joy Krueger as Secretary for 2020.

Public Input

Public input was opened and closed at 7:12 p.m. with no one present from the public wishing to speak.

Charter Township of Monitor

Regular Zoning Board of Appeals Meeting of May 21, 2020

Items for Consideration

09-100-R20-000-015-00

5550 Dennis

Accessory Building Variance

Horen read the letter sent out to property owners/neighbors of Susan Hess, 5550 Dennis.

Letter received from Leo Pietryga 2948 Wayne and a letter from Rachel Levesque 2938 E. Salzburg Road, were read by Horen and Krueger.

S. Hess is requesting a variance for an eight by twelve (8 x 12) shed. She said she does not have a garage and has a need for a small shed. The shed will have no electricity and will be portable. S. Hess pointed out the practical difficulty if she moved the shed to the south side of her property.

Horen explained section 3.17 section of Ordinance 67.

R. Sheppard reviewed the changes made to Ordinance 67 regarding two (2) front yards.

Brad Pietryga 51025 Christina Ct, Shelby Township discussed drainage and placement of the shed, in regards to the property line.

Discussion followed.

Krueger stated, the property at 5550 Dennis Drive (09-100-R20-000-015-00) is a corner lot that is narrow in depth. The literal enforcement of this Ordinance 67 causes undue hardship and practical difficulties for placement of a relatively small shed.

Krueger explained that practical difficulty and unnecessary hardship are found by carrying out the strict letter of the ordinance. A request has been made to vary such regulations so that the spirit of this Ordinance shall be observed and public safety is secure.

Krueger stated that Ordinance 67 section 18.10 (a) (b) and (c) have been met.

Motion by Krueger, supported by Schweitzer to grant a seven (7) foot variance to Susan Hess 5550 Dennis Drive to reduce the required space from her house to her accessory building to no less than thirteen (13) feet. Section 3.27 requires 20 feet from house to accessory building. Section 6.05 requires a thirty (30) foot setback. In order to comply with section 6.05 and since this accessory building is portable and will not have electrical run to it, public safety is secured and the corner is not obstructed. Also, conditional upon proper drainage as may be required by the Building inspector.

Roll call vote:

Yes: Brandt, Schweitzer, Lyday, Krueger, Horen

Charter Township of Monitor

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No: None
Absent: None
Motion carried.

Reports

Interpretation of Section 3.27(f) and (g) Ordinance 67

Horen review the email from Sheppard regarding the request to interpret Section 3.27(f) and (g) Ordinance 67.

Sheppard explained the scenario that the Zoning Administrator needed interpretation of.

Discussion continued among the members.

Motion by Brandt supported by Lyday to interpret Section 3.27 (f) and 3.27(g) of Ordinance 67 that when a principal building which includes an attached garage is connected to another section of the garage by a breezeway it must be constructed with a roof supported by walls in accordance with township ordinances, it is then considered a single building under Section 2.19 and, therefore, one garage.

Roll call vote:

Yes: Brandt, Schweitzer, Lyday, Krueger, Horen

No: None

Absent: None

Motion carried.

Communications

Brandt acknowledge receipt of Communications.

Motion by Brandt supported by Schweitzer to adjourn.

Motion carried.

Meeting was adjourned at 8:45p.m.

Respectfully submitted,

Joy Krueger
Secretary
JK/djp