

CHARTER TOWNSHIP OF MONITOR
ZONING BOARD OF APPEALS
October 15, 2015

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

Members present: J. Horen, D. Darland, W. Sinke, T. Miller
Members absent: J. Gwizdala,
Also present: J. Krueger, Alternate Member

Also in Attendance Were: See Sign-in Sheet

Motion by T Miller , seconded by D. Darland to adopt the agenda as presented.
Motion carried.

Motion by J. Krueger seconded by W Sinke to approve the minutes of August 20, 2015 as presented.
Motion carried.

Public Input

Public input was opened at 7:05 p.m.

Eric Gaertner of 5510 Gaertner Ct. is interested in re-visiting a fence issue. Mr. Gaertner agreed to leave his number to have David Rochow call him to discuss his issue..

Public input was closed at 7:14 p.m. with no other public wishing to speak.

New Business

Terry Weiss Setback Variance 09-100-031-200-040-01

Mr. Weiss got a building permit for a pole barn on his property at 5688 Seven Mile Road, but added a porch that made the distance between buildings too close to be conforming, therefore, a Stop Work order was issued. Mr. Weiss is seeking a variance of nine (9) feet to be able to keep the porch which would be sixteen (16) feet from the existing porch on his home.

Chairman Horen read the letter of notification that was sent to neighboring property owners and noted a letter by Selena and Adam Bender of 5706 Seven Mile in support of the variance.

Terry Weiss explained the history of his project, described the difficulty of talking with the ordinance official. He explained that he met with David Rochow once and Dave DeGrow the building official. Mr. Weiss expanded his residential lot by adding farmland to accommodate the pole barn and meet setbacks. The porch was out of conformance with the ordinance and nearly completed when told to stop according to the applicant.

Discussion with ZBA members.

J. Krueger went through the numbers indicating the non-conformity.

Discussion around meeting the requirements of Section 18.10.

There was further discussion around D. Rochow being available during office hours for residents. There was also a question as to why the footing inspection by the building inspector or, in this case, post holes, didn't flag the porch location and its ordinance violation.

Motion to table by W. Sinke died for lack of support.

Further discussion of a timely response from building officials ensued.

Motion by T. Miller that despite what appears to be extenuating circumstances and miscommunication between the building officials and the applicant, the ZBA finds that the applicant cannot meet all the requirements of Section 18.10, particularly 18.10 a) and c). Therefore, the request for a variance is denied. Motion supported by D. Darland.

Roll call vote:

Yes: Darland Miller, Krueger

No: Horen, Sinke

Absent: Gwizdala

Motion carried to deny variance.

Continued discussion around the motion.

Communications

T. Miller moved to accept Communications supported by J. Krueger. Motion carried.

Motion by W. Sinke to adjourn, seconded by D. Darland. Motion carried.

The meeting was adjourned at 8:35 p.m.

Respectfully,

Terry Miller
Secretary