

**Ash Township
Zoning Board of Appeals
Meeting Minutes
July 5, 2011**

Held on: Meeting was called to order by Chairman Stumpmier on Tuesday, July 5, 2011, at 7:30 p.m. at the Ash Township Hall, 1677 Ready Rd., Carleton, MI.

Members Present: Sid Stumpmier, Ace DeVillez, Darrell Mossburg and Bev Malvitz.

Members Absent: Ron Keilman (excused), Terry Wickenheiser.

Others Present: Jim Vaslo – Twp. Manager, and 4 citizens

Chairman asked if everyone received a copy of the February 1, 2011, minutes and if there were any additions or corrections?

Motion #29 Motion to Approve Minutes.

Motion by Malvitz supported by DeVillez to approval the Zoning Board of Appeals meeting minutes of February 1, 2011.

Voice vote taken. Motion carried.

Motion #30 Agenda Approval.

Motion by DeVillez supported by Malvitz to accept the agenda as presented.

Voice vote taken. Motion carried.

Old Business:

None

New Business:

1. A **Public Hearing** for Parcel # 5801-035-003-80, owned by Richard Boyless and commonly known as 9644 Gubbini Drive, Carleton, MI 48117, who is requesting a variance to Article 15, Section 15.02.8 of the Ash Township Zoning Ordinance 7C, which requires a minimum 75 foot rear yard setback. A 50 foot setback is proposed.

Motion #31 Open the Public Hearing.

Motion by DeVillez supported by Malvitz to open the Public Hearing for Parcel #5801-035-003-80. Voice vote taken. Motion carried.

Manager Vaslo informed the Board that the Township had not received any comments regarding

the proposed request.

Board Member questioned the applicant on several site related matters, reviewed the application request and listened to comments from the applicant.

Motion #32 Close the Public Hearing.

Motion by Devillez supported by Malvitz to close the Public Hearing for Parcel #5801-035-003-80. Voice vote taken. Motion carried.

Motion #33 Open the Finding of Facts.

Motion by Mossburg supported by Devillez to open the finding of facts. Voice vote taken. Motion carried.

- Fact- Devillez- That a practical difficulty would exist having the proposed pole building located so close to the house if the 75 ft set back were enforced. Supported by Malvitz.
- Fact- Stumpmier- That the rear yard set beck requirement will eventually change to 50 ft. Supported by DeVillez.
- Fact- Mossburg- That no negative comments were received regarding the proposed variance from adjoining property owners. Supported by DeVillez.
- Fact- DeVillez- If barn were to be moved to another area of the property it would have a negative effect on area drainage. Supported by Malvitz.

Motion #34 Close the Finding of Facts.

Motion by DeVillez supported by Malvitz to close the finding of facts. Voice vote taken. Motion carried.

Motion #35 Approve the Requested Variance.

Motion by DeVillez supported by Malvitz to approve the requested variance for Parcel # 5801-035-003-80 granting a 50 ft rear yard set back for construction of a pole building. Roll Call: 4-Yes, 0-No. Motion carried.

2. A **Public Hearing** for Parcel # 5801-015-028-20, owned by James Vaughan and commonly known 1420 Carleton Rockwood, Carleton, MI 48117, who is requesting a variance to Article 21, Section 21.05.7 of the Ash Township Zoning Ordinance 7C, which limits the height of a detached accessory building to 14 feet. A height of 27 feet is proposed.

Motion #36 Open the Public Hearing.

Motion by Malvitz supported by DeVillez to open the Public Hearing for Parcel #5801-015-028-

20. Voice vote taken. Motion carried.

Manager Vaslo informed the Board that the Township had not received any comments regarding the proposed request.

Board Member questioned the applicant and their contractor on several site and building related matters, reviewed the application request and listened to comments from the applicant.

Motion #37 Close the Public Hearing.

Motion by Devillez supported by Malvitz to close the Public Hearing for Parcel #5801-015-028-20. Voice vote taken. Motion carried.

Motion #38 Open the Finding of Facts.

Motion by Malvitz supported by Devillez to open the finding of facts.
Voice vote taken. Motion carried.

- Fact- Malvitz- That no negative comments were received regarding the proposed variance from adjoining property owners. Supported by Stumpmier.
- Fact- DeVillez- That the proposed pole building is located 438 ft from Carleton Rockwood Road. Supported by Malvitz.
- Fact- DeVillez- That the overall square footage of the proposed pole building is within ordinance requirements. Supported by Mossburg.
- Fact- Stumpmier- The distance from the house and road would make the proposed pole building compatible with others in the neighborhood. Supported by DeVillez.
- Fact- DeVillez- The storage use of the proposed pole building requires a 14 ft door opening which adds to the overall height of the building. Supported by Malvitz.
- Fact- DeVillez- The applicant confirms that there are no commercial uses planned for the proposed pole building. Supported by Stumpmier.
- Fact- DeVillez- That the proposed pole building would make outside storage on the property not necessary according to the applicant. Supported by Mossburg.

Motion #39 Close the Finding of Facts.

Motion by DeVillez supported by Malvitz to close the finding of facts.
Voice vote taken. Motion carried.

Motion #40 Approve the Requested Variance.

Motion by DeVillez supported by Malvitz to approve the requested variance for Parcel # 5801-015-028-20 granting a height of 22 ft to the means and not to exceed a height of 27 ft overall for the proposed pole building.

Roll Call: 4-Yes, 0-No. Motion carried.

Motion #41 Adjournment.

Motion by Mossburg supported by DeVillez to adjourn. Voice Vote taken. Motion approved.

Respectfully Submitted,
Jim Vaslo
Township Manager