

Zoning Board Meeting – October 8, 2018

Board: Mark Connolly, Harold Wolcott, Charity Donnan, Dustin Geiger

Others: Henry Fuller, Kaye Morgan, John Morgan, Melinda Skinner, Todd Skinner, Kirk Richenberg

Meeting called to order at 7:00 PM by Chairman Connolly

First order of business to continue discussion of Use Variance request from Kaye & John Morgan to be able to construct self-storage units on their parcel on the corner of Main St. and Fowlerville Road from previous meeting.

Public comment from Melinda & Todd Skinner concerned about development across from their home. They had purchased their home because they did not want close neighbors and the rural nature of the area.

Mr. Fuller questioned what the project is and is it in an Agricultural district. It has been determined it is partially in an Agricultural Zone and part Residential on the Fowlerville Rd side.

Discussion on what criteria the Zoning Board must follow and how the owner must prove it can't find use allowed in that zone.

John Morgan spoke about their use of the land and how due to the soil quality they are actually losing money on crops planted on the lot. He explained that while there are eight different allowable businesses in that zone he does not have expertise in all of those businesses to use it for anything other than the tillable land it was purchased for.

Mark Connolly spoke of why variances are hard to obtain and "it's incumbent upon the owner to prove why they cannot make use of an accepted use in the zone".

Discussion on what criteria the Zoning Board must follow

- 1) Cannot realize reasonable return
- 2) Alleged hardship was unique and does not apply to a substantial portion of the district
- 3) Variance will not alter the essential character of the neighborhood
- 4) Alleged hardship was not self-created and how the owner must prove it can't find use allowed in that zone.

Motion made by Harold Wolcott to approve the use variance

Chairman Connolly called for a vote: Wolcott – Yes, Donnan –No, Connolly – No, Geiger – No

Variance request denied 3-1

Meeting moved on to second public hearing for an Area variance request from Alan Beug.

Public Hearing called to order 7:30PM by Chairman Connolly

Board Present: Mark Connolly-Chairman, Harold Wolcott, Charity Donnan, Dustin Geiger

Others: Henry Fuller, Kirk Richenberg, John Morgan, Carl Peter

Discussion explaining what the variance request from Mr. Beug was for:

Area variance is basically a lot line adjustment to include an existing garage currently on the neighbor's tillable land lot on Mr. Beugs lot. Because they are changing the size of Mr. Beugs lot it is supposed to become conforming to the current zoning. Currently he owns a one acre lot with no road frontage, just a right of way to his property across the tillable land currently owned by Mark Cole. In order to make Mr. Beugs lot conforming Mr. Cole would need to sell him 2 acres including 250 feet of road frontage to comply. This would separate a portion of Mr. Cole's property to the north of the driveway from the remainder of his land and create a nonconforming lot smaller than the required 3 acres. It also removes two acres of land from the possibility of growing crops which was the sole purpose of purchasing the land. In reality we would be creating a nonconforming lot in order to create a conforming lot. The situation was created by the previous owner who owned both lots and built the structures under the previous zoning. The lots were sold separately as part of the settlement of the estate.

Chairman Connolly made a motion to approve area variance Charity Donnan Seconded,

Vote unanimous to approve variance.

Harold Wolcott Motioned to adjourn meeting Seconded by Charity Donnan All Yes

Meeting Adjourned 7:45PM