



Wexford Joint Zoning Board of Appeals

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APPROVED Proposed Meeting Minutes

Time & Date: 6pm, Wednesday, January 23, 2019

Meeting location: Wexford County Road Commission Meeting Room, 85 West Highway M-115, Boon, Michigan. Coordinates: 44° 19' 32.5" N, 85° 34' 53.4" W (44.325685, -85.581500)

A. **Call to Order, Roll Call of the Panel to hear the case, Pledge of Allegiance**

Panel Present: Beverly Monroe, Chairman (Liberty)
Bill Swank, Vice Chairman (Antioch)
Ben Fleis, Secretary (Wexford)
Jack Prebay (Selma)
Phil Wendel (Slagle)

Others Present: Ben Townsend, Assistant Zoning Administrator
Heather O'Connor, Recording Secretary

B. **Approval of Minutes for September 26, 2018** - With no corrections/additions, it was moved by Jack Prebay & seconded by Ben Fleis to approve the Meeting Minutes as presented. A Roll Call vote was taken & the motion was passed unanimously by Panel Members present.

C. **Set / Amend Agenda** - With no corrections/additions, it was moved by Ben Fleis & seconded by Jack Prebay to approve the Meeting Agenda as presented. A Roll Call vote was taken & the motion was passed unanimously by Panel Members present.

D. **New Business** (organizational meeting /other business and communications).

1. Election of Officers

a. Chairman – Bev Monroe was recommended by Jack Prebay, seconded & with roll call vote of Panel Members present, Beverly Monroe was elected unanimously to the Chairman role.

b. Vice Chair – Bill Swank was recommended by Bev Monroe, seconded & with roll call vote of Panel Members present, Bill Swank was elected unanimously to the Vice Chairman role

c. Secretary – Ben Fleis was recommended by Bev Monroe, seconded & with roll call vote of Panel Members present, Ben Fleis was elected unanimously to the Secretary role

2. 2019 Meeting Dates (proposed 4th Wednesday of each month as needed) - With no corrections/additions, it was moved by Bev Monroe & seconded by Jack Prebay to approve the 2019 Meeting Dates (proposed 4th Wednesday of each month as needed) as presented. A Roll Call vote was taken & the motion was passed unanimously by all Panel Members.

- E. **Public Participation for Agenda Items** (not including matters related to any public hearing on this agenda) – Two (2) members of the public were present, Kevin Squier & Robert Dunning
- F. **Matters pertaining to citizens present at the meeting**, in the following order:
1. Advertised Public hearing: (Squier Variance Request / Case # ZBA-2019-01)
Slagle Township - Phil Wendel
 - a. The Chair shall declare the public hearing open – Chair Bev Monroe declared the public hearing open
 - b. Planning and Zoning Administrator - Staff Presentation - Ben Townsend, Assistant Zoning Administrator delivered the Staff Report noting the following in reference to the Squier Variance request:
 - Topographical map of the 300ft Notice Range inclusive of the Dunning Property
 - Email from Mr Dunning does not oppose the variance, it supports the Squier Variance Request
 - The proposed building is 335ft from the road at one end and 264ft from the road, noting approximately twenty percent (20%) of the building falls outside the zoning ordinance, hence the request to approve the Squier Variance Request is presented to the Panel
 - The Standards of Review to be applied for the approval/denial of the Squier Variance Request were presented as detailed in the Assistant Zoning Administrators Report
 - c. Applicant Presentation – Kevin Squier represented that due to the location of the home and topography of the property, the proposed location for the building was strategically placed to the best of his ability and request for variance was respectfully submitted. He noted that the property is heavily wooded and less than ten percent (10%) of the building would be visible from the road.
 - d. The Chair shall allow public comment – Mr Robert Dunning, owner of the neighboring property reiterated his agreement with the Squier Variance Request both by his email and his presence at this meeting.
 - e. The Chair shall declare the public hearing closed – With no further comments, Chair Bev Monroe declared the public hearing closed
 2. Zoning Board of Appeals [Deliberations / Findings / Conclusions ZBA-2019-01]
The Zoning Board of Appeals may ask additional 'fact-finding' questions of the applicant, staff, or members of the public – It was noted by discussion that three 930 of the panel members present had personally visited the Squier property, noting the proposed location of the Squier Variance Request. Jack Prebay inquired of the applicant if the other temporary structure as noted on the map (a temporary carport type structure) was to be removed should the variance be granted. Mr Squier noted that the temporary structure (a non-permanent carport structure) will be removed. It was then moved by Phil Wendel, seconded by Ben Fleis to accept the Variance Request for the Squier Property based on the Standards of Review, Assistant Zoning Administrator report, neighbor comments and in lieu of the physical conditions & topography the Squier Variance Request should not be limited by the Ordinance. A Roll Call vote was taken & the motion was passed unanimously by all Panel Members.

- G. **Unfinished Business and Reports** (items considered here are taken up in the same order as established by the Appeals Board to fix a priority for consideration and work done in the planning office).
Ben Townsend noted the Annual Meeting of Wexford Joint Planning Commission is February 25, 2019 at 6:30pm. Pertinent data for the Annual Meeting is the conclusion reached regarding the conditional rezoning and differences in ordinance language, as well as township voting and the status of the escrow account. Letters have been sent to the fifty-five (55) officers of the eleven (11) townships to attend the Annual Meeting.
- H. **Public Participation for Non-Agenda Items** – no further comments/items were offered by members of the public present
- I. **Report / Comments from each member of the ZBA** regarding their respective participating municipality - Phil Wendel noted the ordinance language is unclear for voting purposes. Chair Bev Monroe reported that funds from permits is allowing more leeway.
- J. **Adjournment** – It was moved by Ben Fleis & seconded by Phil Wendel to adjourn the meeting at 6:38pm. The motion was passed unanimously.

