



## Wexford Joint Zoning Board of Appeals

‰ Cherry Grove Township  
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### DRAFT Meeting Minutes

Time & Date: 6pm, Wednesday, May 22, 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, Pledge of Allegiance, Roll Call**

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

*Absent:* Ron Vaughan (Cherry Grove)

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

B. **Approval of Minutes for January 23, 2019** - Recommend change the reference of "panel" to "Board" going forward and the change of:

Agenda item F 2 "three 930 of the panel members" to "three (3) of the panel members"

With no further corrections/additions/changes to 23Jan19 Minutes, it was moved by Bill Swank & seconded by Jack Prebay to approve the 23Jan19 Meeting Minutes as noted and passed unanimously by Board Members present.

C. **Set / Amend Agenda** - With no corrections/additions, a motion to approve the Meeting Agenda as presented was made by Jack Prebay, seconded by Ben Fleis and passed unanimously by Board Members present.

D. **Public Participation for Agenda Items** (not including matters related to any public hearing on this agenda) – Two (2) members of the public were present, Richard Harvey & Rodney Welliver

E. **Matters pertaining to citizens present at the meeting**, in the following order:

1. Advertised Public hearing: (Welliver Variance Request / Case # ZBA-2019-02)

Cherry Grove Township – Ron Vaughan (Absent)

a. The Chair shall declare the public hearing open – Chair Beverly 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 Welliver Variance request:

- Topographical map of the 300ft Notice Range inclusive of the Welliver Property
- The proposed accessory building is noted as a 40ft x 48ft totaling 1920sqft with placement in the rear yard of the two (2) acre property thirty (30) feet from the rear property line and twenty (20) feet from the side property line in the Rural Residential District of the Wexford Joint Zoning Ordinance.
- The Standards of Review to be applied for the approval/denial of the Welliver Variance Request were presented as detailed in the Assistant Zoning Administrators Report (see report)

c. Applicant Presentation – Rodney Welliver 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. Mr. Welliver also reported that his requested permission for the Accessory building is also within the City Airport consideration. Trees surrounding the proposed location are eighty-three (83) ft tall and the proposed structure is to be twenty-nine (29) ft in height. Mr. Welliver also noted there are three (3) septic fields on the property as well as the Consumers Energy restraints, thus the request for the Zoning variance request.

d. The Chair shall allow public comment – Chair Beverly Monroe inquired as to possible downsizing of the building. Mr. Welliver reported that due to the proposed use of the building, storing large military-style vehicles, downsizing is not what he would ask. Richard Harvey inquired as to the house location without variance. Mr. Welliver noted the house was built in 1965 and prior to the necessity for variance requests.

e. The Chair shall declare the public hearing closed – With no further comments, Chair Beverly 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 two (2) of the board members present had personally visited the Welliver property, noting the proposed location of the Welliver Variance Request. It is documented that the parcel existed prior to 01Jan16, was not made smaller after 01Jan16 and bordered to one side by a subdivision and the other being Government property. The Standards of Review were discussed and reviewed in accordance with the variance request. It was then moved by Bill Swank, seconded by Ben Fleis to accept the Variance Request for the Welliver Property based on the Standards of Review, Assistant Zoning Administrator report, and in lieu of the physical conditions & topography the Welliver Variance Request should not be limited by the Ordinance. A Roll Call vote was taken & the motion was passed unanimously by all Board Members.

F. **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). None at the time of this meeting date.

G. **Public Participation for Non-Agenda Items** – no further comments/items were offered by members of the public present

- H. **Report / Comments from each member of the ZBA** regarding their respective participating municipality – Robert Hall reported that planning language had been introduced to the WJPC for variance education for accessory buildings regarding setbacks the same as principal buildings on a given property. Also noted was the working on formality of the staff report. Recording Secretary requested if specific data for each step of review standards is added to the agenda, the minutes become more concise for clarity noting data for each point of review in the standard.
  
- I. **Adjournment** – It was moved by Bill Swank to adjourn the meeting at 7:02pm.

Prepared by Heather A. O'Connor, Recording Secretary, for Secretary