

Wexford	Hanover	Greenwood	Liberty
Springville	Antioch	Collax no zoning	Cedar Creek zoned
Slagle	Boon	Selma	Haring zoned
South Branch	Henderson no zoning	Cherry Grove	Clam Lake zoned

■ Planning and zoning by the Wexford Joint Planning Commission

Wexford Joint Planning Commission

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Proposed Minutes

Wexford Joint Planning Commission **Zoning Board of Appeals** **August 23, 2017** **Wexford Road Commission Building**

- A. The meeting was called to order at 6:00 pm by Monroe
 1. Roll Call:
 Members Present: Chair Beverly Monroe, Benedict “Ben” Fleis, John “Jack” Prebay, Bill Swank, Carol Perrin
 Members Absent: None
 Others Present: Robert Hall, Wexford Joint Planning Commission Planner/Zoning Administrator; Ben Townsend, Assistant Zoning Administrator, Bruce Evans, Tom and Cardlyn Medendorf, Hugh Hufnagel, Brian K. Jones, Diane Prebay.
 2. Pledge of Allegiance
 3. Change to Agenda – Prebay Moved to approved agenda, support by Fleis, unanimous voice vote in favor.

- B. Approval of Minutes
 1. Approval of June 28 Minutes. Motion by Prebay, Second by Fleis. Passed unanimously.
 2. Approval of July 26 Minutes. Motion by Swank, Second by Prebay. Passed unanimously.

- C. Matters pertaining to Citizens at the Meeting:
 1. Advertised Public Hearing #1 (Blanchard Variance Case/ZBA-2017-05)
 - A. Chair declared open meeting at 6:05.
 - B. Staff Presentation – Robert Hall: Explained to Board that the Applicant has provided an abundance of information with surveys, etc. Applicant was denied permit because of not meeting the Ordinance requirements. Explained the process of appealing the decision to the ZBA to apply for a variance. Gave history of property by way of zoning. This property came into being when they took a portion of Lot 22 and Lot 21 and made it one property. This is a unique characteristic of the property.
 (Visuals of the property and adjoining properties were presented.)

Applicant's brother: He explained that the current garage is going to fall down and needs to be replaced. Wants to remove and replace with a modern garage. Proposes to meet or improve the existing setbacks, except for the back, right corner remaining at 4 (four) feet. Presented a letter from neighbors approving what Blanchard was doing.

Fleis: Enquired as to the lot to the west as to why it was low.

Brother's response stated that someone was going to build on that lot.

Blanchard: 8 years ago they tore down a shack and levelled the property in order to build. That was their driveway. We are trying to make the neighborhood look better.

Swank: Asked if the Blanchard garage was going to be for personal use or use of the rental.

Blanchard: Replied it would be used for both.

Prebay: Asked if there was nine (9) feet between the proposed garage and the house.

Blanchard: Wanted twenty-two (22) foot garage in order to be able to park her truck all the way into the garage and have some storage space in front of the truck.

Hall: Stated that we discuss with the Applicant to conform to the standards before requesting to appeal.

D. Chair allowed Public Comments:

Tom Medendorf, 3311 W. Lake Mitchell, wanted to back the proposal from Blanchard. Stated he did not understand why it is even before the ZBA. Support the idea.

Hugh Hufnagel, supports the project for all the reasons that are stated.

Chair Monroe closed the Public Hearing

E. Deliberations

Monroe: Stated if the garage were not squared to Paul Bunyan Drive the setbacks could all have been solved.

Blanchard: Answered that if it were square to the road then it would look bad and not be square to the house.

Monroe: Concerned that it could not be moved to the west.

Swank: Asked if it was only because of the power pole.

Blanchard: Answered that it was because of the power pole. To move the garage over the drive would be hindered by the power pole. The pole is about one foot away from the driveway now.

Monroe: Asked how many ZBA members went to the site. Several responded in the affirmative.

Swank: Stated the garage is in really bad shape. But he is more concerned with the new structure.

Fleis: Suggested that if the garage was twisted slightly it would much better meet the setbacks. And it would not ruin the aesthetics of it. Stated what everybody

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forgets about is fire and safety. To build too close to the line and there be a problem no one can help.

Monroe: Concurred with Fleis that turning it would allow the setbacks to be closer to the Ordinance.

Blanchard: Answered that all you would gain would be about a foot from four (4) feet to five (5) feet.

Fleis: Would like for it to be at least six (6) feet. Stated the ZBA would like to help Blanchard with some variation to her plan rather than the ZBA just deny it. People always forget about the long term, twenty years from now, who is to say what will happen. And we have to protect the area lest everybody build within four (4) feet of the line and present huge problems.

Blanchard: Answered that the building code would take care of the fire prevention by requiring extra drywall.

Monroe: Suggested they look at doing a thirty-two (32) foot garage rather than a thirty-four (34) foot garage or a thirty-six (36) foot garage.

Prebay: Suggested that they check with Consumer Energy to simply move the pole.

Hall: Stated that according to his staff report you are trying to put a square peg in a round hole, and you cannot give the Applicant everything they want, which is not the ZBA's primary job. The primary job is to give them the minimum variance necessary to enjoy a similar property right. And the ZBA is not to determine if the state of the garage is in disrepair because we are not building people. The recommendation from the staff report for the ZBA to consider alternatives, not just the positioning of the garage, but whether they warrant a garage of the size they are asking for. Make sure the decision is substantiated by facts and conclusions, and not just because we think it is okay and we can make it fit.

Monroe: Stated that we need to find a way to do the garage, but with the setbacks more standard to the Ordinance than what they are now.

General discussion concerning the six (6) foot setback on the east side.

Monroe entertained a motion to approve not closer than nine (9) foot between the garage and the house, and make the east setback not closer than six (6) feet and to make the garage at thirty-four (34) feet. Prebay Seconded Motion.

Roll call vote:

Monroe: Yes

Fleis: Yes

Swank: Yes

Prebay: Yes

Perrin: Yes

D. Unfinished Business and Reports:

Hall stated that Marli will be here when she can to take minutes. But Ben has been doing

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it. And we will send an article for ZBA members about Putting a Square Peg in a Round Hole.

E. New Business: There was none

F. Public participation: There was none.

G. Adjournment:

Fleis moved to adjourn. Swank second. All in favor – five. All opposed – none.
Meeting concluded at 7:08 pm.