

MINUTES OF A REGULAR MEETING OF THE YORK TOWNSHIP ZONING BOARD OF APPEALS, HELD ON June 19, 2018, at 7:32 P.M. at YORK TOWNSHIP HALL, 11560 STONY CREEK RD, MILAN, MI, 48160

Meeting called to order by Chairperson Valentine at 7:32 p.m.

MEMBERS PRESENT: Brian Iott, Jane Kartje, Mike Kempf, James Porter, Jack Valentine (quorum present).

MEMBERS ABSENT: None

OTHERS PRESENT: Applicant: Mr. Keagan Puse, Mr. Chuck Tellas, Ms. Shannon Schafer, Mr. Dan Schafer

PUBLIC COMMENTS: none.

APPROVAL OF AGENDA: Moved by Member Kempf, seconded by Member Kartje to adopt the agenda as presented. Voice Vote: Aye: 5; Nay: 0; Absent: 0. Motion carried 5-0-0.

APPROVAL OF MINUTES: Moved by Member Kartje and seconded by Member Kempf to approve the minutes of November 21, 2017 Voice Vote: Aye: 5; Nay: 0; Absent: 0. Motion carried 5-0-0.

NEW BUSINESS: None

At 7:45 p.m., Moved by Kartje, seconded by Iott, to close regular ZBA meeting and to open the ZBA Public Hearing. Motion carried 5-0-0

PUBLIC HEARING

To hear a request for a variance from the York Charter Township Zoning Ordinance, Article 6.0 Dimensional Standards, Section 6.101 Table of Dimensional Standards by District, A-1 rear yard setback, Minimum 50 feet, requesting 10 feet.

Applicant/Property Owner: Keagan Puse

Property Address: 4272 Willow Rd., Milan, MI 48160

Parcel ID#: S-19-25-200-008

At Chairman Valentine's request, Mr. Puse recounted the problems he faced in siting a proposed 30 by 30 foot pole barn on his 1.08 acre parcel. These included avoiding impingement of a leach field expansion area, as well as the need to provide for adequate drainage away from the barn by correcting, via the importation of fill dirt, the downward slope of his property toward the rear property line. Chairman Valentine asked Mr. Puse whether a twenty foot rear setback for the barn would be feasible to which Mr. Puse replied in the negative, stating the added volume of fill this would require would be prohibitive, although a fifteen foot setback, while not ideal, would be workable.

A letter from Thomas Toth, Building and Zoning Official, York Township indicating it will be recommended the township ordinances be amended to the effect in any district, where the principal use of a parcel is residential, side and rear yard setbacks be reduced to ten feet.

In commenting on this letter, Mr. Iott, indicated the intent here is to make this change applicable only to parcels bordered entirely by lands in the A-1 Zoning District.

A communication signed by neighboring property owner Mr. Rodney Vershum indicating his support for the granting of the requested variance.

Member Iott noted the proposed structure would likely never be used for commercial purposes. Members Porter and Kempf expressed reservations about the creation of a non-conforming structure in the absence of the planning commission's guidance which is anticipated by year's end.

Chairman Valentine noted Section 19.11 D3, requires the variance granted shall be the minimum variance which will make possible the reasonable use of the land, building or structure and suggested the setback distance allowed should be 15 feet rather than the requested 10 feet.

A motion was made by Kartje, seconded by Iott, to close the ZBA public hearing and to open the regular Zoning Board of Appeals meeting at 7:56 pm. Motion carried 5-0-0.

Member Iott moved to approve the variance, at 4272 Willow Rd., Puse property, to grant a setback of 15' verses the current requirement of 50', primarily for the inability to put the structure anywhere else as to encroach on the future leach expansions and the cost of the expensive grading to the land. The Standards of Determination, Section 19.11, particularly sections 19.11A and 19.11D3, have been read and agreed that they are met. Member Kartje, advised to add rear yard setback, as well as, parcel id #19-25-200-008, then seconded, as amended.

Roll call vote: Member Iott: yes, Member Kempf: no, Chairman Valentine: yes, Member Porter: no, Member Kartje: yes. Motion passed 3-2-0.

ELECTION OF OFFICERS

Member Iott moved, seconded by Member Kartje, to the effect the roster of officers remain as is. (Chairman: Jack Valentine, Secretary: James Porter). Roll Call vote: Member Iott: yes, Member Kempf: yes, Chairman Valentine: yes, Member Porter: yes, Member Kartje: yes. Motion passed 5-0-0.

ADJOURNMENT

Moved by Iott, seconded by Kartje, to adjourn the June 19, 2018, ZBA meeting. Motion was approved by voice vote 5-0-0. The meeting was adjourned at 8:20 pm.

Respectfully submitted,

James Porter, Secretary