

**HOWELL TWP ZONING BOARD OF APPEALS
APRIL 15, 2019 MEETING MINUTES
Howell Township Hall 6:30 P.M.**

MEMBERS PRESENT:

Kim Babcock	Chairman
Andrew Sloan	Vice-Chair & PC Representative
Evan Rudnicki	Board Representative
Alex Hansen	Member
Carrie Newstead	Member

MEMBERS ABSENT:

Also Present: Joe Daus – Zoning Administrator.

Chairman Babcock called the meeting to order at 6:30 P.M.

WELCOME NEW MEMBERS: Carrie Newstead, new ZBA member and Evan Rudnicki, new ZBA Board Representative.

Deputy Clerk Debby Johnson announced that she is no longer preparing the packets or recording the minutes for Zoning Board of Appeals meetings, Josie Modrack will now be responsible of those tasks.

The roll was called.

PLEDGE OF ALLEGIANCE:

All rose for the Pledge of Allegiance.

APPROVAL OF AGENDA: MOTION by Sloan, seconded by Rudnicki, “**TO APPROVE THE APRIL 15, 2019 ZONING BOARD OF APPEALS AGENDA AS AMENDED: ADD APPOINT ZONING BOARD OF APPEALS OFFICERS FOR THE YEAR 2019.**” Motion carried.

OFFICER SELECTION: MOTION by Newstead, seconded by Hansen, “**TO APPOINT THE 2019 ZONING BOARD OF APPEALS OFFICERS AS WAS THE CASE FOR 2018.**” Motion carried.

APPROVAL OF MINUTES: MOTION by Sloan, seconded by Hansen, “**TO APPROVE THE JULY 16, 2018 ZONING BOARD OF APPEALS MEETING MINUTES AS PRESENTED.**” Motion carried.

TOWNSHIP BOARD REPORT:

(Board Rep. Evan Rudnicki reported on the following items)

- An April meeting was held.
- Discussion on Township owned property being set aside for the Howell Township Parks and Recreation Plan: 25 acres on Mason Rd., 25 acres on Oak Grove, and 80 acres on Tooley Rd.
- Opted out on Recreational Marijuana for now until the laws and regulations from the State are presented and the Planning Commission and Board obtain a better direction on what the Township should do.
- Opted out on allowing residents to hunt on Township owned properties.
- The new Township Board members as of November of last year: Evan Rudnicki and Jeff Smith.

PLANNING COMMISSION REPORT:

(Zoning Administrator Joe Daus reported on the following items)

- Grand River Party Store, 2425 W. Grand River, Parcel #4706-27-400-002 & 003. – finishing up site plan.
- Working on some Ordinance Amendments.

PETITIONER: RON & MELISSA BERGMAN, FILE #PZBA-2019-01, PARCEL #4706-03-400-019, 5454 BYRON ROAD. REQUESTING VARIANCE TO ALLOW FOR CONSTRUCTION OF AN ACCESSORY STRUCTURE WITHIN REAR YARD SETBACKS.

- Chairman Babcock reviewed the request for the petitioner variance on the following section to allow for an accessory structure within rear yard setbacks: **ARTICLE III: GENERAL PROVISIONS:** Section 3.17 Schedule of Area, Height, and Setback Regulations, Item AR Rear Yard Minimum Setback Requirement. Requesting a -30 foot variance.
- Representative for Ron and Melissa Bergman, Ron Bergman's father, Ron Sr., 8105 Eagle Ridge, Fowlerville, explains that Ron Bergman wants to construct a pole barn and with the way the property is set up currently, if he built the pole barn without the variance it won't give easy access into the building, too close to the house where mowing with a tractor and storing automobiles wouldn't be possible. House was constructed 2 years ago.
- All needed publishing and posting requirements have been met.
- The Township did not receive any comments from residents for or against this request.
- Ron Sr. mentioned the petitioner, Ron Bergman verbally spoke to all of his neighbors about this request and none of them had a problem with his request.
- Questions were taken from the ZBA Members to the Bergman's representative, Ron Sr.
- The hardship preventing the petitioner from abiding by the setback requirements was stated as the inaccessibility for the septic company to get to the septic tank, vehicles unable to be stored or in and out of the structure, and not enough space between the house and the accessory structure, not giving enough space to mow the lawn.
- **MOTION** by Babcock, seconded by Sloan, **"TO APPROVE AND ACCEPT THE FINDINGS OF FACT FOR PURPOSES OF THE ZBA'S DECISION, SUPPORTING THE PETITIONER'S, RON & MELISSA BERGMAN, VARIANCE REQUEST TO ALLOW CONSTRUCTION OF AN ACCESSORY STRUCTURE WITHIN REAR YARD SETBACKS ON PARCEL #4706-03-400-019, 5454 BYRON ROAD."** Findings of Fact as stated by Chairman Kim Babcock: Ron Bergman's father is present representing on his behalf, the location of the property has been identified and the ordinance requirement has been identified as Section 3.17. Motion carried.
- **MOTION** by Newstead, seconded by Sloan, **"TO APPROVE THE VARIANCE FOR FILE #PZBA-2019-01, PARCEL #4706-03-400-019, 5454 BYRON ROAD FOR RON AND MELISSA BERGMAN REQUEST FOR A -30 FOOT VARIANCE FOR THE REAR YARD WITH NO CONDITIONS."** Discussion followed. A roll-call vote was taken: Hansen – yes, Sloan – yes, Rudnicki – yes, Newstead – yes, Babcock – yes. Motion carries 5 to 0.

CALL TO THE PUBLIC:

No response.

ADJOURNMENT: MOTION by Babcock, seconded by Hansen, **"TO ADJOURN."** Motion carried and meeting adjourned at 6:52 P.M.

Approved: _____ X _____

As Presented: _____ X _____

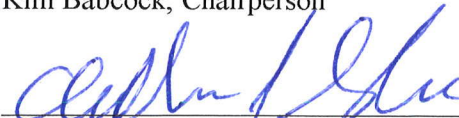
As Amended: _____

As Corrected: _____

Dated: 06.24.19



Kim Babcock, Chairperson



Andrew Sloan, Vice-Chairperson



Josie Modrack, Recording Secretary