

A legally advertised meeting of the Zoning Board of Appeals was called to order in the Denton Township Hall by Chairman Lloyd Bonzo at 9:30 a.m.

Board Members Present: Chairman Lloyd Bonzo, Lynn Baese, Carl Seils, and Kent Straub.

Board Members Absent: Gail Kukuk.

Others Present: Gail Carrick, Trudy Carrick, Corey D. Grandmaison-Attorney for the Carricks, Doug West, Jim Mikolaizik, Kim Akin, Zoning Administrator Rachael Barnes and Secretary Theresa Wagner.

Motion by Straub supported by Baese to approve the minutes of the last Zoning Board of Appeals meeting held July 14, 2017.

Ayes 4 Nays 0 Absent 1 Motion Carried.

Chairman Bonzo read the following guidelines to be followed:

The Zoning Administrator will give the staff presentation.

The applicant or his agent will state his case fully and furnish the Zoning Board of Appeals with pertinent information concerning this request.

Following the presentation by the applicant, comments from the audience will be accepted under the following guidelines:

1. All statements or questions from the floor must be directed through the Chairperson.
2. Presentations from the floor will be limited to 5 minutes or less.
3. Each person making a statement will be asked to state their name and address.
4. The Zoning Board reserves the right to question any speaker.
5. Be as brief and factual as possible.
6. Please refrain from repeating what has been said before and please do not involve personalities.
7. Those in favor of the request will be heard first.
8. Those opposing the request will be heard last.

At the conclusion of the floor presentations, the chairperson will close the meeting to the public, and the Zoning Board will deliberate the matter and arrive at a decision at today's meeting. (Copies of these rules are available on the table).

Chairman Bonzo informed the applicants they had the option to proceed with this hearing today or postpone it, due to the fact that there are four out of five Board Members in attendance and if there were a tie in a vote, a motion would fail. There is a quorum in place. The Carrick's stated they would like to proceed.

Case #2017-007ZBA.

The Estate of Carrick Trucking, Inc. requested a variance for a non-conforming structure to remain at 5202 W. Emery Rd., Prudenville (Prop. #72-003-019-014-0020), if a property split was approved.

Zoning Administrator Barnes stated the property is zoned Forest Rural. The Carrick's are requesting permission to split the parcel among the family due to bankruptcy, and the result would create a 90 acre parcel with the quonset hut, and a 3.65 acre parcel with a single family home. The split and variance are requested and required to sell the resulting two (2) parcels to their current occupants. Barnes stated that in the Zoning Ordinance, under *Forest Rural, E.*

Accessory structures and uses, this request could not meet letters (b), (d) and (f), as follows:

(b) The structure must be sided and shingle roofed.

(d) The structure cannot exceed 1,200 square feet.

(f) The structure can only be one story.

This is why they are asking for the variance.

Corey Grandmaison, Attorney for the Carrick's, stated that due to a bankruptcy filing, the "Carrick Trucking" entity is being forced to sell the property to individual Carrick family members, creating the need for the split and creating a non-conformity. The quonset hut structure is 50' x 100' and shaped in a half-cylinder, and has been on the property since 1975. It does not have a pitched roof. It has an apartment with living quarters on the one side and working septic system. The issue of the quonset hut no longer conforming to the Denton Township Ordinances stems directly from the splitting of the parcel. The quonset hut conformed at the time it was built, continued to conform when the home was built, and looks and is situated in exactly the same place for the past 40+ years. Discussion followed.

There was no correspondence or phone calls on this case.

Chairman Bonzo asked for comments from the floor for or against the request. There were none.

The meeting closed to the floor at 9:39 a.m.

Chairman Bonzo asked for comments from the Board.

Straub stated the building has been there since 1975 and has already been grandfathered in, so he feels the request will not make another non-conformity in this case. It is already legal non-conforming on the property now.

Baese stated it is a quality structure and adds value to the parcel. He feels he could approve the request if the building is never used for living space. Seils concurred.

Chairman Bonzo stated if it is only used for storage and not for business purposes, he would approve of the request.

After discussion,

Motion by Baese supported by Seils to grant a variance on behalf of the Estate of Carrick Trucking, Inc. allowing the quanset hut to remain at 5202 W. Emery Rd., Prudenville (Prop. #72-003-019-014-0020) as requested, after approval of the lot split, and the quonset hut is used for storage only, and not used for living or business purposes.

Ayes 4 Nays 0 Absent 1 Motion Carried.

Public Comment.

Doug West, 113 Detroit Street, questioned the variance granted to Brian Huffman, 119 Detroit Street at last month's meeting. Bonzo stated that the Zoning Board of Appeals decision is final.

There being no further business,

The meeting adjourned at 9:53 a.m.

Respectfully submitted,

Theresa M. Wagner, Secretary