

A legally advertised meeting 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, Morry McLain and Gail Kukuk.

Board Members Absent: None.

Others Present: Sue May, Richard Tokarski, Rick Perry, George Fitzpatrick, Cindi Fitzpatrick, Joyce Golden, Kim Pellerito, Mark Pellerito, Janice McPherson, Dixie Rader, Brad Reno and Zoning Administrator/Acting Secretary Rachael Barnes.

Motion by Baese supported by Kukuk to approve the minutes of the last Zoning Board of Appeals meeting held September 8, 2017.

Ayes 5 Nays 0 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).

Case #2017-009ZBA.

Sue May requested three (3) variances to build a 32' x 40' addition to the existing detached garage located at 127 Sheridan Dr., Prudenville (72-003-321-728-0000) as follows:

- 640 sq. ft. variance (garage will exceed dwelling footprint)
- 1'6" setback variance on south side lot line to maintain the 4'6" setback that currently is the existing garage.
- Height variance – new addition will be taller than the dwelling

Zoning Administrator Rachael Barnes stated the requested addition to the detached garage will be 32' x 40' (1,280 sq. ft.), and the existing aluminum carport (320 sq. ft.) will be converted to garage. After this, the applicant will be over in square footage by 640 sq. ft. The existing detached garage currently has a 4'6" setback including overhang, and the applicant wishes to continue that setback with the new addition, therefore needing a 1'6" setback variance. A height variance will also be needed as the new addition will be taller than the dwelling. Discussion followed.

Chairman Bonzo asked for comments from the floor for the request.

Janice McPherson, 120 Sheridan Dr., stated the applicants have done a beautiful job updating their house, and are wonderful neighbors. She is in favor of the request.

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

The meeting closed to the floor at 9:35 a.m.

Chairman Bonzo asked for comments from the Board.

Baese expressed his concern on additional structures on small lots. It would set precedence for others, and is not in favor of the expansion. The Board concurred.

Chairman Bonzo added he feels this request is excessive.

After discussion,

Motion by Kukuk supported by Seils to deny the original request for three (3) variances requested to add on to the existing detached garage located at 127 Sheridan Dr., Prudenville (72-003-321-728-0000) as follows:

- 640 sq. ft. variance (garage will exceed dwelling footprint)
- 1'6" setback variance to maintain the 4'6" on south side lot line
- Height variance – new addition will be taller than the dwelling

Ayes 5 Nays 0 Motion Carried.

A renegotiation was discussed. They discussed allowing the same setback for the garage addition as the already existing garage, at 4'6". They discussed allowing no more than 10% of the dwelling's square footage for the garage addition, which would allow an additional 136 sq. ft.

Motion by Baese supported by Seils to approve an addition to the existing detached garage provided it maintains the existing 4'6" setback along the south lot line, the entire accessory structure does not exceed 10% of the dwelling square footage (136 sq. ft.), and the new addition does not exceed the height of the house, on property #72-003-321-728-0000.

Ayes 5 Nays 0 Motion Carried.

Case #2017-010ZBA.

Mark Pellerito, a.k.a. RST Future Holdings, LLC, requested a variance to demo the existing home and keep detached garage at 1165 E. Houghton Lake Dr., Houghton Lake. (Property #72-003-002-016-0266).

Zoning Administrator Barnes stated they want to demo the existing 1,445 sq. ft. home and keep the 768 sq. ft. detached pole garage. They would like to take down the house and build a new one eventually in the future.

Mr. Pellerito stated the house is in disrepair and feels it needs to be taken down. He would like to rebuild the home following retirement, but is unsure of exactly when that will be. More than one year but less than three years. Discussion followed.

Chairman Bonzo asked for comments from the floor for the request.

Brad Reno, 1201 E. Houghton Lake Dr., stated it would be an upgrade to the neighborhood to have the home demolished. He is in favor of the request.

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

The meeting closed to the floor at 9:54 a.m.

Chairman Bonzo asked for comments from the Board.

Kukuk stated she believes it would be an improvement to the neighborhood, but was concerned regarding three (3) years to rebuild.

McLain stated it would create non-conformity. Seils concurred.

Baese stated that leaving the house there is an eyesore, and removing it would cause no actual harm to anyone. He would be in favor of the request with stipulations to upgrade the accessory structure.

Mr. Pellerito stated he already has intentions to enhance the appearance of the pole barn.

Chairman Bonzo reiterated his concerns with creating a non-conformity. We have had people in the past say they are going to build, and then never do. Discussion followed on a performance guarantee.

After discussion,

Motion by Kukuk to approve the request of Mark Pellerito, a.k.a. RST Future Holdings, LLC, for a variance to demo the existing home and keep detached garage at 1165 E. Houghton Lake Dr., Houghton Lake. (Property #72-003-002-016-0266) as requested. The motion failed for lack of a second.

Motion by Seils supported by Baese to deny the variance request to demo the house and keep the pole garage at 1165 E. Houghton Lake Dr., Houghton Lake, (72-003-002-016-0266) as requested, because it would cause a non-conformity on the property.

Ayes 4 Nays 1 Motion Carried.

More discussion followed.

Motion by Baese supported by McLain to allow the demo of the house and keep the detached garage provided the house is rebuilt within one (1) year. If construction has not begun within one (1) year, the applicant can come back and apply for a one (1) year extension, if needed.

Ayes 5 Nays 0 Motion Carried.

Rescind Motion and correct- Case #2017-002ZBA.

Larry and Joyce Golden is requesting approval for a 22'x 26' garage, when a 24'x 24' garage was approved in Case #2017-002ZBA. The Assessor and Zoning Administrator did a site visit to check the permit and found a garage built with different dimensions than what was approved. The garage that was built is four (4) sq. ft. smaller than what was originally approved. A motion is needed to rescind approval of a 24'x 24' garage and replace with a 22'x 26' garage, if all members are in agreeance.

Motion by Seils supported by McLain to rescind original motion granting approval of a 24'x 24' garage and amending that motion to approve a 22'x 26' garage for property #72-003-024-005-0031.

Ayes 5 Nays 0 Motion Carried.

There being no further business,
The meeting adjourned at 10:50 a.m.

Respectfully submitted,

Rachael Barnes, Acting Secretary