

**Ash Township
Zoning Board of Appeals
Meeting Minutes
January 3, 2017**

Held on: The meeting was called to order by Chairman Sid Stumpmier on Tuesday, January 3, 2017, at 7:00 p.m. in the Ash Township Hall, 1677 Ready Road, Carleton, Michigan.

Members Present: Sid Stumpmier, Jim Booth, Jerry Hunter, Darrell Mossburg and Bryan Campbell.

Members Absent: Ron Keilman.

Others Present: Jim Vaslo – Township Manager and 10 citizens.

Chairman Stumpmier asked if everyone received a copy of the September 16, 2016, meeting minutes and if there were any additions or corrections.

Motion #374 Motion to Approve Minutes.

Motion by Mossburg supported by Hunter to approve the Zoning Board of Appeals meeting minutes of September 16, 2016, as presented. Voice vote taken. Motion carried.

Motion #375 Agenda Approval.

Motion by Booth supported by Stumpmier to approve the agenda as presented.
Voice vote taken. Motion carried.

Old Business:

None

New Business:

1. A **Public Hearing** for the Flat Rock Historical Society and Ron Drager, the owner of parcel #5801-001-025-00, commonly known as Flat Rock Speedway, 14041 Telegraph Rd, Flat Rock, MI 48134, who is requesting two (2), one (1) day temporary use permits for a flea market on May 7, 2017 and October 1, 2017, and a one (1) day temporary use permit for the Monroe County Brew Fest on September 23, 2017. The request is made under the Ash Township Zoning Ordinance 7C, Article 24, Section 24.07 (4).

Motion #376 Open the Public Hearing.

Motion by Booth supported by Mossburg to open the Public Hearing for Parcel # 5801-001-025-00 and the requested use variances.
Voice vote taken. Motion carried.

The applicant was present. Manager Vaslo spoke to the nature of the request and that the applicant is requesting three temporary use permits for various events at the speedway this year. The board had no questions or comments and none were heard from the audience. Manager Vaslo noted that the public hearing was noticed in the newspaper and property owners within 300 ft were noticed by first class mail of the hearing. Township received no comments, written or verbal, for or against, the proposed use variances.

Motion #377 Close the Public Hearing.

Motion by Mossburg supported by Booth to close the Public Hearing for Parcel # 5801-001-025-00 and the requested use variances.
Voice vote taken. Motion carried.

Motion #378 Open the Finding of Facts.

Motion by Booth supported by Stumpmier to open the finding of facts on the requested use variances for Parcel # 5801-001-025-00. Voice vote taken. Motion carried.

- Facts-Stumpmier- There have been no problems in the past with either event. Supported by Booth.
- Facts-Campbell- There were no complaints or objections, written or verbal, to the requested use variances. Supported by Booth.
- Fact-Mossburg- The site allows for ingress and egress from two roads and that parking and event staging allows for emergency vehicles access. Supported by Campbell.

Motion #379 Close the Finding of Facts.

Motion by Booth supported by Stumpmier to close the finding of facts.
Voice vote taken. Motion carried.

Motion #380 To Grant Approval.

Motion by Booth supported by Hunter to grant approval for three temporary use permits to Ron Drager and Flat Rock Speedway, parcel #5801-001-025-00, for two flea markets on 5/7/17 & 10/1/17, and the Monroe County Brew Fest on 9/23/17.
Roll Call: 5-Yes, 0-No. Motion carried.

2. A **Public Hearing** for Brian Langton, owner of parcel #5801-016-040-85, commonly known as 12150 Grafton Road, Carleton, MI 48117, who is requesting a variance from Article 21, Section 21.05.7, which limits the height of an accessory building to one (1) story or fourteen (14) feet.

Motion #381 Open the Public Hearing.

Motion by Booth supported by Mossburg to open the Public Hearing for Parcel # 5801-016-040-85, and the requested variance. Voice vote taken. Motion carried.

The applicant was present and answered questions from the board. There were no questions or comments from the audience. Manager Vaslo spoke to the nature of the request and explained that the applicant is requesting a variance to the height limitations on an accessory building. The applicant stated that the building would be constructed to a height of 16 feet to the means. Manager Vaslo noted that the public hearing was noticed in the newspaper and property owners within 300 ft were noticed by first class mail of the hearing. The Township received one written comment in favor of the variance from Cindy & Steve Mullins. No other comments, written or verbal, for or against, the proposed variance were received.

Motion #382 Close the Public Hearing.

Motion by Booth supported by Mossburg to close the Public Hearing for Parcel # 5801-016-040-85, and the requested variance. Voice vote taken. Motion carried.

Motion #383 Open the Finding of Facts.

Motion by Booth supported by Hunter to open the finding of facts for the requested variance for Parcel # 5801-016-040-85. Voice vote taken. Motion carried.

- Facts-Stumpmier- The parcel is large enough to support an accessory building of the proposed size. Supported by Booth.
- Fact-Campbell- There were no complaints or objections, written or verbal, to the requested variance. Supported by Booth.
- Fact-Booth- The ZBA has approved similar variances in the past allowing for a building to be constructed at 16 feet to the means. Supported by Stumpmier.
- Fact-Mossburg- The applicant obtained a building permit from the Twp prior to construction. Now that construction has begun, it would be a hardship to remove the building at this point. Supported by Hunter.

Motion #384 Close the Finding of Facts.

Motion by Booth supported by Campbell to close the finding of facts. Voice vote taken. Motion carried.

Motion #385 To Grant Approval.

Motion by Booth supported by Mossburg to grant the variance for Brian Langton and parcel #5801-016-040-85, allowing the proposed accessory building to be construction to a height of 16 feet to the means. Roll Call: 5-Yes, 0-No. Motion carried.

3. A **Public Hearing** for Terry Simmons owner of parcel #5801-085-009-00, commonly known as 9633 Lazy Oak Dr., Carleton, MI 48117, who is requesting a variance from Article 21, Section 21.05.7, which limits the height of an accessory building to one (1) story or fourteen (14) feet and a variance from ~~Article 15, Section 15.03.6, which requires a minimum 50-foot front yard setback for all structures.~~ **Correction: Article 21, Section 21.05(8), which does not permit an accessory building within the front yard when it is located on a corner lot.**

Motion #386 Open the Public Hearing.

Motion by Booth supported by Mossburg to open the Public Hearing for Parcel # 5801-085-009-00, and the requested variances. Voice vote taken. Motion carried.

The applicant was present and answered questions from the board. There were no questions or comments from the audience. Manager Vaslo spoke to the nature of the request and explained that the applicant is requesting a variance to the height limitations on an accessory building. The plan set provided by the applicant showed a building height of 17.6 feet to the means. The applicant is also requesting a variance to allow the accessory building to protrude into the front yard as shown on the plot plan. Manager Vaslo noted that the public hearing was noticed in the newspaper and property owners within 300 ft were noticed by first class mail of the hearing. The Township received no comments, written or verbal, for or against, the proposed variances.

Motion #387 Close the Public Hearing.

Motion by Booth supported by Stumpmier to close the Public Hearing for Parcel # 5801-085-009-00, and the requested variances. Voice vote taken. Motion carried.

Motion #388 Open the Finding of Facts.

Motion by Booth supported by Stumpmier to open the finding of facts on the requested variances for Parcel # 5801-085-009-00. Voice vote taken. Motion carried.

- Facts-Stumpmier- The Lazy Oak HOA's architectural review board approved the plot plan and the building height as proposed. Supported by Booth.
- Fact-Campbell- There were no complaints or objections, written or verbal, to the requested variances. Supported by Hunter.

Motion #389 Close the Finding of Facts.

Motion by Booth supported by Hunter to close the finding of facts. Voice vote taken. Motion carried.

Motion #390 To Grant Approval.

Motion by Mossburg supported by Booth to grant the height variance for Terry Simmons and parcel #5801-085-009-00, allowing the proposed accessory building to be constructed to a height of 17.6 feet to the means. Roll Call: 5-Yes, 0-No. Motion carried.

Motion #391 To Grant Approval.

Motion by Booth supported by Stumpmier to grant the front yard variance for Terry Simmons and parcel #5801-085-009-00, allowing the proposed accessory building to be constructed in the front yard area on Pine Knob as proposed on the approved plot plan. Roll Call: 5-Yes, 0-No. Motion carried.

4. Election of Officers: Chairman, Vice-Chairman.

Motion #392 To Approve Chair and Vice Chair.

Motion by Mossburg supported by Campbell to have Chairman Stumpmier and Vice Chairman Booth continue in their positions for the 2017 year. Voice vote taken. Motion carried.

5. Set Meeting Dates and Time for 2017. 1/3, 2/7, 3/7, 4/4, 5/2, 6/6, 7/4, 8/1, 9/5, 10/3, 11/7 and 12/5. All meetings at 7:00 pm.

Motion #393 To Approve Meeting Dates and Time.

Motion by Stumpmier supported by Mossburg to approve the ZBA meeting dates and time as presented for the 1027 year. Voice vote taken. Motion carried.

Motion #394 Adjournment.

Motion by Booth supported by Mossburg to adjourn at 7:40 p.m. Voice vote taken. Motion approved.

Respectfully Submitted,
Jim Vaslo
Township Manager