

**Ash Township  
Zoning Board of Appeals  
Meeting Minutes  
September 4, 2012**

**Held on:** Meeting was called to order by Chairman Stumpmier on Tuesday, September 4, 2012, at 7:30 p.m. at the Ash Township Hall, 1677 Ready Rd., Carleton, MI.

**Members Present:** Sid Stumpmier, Ace DeVillez, Ron Keilman, Robin Carmack and Darrell Mossburg.

**Members Absent:** None

**Others Present:** Jim Vaslo – Twp. Manager, and 3 citizens

Chairman asked if everyone received a copy of the June 5, 2012 minutes and if there were any additions or corrections?

**Motion #91 Motion to Approve Minutes.**

Motion by Mossburg supported by Keilman to approve as presented the Zoning Board of Appeals meeting minutes of June 5, 2012.       Voice vote taken.       Motion carried.

**Motion #92 Agenda Approval.**

Motion by DeVillez supported by Mossburg to approve the agenda as presented.  
Voice vote taken.       Motion carried.

**Old Business:**

None

**New Business:**

1. A **Public Hearing** for Roy Griffith, the owner of parcel #5801-029-019-00, commonly known as 1075 W. Sigler Rd., Carleton, MI 48117, who is requesting three (3) variances for an Accessory Building. One for a reduction in the required side yard set back, one for the number of accessory buildings allowed and one for the height of the structure.

**Motion #93 Open the Public Hearing.**

Motion by Keilman supported by Carmack to open the Public Hearing for Parcel #5801-029-019-00. Voice vote taken. Motion carried.

Manager Vaslo informed the Board that three variances are requested. The first being for a reduction in the required 15 foot side yard set back. The proposed building would be only 4 feet from the west side yard property line. The second would be for the number of accessory buildings allowed. On a parcel of two (2) acres or less only one (1) accessory building is allowed. One (1) existing accessory building is currently on the parcel. The third is for the height of the building. The owner says he would like an 18.5 ft height and the ordinance allows a maximum of 14 ft.

Two correspondences were given to the Chairman from property owners within 300 feet of the subject parcel voicing no concerns or objections to the proposed variances. Manager Vaslo stated that no other objection or concerns were received.

Several Board members had questions for the applicant and a proposed site plan was supplied.

**Motion #94 Close the Public Hearing.**

Motion by DeVillez supported by Mossburg to close the Public Hearing for Parcel #5801-029-019-00. Voice vote taken. Motion carried.

**Motion #95 Open the Finding of Facts.**

Motion by Stumpmier supported by Carmack to open the finding of facts for the number of accessory buildings allowed.

Voice vote taken. Motion carried.

- Fact- Mossburg- There are two accessory buildings currently on the parcel, one lawful and not. Supported by Stumpmier.
- Fact- Stumpmier- The ordinance allows for only one accessory building on a parcel of 2 acres or less. Supported by DeVillez.
- Fact-Carmack- The Township notified 7 property owners within 300 ft of the subject parcel and no objections were voiced or received. Two owners responded in favor of the variances. Supported by DeVillez.
- Fact-Carmack- The proposed building would provide storage for a boat and other miscellaneous items currently stored outdoors improving the aesthetics of the property. Supported by DeVillez.
- The existing building is 8 ft x 12 ft and the proposed building is 24' x 32'. Supported by Carmack.

**Motion #96 Close the Finding of Facts.**

Motion by Mossburg supported by Carmack to close the finding of facts.  
Voice vote taken. Motion carried.

**Motion #97 Deny the Requested Variance.**

Motion by Mossburg supported by DeVillez to deny the requested variance for Parcel # 5801-029-019-00 that would have allowed for a second accessory building.  
Roll Call: 5-Yes, 0-No. Motion carried.

**Motion #98 Open the Finding of Facts.**

Motion by Carmack supported by Stumpmier to open the finding of facts for the side yard set back. Voice vote taken. Motion carried.

- Fact-Carmack- The Township notified 7 property owners within 300 ft of the subject parcel and no objections were voiced or received. Two owners responded in favor of the variances. Supported by Keilman.
- Fact-Carmack- The proposed building would provide storage for a boat and other miscellaneous items currently stored outdoors, improving the ascetics of the property. Supported by DeVillez.
- Fact- Mossburg- Neighbors to the west of the subject parcel have no objections to the location of the proposed building. Supported by Keilman.
- Fact- Stumpmier- A 4 ft side yard set back would be a hazard to firefighters and the general public. Supported by DeVillez
- Fact- DeVillez- The pole building on the neighboring property to the west is located within the required side yard set back and there is only 6 ft between the two buildings. Supported by Stumpmier.
- Fact- Carmack- The existing septic field is only 6 ft east of the proposed building. Supported by DeVillez.
- Fact- Carmack- There is less buildable property on the east side of the septic field then on the west side. Supported by DeVillez.

**Motion #99 Close the Finding of Facts.**

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

**Motion #100 Approve the Requested Variance.**

Motion by Keilman supported by Carmack to approve the requested variance for Parcel # 5801-029-019-00 allowing for a reduction of 9 feet in the side yard set back, leaving a set back of 4 feet for the proposed accessory building.  
Roll Call: 4-Yes, 1-No (Stumpmier). Motion carried.

**Motion #101 Open the Finding of Facts.**

Motion by DeVillez supported by Keilman to open the finding of facts for the height of the proposed building      Voice vote taken.      Motion carried.

- Fact-Carmack- The township ordinance restricts the height of an accessory building on property less than three acres in size in any AG or RE district to 14 ft, the proposed building is 18.5 ft. Supported by DeVillez.
- Fact-Keilman- The existing elevations on the property provides for a 14 ft drop from front to back and the proposed location of the building give the appearance of a much shorter structure. Supported by Carmack.
- Fact-Carmack- The Township notified 7 property owners within 300 ft of the subject parcel and no objections were voiced or received. Two owners responded in favor of the variances. Supported by DeVillez.
- Fact-Carmack- The proposed building would provide storage for a boat and other miscellaneous items currently stored outdoors improving the ascetics of the property. Supported by DeVillez.

**Motion #102 Close the Finding of Facts.**

Motion by Carmack supported by Mossburg to close the finding of facts.  
Voice vote taken.      Motion carried.

**Motion #103 Approve the Requested Variance.**

Motion by Keilman supported by Carmack to approve the requested variance for Parcel # 5801-029-019-00 allowing for a height of no more then 18.5 ft for the proposed accessory building.  
Roll Call: 5-Yes, 0-No.      Motion carried.

**Motion #104 Adjournment.**

Motion by Mossburg supported by Carmack to adjourn at 8:25 pm. Voice Vote taken. Motion approved.

Respectfully Submitted,  
Jim Vaslo  
Township Manager