

**LEROY TOWNSHIP
8156 4 Mile Road
East Leroy, Michigan 49051**

**ZONING BOARD OF APPEALS MEETING MINUTES
July 30, 2019**

CALL TO ORDER-

The meeting was called to order by Chairperson Arbogast at 6:00pm.

ROLL CALL-

Members present included Travis Arbogast, Doug Chapman and Joe LaForge and Randy Lang (Alternate). No members were absent.

Others present: Township Supervisor Laveta Hardish, Zoning Administrator Rob Behnke, Building Inspector Frank Ballard and some (4) residents.

APPROVAL OF MEETING MINUTES-

A motion was made by Doug Chapman to approve the June 25, 2019 meeting minutes as presented, supported by Joe LaForge. Motion carried with unanimous approval.

JERRY TRAMEL PUBLIC HEARING-

Chairperson Arbogast called the Public Hearing to order at 6:02pm.

Presentation:

Mr. Tramel is requesting relief from the 25 foot front yard setback so that he can keep his stick-built 12' x 12' shed in his front yard since there was nowhere else to place the shed on his property at 602 Graham Lake Terrace due to its terrain. It was explained that normally a lake property house has its front yard setback facing the lake, but in this case Mr. Tramel's front yard setback faces Graham Lake Terrace because Leroy Township owns the property that actually borders the lake. Mr. Tramel further stated that the shed would be for the storage of motorcycles.

ZBA Member Questions/Comments:

Public Questions/Comments:

There were no public comments. It was noted that the Leroy Township Office did not receive any phone calls or letters about the TRAMEL variance request.

Chairperson Arbogast closed the Public Hearing at 6:29pm.

NEW BUSINESS-

A motion was made by Joe LaForge to **deny** the requested variance as it does not meet the requirements, as outlined under Article XXVI, Sec. 38-804 of the Leroy Township Zoning Ordinance, for the granting of such variance, supported by Doug Chapman.

A Roll Call vote was taken on the motion:

LaForge- **YES**
Chapman- **YES**
Arbogast- **YES**

Motion carried. Variance denied.

TIM & TERESA MOSS PUBLIC HEARING-

Chairperson Arbogast called the Public Hearing to order at 6:34pm.

Presentation:

Mr. Moss stated that he was seeking (2) variances for the vacant parcel on K Drive South (Property No. 13-14-340-024-30). Mr. Moss and his wife would like to purchase the property so that they could build a home on the property. Mr. Moss is requesting relief of 0.21 acres from the 3.00 acre minimum and relief of 97.5 feet from the 300 foot minimum lot width, as outlined under Article V (Agricultural District), Sec. 38-120 (Height and area Regulations) of the Leroy Township Zoning Ordinance.

ZBA Member Questions/Comments:

It was noted that the Leroy Township Board adopted amendments to township zoning ordinance in 2008 that increased the minimum lot area and minimum lot width required to build a home in areas zoned agricultural.

It was also noted that five (5) other properties along K Drive South (between 2 ½ and 3 ½ Mile Road) have homes on them with less than 3 acres in lot area:

2887 K Drive South- 1.67 acres
2975 K Drive South- 1.00 acre
3101 K Drive South- 1.94 acres
3142 K Drive South- 2.38 acres
3180 K Drive South- 2.79 acres

And that three (3) of them have a lot width of less than 300 feet:

2975 K Drive South- 164 feet
3142 K Drive South- 257 feet
3180 K Drive South- 202.5 feet

Each of these homes were built prior to the 2008 zoning ordinance change.

Public Questions/Comments:

It was noted that the Leroy Township Office did receive (2) letters objecting to the requested variances. One letter dated July 25, 2019 from Jon & Vickie Kinney, 3358 K Drive South, East Leroy, MI 49051 and the other from Tim & Char Thompson, 3180 K Drive South, East Leroy, MI 49051 **(letters to be attached to the meeting minutes)**.

Tim Thompson, 3180 K Drive, felt that the parcel should remain as is and the variances being requested should not be granted due to the changes that we made in 2008 by the Township Board. He also stated that the parcel in question has changed hands a couple of time in the last few years because realtors are telling the buyers that the parcel is a buildable lot when it is not. He also said he knew other township residents that have been denied building permits on existing land due to the regulations under the zoning ordinance.

Ron Mitchell, xxxxxxxx, expressed his concern in granting the variances. He felt that it would set a precedent and then the Zoning Board of Appeals would have to grant variances to everyone who wanted to build a home on Ag-zoned parcels that are less than 3 acres.

There was additional discussion about the 2008 zoning changes.

Chairperson Arbogast closed the Public Hearing at 6:50pm.

NEW BUSINESS-

A motion was made by Doug Chapman to **deny** the requested variances as they do not meet the requirements, as outlined under Article XXVI, Sec. 38-804 of the Leroy Township Zoning Ordinance, for the granting of such variances, supported by Travis Arbogast.

A Roll Call vote was taken on the motion:

LaForge- **NO**
Chapman- **YES**
Arbogast- **YES**

Motion carried. Variances denied.

ZBA MEMBER COMMENTS-

There were no member comments.

ADJOURNMENT-

A motion was made by Joe LaForge to adjourn the meeting at 6:55pm, supported by Doug Chapman. Motion carried with unanimous support. Meeting adjourned.

Respectfully submitted,

ROB BEHNKE
Acting Secretary