

Ray Township Zoning Board of Appeals
Meeting Minutes
Tuesday, May 24, 2016 at 7:30 p.m.

Location: Ray Township Hall
64255 Wolcott, Ray, Michigan 48096

Present: Tom Hancock, Chairman
Harold Deman, Jr., Vice Chairman
Rita Harman, Secretary
Marvin DeBuck
Gary Engel

Also present - Lisa Hall, Planning Director, Jerry Schmeiser, Township Planner, and 3 residents.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL.
Mr. Hancock called the meeting to order at 7:30 p.m. The Pledge of Allegiance was recited.
Hancock, Deman, Harman, DeBuck and Engel present.
2. APPROVAL OF AGENDA.
MOTION by Ms. Harman to approve the agenda as presented, supported by Mr. DeBuck. Motion carried.
3. APPROVAL OF THE MINUTES – April 26, 2016.
MOTION by Ms. Harman to approve the minutes of April 26, 2016, supported by Mr. Deman. Motion carried.
4. SCHEDULED PUBLIC HEARINGS – a. Manzano – 18989-27 Mile Road – 05-28-300-014 – Variance request to create a parcel where existing house will be located within the required 110' front yard setback.
Mr. Hancock reviewed the rules and summarized the process for a public hearing.
MOTION by Ms. Harman to open the public hearing on the request from Ms. Manzano, 18989-27 Mile Rd., Variance request to create a parcel where existing house will be located within the required 110' front yard setback, supported by Mr. Engel. Motion carried.

Pat Manzano explained her intention is to split the parcel, and she will eventually sell off the lot.

Mr. Schmeiser spoke at this time explaining the Planners' recommendation. He distributed 2 drawings (existing and revised); also a photograph of the plans. Mr. Schmeiser explained the new drawings and the planners' recommendations based on the Township Master Plan. He encouraged the Board to approve this variance based upon their comments and recommendations as stated in their letter to the Zoning Board of Appeals dated May 19, 2016.

Seeing no public comments, Mr. Hancock asked for a motion to close the Public Hearing.

MOTION by Ms. Harman to close the Public Hearing, supported by Mr. Deman. Motion carried.

Ms. Harman commented she understood the petitioner's issue at hand, and reasoning why the petitioner needed to come before the Zoning Board of Appeals. She had no problems approving the variance tonight. The rest of the Board commented in agreement for approval.

MOTION by Ms. Harman to approve the request of the petitioner, Pat Manzano, 18989-27 Mile Road, 05-28-300-014, Variance to Township Zoning Ordinance: Sec. 400 (R-1 Agriculture Residential Yard Dimensions) Minimum Front Yard Setback; request to create a parcel split where existing house will be located within the required 110' front yard setback; based on the opinion of our Planners' which include in their recommendation the following:

It is the opinion of the Township Planners that although in subject appeal an existing primary structure (house) on the applicants land would remain inside the minimum setback line; if granted the impact of granting the request is mitigated by the following factors:

Ray Township Zoning Board of Appeals

Meeting Minutes

Tuesday, May 24, 2016 at 7:30 p.m.

Page 2

- The approval of the variance applied would do substantial justice to the applicant as well as to other property owners in the district as noted above given that the variance will acknowledge an existing dwelling built in 1860, prior to the existing ordinance that does not impact any adjoining parcels, buildings or public ways either on subject site or adjacent parcels.
- The applicants did not create the need for a variance; they purchased subject property based on the record that the primary building was constructed prior to the existence of the Township Zoning Ordinance.
- The Zoning Board may give relief with full belief that the spirit of the ordinance will be observed and public safety and welfare secured. The public record would rightfully recognize and verify that the resultant effect is no negative impact on future purchasers of subject parcel.
- Finally, the Zoning Board would be granting the request with full assurance that the action will not be inconsistent with any element of the Township Master Plan as adopted by the Planning Commission in 2010 including the Land Use Plan, Master Thoroughfare Plan, Wetlands, Gas Fields, Natural Features, Woodlands, and Flood Plains.
- The Drawings must be resubmitted and revised as follows:
 - The Existing Conditions Drawing must be re-named "Parent Parcel" and
 - The Proposed Conditions Drawing must be revised to re-label the proposed splits as follows:
 - Parcel A must be labeled Parcel B
 - Parcel B must be labeled Parcel C

Motion supported by Mr. Engel.

A Roll Call Vote was taken:

Ms. Harman yes
Mr. Engel yes
Mr. Deman yes
Mr. DeBuck yes
Mr. Hancock yes

Motion carried. Vote of 5-0.

5. OTHER MATTERS TO BE REVIEWED BY THE ZONING BOARD OF APPEALS – none
6. REPORT OF PLANNING COMMISSION REPRESENTATIVE –
Mr. Hancock reported the Master Plan Public Hearing was held at the last meeting, and the changes were sent on to the Township Board. It will be on the next agenda.
7. PUBLIC COMMENTS – Pat Manzano, 18989 27 Mile Rd., inquired how the ZBA could change the rules for Centerville Homes to get a variance. Mr. Hancock advised we will ask for that matter to be reviewed.
8. ADJOURNMENT –
MOTION by Ms. Harman to adjourn the meeting at 7:45 p.m., supported by Mr. Engel. Motion carried.

Tom Hancock, Chairman

Rita Harman, Secretary

Date

Respectfully submitted,
Marcia Jamroz, Recording Secretary