

Location: Zoom Conference Meeting
Meeting ID 237-833-086 Password 6425548096

Present: Harold DeMan Jr., Chairman
Scott Mathews, Vice-Chairman
Marvin DeBuck, Secretary
Members: Tom Penzien
Betty Youngblood

Absent: None

Also Present: Steve Cassin, Planning Consultant & Lisa Hall, Planning & Zoning Clerk
Attendance record on file.

1. CALL TO ORDER- PLEDGE OF ALLEGIANCE AND ROLL CALL.
Chairman DeMan called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.
All members were present.
2. APPROVAL OF AGENDA
MOTION by Mathews supported by DeBuck to approve the agenda as presented.
FOR THIS MOTION: Yes: Mathews, DeBuck, Penzien, Youngblood, DeMan
No: None
MOTION carried.
3. APPROVAL OF MINUTES: October 22, 2019
MOTION by Mathews supported by Youngblood to approve the meeting minutes of October 22, 2019 as presented.
FOR THIS MOTION: Yes: Mathews, Youngblood, Penzien, DeBuck, DeMan
No: None
MOTION carried.
4. Scheduled Public Hearings-
 1. Request to vary Section 200, B,2, Accessory Buildings and Section 402, Yard Dimensions, Minimum Front Yard setback for 19880 27 Mile Road, Parcel 21-05-33-200-015, Randy Bart, Applicant.

Chairman DeMan explained the public hearing procedure, the planner would explain the variance request so the audience will be informed on the variance request. Then the public hearing would be open for the public to comment remotely, state their name and address and state any comments they may have regarding the variance request.

MOTION by Penzien supported by Mathews to open the public hearing at 7:07 p.m.
FOR THIS MOTION: Yes: Penzien, Mathews, Youngblood, DeBuck, DeMan
No: None
MOTION carried.

Mr. Cassin, Planning Consultant presented his findings and recommendation dated February 27,2020 they are as follows:

GENERAL INFORMATION

Applicant: Randy Bart

Location: 19880 27 Mile Road
Zoning District: R-1, Agricultural Residential
Property ID: 21-05-33-200-015 (Case No. PZBA-20-001)
Size of Parcel: 3.25 acres
Action Requested: Variance to allow accessory structure in the front yard

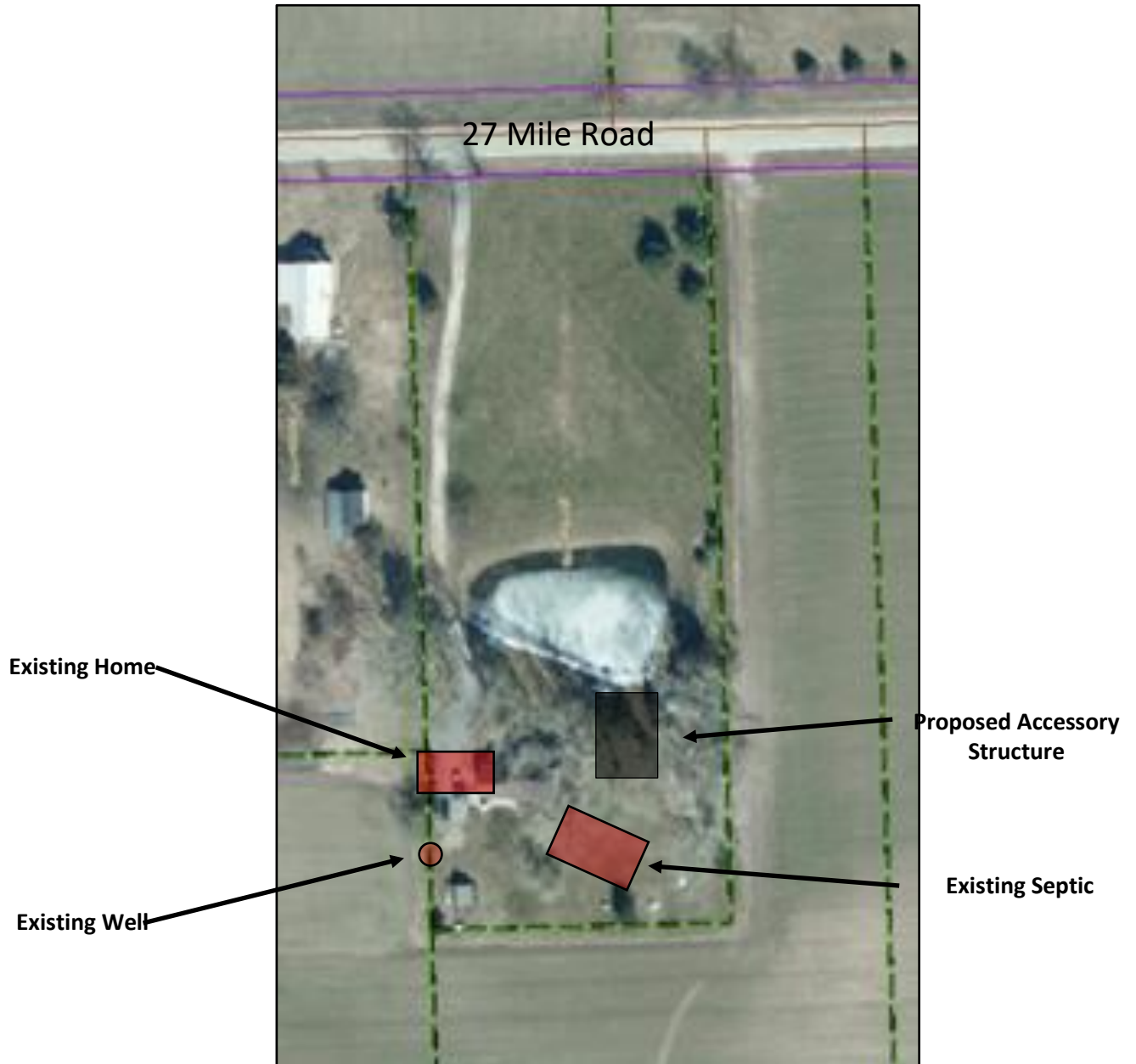
PROPERTY CHARACTERISTICS

The property, located on the south side of 27 Mile Road between Romeo Plank and Broughton Roads, is currently zoned R-1, Agricultural Residential. It is developed with a single-family home and small accessory structure. The home is set back approximately 470 feet from the centerline of 27 Mile Road.



ANALYSIS OF VARIANCE REQUEST

The applicant is proposing to construct a 2,400 square pole barn, with a 12-foot attached “lean-to”, partially within the front yard. Section 402 of the Ray Township Zoning Ordinance does not allow accessory structures within the front yard. However, the applicant is requesting a variance due to the unique characteristics of the property, being the locations of an existing well and septic field, which makes construction of an accessory building in the rear yard difficult.



Approximate Location of the Existing Features on the Property in Relation to the Proposed Accessory Building

AUTHORITY OF THE ZONING BOARD OF APPEALS

Section 2706 of the Ray Township Zoning Ordinance specifies that variances may be granted if the Zoning Board of Appeals finds that:

1. The strict enforcement of the Zoning Ordinance would cause practical difficulty and deprive the owner of rights enjoyed by all other property owners owning property within the same zoning district.
2. The conditions and circumstances are unique to the subject property and are not similarly applicable to other properties in the same zoning district.
3. The conditions and circumstances unique to the property were not created by the owner or his/her predecessors in title, within the time following the effective date of the provisions alleged to adversely affect such property.
4. The requested variance will not confer special privileges that are denied other properties similarly situated and in the same zoning district.
5. The requested variance will not be contrary to the spirit and interest of the Township Zoning Ordinance.

RECOMMENDATION

The requested variance is based upon conditions which are unique to property, that make construction of an accessory building in the rear yard extremely difficult. In addition, the granting the variance would not be contrary to the spirit and intent of the Zoning Ordinance. **Therefore, I recommend approval of the variance as requested.**

DeMan asked if the applicant had any comments,

Randy Bart stated they would like to thank the board for scheduling the remote meeting. Advised they are no longer constructing the lean-to.

DeMan read correspondence as follows:

3-4-2020 Dennis LeMieux, Building Official, after visiting the site and meeting with Mr. Bart, I have no issues with the requested variance.

**MOTION by Mathews supported by DeBuck to close the public hearing at 7:11 p.m.
FOR THIS MOTION: Yes: Mathews, DeBuck, Penzien, Youngblood, DeMan
No: None**

MOTION carried.

Board discussion:

Penzien stated he sees no problem with the request.

DeBuck no problem with request house is located a long way from the road.

MOTION by DeBuck supported by Mathews to approve the request to vary Section 200, B,2, Accessory Buildings and Section 402, Yard Dimensions, Minimum Front Yard setback for 19880 27 Mile Road, Parcel 21-05-33-200-015, Randy Bart, Applicant.

**FOR THIS MOTION: YES: DeBuck, Mathews, Youngblood, Penzien, DeMan
NO: None**

MOTION carried.

5. Election of Officers:

MOTION by Penzien supported by DeBuck to keep all officers in their current position.

**FOR THIS MOTION: YES: Penzien, DeBuck, Youngblood, Mathews, DeMan
NO: None**

MOTION carried.

6. Report from the Planning Commission Representative:

Penzien stated that he has nothing to report at this time.

7. Public Comments.

Doug Stier, Treasurer, Planning Commission board member stated, he has spoken with Mr. Cassin about barn location ordinance and many others, the planning commission needs to look at the ordinances and consider revisions.

Penzien stated he agrees and others need to be looked at.

8. Adjournment

MOTION by Mathews supported by DeBuck to adjourn the meeting at 7:17p.m.

**FOR THIS MOTION: YES: Mathews, DeBuck, Youngblood, Penzien, DeMan
NO: None**

MOTION carried.

Harold DeMan, Chairman

Marvin DeBuck, Secretary

Date

Respectfully submitted,
Lisa Hall, Recording Secretary