

RAY TOWNSHIP ZONING BOARD OF APPEALS
MEETING MINUTES
TUESDAY, MAY 25, 2021 AT 7:00 P.M.
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Location: Ray Township Hall
64255 Wolcott, Ray MI 48096

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

Also Present: Steve Cassin, Planning Consultant & Lora Maue, 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 Youngblood to approve the agenda as presented.
MOTION carried.**
3. APPROVAL OF MINUTES: April 27, 2021
**MOTION by Mathews supported by Youngblood to approve the meeting minutes of April 27, 2021
as amended.
MOTION carried.**
4. Scheduled Public Hearings-
 1. Request to vary Section 200, B, 2 Accessory Buildings and Section 402, Design Elements – Accessory Structure, Yard Dimensions, Minimum Front Yard Setback for 68355 Wolcott, Parcel ID 21-05-05-200-020, Susan Kaiser-Parisi, Applicant.

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

**MOTION by Youngblood supported by Mathews to open the public hearing at 7:02 p.m.
MOTION carried.**

Mr. Cassin, Planning Consultant presented his findings and recommendation dated May 11, 2021 as follows:

GENERAL INFORMATION

Applicant: Susan Kaiser – Parisi
Location: 68355 Wolcott Road
Zoning District: R-1, Agricultural Residential

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Property ID: 21-05-05-200-020
Case No. PZBA-021-002
Size of Parcel: 13 acres
Action Requested: Variance to allow a home to be reconstructed on a parcel in a location behind the existing accessory structures.

PROPERTY CHARACTERISTICS

The property, located on the west side of Wolcott Road south of 32 Mile Road, is currently zoned R-1, Agricultural Residential, and developed with several accessory farm-type buildings. A former house on the property was recently destroyed by fire.

ANALYSIS OF VARIANCE REQUEST

The applicant is proposing to construct a new home on the property, set back approximately 350 feet from the road, behind the existing accessory buildings. 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 circumstance of having a fire that destroyed the former home, and the fact that the existing characteristics of the property make it difficult to build the new home in front of the accessory buildings.



Approximate Location of the Existing Features on the Property in Relation to the Proposed New Home

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 situation 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 that are unique to property and makes construction of a new home in front of the existing accessory buildings difficult. In addition, the granting of 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 there was any correspondance?

DeMan asked the applicant if she had any questions?

**MOTION by Mathews supported by DeBuck to close the pubic hearing at 7:04 p.m.
MOTION carried.**

DeMan asked if any planning commission members had any questions or concerns?

MOTION by Mathews supported by DeBuck to approve the request to vary Section 200, B, 2 Accessory Buildings and Section 402, Design Elements – Accessory Structure, Yard Dimensions, Minimum Front Yard Setback for 68355 Wolcott, Parcel ID 21-05-05-200-020.

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

MOTION carried

5. Election of Officers

MOTION by DeBuck supported by Youngblood to maintain officer positions as currently held.

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

MOTION carried

6. Report from the Planning Commission Representative

Penzien advised he was not at the last planning commission meeting asked Cassin to provide comment on meeting.

Cassin stated the meeting was contentious due to the subject matter.

7. Public Comments: None

8. Adjournment

MOTION by Mathews supported by Youngblood to adjourn the meeting at 7:13p.m.

MOTION carried.

Harold DeMan, Chairman

Marvin DeBuck, Secretary

Date

Respectfully submitted,
Lisa Hall, Recording Secretary