

CHARTER TOWNSHIP OF MONITOR
ZONING BOARD OF APPEALS
September 19th, 2024

The meeting was called to order by Chairman Horen at 6:30 p.m.

Members present: J. Horen, G. Brandt, A. Lyday, J. Krueger, C. Schweitzer, D. Zube
(alternate)

Members absent:

Also present: R. Sheppard-Attorney

The Pledge of Allegiance of the United States of America was recited by those present.

**Motion by Schweitzer, seconded by Brandt to adopt the agenda as presented.
Motion unanimously carried.**

**Motion by Krueger, seconded by Horen to approve the minutes of August 15, 2024,
meeting.
Motion unanimously carried.**

Public Input

Public input was opened at 6:32 p.m.

Mr. Glashauser stated he is the current owner of Jay's Corner Store, on the corner of Midland Road and Fraser Road.

Mr. Glashauser mentioned the property is zoned commercial, which includes the house and business. He is inquiring about splitting his property into two separate parcels but recognizes issues with frontages and the need for variances.

Mr. Glashauser questioned if he should request a variance, or a land division first.

Sheppard stated the land division ordinance of the Township requires that all land divisions approved for buildable lots must be in compliance with the zoning ordinance.

Sheppard recalled a previous meeting regarding this parcel, and its inability to split due to lack of frontage.

Discussion ensued among members.

Sheppard suggested that the two necessary variances be addressed first before attempting a land division.

Public input was closed at 6:58pm.

Items for Consideration

09-100-021-300-210-01

Michael Bourcier

4821 Fraser Rd

Side Yard Variance Section 3.27 (a)

Mr. Bourcier informed that Planning Commission that he has consulted with the people who installed the shed and was able to reconfigure the building's location. It will cost \$400 to move the shed and \$800 to build a pad for the shed to sit on.

Krueger questioned if Mr. Bourcier will comply with the ordinance if he does move the shed, disregarding the front yard issue.

Horen stated Mr. Bourcier needs to move his accessory building to the North 4 ½ feet and 1 ½ feet to the West.

Mr. Bourcier questioned if he needed 20 feet or 15 feet from the rear.

Krueger confirmed Mr. Bourcier needs 15 feet from the rear and 20 feet from the garage.

Motion by Krueger, supported by Schweitzer to grant Mr. Bourcier the variance due to hardship referencing Section 3.27 which requires all accessory buildings be only in the rear yard. Mr. Bourcier does not have much of a buildable back yard.

Mr. Bourcier may place his 16 feet by 40 foot accessory building in what is considered his side yard, but it will still be behind the front of the existing garage. All conditions of section 18:10 are as follows:

Section 18:10 (A) from our ordinance states, "the literal enforcement of this Ordinance would involve practical difficulties or would cause undue hardship."

Section 18:10 (B) discusses "practical difficulty or unnecessary hardship in carrying out the strict letter of this Ordinance and a request is made to vary such regulations so that the spirit of this Ordinance shall be observed, public safety secured, and substantial justice done."

Section 18:10 (C) discusses "said property for which the variance is sought is NOT so general or recurrent in nature."

The variance will be conditioned upon Mr. Bourcier moving the accessory building 2 feet from the East lot line and 4 feet 4 inches from the current garage to the North.

A building permit may be obtained, and is subject to the review and approval of engineering and construction plans if applicable and state or federal permits prior to the issuance of a building permit.

Roll Call Vote:

Yes: Horen, Schweitzer, Brandt, Lyday, Krueger

No: None

Absent: None

Motion unanimously carried.

09-100-V07-000-020-00

SK Siltron CSS LLC.

1311 Straits Drive

Setback Variance Section 10.05(c)

Kenneth L. Keelin, Project Manager

Horen read the re-notice letter addressed to surrounding neighbors of 1311 Straits Drive.

Sheppard commented the difference on the re-notice letter was the update changing from a 1-foot variance to a maximum 1 ½ foot variance based upon the misplacement of the original building back in 1999.

Motion by Horen, supported by Lyday to approve the 1 ½ foot variance, instead of the 1-foot variance, since section 18:10 are met on the North side of the building.

Section 18.10 are as follows:

Section 18.10 (A) from our ordinance states, “the literal enforcement of this Ordinance would involve practical difficulties or would cause undue hardship.”

Section 18:10 (B) discusses “practical difficulty or unnecessary hardship in carrying out the strict letter of this Ordinance and a request is made to vary such regulations so that the spirit of this Ordinance shall be observed, public safety secured, and substantial justice done.”

Section 18:10 (C) discusses “said property for which the variance is sought is NOT so general or recurrent in nature.”

Roll Call Vote

Yes: Krueger, Brandt, Lyday, Horen, Schweitzer

No: None

Absent: Zube

Motion unanimously carried.

Communications

Brandt questioned if the school across the road, State Street Academy has been inspected by the state yet, and if not, he believes it should get done.

Sheppard explained Dave Degrow, the Monitor Township Building Inspector, is unable to do the inspections, but should have the inspection reports.

Brandt agreed.

Brandt explained that the school has been vacant for quite a long time with nothing being done to it and it should get re-inspected.

Krueger mentioned two months ago, before it was brought to our attention about the parking lot, she called LARA and they could not find one issued permit at all from the state.

Brandt commented that someone needs to check into State Street Academy to see whether or not any permits have been issued.

Discussion ensued among members.

Horen agreed the township needs to make sure the school is up to code and all state requirements are met.

Schweitzer mentioned that the Planning Commission Board has been having discussions about the definition of structure and some proposed drafts they will be discussing at next month's meeting.

Schweitzer commented they have also been working on updating the signage ordinance, although nothing has been decided yet, when they finish the ordinance, it will then go to the Board Members for approval of the changes.

***Motion by Schweitzer, supported by Horen to adjourn the meeting.
Motion unanimously carried.***

The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Joy Krueger
Secretary
Jk/tcp