

<p style="text-align: center;">YANKEE SPRINGS TOWNSHIP ZONING BOARD OF APPEALS VIRTUAL/ZOOM MEETING</p> <p style="text-align: center;">Tuesday, June 9, 2020 – COVID-19 7:00 PM</p> <p style="text-align: center;">Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333</p> <p style="text-align: center;">MINUTES</p>	<p><u>MINUTES</u> Page 1 of 4 ZBA 6/9/2020</p>
<p>Meeting called to order at 7:00 PM by Jake Welch, Chairman.</p> <p>Roll Call: Present: Dave VanHouten (Vice Chair), Ron Heilman- (Secretary), John Frigmanski, Pat Jansens, Jake Welch.</p> <p><u>PLEDGE OF ALLEGIANCE –</u></p> <p>Present: Rebecca Harvey, Professional Planner, & Catherine Kaufman, Twp. Attorney</p> <p>Also Present: Eric Thompson- PCI, YS Zoning Administrator</p> <p>Staff Present: Sandy Marcukaitis.</p> <p>Visitors: 11 - not including staff present.</p>	<p>CALL TO ORDER</p> <p>ROLL CALL</p> <p>PLEDGE</p>
<p><u>REPORTS FROM REPRESENTATIVES:</u></p> <p>Planning Commission: Pat Jansens noted the three (3) requests on the agenda of the last Planning Commission meeting which took place on May 28, 2020 (Zoom Meeting).</p> <p>Board of Trustees: No representative from the Board to the ZBA at this time.</p>	<p><u>REPORTS FROM REPRESENTATIVES</u></p>
<p>APPROVAL OF MINUTES:</p> <p><i>Motion by John Frigmanski with support from Ron Heilman to approve ZBA meeting minutes of November 12, 2019 as presented. ROLL CALL: Frigmanski: Yes, Heilman: Yes, VanHouten: Yes, Welch: Yes, Jansens: Yes. ALL YES (5). MOTION CARRIED.</i></p>	<p>APPROVAL OF MINUTES:</p> <p><u>PUBLIC COMMENT</u></p>
<p><u>NEW BUSINESS:</u></p> <p><u>ZBA 20-01-01 Parcel ID# 032-004-00 A request by Jeffery Kramer for a variance from the setbacks in Section 12.4 Property is currently zoned GLRLF and applicant is requesting accessory building. (At Yankee Springs Island).</u></p> <p>E. Thompson presented request of J. Kramer.</p> <p><u>Motion to Open Public Hearing</u> by Welch with support from Heilman at 7:13 p.m. Roll Call: Jansens: Yes, Frigmanski: Yes, VanHouten: Yes, Welch: Yes, Heilman: Yes. All YES (5). MOTION CARRIED.</p>	<p>NEW BUSINESS</p> <p><u>ZBA 20-01-01 Parcel ID# 032-004-00 A request by Jeffery Kramer</u></p> <p>MOTION to OPEN</p>

J. Kramer gave a short narrative on the history of the building (an old duck blind). The island was primarily used by hunters to duck hunt. It is in need of a substantial re-do. Kramer would like to make it aesthetically appealing. Kramer would like to put all their lake stuff in the building. The current size is about the same as what they want. J. Kramer will try to set it back just a touch so it won't protrude out so far. 12 x 22 building is the proposed dimensions. The blind will be considered a permanent structure. Kramer owns the three parcels of the island.

MINUTES
Page 2 of 4
ZBA
6/9/2020

No Comments from the public.

Motion to Close Public Hearing by D. VanHouten with support from J. Frigmanski at 7:19 p.m. ROLL CALL: Welch: Yes, Heilman: Yes, VanHouten: Yes, Frigmanski: Yes, Jansens: Yes. All YES (5). MOTION CARRIED.

J. Welch read the Practical Difficulty Test.

(Test provided by R. Harvey, Professional Planner). Review of each criteria item in relation to Mr. Kramer's request was provided by R. Harvey, Professional Planner. The ZBA discussed the request as they reviewed each standard.

1. That the practical difficulty asserted by the applicant by way of justification for a variance is due to unique circumstances of the property. (exceptional or extraordinary physical circumstances applying to the property that do not apply generally to other properties in the area/zoning district).
2. That the condition of the property is not of so general or recurrent a nature as to make reasonable the formulation of a regulation for such condition. (An amendment of the zoning ordinance instead of variance relief).
3. A literal interpretation of the provision of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance; and that the variance is the minimum necessary. (Preservation of a substantial property right similar to that possessed by other properties in the district/vicinity).
4. The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood.
5. That, in granting a variance, the ZBA is insuring that the spirit of the Zoning ordinance is observed, public safety secured, and substantial justice done. (not impair the intent and purpose of the Ordinance).
6. That the practical difficulty asserted by way of justification for the variance is not self-created. (Created by any affirmative action of the applicant).

Motion by Heilman with support from Jansens to approve request of J. Kramer (Parcel # 032-004-00) based on five (5) of six (6) criteria standards (all but Standard #3) having been met. Roll Call Vote: Jansens: Yes, Frigmanski: Yes, Welch: Yes, Heilman: Yes, VanHouten: Yes. All YES: (5). MOTION CARRIED.

MOTION to Approve

2. ZBA 20-05-02 Parcel ID# 217-034-00. A request by Randy Young for a variance from setbacks in Section 12.4. Currently the property is zoned GLRLF and is requesting to build a deck that fails to meet the waterside setback. Address: 12743 Park Drive.

J. Frigmanski abstained from discussion and voting on R. Young's request as they have known each other for several years.

E. Thompson presented the request of Randy Young.

Motion by VanHouten with support from R. Heilman to open public hearing at 7:37 p.m. Roll Call vote: Welch, Heilman, VanHouten, Jansens, Frigmanski: Abstained. Yes: 4, Abstained: 1. MOTION CARRIED.

J. Welch gave Mr. Young the option of waiting/tabling to the next ZBA meeting as there were now four (4) ZBA members reviewing his request. Mr. Young noted that he still wished to go forward with his request this evening.

Mr. Young briefly commented on his need for the request.

Motion to close public hearing by VanHouten with support from Jansens at 7:52 p.m. Roll Call Vote: Jansens: Yes, VanHouten: Yes, Heilman: Yes, Welch: Yes, Frigmanski: Abstained. Yes: 4, Abstain: 1. MOTION CARRIED.

BOARD DELIBERATION took place using the *Practical Difficulty Test* as noted above. Review of each criteria item in relation to Mr. Young's request was provided by R. Harvey, Professional Planner.

Discussion occurred regarding getting proper measurements, and possibly postponing Mr. Young's request to the next meeting.

Motion by Welch with support by Heilman to postpone request regarding Parcel ID# 217-034-00 to a zoom meeting within the next two weeks so options can be explored regarding the request, and proper measurements taken. Roll Call Vote: Welch: Yes, Heilman: Yes, VanHouten: Yes, Jansens: Yes, Frigmanski: Abstained. Yes: 4, Abstain: 1. MOTION CARRIED.

Next Tuesday, June 16, 2020 was proposed for the meeting to review the request of Mr. Young's. Meeting time is 7 p.m.

C. Kaufman noted she can't make it next Tuesday but will set E. Thompson up as host (of the Zoom meeting). R. Harvey will be able to be at the meeting. E. Thompson will take a building inspector with him to visit the site (R. Young's residence) as a site visit and proper measurements are needed.

MINUTES

Page 3 of 4

ZBA

6/9/2020

ZBA 20-05-02 Parcel ID# 217-034-00. A request by Randy Young

MOTION to Postpone

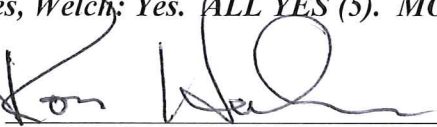
OLD BUSINESS:

ZBA Elections: Discussion regarding elections/nominations for new ZBA officers.

Motion by Frigmanski with support from Welch to leave ZBA officers as they are currently, due to possible change of Board Members after upcoming Primary Election. Current Officers are: Jake Welch: Chairman, Dave VanHouten: Vice Chair, and Ron Heilman: Secretary. ROLL CALL VOTE: Welch: Yes, Heilman: Yes, VanHouten: Yes, Frigmanski: Yes, Jansens: Yes. All YES (5). MOTION CARRIED.

ADJOURNMENT: *Motion by Welch with support from Jansens to adjourn at 8:16 p.m. ROLL CALL VOTE: Jansens: Yes, Frigmanski: Yes, VanHouten: Yes, Heilman: Yes, Welch: Yes. ALL YES (5). MOTION CARRIED.*

Approved by:



Ron Heilman, ZBA Secretary

Date:

12/21/2020

Approved by:



Janice C. Lippert, Township Clerk

Date:

12/21/2020

Respectfully submitted by:
Deb Mousseau
Recording Secretary, 6/9/2020

MINUTES

Page 4 of 4

ZBA

6/9/2020

OLD BUSINESS

ADJOURNMENT