**SOMERSET TOWNSHIP**

**ZONING BOARD OF APPEALS**

**VARIANCE – PUBLIC HEARING**

**HELD JUNE 14, 2022**

**Call to Order:** The meeting was called to order at 7:00 PM by the Vice Chairman: D. Hinkelman.

The Pledge of Allegiance was recited.

**Roll Call:** Members present: D. Hinkelman, M. Blucher, L. Hartzler, D. York and K. Bedard.

**Recognition of Township Officials:** D. Hinkelman recognized the Zoning Board of Appeals consultant; Don Figiel, Zoning Administrator.

**Approval of Agenda:** D. Hinkelman advised that item #7 needed to have an address correction; from Jerome to Cement City. D. York made a motion to approve the agenda as corrected. Motion seconded by; M. Blucher. Ayes; 5, Nays; 0.

**Conflicts of Interest:** D. Hinkelman asked if there were any members that had a conflict of interest regarding Appeal # 254 – 14251 Blarney Cr. Cement City. There were no conflicts of interest.

**Explanation of Hearing Process:** D. Hinkelman explained the process for the scheduled hearing.

**Public Comments:** No comments.

**Open Public Hearing @ 7:01 PM:** D. Figiel, Zoning Administrator advised that the applicants; Jefferey and Sandra Stober of 14251 Blarney Circle, (lots 109 & 110) are requesting a variance from Somerset Township Zoning Ordinance, Section 2.6. Front yard setback. The required setback is 25’ from the front property line. Mr. & Mrs. Stober would like to build a 24 foot by 42-foot attached garage, which would be 1 foot from the street side property line. The garage would be no higher than 25 feet total. D. Figiel advised that the building shall comply with all applicable regulations in section 2.6.6 and most questions should be answered in that section. *See attached.* D. Figiel also advised that there is a drainage eas3ement on lots 109 & 110 that are 8 feet on each side with a total of a 16-foot drainage easement. D. Figiel advised that the county has looked at it and advised that it can be moved. D. Hinkelman asked if the petitioners would like to comment at this time. Sandra Stober of 14251 Blarney Circle advised that they would like to move their garage and driveway location to improve their property. She advised that the driveway angle to the garage is an inconvenience to allow parking vehicles in the garage and that the driveway runs together with the neighbor’s driveway. D. Figiel advised that residents John Burke of 14281 Blarney Circle and Francis Duvall of 142663 Blarney Circle have spoken with him, regarding the variance request and they have no objections to the request. Petitioner Jefferey Stober of 14251 Blarney Circle advised that he has a petition signed by 3 of 4 neighbors; that have no objections to the request. He provided copies of the petition to the board members. *See attached.* **Close Public Hearing @ 7:14 PM.**

**Discussion, Motions and Decisions:** D. York asked D. Figiel if the aerial diagram was accurate and was concerned where the lot lines are. D. Figiel advised that the analog (digital) picture is not completely accurate with the lot lines. He advised that the front and back are accurate and the sides are not. Comments and questions were asked by the members regarding the size of the cul de sac and the property lines. D. Hinkelman gave an overview of a zoning variance. He stated that anyone requesting a variance; according to the Michigan law; there has to be hardship and it is the responsibility of the petitioner to prove hardship. He also advised that this is a 96% variance request and has never seen a request for that amount and that the lot is an odd shape, due to the tear drop cul de sac. M. Blucher advised that she was concerned with being only a foot to the setback. D. Hinkelman asked if the garage could be put on lot #110. S. Stober (petitioner) stated that it would not work putting it on the end of the house; due to the master bedroom at that end. She advised that the deep well will have to be moved. She also advised that they would like this home to eventually be there permanent residence and that the current garage location does not work well with them; causing problems pulling in and backing out of the garage; due to the angle it is at. D. York stated that since it was in a cul de sac that he didn’t feel it would be a problem. It was also determined that there will be about 20 feet from the new garage to the road. The angle of the drive way was agreed to be at a difficult angle by the board members. K. Bedard made a motion to approve Appeal #254 based on the site plan provided. Motion was made to amend the motion by D. York to include; based on finding of fact for appeal #254, moved to approve. Seconded by; L. Hartzler. Roll call: K. Bedard (yes), M. Blucher (yes), L. Hartzler (yes), D. York (yes), D. Hinkelman (no). Motion carried.

**ZBA Business Meeting**

**Approval of Minutes (March 29, 2022):** D. Hinkelman moved to approve the minutes as written. Seconded by; M. Blucher. 4 ayes; 1 abstention. Motion carried.

**New Business**

* **Election of secretary:** D. York moved to approve K. Bedard as the secretary for the Zoning Board of Appeals. Seconded by; M. Blucher.All ayes; Motion carried.D. York advised that he is stepping down from the chair position. Discussion was then made regarding the chair/vice chair positions. D. York made a motion to approve M. Blucher as the vice chair. Seconded by; L. Hartzler. Discussion was made regarding voting for chair position and was decided that D. Hinkelman will automatically move from vice chair to chair position. Vote was taken. All ayes; Motion carried.

**Public Comments:** No Comments.

**Adjournment:** With no further business, D. Hinkelman moved to adjourn the meeting. Seconded by; K. Bedard. All ayes; Motion carried. Meeting adjourned at 7:58 pm.

Respectfully submitted; Kimberly S. Bedard, ZBA Secretary