

CHARTER TOWNSHIP OF MONITOR
ZONING BOARD OF APPEALS
December 2, 2010

The meeting was called to order by Chairman Horen at 7:00 p.m.

Members present: J Horen J. Gwizdala, W Sinke, T. Miller
Members absent: D. Darland
Also present: J Krueger, Alternate Member
Also in Attendance Were: Gene Rademacher, Sherrill McCafferty

Motion by T. Miller seconded by W. Sinke to adopt the agenda as presented.

Motion carried.

Motion by J. Gwizdala seconded by J. Krueger to approve the minutes of October 21, 2010 as presented.

Motion carried.

Public Input

Public input was opened and closed at 7:02 p.m.

New Business

Ms. McCafferty of 5451 Easy Street requested a 12 (twelve) foot rear yard variance to build a 12' x 12' addition on the rear of her house. There was much discussion on the requested variance. It was noted by Krueger that this lot is 100'x103' which would probably not be large enough for a home to be built on today. There are other homes in the area with additions. Ms. McCafferty's situation indicated no undo hardship.

Miller explained the difficulty of ruling based on the criteria set forth in Sec. 18.10. Krueger noted that there seems to be a precedent for additions in that area, however, we don't know that any variances were granted or whether they may have been grandfathered in.

Motion by Miller supported by Sinke that, despite sympathy for the McCafferty's request, with no undue hardship other than lot size as defined in Sec 18.10(a); no public safety issues as noted in Sec. 18.10(b) or the language reflected in Sec. 18.10(c), the ZBA denies the request for a 12' (twelve foot) rear setback variance at 5451 Easy Street.

Roll call vote:

Yes: Gwizdala, Miller, Sinke

No: Horen, Krueger

Absent: Darland

Motion carried to deny the request.

Horen noted existing structures and no harm being done.

It was suggested that Ms. McCafferty could visit a Planning Commission meeting and suggest the ordinance be changed on these small properties. It would take a few months, but it isn't an unreasonable request. She was informed of her right to go to Circuit Court on appeal.

Communication

Miller moved, supported by Gwizdala to accept Communications. Motion carried.

Horen moved to adjourn. Seconded by Sinke. Meeting adjourned at 7:50 p.m.

Respectfully,

Terry Miller, Secretary

TM:jw