

Porter Township Zoning Board of Appeals  
Meeting Minutes 7-20-2017

Call to order:

Jon White called the meeting to order at 6 PM and Pledge of Allegiance was said.

Roll Call: Robert McDonald conducted a roll call. The following persons were present: Tom Harmon, Diane Konneck, Pat Williams, Jon White, Robert McDonald and Hank Yeomans.

Approval of Minutes from Last Meeting:

Pat Williams made motion to approve minutes of last meeting. Diane Konneck seconded motion. A vote was taken and passed unanimously to approve minutes.

Approval of Agenda:

A motion was made by Diane Konneck and seconded by Robert McDonald to approve the 7/20/2017 meeting to agenda. A vote was taken and passed unanimously to approve meeting agenda.

Open issues:

17-9794 Jeff Moore of 13495 Indiana Lake Drive, Union, Michigan explained his reasoning behind needing a zoning variance. 111.508 (e) Parcel # 14-120-405-010-00. Fred Sierzega of 71422 Indiana Lake Drive Union, Michigan attended meeting to better understand what was being requested. He had no issue with what was being requested by Mr. Moore. There were no letters of support or letters against variance request made by Mr. Moore.

Motion made to close public hearing by Diane Konneck and seconded by Robert McDonald. Motion passed unanimously.

ZBA deliberated: Tom Harmon made motion to approve variance, seconded by Hank Yeomans on condition that newly erected garage be no closer than 3' to property line. This was approved unanimously by board members.

17-9800 Josh Hester of 15286 Williamsville Rd. Vandalia, Michigan Explained need for zoning variance 111.508 (c) Parcel # 040-012-00, There were no letters of support or against variance request.

Motion made by Pat Williams and seconded by Robert McDonald to close public hearing. Motion to close passed unanimously. After some deliberation, Mr Hester decided to rescind his variance request and will be seeking a refund.

17-9806 concerning parcel # 295-031-00 for the property located at 69701 Sunset Blvd. Union, Michigan. 111.804 (c) Side yard.

Jay Roher of Team Construction spoke on behalf of residents of the above address. He pointed out several examples of properties where set back limit was not adhered to as zoning ordinances are written.

Neighbor, Phyllis Witmer of 69711 Sunset Blvd expressed opposition to variance request. She provided new survey and photos showing proximity of deck to property line.

Lloyd Sheaks of 69719 Sunset Blvd spoke about how a surveyor told him that all of the property lines are off through that section of Sunset Blvd.

A motion was made by Diane Konneck and seconded by Pat Williams to close public hearing. Motion passed unanimously.

Motion made by Diane Konneck and seconded by Hank Yeomans to deny variance request. Variance denied unanimously per 111.1603

New Business:

Pat Williams spoke about how planning commission feels that ZBA should make decision on zoning variances regardless of what zoning ordinances say. It is believed that the language and some contingencies in zoning ordinances need to be addressed as to make it permissible for ZBA to make decisions without threat of legal action. This would be done through omitting certain language and possibly adding new language to the zoning ordinances.

Next meeting set for August 10, 2017 @ 6 PM. This will be for Ronald and Angela Migedt of 721 Granada Ave. Venice, FL 34285 concerning the property at 71098 Indiana Lake Drive Union, Michigan 49130 111.804 (a) and 111.804 (b)

Jon White made motion to adjourn meeting at 8:06 PM. This was seconded by Diane Konneck