

Presque Isle Township

Zoning Board of Appeals

Wednesday, February 9, 2022

Zoom was opened: 7:00 pm

Meeting called to order

Pledge of Allegiance was recited

Roll Call: J. Bidwell, R. Kurkechian, C. Winters, B. Fay, D. Matuszak and alternate C. Smith.

No correspondence:

Public Hearing was opened 7:05

Mr. Kendziorski was not able to zoom no internet available, but was able to be on the phone for his ability for questions and answers.

A great deal of discussion on location setbacks and general questions. Mike did respond to all with satisfaction of the board. The location was clearly explained.

Questions from the floor, A citizen came in and asked why the zoom did not let person enter the meeting, it did open up for three residents to comment, noting about this issue more concerned that the PC meeting February 15 have zoom available and active.

Public hearing closed 7:38 pm

Motion to approve the request to relocate the historic building was offered by Matuszak to allow the variance do to unique circumstances. B. Fay seconded the motion. Yea's; 5 Nay;0. Motion approved.

Meeting adjourned.

7:52 pm

**PRESQUE ISLE TOWNSHIP  
ZONING BOARD OF APPEALS  
April 5, 2022**

**Call to order:** The meeting was called to order at 7:00 pm. by Chairman: J. Bidwell.

**Roll Call:** Members present: J. Bidwell, B. Fay, D. Matuszak, C. Smith, C. Winters. S. Lang, Zoning Administrator, also present. Absent: R. Kurkechian

**Guests:** None

**Approval of Agenda:** B. Fay added Cooper Variance to agenda under Old Business. C. Winters motioned to approve agenda with the addition to agenda as noted above. B. Fay seconded. All ayes; agenda approved.

**Approval of the Minutes:** (October 21, 2021) B. Fay motioned to approve the minutes with time change. D. Matuszak seconded the motion. All ayes: motion approved.

D. Matuszak motioned to approve the February 9, 2022 minutes as written. B. Fay seconded the motion. All ayes; motion passed.

**Comments from Audience:** (3 minutes per audience member) None

**Correspondence:** None

**New Business:**

1. Review of Michigan Association of Planning held on March 15, 2022:
  - a. What would constitute "Practical Difficulty"
  - b. How to conduct a successful ZBA meeting.
  - c. How to word a specific motion.
  - d. Making findings of fact.
  - e. Conflicts of Interest.

Bill Fay expressed his concerns about the lack of information about the training session. At a prior Board of Trustees meeting, we were advised that

the training would be available at the Township Hall by Zoom. He did not know this until after he drove to the Township Hall.

2. Information Sharing:

J. Bidwell expressed the importance of sharing information with each other whenever we have a public hearing. There was some confusion about what information some members had that others might not have had before the Kendziorski public hearing. It was pointed out in the training materials that every member must have the same information about the upcoming hearing as the others.

3. Housekeeping items:

- a. J. Bidwell shared a form she prepared to use for decisions made at ZBA hearings. It includes the new Ordinance requirements and should be helpful in documenting the hearing findings. See new form attached.
- b. The Board discussed the application for a variance currently being used and how it might be changed to be improved. J. Bidwell and S. Lang will revise the form and send it out to the other members.

**Old Business:**

Cooper Variance Questions:

Bill Fay and Charles Winters expressed confusion about the fact that the Planning Commission approved Chris Cooper's request to build a pole barn on the lot across the street from his house after the ZBA denied it. J. Bidwell explained that when the ZBA heard the case, it was the understanding that the property at issue was zoned R1. It was determined after that hearing that the property was actually zoned R2, which would allow Mr. Cooper to place his pole barn across the street.

As with the confusion about the planning training, J. Bidwell agreed that better communications with Board members is needed and will assure that this happens in the future.

**Adjournment:** With no further business to discuss; the meeting was adjourned at 8:05 pm.

**Meeting Reminder:** The ZBA will meet again on July 6, at 7:00 p.m.

Respectfully submitted: Bev Huard, Administrative Assistant

**Zoning Board of Appeals Variance Checklist**

Applicant Name: \_\_\_\_\_

Meeting Date: \_\_\_\_\_

Property Address: \_\_\_\_\_

- A. Granting the variance will not jeopardize the preservation of a substantial right, so that the spirit of this Ordinance shall be observed, public safety secured, and substantial justice done. Yes No
- B. Granting the variance will not impair the adequate supply of air and light to any adjacent property. Yes No
- C. Granting the variance will not increase the hazards from fire, flood, or other natural or manmade dangers. Yes No
- D. Granting the variance will not produce nuisance conditions to occupants of nearby premises, whether by reason of dust, noise, fumes odors, vibration, smoke, or excessive light. Yes No
- E. That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic difficulty. Yes No
- F. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created). Yes No
- G. That strict compliance with regulations governing area, setback, frontage, height, bulk, density, or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome. Yes No
- H. That the requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district. Yes No

This decision was based upon the following factors: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VARIANCE GRANTED / DENIED. Conditions to approval: \_\_\_\_\_

VOTE: \_\_\_\_\_

Submitted and certified by: \_\_\_\_\_

ZBA Chairperson