

IMLAY CITY ZONING BOARD OF APPEALS
150 N MAIN STREET
IMLAY CITY MI 48444

SPECIAL MEETING
(Rescheduled from Thursday, August 26, 2021-Due to Lack of Quorum)
Tuesday, September 07, 2021
8:00PM

1. **CALL TO ORDER**

Chairman Barb Yockey called the meeting to order at 8:01PM.

2. **PLEDGE OF ALLEGIANCE**

Chairman Yockey led the Pledge of Allegiance.

3. **ROLL CALL**

Present: Chairman Barb Yockey, Vice-Chairman Teresa Richey, Tom Blount, Earl Gass, Bob Tanis

Absent: Ryan Cinader, John Lengemann

Also present: City Manager Craig Horton, Zoning Administrator Gerry Edwards, City Clerk Dawn Sawicki-Franz and public.

4. **APPROVAL OF AGENDA**

MOTION by Blount supported by Richey to approve the agenda as presented.

MOTION CARRIED UNANIMOUSLY

5. **APPROVAL OF MINUTES**

November 25, 2020

MOTION by Richey supported by Blount to approve the minutes of the November 25, 2020 regular zoning meeting as presented

MOTION CARRIED UNANIMOUSLY

6. **CITIZENS FROM THE FLOOR**

None

7. **PUBLIC HEARINGS**

MOTION by Tanis supported by Gass to enter Notices and Publications for this hearing to record.

MOTION CARRIED UNANIMOUSLY

Chairman Yockey opened the Public Hearing at 8:02PM

A. VARIANCE REQUEST – Ana Alcazar

205 West First Street Parcel ID# 120-22-500-000-00

Variance from Section 21.2 (5) - the width of a parking strip or driveway in a front yard serving a single-family or two-family shall be the lesser of twelve (12) feet or one-third of the lot's width.

Ana Alcazar described her request for a variance for her property at 380 W Second Street.

Zoning board discussion followed.

Chairman Yockey Closed Public Hearing 8:16PM

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MOTION by Gass supported by Tanis to approve 24 feet driveway as requested, straight back with a strip of lawn between driveway and sidewalk.

ROLL CALL VOTE

Gass – Yes, because of the cookie cutter ordinance is not in a cookie cutter zone area. It doesn't fit.

Tanis – Yes, because I have five cars in my driveway and I know how hard it is to play musical cars every night, so I said yes.

Richey – Yes, I say yes also for the same reason. We seem to all have more cars in this town for a family, so with five cars they are going to need the room and if they are willing to leave the grass strip then I am ok with it.

Blount – Yes, based on the same thing. The curb cut is already 24 feet and as long as they leave the grass, I think that in this day and age, we are not one car families any more and when you come into winter you are going to have to get it off the street.

Yockey – No, I believe that we have an ordinance for a reason. I believe that this sets a precedence or can set a precedence that can be dangerous as far as people can put too much paving in their front yard. My response is no.

MOTION CARRIED 4 YES, 1 NO

Chairman Yockey opened the second Public Hearing at 8:22PM

B. VARIANCE REQUEST – Roi Lemier

380 West Second Street Parcel ID# I20-20-500-000-00

Variance from Section 2.19, 2, (a) - Unless specifically authorized elsewhere in this ordinance no fence, wall or screen located within the front yard or along any road right-of-way or easement in any residential zoning district shall exceed three (3) feet in height, or be in excess of forty-nine (49%) percent solid or impervious.

Roi Lemier explained that he is looking to replace an existing fence with another fence and not looking to modify it a whole lot. Lemier stated that his biggest reason for replacing this fence is for the safety of his small children.

Zoning board discussion followed.

Chairman Yockey Closed the second Public Hearing 8:30PM

MOTION by Blount supported by Tanis to enter Notices and Publications for this public hearing to record.

MOTION CARRIED UNANIMOUSLY

MOTION by Blount supported by Richey to approve the proposed fence as requested.

ROLL CALL VOTE

Blount – Yes, it's not enlarging the fence, it's maintaining the fence as originally put.

Richey – Yes, because he should be allowed to maintain the fence as he has it.

Gass – Yes, because it's the right thing to do.

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Tanis – Yes, it needs to be repaired and if it can't be repaired then it needs to be replaced. It was already there.

Yockey – Yes, because of the fact that it is not actually going to change what exists at this time and so it's not going to create any additional problems.

MOTION CARRIED 5 YES, 0 NO

8. OLD BUSINESS

A. Election of Officers

MOTION by Blount supported by Gass to keep the officers the same. (Chairman Barb Yockey and Vice-Chair Teresa Richey

MOTION CARRIED UNANIMOUSLY

B. Two ZBA Alternate Positions – VACANT

Chairman Yockey encouraged each board member to look for members to join this board to avoid the lack of quorum for any future citizen's variance requests.

9. NEW BUSINESS

None

10. ADJOURNMENT

MOTION by Blount supported by Gass to adjourn at 8:44PM

MOTION CARRIED UNANIMOUSLY

Respectfully Submitted by: _____
Dawn Sawicki-Franz, Clerk/Treasurer

Approved by ZBA: November 24, 2021

Approved by City Commission: December 07, 2021