

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

**REGUALR MEETING
Thursday, March 24, 2022
6:00PM**

1. CALL TO ORDER

Chairperson Barb Yockey called the meeting to order at 6:00PM.

2. PLEDGE OF ALLEGIANCE

Chairperson Yockey led the Pledge of Allegiance.

3. ROLL CALL

Present: Chairperson Barb Yockey, Vice-Chairperson Teresa Richey, Tom Blount, Ryan Cinader, John Lengemann, Bob Tanis, Charles Boadway

Absent: Earl Gass

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

4. APPROVAL OF AGENDA

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

MOTION CARRIED UNANIMOUSLY

5. APPROVAL OF MINUTES

November 24, 2021

MOTION by Richey supported by Blount to approve the minutes of the November 24, 2021 regular zoning meeting with correction.

MOTION CARRIED UNANIMOUSLY

6. CITIZENS FROM THE FLOOR

None

7. VARIANCE REQUESTS

A. VARIANCE REQUEST – IVAN AND AMY PLANCK ON BEHALF OF THE FOUR COUNTY COMMUNITY FOUNDATION

250 PO&N Street – Parcel ID #19-95-600-000-00, Variance from Section 15.1 – To allow a front setback of seven (7) feet and not the required twenty-five (25) feet.

1. NOTICES AND PUBLICATIONS TO RECORD

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

MOTION CARRIED UNANIMOUSLY

2. PUBLIC HEARING OPENED AT 6:02PM

Kathy Dickens spoke on behalf of the Four County Community Foundation and explained her view of the setbacks for this property regarding the placement of the proposed home.

Each of the ZBA Board Members had the opportunity to speak and ask questions if they wished.

PUBLIC HEARING CLOSED AT 6:16PM

MOTION by Richey supported by Blount to grant the variance as proposed and allow the front setback to deviate from the Zoning Ordinance.

RICHEY- Yes, this variance should be allowed due to an odd sized lot and I think that we should take that into consideration.

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BLOUNT- Yes, I vote that they be given the variance as proposed due to the fact that they meet all the requirements except the front setback and with the zoning administrator's recommendation to allow, I would agree with that.

CINADER- Yes, I vote to grant them the variance due to it being an odd shaped lot but, they are over 30 feet off the edge of the street. This lot does have a lot line that runs in the middle from the front to the back.

BOADWAY- No, I disagree because of the style of the road and the purpose of what John talked about and way of this lot and what have asked for. I think that they could do a little bit better on the square footage of the home to be placed on this lot.

LENGEMANN- No, this property could be used for residential without granting a variance and so I think that we have no authority to grant such a variance under the law.

TANIS- Yes, give them a variance to build this house. It is not really that big of a house for a three bedroom, two bath home and they have met all requirements except the front setback. A lot of the streets in our town run on an angle so I say we accept it.

YOCKEY- Yes, I agree to grant the variance. The only reasonable use for this lot would be to build a house in the nature that is being requested here. I think in Imlay City we are trying to increase the number of houses especially for people of reasonable means and I believe that a house of this nature would do that. I that if we deny this, that's probably a lot that would never be built on and it's probably a lot that not going to be used. So I think this is a reasonable use and I feel we should grant this variance from the zoning ordinance.

B. VARIANCE REQUEST – PAUL CROW

360 Shirley Blvd – Parcel ID#I20-25-900-000-00, Variance from Section 15.1 – To allow side setback of eight (8) feet that is required in an R-1 district.

1. **NOTICES AND PUBLICATIONS TO RECORD**

MOTION by Richey supported by Cinader to enter Notices and Publications for this public hearing to record.

MOTION CARRIED UNANIMOUSLY

2. **PUBLIC HEARING OPENED AT 6:24PM**

Paul Crow explained that he is looking for a variance for a walkway where originally there was a retaining wall in place. He stated he is on a pie shaped lot at the end of a court. This is an L-shaped walkway from service door to service door.

Crow's neighbor spoke in opposition regarding this project.

Each of the ZBA Board Members had the opportunity to speak and ask questions if they wished.

PUBLIC HEARING CLOSED AT 6:49PM

MOTION by Lengemann supported by Cinader to table the variance as proposed until a report from the zoning administrator gives a definitive answer regarding retaining wall vs. walkway decking.

ROLL CALL VOTE

Ayes: Lengemann, Cinader, Boadway, Tanis, Richey, Blount, Yockey

Nays: None

MOTION CARRIED UNANIMOUSLY

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8. UNFINISHED BUSINESS

None

9. NEW BUSINESS

None

10. ADJOURNMENT

MOTION by Lengemann supported by Tanis to adjourn at 6:54PM
MOTION CARRIED UNANIMOUSLY

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

Approved by ZBA: Thursday, April 28, 2022
Approved by City Commission: October 04, 2022