

Montrose Township Zoning Board of Appeals
Meeting Minutes
Thursday, January 26, 2023
6:00 pm

The meeting was called to order by Chairman Ron Loafman at 6:00 PM.

The pledge of allegiance was recited.

Roll Call: Present: Ron Loafman, Steve Schlicht, Fred Domine, Chad Wysocki, Tim Burton, Kay Edenburn, Dave Allard, and Bill McIlmurray Building Official

Absent: Kris O'Neal and Kevin Peterson.

Meeting Minutes – November 17, 2022, Regular Meeting.

A **Motion** was made by F. Domine, supported by S. Schlicht, to accept the Meeting Minutes from the 11/17/2022 regular meeting as presented. Motion Carried 7-0

Approval of Meeting Agenda: A **Motion** to approve the meeting agenda was made by S. Schlicht support given by T. Burton. Motion carried 7-0

Public Comments on Agenda Items Only: Mike Keeler 11281 Frances Road, Flushing, MI 48433 is opposed to the granting of the variance as stated in the letter submitted to the Zoning Board. Andrew Switalski 11302 W. Frances Road, Flushing, MI 48433 on behalf of Steven & Dorothy Switalski spoke in opposition to granting the variance and gave an explanation of why his parents are in opposition. R. Loafman asked the board if anyone had any questions for the citizens, but there were not. Citizen's comments closed.

New Business: Public Hearing-Variance Request: Andrew and Nicole Jenrow, the owners of the property located at 11272 W. Frances Rd., Parcel Number 13-32-300-012 requesting a variance from section 153.340 Item (B)(2)(A) to allow a detached accessory building and or structure to be placed in front of the front wall line of the main building on the adjoining properties.

Dan Jenrow 1152 Ferden Road, New Lothrop, MI 48460 asks for correspondences to be sent to 11272 W. Frances Road, Flushing, MI 48433. D. Jenrow asked that D. Allard recuse himself from this meeting since he is a family member of the Switalskis

Nichole Jenrow 11272 Frances Road, Flushing, MI 48433 stated when they came to talk to the building inspector about putting the building there, the reason we decided to put it there was so we didn't have to move 30 to 50 trees. Other spots on the property would be too close to the septic field, pond, woods, or the property line. S. Schlicht said that he understands that but he also understands that looking as if I was your neighbor and this was proposed, what would my thoughts and feelings be if you're putting up a building of that size in my front yard? N.

Jenrow replied, it's 40' off the property line. This is why they came up and asked first if it was ok. D. Jenrow, then a building permit was issued. D. Jenrow, we just don't think that our party should financially be set back because you have a code official who is learning. N. Jenrow, we've tried to do everything right from the beginning I guess that's the most frustrating thing, is that we tried from the very beginning to do this right and we asked the questions. F. Domine, Mr. McIlmurray presented the ZBA Board with a timeline of everything in his estimation of what happened and when. B. McIlmurray talked to you on 11/3/22, 11/7/22 you submitted the permit application, then on 11/8/22 he issued the permit on 11/9/22 you picked up the permit. On 11/10/22 he realized he made a mistake and called you, 1 day later. N. Jenrow, all he said in the conversation was "I think there is an ordinance issue, I'm not sure, I'll look into it and call you back Monday", and that's all it was. R. Loafman stated that the purpose of the Zoning Board of Appeals is to rule on variances and to look out for the whole community. We aren't going to discuss building permits any longer, just whether or not the variance will be granted. R. Loafman asked why the property owner feels the ordinance is unreasonable. D. Jenrow says he thinks their request is not unlike dozens of other properties in the Township that have buildings in front of their home. F. Domine stated that the ordinances are ever changing and seeing other homes in the Township with buildings in front of their property may have been there previous to any changes made to the ordinances. R. Loafman asked if the board had any questions, but there were none. The public hearing was closed. A **Motion** to deny the variance was made by S. Schlicht supported by F. Domine. All in favor. Roll call – K. Edenburn (y), T. Burton (y), C. Wysocki (y), F. Domine (y), S. Schlicht (y), R. Loafman (y). D. Allard did not vote. Motion passed 6-0.

Public Hearing-Variance Request: Douglas Gregory, the owner of the property located at 10502 N. Seymour Rd., Parcel Number 13-28-200-027 requesting a variance from section 153.340 Item (B)(2)(A) to allow a detached accessory building and or structure to be placed in front of the front wall line of the main building on the adjoining properties.

Rod Kalhanek 3491 Ditch Road, New Lothrop, MI 48460 is the builder and spoke on behalf of the homeowner explaining how the building permit was issued and EGLE has approved the site of the building due to the river behind the property. We are 3 days from completion. He also stated the building is behind the home not in the front so he feels this ordinance does not apply to them. R. Loafman explained there are two separate ordinances so one of them does apply to this property. There was a letter from the neighbor saying this building will not impede their view or impact their property value. R. Loafman asked if the Board had any questions, but there were none. The public hearing was closed. A **Motion** to approve the variance was made by C. Wysocki supported by K. Edenburn. B. McIlmurray said that he wants all the documents entered into the records of the meeting. All in favor. Roll call – D. Allard (y), T. Burton (y), K. Edenburn (y), F. Domine (y), C. Wysocki (y), R. Loafman (y), S. Schlicht (y). Motion passed 7-0

Old Business S. Schlicht made a **Motion** to nominate R. Loafman as Chairman, support was given by F. Domine, and R. Loafman accepted. Motion passed 7-0. R. Loafman nominated F. Domine as Vice Chairman, support given by S. Schlicht, and F. Domine accepted. Motion passed 7-0.

Other Business None

Citizens Time – None

Adjournment:

The meeting adjourned at 6:44 p.m.

The next regularly scheduled meeting will be held on Thursday, February 23, 2023

Respectfully,
Peggy Coomer
Recording Secretary