

MACOMB TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF A REGULAR MEETING HELD
THURSDAY, MARCH 4, 2021

LOCATION: VIRTUAL MEETING

PRESENT: CHAIRMAN: AARON TUCKFIELD
PRESENT, MACOMB TOWNSHIP, MACOMB COUNTY, MI
SECRETARY: DAWN SLOSSON
REMOTE, MACOMB TOWNSHIP, MACOMB COUNTY, MI
MEMBERS: DAVID PIEPER
PRESENT, MACOMB TOWNSHIP, MACOMB COUNTY, MI
DAVID DeCOSTER
PRESENT, MACOMB TOWNSHIP, MACOMB COUNTY, MI
KRISTI POZZI
REMOTE, MACOMB TOWNSHIP, MACOMB COUNTY, MI

ABSENT: NONE

ALSO PRESENT: JOSH BOCKS, PLANNING DIRECTOR
DAVE SCURTO, PLANNING CONSULTANT
BEN ALOIA, TOWNSHIP LEGAL COUNSEL

1. Call Meeting to Order.

Chairman TUCKFIELD called the meeting to order at 7:01 P.M.

2. PLEDGE OF ALLEGIANCE.

Chairman TUCKFIELD lead the Pledge of Allegiance.

3. Roll Call.

Chairman TUCKFIELD called the roll. All members present.

4. Approval of Agenda Items. *(with any corrections)*
Note: All fees have been received and all property owners were notified by mail.

MOTION by POZZI seconded by DeCOSTER to approve the agenda as presented.

FOR THIS MOTION

AYES: POZZI, DeCOSTER, SLOSSON, TUCKFIELD, PIEPER.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

5. Approval of the previous meeting minutes.

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MOTION by DeCOSTER seconded by SLOSSON to approve the minutes of February 4, 2020 as presented.

FOR THIS MOTION

AYES: DeCOSTER, SLOSSON, PIEPER, TUCKFIELD, POZZI.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

6. New Business:

A. VARIANCE REQUEST FROM ZONING ORDINANCE

Section 20-6.A.1- Request to allow a building mounted sign on a side that does not have road frontage to exceed the size permitted

Located at 51113 Industrial Drive, west side of Industrial Drive and north of 23 Mile Road; Section 18; Lawrence Worden, Petitioner. Permanent Parcel 08-18-326-002.

Josh Bocks, Planning Director, stated the request for the variance is to place the variance on the side of the building where they would have visibility.

The petitioner submitted a letter of practical difficulty dated January 7, 2021 as follows:

“The property 51113 Industrial Drive sites just north off 23 Mile Road next to (at this moment in time) a large vacant lot. Our customer has been in service in our local area since 1967 and has moved a few doors down in your lovely city to expand on their growing business. The sign we’re asking for a variance is their existing sign from their location they’ve moved from and wanted to continue using it instead of it becoming a very large useless paper weight. The side of the building is where we would like to mount this existing sign to be visible from the busy 23 Mile Road traffic, it would help promote the new location. We understand if the property south of 51113 Industrial Drive begins development, the sign will not be visible from 23 Mile Road, but in the meantime can allow our customer to establish clientele driving down 23 Mile road looking for them.”

Bryan Dequet, representative, was in attendance and stated their client was having trouble gaining exposure at their location and hoped that by putting a sign up on the side of the building would help gain exposure for their business.

Member POZZI asked if there was a square footage that is permitted for a sign to be located on the side of the building.

Josh Bocks, Planning Director, stated that it would be 20% of what is allowed on the front of the building. This would allow them 17 square feet.

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Discussion was held on visibility of signage located on the building in question and that the vacant field to the south would not remain vacant in the future.

Public Portion: None.

Chairman TUCKFIELD closed the public portion.

Chairman TUCKFIELD asked Bryan Dequet about the amount of business that is done on-line, since the applicant had indicated earlier in the year at the Planning Commission meeting at which time he asked to reduce the parking spaces.

Bryan Dequet, representative, stated he did not have an answer for that question and suggested that the item be tabled in order for the owner to be present.

MOTION by POZZI seconded by SLOSSON to table at the representative's request the variance request of Section 20-6.A.1- Request to allow a building mounted sign on a side that does not have road frontage to exceed the size permitted; Located at 51113 Industrial Drive, west side of Industrial Drive and north of 23 Mile Road; Section 18; Lawrence Worden, Petitioner. Permanent Parcel 08-18-326-002. This variance is tabled to April 1, 2021.

FOR THIS MOTION

AYES: POZZI, SLOSSON, TUCKFIELD, DeCOSTER, PIEPER.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

B. VARIANCE REQUEST FROM ZONING ORDINANCE

Section 10.0311E.f.3. - Request to allow an unenclosed swimming pool to be located 6.5 feet from a principle where a minimum 10 feet is required

Located at Wingate Farms, 50221 Nesting Ridge Drive, west of Card Road and ½ mile south of 23 Mile Road; Section 22; Joe and Linda Montalto, Petitioners. Permanent Parcel 08-22-151-017.

Josh Bocks, Planning Director, presented a powerpoint presentation of the variance being sought. He indicated that the departments were recommending approval.

Linda Montalto, petitioner, was in attendance.

Public Portion: None.

Chairman TUCKFIELD closed the public portion.

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The following resolution was offered by SLOSSON and seconded by PIEPER:

Whereas, it has been satisfactorily presented that special conditions prevail that would cause a practical difficulty if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance under the findings and facts herein set forth;

Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.0311E.f.3. - Request to allow an unenclosed swimming pool to be located 6.5 feet from a principle where a minimum 10 feet is required; Located at Wingate Farms, 50221 Nesting Ridge Drive, west of Card Road and ½ mile south of 23 Mile Road; Section 22; Joe and Linda Montalto, Petitioners. Permanent Parcel 08-22-151-017.

FOR THIS MOTION

AYES: SLOSSON, PIEPER, DeCOSTER, POZZI, TUCKFIELD.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

Chairman TUCKFIELD stated his reason for voting yes was that the pool was not in front of a door wall and that the drainage issue makes a non standard lot for use of a pool.

C. VARIANCE REQUEST FROM ZONING ORDINANCE

Sections 10.0704A.3.d and Section 10.0404A.1 - Lots where public water and sanitary sewer are available; ratio: All lots shall not be three (3) times longer than their width and minimum lot size is 43,560 square feet

Located on the west side of Card Road and ½ mile south of 23 Mile Road; Daryl D. Gapshes, Petitioner. Permanent Parcels 08-22-200-009 and 08-22-200-010.

Josh Bocks, Planning Director, presented a powerpoint presentation of the variance being sought and the end result is the creation of a residential lot. He noted however that there is a small segment of a parcel owned by the Chippewa Valley schools that when split will not meet the requirements of an AG zone. Therefore, a variance is being sought to allow the future combination and development of the parcel in question. The second issue that needs to be addressed is the residential lot that will split off the rear portion creating a 3 to 1 lot variance even though the parcel in question is already non-conforming and would be bringing the lot closer into conformance. The end result is creating a residential lot that would benefit the township.

The petitioner submitted a letter of practical difficulty dated January 14, 2021 as follows:

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“We currently have a purchase agreement with the landowner of Parcel No. 08-22-200-010 to purchase the westerly 39.60’. Our intention is to combine this portion with the adjoining parcel owned by the Chippewa Valley School District. The Chippewa School District in favor of selling their portion to minimize ground maintenance. Such a split and combination would allow for a single family residential building site to be created consistent with the surrounding neighborhood.

1. Currently Parcel No. 08-22-200-010 exceeds the 3 to 1 ratio per Section 10.0504 A. of the Zoning Ordinance. Upon splitting the westerly 39.60’, the balance of said parcel will still exceed the 3 to 1 ratio. This difficulty was not created by the landowner and was established many years prior to the current ordinance. Enforcement of the ordinance would not allow for the creation of a single family residential lot consistent with the surround Zoning District.
2. This is a unique circumstance because the parcel is surrounded by Vesper & Jean Drives, Shawnee Elementary and the Gateway Farms platted subdivision. The development of Gateway Farms and Shawnee Elementary created the opportunity to create a single family residential building site consistent with the properties in the Zoning District.
3. The existing condition and circumstances were not created by the owner but by urban sprawl. The parcel as existed for many years and was in recent years surrounded by the development of Gateway Farms Subdivision and the Shawnee Elementary school.
4. This is a very unique situation and would not confer special privileges for the fact that this situation would not exist anywhere else in the township and was not created by the landowner. Granting of this variance would allow uniformity within the Zoning District.

We appreciate the opportunity to move forward in pursuit of creating a single family residential building site within your community.”

Daryl Gapshes, petitioner, was in attendance and stated his goal was to combine the parcels and create a nice R-1 lot that will fit in with the surrounding property.

Ben Aloia, Township Legal Counsel, asked if it could be articulated what the three variances are being sought.

Josh Bocks, Planning Director, stated the first variance would be to allow an agricultural parcel to exist smaller than what is currently allowed by ordinance, the second would be to allow an R-1 parcel to exist that’s smaller than what is allowed by ordinance and the last variance would be to approve a residential R-1 parcel that exceeds the 3 to 1 ratio.

Public Portion:

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Amy Mayor, 21677 Phoenix Drive, stated the parcel in question had drainage issues and the neighbors in the area are concerned to how it will impact the surrounding properties.

Chairman TUCKFIELD closed the public portion.

Chairman TUCKFIELD stated that after the Planning Commission he did speak to Amy Mayor after the meeting and wanted to disclose that conversation.

Member PIEPER wanted to know how the drainage issue would be handled during the development of the future parcel.

Chairman TUCKFIELD verified with Josh Bocks, Planning Director, that during the development portion the Water/Sewer and the County Drain Commission would coordinate on drainage issues and requirements for this parcel.

Josh Bocks, Planning Director, stated the township engineer also is involved.

Member POZZI asked Dave Scurto, Planning Consultant, for a non-bias recommendation on record since the resident did bring up ethic ordinances and elected officials as if there was a conflict.

Dave Scurto, Planning Consultant, stated he did recommend approval of the variances on a couple of accounts being that it brings the small parcel of land when its combined into a house that would fit the surrounding community and lessens a preexisting legal non-conforming status of a house on Card Road. In addition, this property is owned by a school district and zoning does not pertain to it. Anything the school district wants to do with the property they can do it and the township has no control over it. Now, we would be taking a piece of land and making it a taxable usable piece that fits into the surrounding neighborhood.

Chairman TUCKFIELD stated he felt all three variances have validity and the answer is straightforward.

The following resolution was offered by DeCOSTER and seconded by SLOSSON:

Whereas, it has been satisfactorily presented that special conditions prevail that would cause a practical difficulty if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance under the findings and facts herein set forth;

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Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.0404.A.1. - Minimum lot size is 43,560 square feet. The variance is granted to allow the agricultural parcel (08-22-200-009) once split to be allowed to be agriculturally zoned even though its smaller than the allowable size. The variance is further granted to match the surrounding area.

Ben Aloia, Township Legal Counsel, stated the variance should be conditioned upon the parcels being combined with the adjacent parcel.

Member DeCOSTER amended his motion and Member SLOSSON seconded her motion to include the approval is conditioned upon the parcel being combined with the adjacent parcel and being rezoned by the Township Board of Trustees.

FOR THIS MOTION

AYES: DeCOSTER, SLOSSON, POZZI, TUCKFIELD, PIEPER.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

The following resolution was offered by DeCOSTER and seconded by SLOSSON:

Whereas, it has been satisfactorily presented that special conditions prevail that would cause a practical difficulty if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance under the findings and facts herein set forth;

Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.0704.A.1.d. - Lots where public water and sanitary sewer are available, ratio: all lots shall not be three (3) time longer than their width. The variance is granted for the R-1 parcel (08-22-200-010) once split and conditioned upon being combined with 08-22-200-009 and rezoning approval from the Township Board.

FOR THIS MOTION

AYES: DeCOSTER, SLOSSON, PIEPER, POZZI, TUCKFIELD.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

The following resolution was offered by DeCOSTER and seconded by SLOSSON:

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Whereas, it has been satisfactorily presented that special conditions prevail that would cause a practical difficulty if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance under the findings and facts herein set forth;

Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.0704A.1.d. - Lots where public water and sanitary sewer are available, ratio: all lots shall not be three (3) time longer than their width. The variance is granted for 3 to 1 ratio (08-22-200-010) because it will reduce the non-conformity. This variance is conditioned upon the parcel being combined with the adjacent parcel.

FOR THIS MOTION

AYES: DeCOSTER, SLOSSON, TUCKFIELD, POZZI, PIEPER.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

D. VARIANCE REQUEST FROM ZONING ORDINANCE

Sections 10.2106.D., 10.2106G.7., 10.0323., 10.0323(8), 10.0334 and 10.2106G7. - Multiple variances that deal with setbacks, parking and screen wall materials

Located at 17625 23 Mile Road, north side of 23 Mile Road and west of Romeo Plank Road, Section 17; Ottasea Properties. LLC, Petitioner. Permanent Parcel 08-17-300-015.

Josh Bocks, Planning Director, presented an overhead presentation of the parcel is question along the abutting parcels. If all of the current ordinances were to be followed they would be left with a very small storage area considering the size of the lot overall.

Lindsay Ott and Brandon Ott and Marc Ott, petitioners', were in attendance.

Lindsay Ott, petitioner, stated the biggest concern is the residential lot that abuts the property which is residential and currently for sale. The likelihood of the parcel to remain residential seems slim since the parcel is located in the middle of an Industrial corridor.

The petitioner submitted a letter of practical difficulty dated November 16, 2020 as follows:

"I. Introduction

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Applicant, Ottasea Properties, LLC (“Applicant”) seeks to utilize Property in the M-1 Light Industrial district for its tenant, Give-Em A Brake Safety, LLC (“Tenant”) which is engaged in equipment rental and sales. Specifically, Tenant rents traffic control equipment and provides design, delivery, set-up, and take-down services to road construction companies that operate under contracts to complete specific projects for the Michigan Department of Transportation, various Michigan local government agencies, private contractors and public utilities. The Tenant also rents equipment on a daily basis and sells traffic control equipment. In order for Tenant to operate at the Property, a gravel storage yard must be added to the rear of the Property for Tenant’s equipment and other items that are utilized in its business. This proposed improvement will require variances from various requirements as noted below. The requirements for granting a variance are satisfied here, and Applicant respectfully requests that the Zoning Board of Appeals (“ZBA”) grant the requested variance.

This request for variances incorporates and builds on the Special Land Use/Site Plan Application previously filed in relation to this Property and the review letter issued by the Township on May 19, 2020. For your convenience, a copy of the Special Land Use/Site Plan application and Township’s letter are included herein.

II. **Current status of the Property and the Township’s May 19, 2020 Review Letter**

The Property is comprised of an existing 9,850 square foot building, a concrete pad at the center of the property and parking areas. The northern portion of the lot is unimproved. The Property abuts industrial properties to the north and west and a residential zoned property to the east. The residential zoned property is vacant and un developed.

In order to accommodate its Tenant and allow it to conduct its business at the Property, Applicant proposes to erect a crushed concrete storage area in this northern area of the property. The storage area is necessary for the storage of the Tenant’s equipment, including, for example, road signs and construction cones. Based on the thin and narrow nature of the Property, development of the Property is difficult (and in some instances impossible) if the Township’s Ordinance is strictly enforced.

Based on the Township’s May 19, 2020 review letter pertaining to the Site Plan and Special Land Use Application file in relation to the Property, the applicant seeks a variance in relation to several of the items addressed in the review letters. For example, Applicant seeks a variance from the following:

- (1) The proposed storage area must be buffered with a masonry wall and/or landscaping under Section 10.0323(8) and 10.0323(8) of the Zoning Ordinance (to the extent necessary, Applicant requests a variance from these requirements and applicant proposes in the inclusion of an 8 ft. chain link fence surrounding the storage area;

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- (2) The proposed storage area must be set back 100 foot from the residential zoned property and to the east of the Property and 25 or 50 (it is unclear in the Township's review letters) from the abutting industrial zoned properties (10.2106(D); and,
- (3) The proposed storage area must be paved.

III. **The conditions for granting a variance are satisfied here.**

Where carrying out the strict letter of the zoning ordinance creates practical difficulties, the ZBA may grant a variance to vary or modify any of its rules or provisions so that the spirit of the ordinance is observed, public safety secured, and substantial justice done. MCL 125.3604; Zoning Ordinance 10.2405. Applicant's proposal complies with the standards for approving variances. Where carrying out the strict letter of the zoning ordinance creates practical difficulties, the ZBA may grant a nonuse variance to vary or modify any of its rules or provisions so that the spirit of the ordinance is observed, public safety secured, and substantial justice done. MCL 125.3604(8); *Johnson v Robinson*, 420 Mich 115, 123; 359 NW2d 526 (1984).

Applicant addresses the following requirements below:

- How the strict enforcement of the provisions of the Township's Ordinance would cause a practical difficulty or unnecessary practical difficult and how such enforcement would deprive the owner of right enjoyed by all other owners of property within the same Zoning District.
- How conditions and circumstances unique to the property are not similarly applicable to other properties located within the same Zoning District.
- How conditions and circumstances unique to the property were not created by the owner, or his predecessor in title, within the time following he effective date of the provision alleged to adversely affect such property.
- Why the requested variance will not confer special privileges that are denied other properties that are similarly situated and which are located in the same Zoning District.

Literal and strict enforcement of the requirements here would impose practical difficulties on Applicant, because the proposed improvement is designed to be harmonious with the existing building, will not increase any current nonconformity, and is harmonious with nearby uses. Granting the requested variances will uphold the spirit of the Ordinance by facilitating use consistent with the current zoning use and other uses along 23 Mie Road. First strict enforcement of the set-backs will leave Applicant with a storage yard that would be so small it would be virtually useless and would not be able to hold even a portion of the tenant's equipment. It would be extremely difficult and wholly impractical to construct a sufficient storage area for equipment on this Property (including track equipment which cannot operate on paved surfaces) without setback and other variances. Second, strict

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enforcement of any paving and masonry wall requirements are unnecessary and cannot be implemented in conjunction with the storage of the small track equipment. It is Applicant's intent to develop and maintain the storage area in an aesthetically pleasing manner which will not disrupt or otherwise affect any neighboring areas – this includes the crushed concrete surface for the storage area. Further, Applicant is willing to explore alternative screening options, if necessary, to alleviate any concerns the Township may have if the adjacent residential (vacant) property is developed along with the implementation nuisance or dust control, if any. Lastly, Applicant does not expect for there to be constant traffic or movement to and from the storage yard and therefore it is unlikely that any issues will develop as it pertains to the crushed concrete surface.

It appears that the Township has assented to variances requests similar to those at hand. For example, the following properties appear to have fenced storage areas with a gravel surface and that do not adhere to the strict setback requirements. For example:

- McAllister Rentals located at 17171 23 Mile Road
- 15930 23 Mile Road
- D'Agostini Construction 15801 23 Mile Road

The proposed variances will have no adverse effect on neighboring properties. Although the lot to the east of the Property is zoned residential, the residential zoned property has never been developed and there is no existing structure on the property. Further, the proposed variance comports with public safety and substantial justice by facilitating the rehabilitation of an existing building and property that was vacant and debilitated for quite some time. The spirit and intent of the residential setback requirements and the screening requirements are likely to permit occupants of residential units to enjoy their property with some buffer from commercial uses, while also screening out the site of commercial uses. Here, the Property is surrounded by commercial uses with the exception of the vacant land that is zoned residential. The spirit of the Zoning Ordinance will be preserved and any impact to the adjoining properties will be negligible.”

Public Portion: None.

Chairman TUCKFIELD closed the public portion.

Chairman TUCKFIELD asked if the parcel in question where surrounded by industrial what would the setback be.

Josh Bocks, Planning Director, stated it would be 25 feet on the side and 50 feet on the rear.

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Chairman TUCKFIELD stated to Lindsay Ott that the basis of granting a variance is based upon practical difficulty. In the documentation that has been provided there does not appear to be one and wondered if there was anything that she could add to specifically impress that standard.

Lindsay Ott, petitioner, stated one of the issues was the use of the parcel. Without having this we would not have the best use of the parcel. The narrow nature of the lot is constrictive as to what can be done on the parcel. This will be aesthetically pleasing and not an eyesore.

Chairman TUCKFIELD stated that from a practical difficulty standpoint each parcel is unique so there is no precedent set that is required to be followed.

Brandon Ott, petitioner, reviewed the heavy equipment that would be used to move the material around in the yard.

Chairman TUCKFIELD stated that he would be uncomfortable with granting a variance on the basis on a parcel being non-developable.

Josh Bocks, Planning Director, stated the with the Master Plan being reviewed it has been noted that there is a shortage of industrial property.

Discussion was held regarding the storage yard along with the associated setbacks and fencing requirements.

Chairman TUCKFIELD noted that additional people had joined the meeting virtually and he reopened the public hearing to ensure that everyone received an opportunity to speak.

Public Portion: None.

Chairman TUCKFIELD closed the public portion.

The following resolution was offered by DeCOSTER and seconded by PIEPER:

Whereas, it has been satisfactorily presented that special conditions prevail that would cause a practical difficulty if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance under the findings and facts herein set forth;

Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.2106.D.2.b. Request to reduce the sideyard setback from 25

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feet to 0 feet - to allow a west side setback between the industrial properties to zero feet for storage use only. This variance is granted with the practical difficulty being the width of the property making it difficult to use.

FOR THIS MOTION

AYES: DeCOSTER, PIEPER, TUCKFIELD, POZZI, SLOSSON.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

MOTION by DeCOSTER seconded by PIEPER to deny the variance request of Section 10.2106D.3.b. – Request to reduce the rear yard setback from 50 feet to 0 feet. This variance is denied since the property is much deeper than it is wide.

FOR THIS MOTION

AYES: DeCOSTER, PIEPER, POZZI, SLOSSON, TUCKFIELD.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

The following resolution was offered by DeCOSTER and seconded by SLOSSON:

Whereas, it has been satisfactorily presented that special conditions prevail that would cause a practical difficulty if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance under the findings and facts herein set forth;

Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.2106.D.2.a. – Request to reduce the side yard setback from 100 feet to 25 feet on the eastern side of the property where it abuts an R-1-S zone. This variance is granted since the practical difficulty is using the width of the property and using the setbacks enforced would

FOR THIS MOTION

AYES: DeCOSTER, SLOSSON, TUCKFIELD, PIEPER, POZZI.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

MOTION by DeCOSTER seconded by PIEPER to deny the variance of Section 10.2106.E. – request to allow a 6 foot high chain link fence in lieu of a 6 foot high decorative masonry wall. This variance is denied since there is no practical difficulty provided.

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AYES: DeCOSTER, PIEPER, SLOSSON, POZZI, TUCKFIELD

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

MOTION by DeCOSTER seconded by PIEPER to deny the variance of Section 10.0323 E.4. Request for gravel surface parking lot in lieu of hard surface. This variance is denied after being provided with the equipment being used there is no practical difficulty.

Chairman TUCKFIELD suggested that in some other way they could find a way to use concrete to park their vehicles on and the equipment on the gravel.

FOR THIS MOTION

AYES: DeCOSTER, PIEPER, TUCKFIELD, POZZI, SLOSSON.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

7. OLD BUSINESS:

None.

8. PUBLIC COMMENTS:

None.

9. ZBA Member Comments.

Member DeCOSTER stated that he would not be able to be in attendance at April's meeting but could do so remotely.

Member POZZI stated the Board of Trustees plans on stating remote until the end of March with no in person meetings and will re-evaluate after March 31, 2021.

Member SLOSSON stated she will not be available remotely for the April meeting.

10. PLANNING DIRECTOR COMMENTS

Josh Bocks, Planning Director, stated there would be a meeting in April.

11. ADJOURNMENT

MOTION by PIEPER seconded by SLOSSON to adjourn the meeting at 8:31 p.m.

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FOR THIS MOTION

AYES: PIEPER, SLOSSON, POZZI, TUCKFIELD, DeCOSTER.

NAYS: NONE.

ABSENT: NONE.

MOTION carried.

Respectfully submitted,

Aaron Tuckfield, Chairman

Dawn Slosson, Secretary

Beckie Kavanagh, Recording Secretary
Bk