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LEONI TOWNSHIP ZONING BOARD OF APPEALS
MINUTES

July 26, 2021

The Leoni Township Zoning Board of Appeals held a Regular Board Meeting Monday, July 26, 2021 at 6:00 P. M. via the ZOOM.us remote meeting platform as per advertised. Chairman Eadie was in attendance at Leoni Township Hall, 913 Fifth St., Michigan Center, Michigan.

Call to Order 6:04 pm

Pledge of Allegiance

ROLL CALL: Members Present: Chair Eadie, members, Keith VanPoperin (attending from Yellowstone County, Billings, Montana), Vern Beckwith, Rae Fruth, Nora Sharpe-McGee

Members Absent: 0

Approximately 20 people in attendance

Chair Eadie asked member McGee if she could take notes for minutes due to the absence of Secretary Trammell. All members agreed.

APPROVAL OF MINUTES

Motion by Beckwith, **support** by Eadie to approve minutes of July 12, 2021 as written.

Roll call vote:

Ayes: 5

Nays: 0

Motion carries

APPROVAL OF AGENDA: June 26, 2021 meeting.

Motion by McGee, **support** by Eadie to approve Agenda with the following changes: Move Public comment to after purpose of ZBA, Add PUBLIC HEARING just after announcement of Old Business 000-14-24-260-002-01 variance, add the word BOARD in front of DISCUSSION and Change next scheduled meeting to Aug 2, 2021, if any business items.

Roll call vote:

Ayes: 5

Nays: 0

Motion carries

PURPOSE OF THE ZONING BOARD OF APPEALS: Read by Chair Eadie

PUBLIC COMMENT: began at 6:13 pm
A few members of public chose to speak.
PUBLIC COMMENT ENDED: 6:28 pm.

OLD BUSINESS:

- 1. 000-14-24-260-002-01
Alan Harajli
15200 Wolf Lake Lorest Variance**

PUBLIC HEARING: began at 6:30 pm

Alan Harajlei's attorney, Mr. Turfe, presented case.
Ms. Ghabra (Mr. Harajli's Realtor), Ms. Booker, Ms. Herman (owner) all spoke in favor.
Bruce Inosencio (atty. For opposing neighbors), Mr. Barber, Ms Sziraki, Mr. Nelson and
Mr. Sziraki all spoke in opposition.

PUBLIC HEARING: closed 7:48 pm

BOARD DISCUSSION: began 7:50 pm

It was discussed what the side yard setback requirements are in the RS district along with front and back setbacks. The applicant had agreed to adjust his request to ask for an 8 ft. side yard variance (28 ft house width) with the shortage to be considered for the west side of the parcel abutting the platted drive. It was discussed that the maximum lot coverage for this zone is 25% not counting overhangs under 36". It was discussed that a survey shows a meandering line for high water. It was discussed that all four (4) of the conditions of Ordinance 42-63(b)(1) being a. b. c. d. must be met to qualify for a variance. Township Attorney Conti explained all four (4) of the conditions which were the new guidelines adopted by the Leoni Township Board.

Member McGee asked to start with item d. first.

Motion by McGee, **support** by Eadie to find that "42-63(b)(1) d. The problem is not self-created". Board discussion ensued.

Roll call vote:

Ayes: 5

Nays: 0

Motion carried

Motion by McGee, **support** by Fruth to find that "42-63(b)(1) c. The plight is due to unique circumstances of property and is not shared by neighboring properties in the same zone." Board discussion ensued.

Roll call vote:

Ayes: 0
Nays: 5
Motion failed

At this point, Atty. Conti asked for a motion to consider the granting of the variance.

Motion by McGee, **support** by Eadie to consider granting the variance as requested.
Roll call vote:

Ayes: 2 Eadie, Beckwith
Nays: 3 VanPoperin, McGee, Fruth
Motion Failed

Atty. Conti asked the applicant and his attorney if they wished to try for a lesser variance. They agreed, but in discussing the mathematics of the house sq. ft. vs the lot coverage and the new variance requested, it came to light the math considered by the board was incorrect when the board voted. Atty. Conti asked for a clarification motion. Board discussion ensued.

Motion by McGee, **support** by Eadie that given the new math for property size including meander line, and allowable lot coverage vs the maximum size of building, the board declines to reconsider its decision.

Roll call vote:

Ayes: 5
Nays: 0
Motion carried

Motion to adjourn meeting by McGee, **support** by Fruth.

Motion carries by voice vote

MEETING ADJOURNED: 8:40 PM

Respectfully submitted,
Nora Sharpe-McGee, temporary secretary, Zoning Board of Appeals