

***Leoni Township Office***  
**913 Fifth Street**  
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**ZBA MINUTES February 5, 2024**

The Leoni Township Zoning Board of Appeals held an In Person meeting Monday, February 5, 2024, @ 6:00 PM, 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

The Meeting was called to order at 6:00 P.M.

Members Present: Vern Beckwith, Keith VanPoperin, Don Gibson, Rae Fruth

Members absent: Nora Sharp-McGee

Persons in attendance: 19

*Motion by V. Beckwith, supported by D. Gibson to approve the February 5 as written*

***Motion Carried by Voice Vote***

*Motion by V. Beckwith, supported by D. Gibson to approve the June 5 2023, minutes as written.*

***Motion Carried by Voice Vote***

**Public Comment:**

Opened: 6:01

Closed: 6:02

**PUBLIC HEARING:**

- 1. 000-14-08-477-006-01**  
**212 W. Grove Ave.**  
**Daniel Lukasik Variance**

**DISCUSSION:**

Mr. Pecoe at 208 Cedar St. spoke and commented that the law only works when its followed. Mr. Pecoe owns the lot on the back side of Mr. Lukasik property.

Susan Peterson at 218 N. Grove spoke and stated that the Lukasik structure is too close to the property line. Has split the property and then combined it and there is a house built on the top of the garage.

Dan Lukasik spoke and stated that he came to the township 3 years ago and presented his plan and was recommended by the township to combine the properties. Once the building was build he was told by the township that he would have to split the properties because he could not have two primary residences on one property and that is the reason for the variance.

Rae Fruth asked if the building that was put up was a part of the original plans that were presented to the township.

Mr. Spencer from 226 W. Grove spoke and stated that he had no issues with the building and it only increases his homes value and it is nice to look at.

Edith on Cedar Dr. spoke and stated that Mr. Lukasik is a businessman and he knows how to work the system. The structure should be removed because it is too close to the property line and there is now a residence on top.

Dennis Marsh spoke up and stated that there were many barns and garages throughout the township that have residences on top.

Joe Chambers- The structure was built 4 feet past the maximum allowance on the side walls. A stop order was put on the property because it looked more like a house than a garage.

Mr. Chambers stated that if it is one property the setbacks are 5 ft from rear & side property lines. Now that it is 2 properties it is 25 foot setbacks from rear property lines. Checklists and application stated that it was an accessory building and that is what the permit was issued for.

Ms. Fruth stated that there are 5 areas that have to be answered in the affirmative by the Zoning Board and she does not feel that the hardship for the property was not self-created.

Mr. Van Poperin explained to Mr. Lukasik that the Zoning Board of Appeals was missing a member so if they took a vote and it was a tie it would be an automatic denial of the rezone.

Mr. VanPoperin asked Mr. Lukasik if he would like to postpone the meeting until they have all the members present or move forward with the present members.

Mr. Lukasik wanted to postpone the meeting until they have all the members present.

Meeting Adjourned: 7:05 PM