

June 21, 2017, Minutes
Huron County Zoning Board of Appeals
Minutes of Meeting
Case No.: ZBA 2017-04, 2017-05, 2017-06, 2017-07

A regular meeting of the Huron County Zoning Board of Appeals was held on June 21, 2017, in the Huron County Board of Commissioners Chambers, Room 305, Bad Axe, MI 48413.

1. Call Meeting to Order

The meeting was called to order by Chairman Larry Schnettler at 7:00 p.m. Mickayla Bischer called the roll of members: Roll call - Members present: Charles Bumhoffer, Clark Elftman, Ken Griessel, Lisa McCain, Bill Goretski and Larry Schnettler. Members absent/excused: Wanda Eichler. Others present: There were approximately six (6) other people in attendance, including Jeff Smith, Planning/Building & Zoning Office Director and Mickayla Bischer, Recording Secretary.

Member Ken Griessel made a motion, seconded by Charles Bumhoffer, to approve the agenda as presented. Motion carried.

2. Approval of Minutes

A motion was made by Ken Griessel and seconded by Lisa McCain to approve the March 29, 2017, special meeting minutes. Motion carried.

3. Public Comment None.

4. Public Hearings

ZBA 2017-04: Thomas Teller, owner of 5452 Christine Drive, Gore Township, Port Hope, Michigan, 48468, requesting zoning approval to construct a 24ft x 40ft accessory building with 10ft sidewalls on Lot 5, Bruce Post Drive, Clear View Point Subdivision #2. Parcel number 3209-033-007-00 is zoned R-1 Residential (RES) and contains approximately 0.24 acres. Lot 5 is located directly west and across the street from Mr. Teller's residential waterfront home. The Huron County Zoning Ordinance, Article XIV, Section 14.04(9) states "In the case of waterfront lots where property is also owned directly across the road from the waterfront parcel, accessory building (s) may be erected on a parcel across the street (where no principal structure is located), with the approval of the Zoning Board of Appeals, providing the new construction complies with yard/setback, size & height standards for accessory buildings and the garage/storage building use and appearance does not conflict with the development located on adjoining property."

- This case was introduced by Chairman Larry Schnettler and reviewed by Building & Zoning Director, Jeff Smith. Applicant was in attendance to answer questions.
- Jeff Smith advised of details of application. Jeff Smith stated that mailings were made to neighboring property owners, published in the Huron Daily Tribune, and on the county website. There was no correspondence.
- No public comment received.

ZBA Discussion and Finding of Fact:

- Request meets the Huron County Zoning Ordinance.
- Neighboring property owners have no objections.

June 21, 2017, Minutes

- Construction is consistent with surrounding properties.
- With no further questions, a motion was made by Lisa McCain and seconded by Ken Griessel to approve the zoning request to construct a 24ft x 40ft accessory building.

On a roll call vote, the motion carried.

Roll Call Vote: ZBA 2017-04 Thomas Teller

Clark Elftman	Yea	Charles Bumhoffer	Yea
Wanda H. Eichler	Excused	Lisa McCain	Yea
Ken Griessel	Yea	Bill Goretski	Yea
Larry Schnettler	Yea	6-Yea 0-Nay 1-Absent/Excused	

ZBA 2017-05: Active Feed Company, 7564 West Pigeon Road, Winsor Township, Pigeon, Michigan, 48755, requesting retroactive zoning approval for expansion of the existing feed hammer mill. Parcel number 3228-003-012-15 is zoned Agricultural (AGR) and contains approximately 16.02 acres (per Case Survey dated March 8, 2017). The expansion consists of a new 16ft x 120ft Truck Loadout, 17ft x 17ft Tower Leg approximately 150ft in height, 19ft x 14ft hammer mill area, new 27ft diameter x 14 ring (60ft high) commercial hopper bin, and a 13.33ft x 19ft concrete electrical control building. Pursuant to the Huron County Zoning Ordinance Schedule of Regulations Section 9.01 and 9.02, the maximum allowable height of buildings located in the AGR zoning district are limited to 35ft, and the side yard setback (minimum of 20ft) shall equal the height of the main building(s) structure. The structures built upon said property exceed the allowable building height and encroach upon the required side yard setback regulation. Pursuant to the Huron County Zoning Ordinance, Section 19.02(c), the Board of Appeals shall have the power to authorize, upon an appeal, specific variances from such requirements as lot area and width regulations, building height and bulk regulations, yard and depth regulations, and off-street parking and loading space requirements.

- This case was introduced by Chairman Larry Schnettler and reviewed by Building & Zoning Director, Jeff Smith. Applicant was in attendance to answer questions.
- Jeff Smith advised of details of application. Jeff Smith stated that mailings were made to neighboring property owners, published in the Huron Daily Tribune, and on the county website.
- Phone call received by Todd Schuette supporting project and confirming project would not be built any further to the East, toward the storage units.
- No public comment received.

ZBA Discussion and Finding of Fact:

- Member Ken Griessel addresses concerns regarding the height of the tower leg.
- Mr. Maust states the project was built retroactive due to contractor not securing permits.
- Members discuss and agree that denying the request and the possibility of the owner having to go to court will not resolve the issue.
- Neighboring property owners have no objections.
- Members agree granting of variance provides substantial justice to the applicant.
- Member Ken Griessel made a motion to deny the request. Motion failed due to lack of support.

June 21, 2017, Minutes

- With no further questions, a motion was made by Clark Elftman and seconded by Bill Goretski to approve the zoning request with condition that any future construction by Active Feed Company is strictly prohibited unless all applicable ordinances and permitting requirements are complied with.

On a roll call vote, the motion carried.

Roll Call Vote: ZBA 2017-05 Active Feed Company

Clark Elftman	Yea	Charles Bumhoffer	Yea
Wanda H. Eichler	Excused	Lisa McCain	Yea
Ken Griessel	Nay	Bill Goretski	Yea
Larry Schnettler	Yea	5-Yea 1-Nay 1-Absent/Excused	

ZBA 2017-06: Danny & Sandra Ball, owners of 3141 Shore Drive, Hume Township, Port Austin, Michigan, 48467, requesting zoning approval to construct 8ft x 12ft storage shed accessory to their dwelling unit located on Lot 10, Block 2 of Western & Alexander Subdivision. Parcel number 3211-007-062-00 is zoned R-1 Residential (RES) and contains approximately 0.123 acres. The Huron County Zoning Ordinance, Article IX, Section 9.01, imposes a maximum lot coverage percentage of 25%. The maximum allowable lot coverage for all buildings on Lot 10 is calculated to be 1,352 square feet (per Case Survey dated September 22, 2015). Currently the lot contains a 1,352 square foot residence. The proposed 96 square foot storage shed will exceed the maximum allowable lot coverage. Pursuant to the Huron County Zoning Ordinance, Section 19.05(c), the Board of Appeals shall have the power to authorize, upon an appeal, specific variances from such requirements as lot area and width regulations, building height and bulk regulations, yard and depth regulations, and off-street parking and loading space requirements.

- This case was introduced by Chairman Larry Schnettler and reviewed by Building & Zoning Director, Jeff Smith. Applicant was in attendance to answer questions.
- Jeff Smith advised of details of application. Jeff Smith stated that mailings were made to neighboring property owners, published in the Huron Daily Tribune, and on the county website.
- No public comment received.
- Charles Bumhoffer questioned the height of the shed.

ZBA Discussion and Finding of Fact:

- The storage building will be compliant with setback and height requirements.
- No objections from neighboring property owners.
- With no further questions, a motion was made by Lisa McCain and seconded by Ken Griessel to approve the zoning request to allow an 8ft x 12ft accessory storage building.

On a roll call vote, the motion carried.

Roll Call Vote: ZBA 2017-06 Danny & Sandra Ball

Clark Elftman	Yea	Charles Bumhoffer	Yea
Wanda H. Eichler	Excused	Lisa McCain	Yea
Ken Griessel	Yea	Bill Goretski	Yea
Larry Schnettler	Yea	6-Yea 0-Nay 1-Absent/Excused	

June 21, 2017, Minutes

ZBA 2017-07: Ronald Gocha, owner of 9890 Main Street, Fairhaven Township, Bay Port, Michigan, 48720, requesting zoning approval to construct a 32ft x 48ft accessory storage building with 10ft sidewalls. Parcel number 3208-136-166-00 is zoned R-1 Residential (RES) and contains approximately 0.373 acres. The Huron County Zoning Ordinance, Section 14.04(3)(a), states “R-1 & R-2 Districts (plat of subdivision): The size of any accessory building shall not exceed 960 s.f. of ground floor area or exceed the ground floor area of the dwelling, nor have a wall height exceeding 10ft above grade or an overall height exceeding 15feet to the midline of the roof (from original grade). Total ground coverage of all buildings on the parcel shall not exceed 25% of the parcel.” The proposed storage building exceeds the allowable square footage restriction. Pursuant to the Huron County Zoning Ordinance, Section 19.05(c), the Board of Appeals shall have the power to authorize, upon an appeal, specific variance from such requirements as lot area and width regulations, building height and bulk regulations, yard and depth regulations, and off-street parking and loading space requirements.

- This case was introduced by Chairman Larry Schnettler and reviewed by Building & Zoning Director, Jeff Smith. Applicant was in attendance to answer questions.
- Jeff Smith advised of details of application. Jeff Smith stated that mailings were made to neighboring property owners, published in the Huron Daily Tribune, and on the county website.
- Trisha Harder is in support.

ZBA Discussion and Finding of Fact:

- Storage building will be consistent with surrounding buildings.
- No objections from neighboring property owners.
- With no further questions, a motion was made by Lisa McCain and seconded by Clark Elftman to approve the zoning request to allow a 32ft x 48ft accessory storage building.

On a roll call vote, the motion carried.

Roll Call Vote: ZBA 2017-07 Ronald Gocha

Clark Elftman	Yea	Charles Bumhoffer	Yea
Wanda H. Eichler	Excused	Lisa McCain	Yea
Ken Griessel	Yea	Bill Goretski	Yea
Larry Schnettler	Yea	6-Yea 0-Nay 1-Absent/Excused	

5. Unfinished Business None.

6. New Business: None.

7. Final Zoning Board of Appeals Comment

Members agree that the next regular meeting will be scheduled only if there is an applicant. Also, ZBA By-laws should be reviewed.

8. Adjournment

With no further business to come before the Board, it was moved on a motion by Ken Griessel, to adjourn the meeting and seconded by Charles Bumhoffer. Motion carried. Adjournment was at 8:23 p.m.

Lawrence Schnettler, Chairman

Jeff Smith, Acting Secretary

Date: _____