

**FRENCHTOWN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS SPECIAL MEETING MINUTES
TUESDAY, January 5, 2016
7:00 PM**

Meeting was called to order at 7:00 pm.

ROLL CALL: Jack Lindquist Daniel Weder
 Ignazio Cuccia Peggy Barton
 Robert Polk

Also present:

Cindy Allor/Recording Secretary
Joseph Lehmann, Frenchtown Building Official
Jeff Dulany, Attorney representing Shane Cousino
Shane Cousino, applicant
Dale Brees, applicant
Kerry Bondy, Frenchtown Attorney
10 citizens

ITEM NO. 1 AGENDA APPROVAL

MOTION

Moved By: Ignazio Cuccia Supported By: Jack Lindquist

A motion was made to approve the agenda. MUC

ITEM NO. 2 MINUTES OF NOVEMBER 12, 2015 MEETING

MOTION

A motion was made to approve the minutes of the November 12, 2015 meeting.

Moved By: Ignazio Cuccia Supported By: Peggy Barton MUC

Secretary Ignazio Cuccia read the legal notice published in Monroe Evening News on December 18, 2015. Eleven (11) property owners were notified for ITEM NO 3 regarding parcel #07 007 035 30 located on REINHARDT ROAD, and ITEM NO 4 regarding parcel # 07 011 031 00 located at 2236 BUHL ROAD.

MOTION

A motion was made to place notice on file.

Moved By: Ignazio Cuccia

Supported By: Daniel Weder

MUC

ITEM NO. 3 Shane Cousino regarding Parcel ID# 07 007 035 30 which is located on Reinhardt Road.

The Applicant is appealing the determination of the Building Official to deny his application for a zoning compliance permit for a farm building pursuant to the requirements of Township Zoning Ordinance No. 200, Section 7.02.

Board Members received copies of applications and information from Township file.

Chairman Robert Polk opened the public hearing. Mr. Jeff Dulany, attorney presented on behalf of Shane Cousino.

Mr. Dulany reviewed Mr. Cousino's previous permit application history with ZBA Board Members.

Mr. Cousino introduced himself and briefly stated his plans for the Parcel 07 007 035 30 located on Reinhardt Road.

Secretary Ignazio Cuccia read Section 7.02.01 regarding General Farming of the Zoning Ordinance.

Chairman Robert Polk opened the floor for public discussion.

Public comments from Daniel Baumann whose home is located next to the property located on Reinhardt Road Parcel 007-035-30. Mr. Baumann stated he objects to the shed being on the property without a residence. He also stated he feels allowing the shed only depreciates neighboring home values.

Secretary Ignazio Cuccia read 2 anonymous letters submitted to the Frenchtown Township building.

MOTION

A motion was made to place both letters on file.

Moved By: Ignazio Cuccia

Supported By: Daniel Weder

MUC

MOTION

A motion was made to affirm the Township Building Official's decision as stated.

Motion By: Peggy Barton

UNSUPPORTED, motion dies

Request by Dan Weder to recess for 2 minutes, recess granted per Chairman Robert Polk.

Recess Over. Meeting Reconvened.

Secretary Ignazio Cuccia requested clarity on setting stipulations if Board affirms Building Official's determination from Kerry Bondy, Frenchtown Township Attorney. Ms. Bondy read from Section 31.04.02 and 31.04.3 for the Board.

MOTION

Moved By: Ignazio Cuccia

Supported By: Peggy Barton

MUC

A motion made to close the public hearing.

The members discussed the case.

MOTION

Moved By: Ignazio Cuccia

Supported By: Peggy Barton

A motion was made to affirm the Building Official's determination to deny the zoning compliance permit based on:

~Board members are not convinced this property would be considered a bonafide agricultural enterprise.

~Applicant's desire to obtain trash, water, and electric services and, concern whether services are needed to farm.

~Applicant is not allowed to keep shed on property.

Roll call Dan Weder: Yes Robert Polk-Yes Ignazio Cuccia-Yes Peggy Barton-Yes Jack Lindquist-Yes
5-Yes Votes 0-No Votes MUC

**ITEM NO. 4 Dale Brees Jr Regarding Parcel# 07 011 031 00which is located at 2236 BUHL ROAD,
Newport, MI 48166**

Chairman Robert Polk opened the public hearing. Mr. Brees gave his presentation to Board members.

The Applicant is requesting two (2) variances from requirements of Township Zoning Ordinance No. 200,
Section 7.04.13 (c) (2) and Section 7.04.13 (c) (4).

Request for variances are for pole barn with door exceeding twelve (12) feet in height and which
exceeds total floor area limitation of two thousand four hundred (2400) square feet in area.

Chairman Robert Polk opened the floor for public discussion.

Board members asked Mr. Brees for clarity of desired use for lean to, and expressed concern lean to not
be enclosed.

Building Official Joe Lehmann commented on mean heights of doors, he stated the Planning Commission
is currently reviewing the ordinance and possible revisions.

Secretary Ignazio Cuccia reviewed requirements on mean height requirements for pole barns.

Public Comment from neighbor James Hughes who resides at 2200 Buhl Road, directly next to Mr.
Brees. Mr. Hughes stated he has no problem with Mr. Brees proposed variances.

MOTION

Moved By: Ignazio Cuccia

Supported By: Peggy Barton

MUC

A motion was made to close public hearing.

The members discussed the case.

MOTION

Moved By: Ignazio Cuccia

Supported By: Jack Lindquist

A motion was made to grant both variances that they meet the requirements of Article 31.06.04 a,b,c, and Article 31.06.05 with the following conditions:

- ~There must be a solid surface, concrete etc.
- ~Used for residential use only
- ~Not to be used for storage purpose
- ~Lean -to not to be enclosed at anytime
- ~Must be a true lean- to
- ~ Aesthetically correct

Roll call Dan Weder: Yes Robert Polk-Yes Ignazio Cuccia-Yes Peggy Barton-Yes Jack Lindquist-Yes
5-Yes Votes 0-No Votes MUC

The variances as granted are only valid for the period of 1 year, expiring on January 5, 2016.

ITEM NO.5 OLD BUSINESS

Kerry Bondy- Joe Lehmann updated members on status of North Monroe Greenhouse cleanup.

ITEM NO.6 NEW BUSINESS

Nothing new to report.

ITEM NO. 7 BOARD COMMENTS

Ignazio Cuccia updated members on the Planning Commissions current agenda items; spoke about potential changes to sign ordinance.

ITEM NO.8 ADJOURMENT

Motion By: Ignazio Cuccia Supported By: Daniel Weder
Motion to adjourn the January 5,2016 meeting of the Zoning Board.
Voice Vote. MUC

Meeting adjourned at 8:21 PM

