

Casco Township
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Zoning Board of Appeals
Administrative Meeting
July 11, 2019
7:00 PM

Call to Order

Chairman Pankiewicz calls the meeting to order at 7:00 PM with the Pledge of Allegiance.

Present: D. Allagreen, D. Goulston, A. Inson, H. Mancini, S. Pankiewicz

Absent: S. Bishop

Motion – To Approve Minutes

D. Allagreen moves to approve the minutes of the Zoning Board of Appeals Administrative meeting held May 16, 2019. A. Inson seconds the motion. M/C

Motion - to Approve Agenda

H. Mancini moves to approve the agenda as submitted. A. Inson seconds the motion. M/C

Communications: none

Discussions From the Floor: none

Unfinished Business: none

New Business

Supervisor Ruemenapp, Township Building Inspector Roland Sues, William Stielor, Ms. Kyle Strezlecki and her mother Kim are present.

*Approved
Daniel Goulston
Secretary
July 25, 2019*

Appeal 2018-1, William Stieler, 9336 St. Clair Highway

Mr. Stieler, 9336 St. Clair requests an extension for the temporary use permit granted for a travel trailer to be used as a temporary residence while renovating the house located at 9336 St. Clair Highway. The temporary use permit was granted for May 17, 2018 through the end of July 2019.

Chairman Pankeiwicz requests a motion to open the public hearing on Appeal 2018-1.

Motion – Open Public Hearing for Appeal 2018-1

A. Inson moves to open the public hearing for Appeal 2018-1. H. Mancini seconds the motion. M/C

R. Sues notes that there is a stop work order because of serious foundation problems which need to be addressed. Work on the house cannot proceed until the foundation problems are taken care of.

He strongly recommends that a licensed contractor perform the work because of the seriousness of the situation.

Mr. Stieler states that he is trying to secure a contractor but it is hard to even get a call back because contractors are so busy. He anticipates it will be November before he can secure the help he needs.

D. Goulston asks Mr. Sues if there are any problems with the mobile home and if it still meets the requirements stipulated when the original temporary use permit was granted. Mr. Sues states the mobile home still meets those requirements.

D. Goulston asks if Mr. Stieler still has a valid building permit. Mr. Sues confirms there is a building permit and that some progress is being made.

Motion - to close Public Hearing for Appeal 2018-1 Extension (W. Stieler)

D. Allegreen moves to close the public hearing. H. Mancini Seconds the motion. M/C

Motion to grant an extension to a temporary use permit

D. Goulston moves to grant an extension from August 1, 2019 through the end of July, 2020 for the Temporary Use Permit granted in Appeal 2018-1 for placement of a mobile home while a residence is being renovated. D. Allageen seconds the motion. M/C

Reasons for granting the extension:

1. Applicant is working with the Township Building Inspector to address the problems which will allow work on other aspects of the renovation to continue.
2. The mobile home still meets the requirements made when the original temporary use permit was granted.
3. There is a building permit for the project.
4. Progress continues to be made on the project although unexpected and serious difficulties were encountered with home's foundation.
4. The appellate is trying to address the foundation issues that have slowed the project.
5. No useful purpose would be served in denying the extension request.

Chairman Pankiewicz requests a motion to open the public hearing on Appeal 2018-1.

Motion – Open Public Hearing for Appeal 2019-3 (Kyle Strezlecki, 3146 Church Road)

A. Inson moves to open the public hearing for Appeal 2018-1. H. Mancini seconds the motion. M/C

Public Hearing – Appeal 2019-3, Kyle Strezlecki

Kyle Strezlecki, 3146 Church Road requests a variance from Casco Township Zoning Ordinance #30 Article XII, Section 12.03 to reduce the side yard setback requirement from 15 feet to 6 feet for parcel ID # 74-12-005-2014-000 to permit the construction of an accessory building to replace a dilapidated shed without impeding access to the well and septic field located in the back yard on the ½ acre parcel.

H. Mancini asks about the location of the well and septic field and deck. He expresses concern that these features constitute self created hardships since their placement was determined by those who owned the property.

Supervisor Ruemenapp notes the parcel is small and such parcels are no longer permitted.

D. Goulston notes that he raised strong concern about the board approving dimensional variances needed because of self created hardships due to the decisions of previous owners. He states that the number specific factors in this situation make considering granting a variance appropriate.

Supervisor Reumenapp notes that it is hard to accommodate a home, well, septic and driveway on a small parcel in a rural environment and have much room left for an accessory building to keep the equipment and supplies a resident needs to maintain and enjoy their property.

D. Goulston notes that no residence or other structures are close to the location of the proposed building which would be slightly more conforming than the shed to be removed. The existing shed is only three feet from the property line.

Ms. Strezlecki expresses concern that in the event there is maintenance required on the well enough room is available to get a well rig to the well without having to go across a neighbors property.

Ms. Strezlecki states that if the variance is granted work will begin as soon as possible to remove the dilapidated shed and replace it with the new building.

Motion - to close Public Hearing for Appeal 2019-3 (Kylie Strezlecki)

D. Allegreen moves to close the public hearing. H. Mancini Seconds the motion. M/C

Motion to grant Variance 2019-3

S. Pankiewicz moves to grant a variance to Casco Township Zoning Ordinance #30 Article XII, Section 12.03 to reduce the side yard setback requirement from 15 feet to 6 feet for parcel ID # 74-12-005-2014-000 to permit the construction of an accessory building to replace a dilapidated shed with a 16' x 30' accessory building six feet from the side property line. D. Allegreen Seconds the motion. M/C

Votes for: D. Allegreen, D. Goulston, A. Inson, S. Pankiewicz.

Votes against: H. Mancini

D. Goulston asks H. Mancini if he opposes granting the variance because the problem is due to a self created hardship from decisions made by previous owners of the

property about putting the well, septic field, and residence and deck in their present locations. H. Mancini confirms that is the reason he opposes the variance

Requirement and Stipulations

- 1) The accessory building shall be the size and in the location described in the documents submitted with the appeal.
- 2) The accessory building shall conform to all other zoning and legal requirements in Casco Township.
- 3) A building permit for the new accessory building shall be obtained and work on the building begin within one year of date the variance is granted or the variance shall be null and void.

Reasons for Granting Variance 2019-3

1. The variance permits a reasonable and permitted use of the property.
2. No useful purpose would be served in denying the variance.
3. Granting the variance will result in the removal of a dilapidated shed that is 3 feet from the property line.
4. The property is relatively small and a ½ acre parcel would no longer be approved in this neighborhood.
5. The proposed accessory building is further from the property than the building it replaces.
6. Granting the variance preserves necessary access to the well and septic field.
7. No adverse impact on adjoining property is foreseen.

Old Business: No

Motion to Adjourn

D. Allagreen moves to adjourn. H. Mancini seconds the motion. M/C
The meeting adjourned at 8:10 PM.

Appeal 2018-1, William Stieler, 9336 St. Clair Highway, Casco, MI 48064

Granted - Extension of Temporary Use Permit

Mr. Stieler, 9336 St. Clair is granted for an extension for the temporary use of a trailer to as a residence while renovating the house located at 9336 St. Clair Highway. The temporary use permit was originally granted for May 17, 2018 through the end of July 2019. The extension is from August 1, 2019 through the end of July 2020.

Reasons for granting the extension:

1. Applicant is working with the Township Building Inspector to address the problems which will allow work on other aspects of the renovation to continue.
2. The mobile home still meets the requirements made when the original temporary use permit was granted.
3. There is a building permit for the project.
4. Progress continues to be made on the project although unexpected and serious difficulties were encountered with home's foundation.
4. The appellate is trying to address the foundation issues that have slowed the project.
5. No useful purpose would be served in denying the extension request.

Note: All relevant requirements and stipulations for the temporary use permit granted for Appeal 2018-1 continue to apply during the extension.

*Granted
July 11, 2019
Dan L. Beuster
Secretary*

ATTACHMENT

ZONING BOARD OF APPEALS 2018-1

TEMPORARY USE REQUEST 2018-1

APPROVED WITH STIPULATIONS:

The request for a temporary use permit for a travel trailer to be used as temporary residence as described in the application is approved for the period beginning on May 17, 2018 through the end of July 2019 with the following stipulations:

- 1) A building permit must be secured within 6 months from the date the temporary use permit is granted on May 17, 2018 or the temporary use permit is null and void.
- 2) A valid the building permit must in effect throughout to permit the temporary use to continue.
- 3) The travel trailer must meet all health and safety requirements that apply to it's occupancy as a temporary residence including, but not limited to water, electrical, and sewage connections.
- 4) When the temporary use period expires the travel trailer shall be moved to an appropriate location in keeping with the provisions of the Zoning Ordinance and its use as temporary residence ended.

Note: An extension of the temporary use permit may be requested and reviewed, as provided in the Zoning Ordinance, at a regularly scheduled Zoning Board Administrative Meeting without additional cost.

Extension
From Aug 1, 2019
through July 2020
Granted July 11, 2019
Paul G. Foster, Secretary

Paul G. Foster,
Secretary

I do hereby swear that all the statements, signatures, descriptions and exhibits submitted on or with this application are true and accurate to the best of my knowledge and that I am authorized to file this application and act on behalf of all owners of the property.

[Handwritten Signature]
Signature of Applicant

6-18-2019
Date

Office Use Only

Date Received _____ By: _____ Fee Paid: _____

Public Notices Sent (Date) _____

ZBA Hearing (Date) _____ Approval Approve With Conditions
 Denial

Case # ZBA 2019-3

DECISION: The request was GRANTED / DENIED for the following reason:

See Attached stipulations, reasons and requirements

Casco Township Zoning Board of Appeals
St. Clair County, Michigan

[Handwritten Signature]
Signature of Secretary

July 11, 2019
Date

Appeal 2019-3, Ms. Strezlecki, 3146 Church Road, Casco, MI 48064

Granted - Request for Reduction of Side Yard Setback Requirement

A variance is granted to Casco Township Zoning Ordinance #30 Article XII, Section 12.03 to reduce the side yard setback requirement from 15 feet to 6 feet for parcel ID # 74-12-005-2014-000 to permit the construction of an accessory building to replace a dilapidated shed with a 16' x 30' accessory building six feet from the side property line.

Requirement and Stipulations

- 1) The accessory building shall be the size and in the location described in the documents submitted with the appeal.
- 2) The accessory building shall conform to all other zoning and legal requirements.
- 3) A building permit for the new accessory building shall be obtained and work on the building begin within one year of date the variance is granted or the variance shall be null and void.

Reasons for Granting Variance 2019-3

1. The variance permits a reasonable and permitted use of the property.
2. No useful purpose would be served in denying the variance.
3. Granting the variance will result in the removal of a dilapidated shed that is 3 feet from the property line.
4. The property is relatively small and a ½ acre parcel would no longer be approved in this neighborhood.
5. The proposed accessory building is further from the property than the building it replaces.
6. Granting the variance preserves necessary access to the well and septic field.
7. No adverse impact on adjoining property is foreseen.

*Granted
July 11, 2019
David H. Goodwin
Secretary*