

PITTSFIELD TOWNSHIP ZONING BOARD OF APPEALS MINUTES

Members Present Gerald Krone, Scott Fisher, Ann Harris

Members Absent: Stephanie Atkinson, George Cook

Others Present: Steven Haupt, Jerry Helmer, Belinda Kingsley, Zoning & Code Enforcement Administrator, and Carolyn Donahue, Recording Clerk.

1.0 Call Meeting to Order/Determination of a Quorum

Chairperson Fisher called the meeting to order at 6.32 p.m. A quorum was present.

2.0 Approval of Agenda

Motion by Member Harris, supported by Member Krone to move Item 7.1 to follow Item 5.1 and to approve the agenda as recommended.

MOTION CARRIED

3.0 Communications and Announcements

None

4.0 Items from the Floor

None

5.0 Public Hearings

5.1 ZBA 18-09 6856 Platt Road

[Submitted for a variance to permit a lot without public street frontage]
(6856 Platt Road, Section 12)

Ms. Belinda Kingsley presented the review for ZBA 18-09 6856 Platt Road. The site is zoned agricultural. The variance requested by the applicant is to permit a buildable lot without public street frontage and allow access by a driveway serving more than one lot. Ms. Kingsley stated on November 12, 2018 the Township received one letter for a neighbor, Henry Morgan, regarding the requested variance.

Steve Haupt, the applicant stated he recently acquired the third parcel with is 10 acres to combine the 2 ½ acre parcel he currently owns. This would be accessed by the 30 ft. easement from the parcel on Platt Road.

Member Krone asked the applicant if the location of the driveway is to the north of the property. The applicant replied it would be, and he stated the neighbor's driveway is located next to where he plans to build his driveway, but is not on the applicant's property.

Jerry Helmer, stated he purchased a part of the property from the Bloch's with a condition that someone would need to purchase the 10 acres which is mostly wetlands. Mr. Helmer added the applicant has an existing easement and is not creating new easement.

Member Harris asked the applicant what is the purpose of building a second house. The applicant replied he is keeping options opened for the future, but it could be for a new primary residence for him and that he would possibly sell the existing home or rent it out.

Motion by Member Harris, supported by Member Krone, to close the public hearing.

MOTION CARRIED

6.0 Old Business

None

7.0 New Business

7.1 ZBA 18-09 6856 Platt Road

[Submitted for a variance to permit a lot without public street frontage]
(6856 Platt Road, Section 12)

Discussion was held on:

Non-conforming language in the findings
Number of Variances being requested
The reason for the variance
Concerns of a neighbor

Member Fisher read the findings for ZBA 18-09 6856 Platt Road in the Staff Report:

1. That strict compliance with the restrictions governing area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render the conformity with such regulations unnecessarily burdensome.

Member Harris agreed with the finding.
Member Krone agreed with the finding.
Member Fisher agreed with the finding.

2. *That the granting of a variance would do substantial justice to the applicant as well as to the other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property and be more consistent with justice to other property owners.*

Member Krone agreed with the finding.
Member Fisher agreed with the finding.
Member Harris agreed with the finding.

3. *That the plight of the applicant is due to the unique circumstance of the property and not to general conditions in the area.*

Member Harris agreed with the finding.
Member Krone agreed with the finding.
Member Fisher agreed with the finding.

4. *That the plight or problem is not self-created.*

Member Fisher agreed with the finding.
Member Harris agreed with the finding.
Member Krone agreed with the finding.

5. *That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts, shall be considered grounds for the issuance of the variance.*

Member Fisher agreed with the finding.
Member Harris agreed with the finding.
Member Krone agreed with the finding.

6. *That the variance observes the spirit of the Ordinance, secures public safety, and does substantial justice.*

Member Harris agreed with the finding.
Member Krone agreed with the finding.
Member Fisher agreed with the finding.

Motion by Member Harris, supported by Member Krone, to approve petition of ZBA 18-09 6856 Platt Road to allow a variance to permit a lot without public street frontage, and to allow the building of one house on the lot that doesn't have street frontage with the following conditions:

- 1) **Lots 2 & 3 o be combined**
- 2) **Only one home can be built on these 2 lots combined.**

ROLL CALL

YES: HARRIS, KRONE, FISHER
NO: None
ABSENT: COOK, ATKINSON
ABSTAIN: None

MOTION CARRIED

7.2 2019 Zoning Board of Appeals Meeting Schedule

Motion by Member Krone, supported by Member Harris, to approve the proposed Zoning Board of Appeals 2019 Meeting Schedule.

MOTION CARRIED.

8.0 Zoning Administrator's Report

Ms. Kingsley informed the members of the Township was expecting an application for the Zoning Board of Appeals review, however it has not been received by the deadline. December's meeting is tentative.

9.0 Member's Report

None

10.0 Secretary's Report

None

11.0 Chairperson's Report

None

12.0 Approval of Prior Minutes

12.1 Minutes of September 24, 2018

Motion by Member Harris, supported by Member Krone, to approve the September 24, 2018 minutes.

MOTION CARRIED

13.0 Adjournment

Chairperson Fisher adjourned the meeting at 7:08 p.m.