

**April 11, 2018, Minutes**  
**Huron County Zoning Board of Appeals**  
**Minutes of Meeting**  
**Case No.: ZBA 2017-09, 2018-01, 2018-02, 2018-03**

A meeting of the Huron County Zoning Board of Appeals was held on April 11, 2018, 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. Recording Secretary Mickayla Bischer called the roll of members: Roll call - Members present: 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 Clark Elftman, to approve the agenda as presented. Motion carried.

**2. Approval of Minutes**

A motion was made by Clark Elftman and seconded by Lisa McCain to approve the December 13, 2017, regular meeting minutes, as presented. Motion carried.

**3. Public Comment**                      None.

**4. Public Hearings**

**ZBA 2017-09 Andrew Vosburgh**, owner of property known as 10072 Lakeside Dr., Fairhaven Township, Bay Port, Michigan, 48720, request zoning approval to extend the non-conforming status of said property by allowing the replacement of an existing residential dwelling. Parcel number 3208-135-002-00 is zoned Residential (R-1) and contains approximately 1.23 acres. Currently three (3) dwellings are situated on the parcel (Case Survey dated August 20, 2002); said dwellings were established prior to current zoning regulations. Pursuant to the Huron County Zoning Ordinance, Section 14.18, “no more than one (1) residential structure shall be placed on a building lot or parcel”, and pursuant to Section 14.03(H) Expansions (nonconforming uses), such expansions, extensions, or enlargements [of non-conforming uses] are authorized by the Zoning Board of Appeals”, pursuant to provisions therein. This request is to allow the replacement of an existing residential dwelling due to deterioration of structural framing and foundation.

- This case was introduced by Chairman Larry Schnettler and reviewed by Building & Zoning Director, Jeff Smith. Applicant was in attendance to answer questions along with local agent, Mike Thick was in attendance.
- Jeff Smith stated that mailings were made to neighboring property owners, published in the Huron Daily Tribune, and on the county website, all pursuant to the Michigan Zoning Enabling Act.

**ZBA Discussion and Finding of Fact:**

- Health Department approval is attached.
- Same foot print and dimensions as existing.
- No objection from neighboring parcels.
- With no further questions, a motion was made by Lisa McCain and seconded by Clark Elftman to approve the zoning request.

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On a roll call vote, the motion carried.

**Roll Call Vote: ZBA 2017-09 Vosburgh**

Clark Elftman	Yea		
Wanda H. Eichler	Excused	Lisa McCain	Yea
Ken Griessel	Yea	Bill Goretski	Yea
Larry Schnettler	Yea	<b>5-Yea 0-Nay 1-Absent/Excused</b>	

**ZBA 2018-01** Cooperative Elevator Company, Ruth Division, Sherman Township, Ruth, Michigan, 48470, requesting zoning approval to construct a 50ft. x 90ft. Liquid Fertilizer Loadout Building. Parcel number 3225-030-038-00 is zoned Industrial (IND) and contains approximately 15.71 acres. The Huron County Zoning Ordinance, Article IX, Section 9.02(n) states “No building shall be located closer than sixty (60) feet to the outer perimeter (property line) of such district when said property line abuts any R-1, AGR, or RM-1 district.” The southern property line of the Cooperative Elevator parcel abuts an AGR-Agricultural District. Section 9.01 Schedule of Regulations for Industrial zoned parcels also requires a minimum side yard setback of 20ft. The fertilizer loadout building side yard setback is proposed to be 45 feet, which complies with the standard zoning setback of 20ft., but does not comply with Section 9.02(n) 60 feet requirement; therefore the property owner is requesting a 15ft. dimensional variance for reduced side yard setback of 45 feet. 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. Tom Blome, agent for Cooperative Elevator Company, was in attendance to answer questions.
- Jeff Smith stated that mailings were made to neighboring property owners, published in the Huron Daily Tribune, and on the county website, all pursuant to the Michigan Zoning Enabling Act. Written correspondence has been made part of the record.
- Member Griessel questions the reasoning for the location. Mr. Bloom states to keep the traffic flow the same.

**Public Comment:**

- Amy Klee, Sherman Township, states the Co-op is continuing to get larger and they can’t enjoy their outdoors because of the noise.

**ZBA Discussion and Finding of Fact:**

- New building is not encroaching on residents.
- Building fits in with the use and traffic flow.
- Zoning Board of Appeals makes a recommendation that the Co-op not be allowed to develop further to the south boundary line regarding future development.
- With no further questions, a motion was made by Clark Elftman and seconded by Bill Goretski to approve the zoning request.

On a roll call vote, the motion carried.

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**Roll Call Vote: ZBA 2018-01 Co-op Ruth Division**

Clark Elftman	Yea	Lisa McCain	Yea
Wanda H. Eichler	Excused	Bill Goretski	Yea
Ken Griessel	Nay		
Larry Schnettler	Yea		

**4-Yea 1-Nay 1-Absent/Excused**

**ZBA 2018-02** Blue Diamond Steel Casting LLC, 125 Sturm Road, Winsor Township, Pigeon, Michigan, 48755, requesting zoning approval to construct a 100ft. x 401ft. addition connecting to the south side of the existing building. Parcel number 3228-012-005-55 is zoned Industrial (IND) district and contains approximately 44.46 acres. The Huron County Zoning Ordinance, Section 9.01, Schedule of Regulations, typically requires a main building side yard setback of 20ft. minimum. Section 9.02(1) states “for all uses permitted, structures may be erected in excess of forty (40) feet. Section 9.02(n) states “No building shall be located closer than sixty (60) feet to the outer perimeter (property line) of such district when said property line abuts any R-1, AGR, or RM-1 district.” The proposed 40,000 square foot expansion building height is 58 feet and also abuts an AGR district; therefore the property owner is requesting a variance to reduce the side yard setback requirement from 78 feet to 45.95 feet due to proposed height of the building. 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. Mike Peterson, agent for Blue Diamond, was in attendance to answer questions.
- Jeff Smith stated that mailings were made to neighboring property owners, published in the Huron Daily Tribune, and on the county website, all pursuant to the Michigan Zoning Enabling Act. Written correspondence has been made part of the record.

**ZBA Discussion and Finding of Facts**

- Overhead powerline easement provides additional buffer to the South.
- Addition does not affect the neighbors.
- Expansion to south necessary for most efficient product flow/production.
- With no further questions, a motion was made by Ken Griessel and seconded by Lisa McCain to approve the zoning request.

On a roll call vote, the motion carried.

**Roll Call Vote: ZBA 2018-02 Blue Diamond Steel Castings**

Clark Elftman	Yea	Lisa McCain	Yea
Wanda H. Eichler	Excused	Bill Goretski	Yea
Ken Griessel	Yea		
Larry Schnettler	Yea		

**5-Yea 0-Nay 1-Absent/Excused**

**ZBA 2018-03**, Gerald Coggins, owner of 3039 Old Lakeshore Drive, Sherman Township, Harbor Beach, Michigan, 48441, requesting zoning approval to construct a 2<sup>nd</sup> story addition on existing detached garage, to be utilized as seasonal storage. Lot 21 of Harsens Subdivision, Parcel number 3225-108-005-00 is zoned R-1 Residential (RES) and contains approximately 0.192 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 10 ft.

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above grade or an overall height exceeding 15 feet 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 2<sup>nd</sup> floor addition exceeds the allowable wall height 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 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. Mr. Coggins was in attendance to answer questions.
- Jeff Smith stated that mailings were made to neighboring property owners, published in the Huron Daily Tribune, and on the county website, all pursuant to the Michigan Zoning Enabling Act. Written correspondence has been made part of the record.
- Member Ken Griessel abstains from voting due to conversations with the owner.
- Members have discussion about no living quarters and the owner agrees that they will not be living quarters.

**ZBA Discussion and Finding of Fact**

- Consistent with existing foot print of the accessory building.
- Height consistent with existing neighboring properties and the Coggins residence.
- With no further questions, a motion was made by Clark Elftman and seconded by Bill Goretski to approve the zoning request with the stipulation the structure is not to be used as living quarters; said space is only approved for storage use as stated on application.

On a roll call vote, the motion carried.

**Roll Call Vote: ZBA 2018-03 Gerald Coggins**

Clark Elftman	Yea	Lisa McCain	Yea
Wanda H. Eichler	Excused	Bill Goretski	Yea
Ken Griessel	Abstain		
Larry Schnettler	Yea		
<b>4-Yea 0-Nay 2-Absent/Excused/Abstain</b>			

**5. Unfinished Business** None.

**6. New Business:** None.

**7. Final Zoning Board of Appeals Comment** None.

**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 Bill Goretski. Motion carried. Adjournment was at 8:12 p.m.

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Lawrence Schnettler, Chairman

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Jeff Smith, Acting Secretary

Date: \_\_\_\_\_

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