

Zoning Board Meeting
May 17, 2018

Members Present: Mark Connolly, Harold Wolcott, Dustin Geiger, Charity Donnan, Jerry Sturm

Others: Carl Peter, Donna Falkner, Kate Wilcox, Kaye Morgan, Kirk Richenberg

7:04 pm – Mr. Connolly called the meeting to order.

Mr. Connolly moved to approve the April 5, 2018 minutes with the correction, Mr. Wolcott seconded, carried.

Yes – 5 No – 0

Regarding the Wilcox mansion, Mr. Peter said if the ZBA approves the variance, it will go back to the Planning Board for approval of the plans.

The County Planning Board approved the Wilcox project with advisory comments.

Mr. Wolcott is concerned about items 7-9.

Mr. Geiger said that the planning board will act on all that.

Mr. Geiger moved to approve the use variance for Kate Wilcox, Mr. Wolcott seconded, carried.

Yes – 5 No – 0

Donna will email Kate a letter at kate.e.wilcox@gmail.com

Morgan Request

Mr. Peter – Is it good use of the land. It's ag district and a state road. Need to decide whether it should go to the county. How do we feel about it. Need to review and if enough merits send it to the county. They could petition the town to rezone it but that would be considered spot zoning.

7:30 pm – Mr. Connolly called the public hearing to order regarding constructing self storage buildings on the corner of Rt. 36 and Fowlerville Road, 2.55 acres.

Mr. Richenberg asked if there was a site plan or layout.

Mrs. Morgan – Buildings will go north & south with a stone driveway off Fowlerville Road. 2 rows of 6 buildings.

Mrs. Donnan asked how it would work

Mrs. Morgan – that piece of land is not useful for crops. They're looking for something to use it for with a rate of return.

Mr. Richenberg asked if there would be solar panels on the roof?

Mrs. Morgan said they are not planning on it now but there could be. No electric to it. May do online booking.

Mr. Richenberg asked the board what other non-permitted ag uses have been before the board.

Mr. Connolly said the Wilcox mansion in non-conforming but that building was there.

Mr. Peter said the Smiths barn was – repurposing a barn that was already there.

Mr. Richenberg asked the board how does it follow with the comprehensive plan.

Mr. Connolly said it doesn't follow the plan, that's why a use variance is being sought. There are state mandates that we have to follow, don't want spot zoning. He read the state regs on page 84, 2a.

Mr. Peter said if there is sub par soil and documented why is it not usable for growing. Mrs. Morgan – It's clay as classified when the hospital was built and was trying to purpose it to something else. She doesn't want to see it just sit there as vacant land.

Mr. Peter said there's a fine line with spot zoning but a use variance can create spot zoning. Could sell it for a building lot with an area variance but would leave a non-conforming lot.

li – Mr. Connolly thinks that all property in that area would be the same

Mr. Wolcott asked what is unique about the neighborhood. Mr. Peter said Mrs. Morgan's could be unique because there are not too many 2-3 acre properties. Shrubs & trees will block vision from Fowlerville Road.

Mr. Richenberg asked what the setback would be.

Mr. Peter said 50 ft from right away and from rear boundary, 15 feet from sides, 35 ft from property lines to the east and 50 feet from solar panels. Solar panels are on hospital property.

Mr. Connolly said iii – not alter neighborhood.

Mrs. Morgan doesn't feel it would change the dynamic of the neighborhood with Davis's, Cal-Diesel and the animal hospital.

Mr. Connolly said they would have to come up with a financial analysis of why it would be a hardship.

Mr. Peter – IV -She didn't strip the topsoil off or split the parcel – bought separately. You can show per acre what it's producing compared to other acres.

8:08 pm – Mr. Wolcott motioned to close the Public Hearing, Mr. Sturm seconded, all in favor, carried.

Yes – 5 No – 0

Mrs. Donnan asked if it goes to the county before we decide.

Mr. Connolly replied yes if we deem it should. He doesn't think she'll meet #3. It would alter the neighborhood, thinks it would be detrimental and doesn't think it should go forward.

Mr. Sturm said he didn't see a concrete building as a big negative. He doesn't view it the same way, thinks it should go to the county.

Mr. Wolcott thinks it should go to the county.

Mrs. Donnan said we made Russo change the zoning, maybe that's the way it should go – have the town change the zoning.

Mr. Peter said the town will not rezone 2 ½ acres of land – spot zoning

Mr. Wolcott said Morgans will just let it go to weeds and just keep up the animal hospital. Mr. Connolly said it'll just be a gravel parking lot with a concrete building.

Mr. Peter – she has to have more information

Mr. Geiger – would be upset if I had a nice house and a concrete building next to it – need more information and neighbors feelings (George Brwon, Englerts, Schroeder, Dillon).

Mr. Connolly moved to table until we hear more information from Mrs. Morgan, Mr. Geiger seconded, all in favor, carried.

Yes – 5 No – 0

Mr. Richenberg asked about the storage units at corner of Rt. 20 & 36. Mr. Peter said he never came back to the board.

8:30 pm – Mr. Geiger moved to adjourn, Mr. Connolly seconded, all in favor, carried.

Yes – 5 No – 0

Respectfully submitted,
Donna K. Falkner