

ATTICA TOWNSHIP
MINUTES OF THE
ZONING BOARD OF APPEALS
September 8, 2016

At a meeting of the Attica Township Zoning Board of Appeals held on the 8th day of September, 2016 at the Attica Township Hall, 4350 Peppermill Road, Attica, MI, 48412, the following members were present: Kent Gierman, Elaine Thayer and Richard Lacey. Absent: Bill Winslow and Carol Eisenhardt. Also present: The public per the attached sheet.

Chairman Gierman opened the meeting at 6:30 p.m. to consider the request of Ann Marie Folino and Giuseppe Folino to keep horses on 5.15 acre parcel with less than 300 foot of road frontage. The property is located at: 5550 Hunters Creek Road, Imlay City, MI 48444.

Chairman Gierman reviewed the Folino's request for a variance. The ZBA members asked the applicant, Ann Folino, several questions regarding the present and past usage of their property. There was discussion.

MOTION by Thayer to approve Ann Marie and Guiseppe Folino's request to keep horses on a 5.15 acre parcel in the AG district with less than 300 feet of road frontage
due to the fact that they already enjoy non-conforming protection to keep their horses and the following reasons:

- a) The Folino's have already owned horses and there have been no negative impacts on the neighborhood or zoning district.
- b) The granting of the variance will not adversely affect the objectives or purpose of the Master Plan.
- c) The granting of the variance will not be detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.

The motion died for lack of support.

MOTION by Lacey, seconded by Thayer to deny Ann Marie and Guiseppe Folino's request to keep horses on a 5.15 acre parcel in the AG district with less than 300 feet of road frontage. The variance is denied due to the following reasons:

- a) The need for the requested variance due to unique

circumstances has not been met.

b) The need for the requested variance is self-created.

A roll call vote was taken. Thayer: Aye; Lacey: Aye and Gierman: Aye Ayes: All (3); Nays: None (0). Absent: Two (Eisenhardt and Winslow). **MOTION CARRIED.**

The Board having reviewed the last meeting minutes of August 11, 2016 and there being no corrections, additions or deletions:

MOTION by Thayer, seconded by Lacey to approve the August 11th, 2016 Zoning Board of Appeal minutes as presented. A vote was taken. Ayes: All (3); Nays: None (0). Absent: Two (Eisenhardt and Winslow). **MOTION CARRIED.**

There being no further business before the Zoning Board of Appeals, **MOTION** by Lacey, seconded by Thayer to adjourn the meeting at 6:40 p.m. A vote was taken. Ayes: All; Nays: None. **MOTION CARRIED.**

Kent Gierman, Chairman

Valerie Schultz, Recording Secretary