

ATTICA TOWNSHIP
MINUTES OF THE
ZONING BOARD OF APPEALS
July 27, 2017

At a meeting of the Attica Township Zoning Board of Appeals held on the 27th day of July, 2017 at the Attica Township Hall, 4350 Peppermill Road, Attica, MI, 48412, the following members were present: Kent Gierman, Elaine Thayer, Bill Winslow, Carol Eisenhardt and Richard Lacey. Also present: Attorney Mike Gildner and the public per the attached sheet.

Chairman Gierman opened the Public Hearing at 6:30 p.m. to consider the request of Steve and Maryanne MacLeod to continue to rebuild a nonconforming structure. The property in question is located at 364 Elk Lake Road, Attica, MI 48412. There being no comments from the public Chairman Gierman closed the Public Hearing at 6:31 p.m.

Chairman Gierman reviewed Steve and Maryanne MacLeod's request for a variance to rebuild a nonconforming structure at 364 Elk Lake Road. The owner, Steve MacLeod, introduced his builder, Joseph Chayka. Mr. Chayka stated that their intention was to preserve one wall of the home but that the wall wasn't adequately braced and therefore fell down in a wind storm. Mr. Chayka went on to state that they are keeping the exact same footprint and just lifting the original floor and putting a basement in. Mr. Chayka distributed before and after pictures of the property for the ZBA to view. There was discussion regarding bump outs for closets that are present now and were not in the original structure. Attached are three letters from neighbors in support of granting the variance for the rebuilding the nonconforming structure and a letter from Mr. and Mrs. MacLeod asking for approval of their request. ZBA member Eisenhardt asked Attorney Gildner if the township would be liable if the ZBA approved the variance. Attorney Gildner stated that the township would not be liable if the variance is granted. There was discussion.

Chairman Gierman opened the public comment period at 6:40 p.m. and there being no comments the public comment period was and closed at 6:41 p.m.

MOTION by Lacey, seconded by Thayer to grant the variance request of Steve and Maryanne MacLeod to continue to rebuild a nonconforming structure at 364 Elk Lake Road, Attica, Michigan, Property I.D. #44-003-010-016-00 with the following conditions:

- a) The bump outs must be eliminated.

b) A \$2,000.00 cash bond is required with the bond being refunded once the home is finished and passes inspection.

A roll call vote was taken. Winslow: Aye; Eisenhardt: Aye; Thayer: Aye; Lacey: Aye and Gierman: Aye. Ayes: All (5); Nays: None. Absent: None (0). **MOTION CARRIED.**

The Board having reviewed the last meeting minutes of October 27, 2016 and there being no corrections, additions or deletions:

MOTION by Thayer, seconded by Eisenhardt to approve the October 27th, 2016 Zoning Board of Appeal minutes as presented. A vote was taken. Ayes: All (5); Nays: None (0). Absent: None. **MOTION CARRIED.**

There being no further business before the Zoning Board of Appeals, **MOTION** by Lacey, seconded by Thayer to adjourn the meeting at 6:45 p.m. A vote was taken. Ayes: All; Nays: None. **MOTION CARRIED.**

Kent Gierman, Chairman

Valerie Schultz, Recording Secretary