

ATTICA TOWNSHIP  
MINUTES OF THE  
ZONING BOARD OF APPEALS  
October 10, 2019

At a meeting of the Attica Township Zoning Board of Appeals held on the 10<sup>th</sup> day of October, 2019 at the Attica Township Hall, 4350 Peppermill Road, Attica, MI, 48412, the following members were present: Patty Clendenan, Dana DeClark (alternate), Kent Gierman, Rich Lacey and Elaine Thayer. Absent: None. Also present; Attorney Mike Gildner and the public per the sign in sheet attached.

Chairman Gierman called the meeting to order at 6 p.m.

**Approve Minutes of the August 22, 2019 ZBA Meeting:**

**MOTION** by DeClark, seconded by Thayer, to approve the August 22, 2019 ZBA meeting minutes as presented. A roll call vote was taken. Clendenan: Aye; DeClark: Aye; Lacey: Abstain; Thayer: Aye and Gierman: Abstain. Ayes: Three (Clendenan, DeClark, Thayer). Nays: None. Abstain: Two (Lacey and Gierman). Absent: None. **MOTION CARRIED.**

**1. Public Hearing:**

1. Request by Kathleen Hobden and George Russell for a variance from the zoning ordinance to build an addition onto their existing home which does not meet the required setbacks in a R-3 Residential District. The property is located at 4142 Lakeview Drive, Attica, MI 48412. (Parcel ID #44-003-450-014-00):

Chairman Gierman opened the Public Hearing to consider the request of Kathleen Hobden and George Russell at 6:01 p.m.

Blueprints of the home with the proposed 24-foot by 24-foot addition were displayed and available for inspection. There was discussion regarding the distance of the proposed porch from the road, personal use of the addition, gas, well and septic locations and height of the proposed addition. Applicants, Mr. Russell and Ms. Hobden, indicated that they plan on installing a new roof, new siding and new windows and that their plans will make an improvement to the neighborhood.

Chairman Gierman closed the Public Hearing to consider the request of Kathleen Hobden and George Russell at 6:24 p.m.

**1. ZBA Decision for the Request of Kathleen Hobden and George Russell:**

Request by Kathleen Hobden and George Russell for a variance from the zoning ordinance to build an addition onto their existing home which does not meet the required setbacks in a R-3 Residential District. The property is located at 4142 Lakeview Drive, Attica, MI 48412. (Parcel ID #44-003-450-014-00):

**MOTION** by Clendenan, to APPROVE the request of Kathleen Hobden and George Russell for a variance from the zoning ordinance to build an addition onto their existing home which does not meet the required setbacks in a R-3 Residential District. The property is located at 4142 Lakeview Drive, Attica, MI 48412. (Parcel ID #44-003-450-014-00). **MOTION FAILED** for lack of support.

**MOTION** by DeClark, seconded by Thayer, to DENY the request of Kathleen Hobden and George Russell for a variance from the zoning ordinance to build an addition onto their existing home which does not meet the required setbacks in a R-3 Residential District. The property is located at 4142 Lakeview Drive, Attica, MI 48412. (Parcel ID #44-003-450-014-00). The variance is DENIED due to the fact that the addition does not meet the front setbacks required in the district therefore it would be a hazard for emergency vehicles. A roll call vote was taken. Thayer: Aye; Lacey: Aye; Clendenan: Nay; DeClark: Aye; Gierman: Nay. Ayes: Three (Thayer, Lacey, DeClark). Nays: Two (Clendenan and Gierman). Absent: None. **MOTION CARRIED**

Attorney Gildner advised the applicant to speak with township officials to adjust the plan.

## **2. Public Hearing:**

Request by Debra S. Lange for a variance from the zoning ordinance to build an addition onto her existing accessory building which does not meet the required setbacks in an R-1 Residential District. The property is located at 345 Elk Lake Road, Attica, MI 48412. (Parcel ID #44-003-010-007-00).

Chairman Gierman opened the Public Hearing to consider the request of Debra S. Lang at 6:32 p.m.

Ms. Lange indicated that the neighbors do not have a problem with the addition to the existing accessory building. There was discussion regarding the year the accessory building was built and the reason for the addition. Attorney Gildner advised the ZBA to read pages three and four of the applicant's ZBA application.

Chairman closed the Public Hearing to consider the request of Debra S. Lange at 6:45 p.m.

**2. ZBA Decision for the Request of Debra S. Lange:**

1. Request by Debra S. Lange for a variance from the zoning ordinance to build an addition onto their existing accessory building which does not meet the required setbacks in an R-1 Residential District. The property is located at 345 Elk Lake Road, Attica, MI 48412. (Parcel ID #44-003-010-007-00):

**MOTION** by Lacey, seconded by Thayer, to GRANT Debra S. Lange a variance to build a 24-foot addition onto an existing accessory building, which does not meet the required setbacks in an R-1 Residential District, instead of the requested 32-foot addition. The (revised) variance is APPROVED due to the fact that the existing accessory building is grandfathered. The property is located at 345 Elk Lake Road, Attica, MI 48412. (Parcel ID #44-003-010-007-00). A roll call vote was taken. Thayer: Aye; DeClark: Nay; Lacey: Nay; Clendenan: Nay and Gierman: Nay. Ayes: One (Thayer). Nays: Four (DeClark, Lacey, Clendenan, Gierman). Absent: None. **MOTION FAILED.**

**MOTION** by Clendenan, seconded by DeClark, to GRANT Debra S. Lange a variance to build a 32-foot addition onto an existing accessory building, which does not meet the required setbacks in an R-1 Residential District. The variance is APPROVED due to the fact that the existing accessory building is grandfathered. The property is located at 345 Elk Lake Road, Attica, MI 48412. (Parcel ID #44-003-010-007-00). A roll call vote was taken. Clendenan: Aye; Lacey: Aye; DeClark: Aye; Thayer: Aye and Gierman: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

There being no further business before the Zoning Board of Appeals,

**MOTION** by Thayer, seconded by Clendenan to adjourn the meeting at 6:55 p.m.  
A vote was taken. Ayes: All. Nays: None. **MOTION CARRIED.**

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Kent Gierman, Chairman

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Valerie Schultz, Recording Secretary