

ATTICA TOWNSHIP
MINUTES OF THE
ZONING BOARD OF APPEALS
MAY 5, 2022

At a meeting of the Attica Township Zoning Board of Appeals held on the 5th day of May, 2022 at the Attica Township Hall, 4350 Peppermill Road, Attica, MI, 48412. Chairman Kent Gierman opened the meeting at 7:03 p.m. The following members were present: Gerry Fackler, Kent Gierman, Elaine Thayer, Dale Zehr and alternate Dana DeClark. Absent: Patty Clendenan. Also, present: The public per the sign in sheet attached.

Approve minutes of the April 21, 2022 ZBA meeting:

MOTION by Thayer, seconded by Zehr to approve the April, 2022 ZBA meeting minutes as presented. A vote was taken. Ayes: All; Nays: None. Absent: One (Clendenan). **MOTION CARRIED.**

1. Public Hearing:

Chairman Gierman opened the Public Hearing at 7:06 p.m. to consider the request of Fabian Romanos for a variance from the Zoning Ordinance, 5.1.7.B, to build an accessory building with apartment before the foundation for the principal residence is in and approved and a variance from the zoning ordinance 4.32.9 to exceed the maximum allowed 650 square feet to 850 square feet for an accessory apartment. The property is located at on Champion Drive, Attica, MI 48412 (Parcel ID #44003-028-012-00).

Chairman Gierman read a letter pertaining to the Public Hearing.

After questions from the Planning Commission, and requests for input from the public without hearing any, Chairman Gierman closed the Public Hearing at 7:28 p.m.

ZBA Decision – Request by Fabian Romanos:

Request of Fabian Romanos for a variance from the Zoning Ordinance, 5.1.7.B, to build an accessory building with apartment before the foundation for the principal residence is in and approved and a variance from the zoning ordinance 4.32.9 to exceed the maximum allowed 650 square feet by 200 square feet for an accessory building. The property is located at on Champion Drive, Attica, MI 48412 (Parcel ID #44003-028-012-00).

MOTION by Thayer, seconded by Zehr, to deny the request of Fabian Romanos for a variance from the Zoning Ordinance 5.1.7.B to build an accessory building with an apartment before the approved footings for the house are in and approved and a variance from zoning ordinance 4.32.9 for an accessory apartment that exceeds the maximum allowed area of 650 square feet by 200 square feet, because it is a self-created hardship. A roll call vote was taken. DeClark: Aye; Thayer: Aye; Fackler: Aye; Zehr: Aye and Gierman: Aye. Ayes: All; Nays: None. Absent: One (Clendenan). **MOTION CARRIED.**

2. Public Hearing:

Chairman Gierman opened the Public Hearing at 7:34 p.m. to consider the request of Deborah Kwapis for a variance from the Township Zoning Ordinance, 4.7, to excavate a retention pond on a parcel less than the required 5 acre minimum and a variance from Township Zoning Ordinance 4.7.4 which a 100-foot setback from all property lines. The property is located at 5588 Newark Road, Imlay City, MI 48444. (Parcel ID #44003-025-007-20).

Residents Scott Parrott and Dave Penzien spoke about the on-going water issues and flooding.

After questions from the Board, and requests for input from the public without hearing any, Chairman Gierman closed the Public Hearing at 7:50 p.m.

ZBA Decision – Request by Deborah Kwapis:

Request of Deborah Kwapis for a variance from the Township Zoning Ordinance, 4.7, to excavate a dry retention pond on a parcel less than the required 5 acre minimum and a variance from Township Zoning Ordinance 4.7.4 which requires a 100-foot setback from all property lines. The property is located at 5588 Newark Road, Imlay City, MI 48444. (Parcel ID #44003-025-007-20)

There was discussion.

MOTION by Zehr, seconded by DeClark, to grant the request Deborah Kwapis for a variance from the Township 4.7 to excavate a dry retention pond on a parcel less than the required 5 acre minimum and a variance from Township Zoning Ordinance 4.7.4 which

requires a 100-foot setback from all property lines based on the finding of fact: that the need for the requested variance is due to unique circumstances and physical conditions of the property (7.16.A). A roll call vote was taken. Gierman: Aye; Fackler: Nay; Zehr: Aye; DeClark: Aye and Thayer: Aye. Ayes: Four; Nays: One (Fackler). Absent: One (Clendenan). **MOTION CARRIED.**

There being no further business before the Zoning Board of Appeals, **MOTION** by Thayer, seconded by Fackler to adjourn the meeting at 7:56 p.m. A vote was taken. Ayes: All; Nays: None. Absent: One (Clendenan). **MOTION CARRIED.**

Kent Gierman, ZBA Chairperson

Maureen Lemons,
Recording Secretary