

**ACME TOWNSHIP
Zoning Board of Appeals**

August 13, 2009

Thursday, 7:30 p.m.

Acme Township Hall

Acme, Michigan

Meeting called to Order at 7:31 p.m.

Members present: J. Kuncaitis (Chair), L. Belcher, B. Hopkins, D. Krause, D. Smith

Members excused: None

Staff present: J. Hull, Zoning Administrator
N. Edwardson/Recording Secretary

1. **Review and approval of the agenda, inquiry as to conflicts of interest:** None

2. **Correspondence:**

3. **Reports:** None

4. **Hearings:**

a) **Application # 2009-01Z for Brian Rolston, 9923 Kay Ray Road;**
for a non-use variance from Section 7.2.1.b to allow an accessory building in the front yard and an extension of a non-conforming structure under Section 12.5 located at 9923 Kay Ray Road.

Belcher read into the record Application #2009-01Z for Brian Rolston.

Jim Petaja, spokesman for Rolston, said the applicant seeks to erect an equipment shed/warming hut adjacent to an existing sports court. Petaja said the parcel was purchased by the applicant in 1997, and at the time, it was the site of a small resort comprising five small cabins and a concrete shuffleboard court. In the drawing provided by Petaja the shuffleboard was not in the front yard because one of the resort cabins was closer to the road than the shuffleboard court. A home was built in 1998 and presumably became the principal use on the lot. In 2006, the remaining cabins were removed, and the shuffleboard was expanded and modernized into the sports court that exists today. Because the applicant wishes to build an equipment shed, next to the sports court, and because it would be in the front yard, a variance is required.

Kuncaitis opened the floor for public comment.

Kuncaitis read a letter supporting the request from John and Marilyn West, 9905 Kay Ray Road.

Michael Hedden, 7020 Deepwater Point Road, commented that he owns property on the east side facing west and he and his wife have no objections to this request.

Floor closed for public comment

Kuncaitis asked the Board if there were any questions. Belcher commented that the request was consistent with other issues that have been addressed on Kay Ray Road.

MOTION BY BELCHER TO APPROVE APPLICATION # 2009-01Z AS PRESENTED. SECONDED BY KRAUSE. MOTION CARRIED UNANIMOUSLY.

MOTION BY BELCHER TO FIND THE EXPANSION OF THE SHUFFLEBOARD COURT TO THE LARGER SPORTS COURT TO BE CONSISTENT WITH PUBLIC HEALTH, SAFETY AND WELFARE, PARTICULARLY WITH REGARD TO SURROUNDING PROPERTY OWNERS. SECONDED BY HOPKINS. MOTION CARRIED UNANIMOUSLY.

b) Application # 2009-02Z for Greg Messenger, 1805 Bramble Dr, East Lansing; for a non-use variance from Section 7.3.2 to allow a 7'-high fence in the front yard, located at 5282 US Highway 31 N

Belcher read into the record Application # 2009-02Z.

Traci Messenger was present and is seeking to erect a 7'-high brick fence in the front yard; the brick construction is to prevent the fence from breaking when hit by the snow-plow wash, and the height is to help protect the house. Messenger said the property has 89' of frontage along the road, is 47.2 deep on the northern lot line, and approximately 80' deep along the southern lot line. Messenger erected a fence around the property, which has repeatedly been damaged by the wash from the snow plows. She also expressed concern about possible damage to the house, thus the request for a fence seven-feet tall.

Floor opened for public comment.

Hedden commended the Messengers for fixing up the place. He resides in Acme Township now but in past years while visiting the area the place was not in good shape. He approves of the changes.

MOTION BY HOPKINS TO APPROVE APPLICATION # 2009-02Z HAVING SATISFIED ALL BASIC CONDITIONS AND SPECIAL CONDITION A THAT THE VARIANCE FOR THE FENCE AND GATE BE GRANTED. KRAUSE SECONDED. MOTION CARRIED UNANIMOUSLY.

5. Approval of minutes from the November 13, 2008,

MOTION BY KUNCAITIS TO APPROVE THE MINUTES FROM THE NOVEMBER 13, 2008, MEETING AS PRESENTED. SECONDED BY HOPKINS. MOTION CARRIED UNANIMOUSLY.

6. Approval of 2009 Zoning Board of Appeals Meeting Schedule

MOTION BY BELCHER TO APPROVE THE 2009 ZONING BOARD OF APPEALS MEETING SCHEDULE. SECONDED BY HOPKINS. MOTION CARRIED UNANIMOUSLY.

7. Election of Officers

MOTION BY SMITH TO REAPPOINT KUNCAITIS AS CHAIR AND BELCHER AS SECRETARY OF THE ZONING BOARD OF APPEALS. SECONDED BY KUNCAITIS. MOTION CARRIED UNANIMOUSLY.

Hull spoke briefly about the history of Bates Crossing.

ADJOURNED AT 8:37 pm