

CHARTER TOWNSHIP OF VAN BUREN  
BOARD OF ZONING APPEALS  
Minutes-Tuesday September 8, 2015  
Van Buren Township Hall  
46425 Tyler Road

The Meeting was called to order at 7:00p.m. in the Board of Trustees room by Vice Chairperson Miller. Members Present: Vice Chairperson Miller, Commissioner Atchinson, Planning Commission Representative McKenna, Commissioner Barnabei, Trustee Jahr; Absent-Excused Chairperson Commissioner Grissett. Others present, Director Ron Akers, Deputy Director Matthew Best, Patrick Sloan of McKenna and Associates, Secretary Smith, petitioner Diana Snider and 4 others.

**APPROVAL OF AGENDA:**

Motion to approve the agenda as presented Commissioner McKenna; Second Commissioner Atchinson Motion Carried.

**APPROVAL OF THE MINUTES:**

Motion to approve the minutes of the June 9, 2015 meeting commissioner McKenna; Second Trustee Jahr, Motion Carried.

**CORRESPONDENCE:**

None

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**1. Diana Snider- 10965 Van Buren Street- Case # BZA 15-016 Parcel # V125-83-056-01-0262-000**

Prior to presentation Trustee Jahr reminded the petitioner that they must get a majority vote of full body not of members present to get a variance passed and asked if they still wanted to move forward or post pone until full board was present. The petitioner opted to move forward.

The petitioner is requesting three variances, Article 17 Section 17.02 Side yard setback District-R1-C , 2 ft. variance, Article 17 Section 17.02 Side Yard Setback –R1-C District 2.2 ft. variance, Article 4, Accessory Buildings, Structures and Uses Dimensional Regulations: setback from principal building, 7 foot variance. Patrick Sloan of McKenna and Associates presented a review of the case submitted, outlined in a letter dated September 2, 2015. BZA may grant a variance based on practical difficulty and the 9 factors outlined in the Van Buren Township Zoning Ordinance to determine practical difficulty.

The petitioner's builder presented signed letters from the neighbors all stating they are ok with the project as designed with the requested variances. The builder stated he could build a fire wall on both sides if that would help to pass the request.

The board discussed the standards of review required by the Zoning Ordinance listened to the case presented by the petitioner and the petitioner's builder, and asked questions regarding the

CHARTER TOWNSHIP OF VAN BUREN  
BOARD OF ZONING APPEALS  
Minutes-Tuesday September 8, 2015  
Van Buren Township Hall  
46425 Tyler Road

matter to the petitioner, the builder, Mr. Sloan, Director Akers and one another in an effort to fully understand all sides of the matter.

MOTION Commissioner McKenna to deny variance based on it not meeting the 9 criteria to prove practical difficulty; as outlined in the letter from McKenna Associates Dated September 2, 2015 Second Trustee Jahr yeas: Miller, Jahr, McKenna, Nays: Atchinson, Barnabei. Motion neither passed nor failed as there must be at least four votes to pass a ruling. Variance request will be reheard at the next regular meeting of the BZA scheduled for October 13, 2015.

**ANNOUNCEMENTS, COMMENTS AND OPEN DISCUSSION:**

The board discussed a need for alternates and to fill position that was recently vacated. Director Akers indicated he would get with the Supervisor for any applicants that may be on file and Commissioner McKenna suggested if members knew people that would be an asset to let them know of the need to fill positions.

**ADJOURNMENT:**

Motion to Adjourn Trustee Jahr, second Commissioner Atchinson Meeting adjourned at 8:40 p.m.

Respectfully Submitted by Karen E Smith

---

Vice Chairperson Ed Miller