



Zoning Board of Appeals Minutes

Monday, November 22, 2021 at 6:00 PM

CALL TO ORDER

The meeting was called to order by Judd at 6:00pm

Present: Judd, Cassidy, Beavers & Bayer

Also Present: Paula Willoughby, Clerk, Michael Daly-Martin, Preston Community Services

Members of the public and applicants: Todd Brewer, Jack Shaffer and Gregory Newkirk

PUBLIC COMMENTS

There was no public comment at this time.

It was noted that Agenda item three was the applicant's address, the address of the variance request in 117. N. Laing as noted in all public notices.

APPROVAL OF MINUTES

1. Approval of Minutes of July 2, 2018

Motion by Cassidy, second by Beavers. All in favor, motion carried.

ITEMS OF BUSINESS

2. 107 High Street

Judd opened the public hearing.

Judd called for comments in favor and in opposition of the request. None were heard.

The Board of Appeals discussed the unique circumstances of the property as it is located on a corner lot, with the house, garage and current driveway located on High Street and the proposed second driveway to be located on a vacant lot on Williams Street that would be required to be combined with the High Street lot in order to construct a pole barn.

The Board deliberated.

Motion by Judd, second by Beavers to deny the request by Todd Brewer, a proposed variance to Section 402(B) to construct a second driveway located at 107 S. High St. (Parcel ID # 022-40-022-005-00 & Parcel ID # 022-40-022-004-01) in the City of Laingsburg based

upon the following reasoning:

- 1) The proposal does not satisfy the basic conditions as set forth in Section 1004 of the Ordinance.
- 2) The board deemed the circumstances causing the difficulty with ordinance compliance was a self-created hardship, and a decision to approve would create a precedent for future applicants.

Roll call vote: Ayes: Judd, Cassidy and Beavers. Nays: Bayer. Request Denied

3. 117 N. Laing

Judd opened the public hearing.

Judd called for comments in favor and in opposition of the request. None were heard.

The Board of Appeals discussed the unique circumstance of the existing driveway that is on the east side of the home near a neighboring driveway that services the parcel to the east of the home.

The practical difficulties are that the current residents have many vehicles and must maneuver around the vehicles to get in and out of the driveway.

The Board deliberated.

Motion by Beavers, second by Judd to deny the request by Sandra J. Cain, a proposed variance to Section 402(B) to construct a second driveway located at 117 N. Laing St. (Parcel ID # 022-40-006-004-00) in the City of Laingsburg based upon the following reasoning:

- 1) The proposal does not satisfy the basic conditions as set forth in Section 1004 of the Ordinance.
- 2) The applicant has self-created the hardship, and a decision to approve would create a precedent of approval to future applicants.

Roll call vote: Ayes: Judd, Cassidy, Bayer and Beavers. Nays: None. Request Denied

4. 315 E. Grand River

Judd opened the public hearing.

Judd called for comments in favor and in opposition of the request. None were heard.

The Board deliberated.

Motion by Beavers, second by Bayer to approve the request by Jack & Kayla Shaffer, a proposed variance to Sections 512(C) and 1104(A) to construct an addition located at 315 E. Grand River Rd. (Parcel ID # 022-40-016-003-00) in the City of Laingsburg based upon the following reasoning:

- 1) The proposal satisfies the basic conditions as set forth in Section 1004 of the Ordinance.
- 2) The Board of Appeals discussed the unique circumstance that the existing lot has a legal non-conforming house that was constructed with setbacks that do not meet the current ordinance, that situation existed prior to the applicant acquiring the property, creating practical difficulties with the applicant's intentions to further develop the property with improvements.

Roll call vote: Ayes: Judd, Cassidy, Bayer and Beavers. Nays: None. Request approved.

ADJOURN

Motion by Judd, second by Beavers to adjourn

Meeting adjourned 7:08pm

Paula Willoughby
Clerk/Treasurer