

**BROOKS TOWNSHIP
ZONING BOARD OF APPEALS HEARING
Daniel Verhil
Parcel# 62-19-28-360-001
June 6, 2021
APPROVED**

MEMBERS PRESENT: Frank Janusz, Mark Pitzer, Dave Warren, Derrik McLeod, Greg Myers

MEMBERS ABSENT: None

MEMBERS OF THE PUBLIC PRESENT: Joe Selzer, Zoning Administrator, Cory Nelson, Township Supervisor, Daniel Verhil

Chairman Janusz called the meeting to order at 7:10 PM. This meeting was properly posted and a quorum of the Brooks Township Zoning Board of Appeals was present. Minutes are not a transcription as comments have been summarized for brevity and clarity.

APPROVAL OF AGENDA:

Moved by Pitzer, **seconded** by Janusz to approve the agenda. **Approved Unanimously**

RULES OF PROCEDURE:

Chairman Janusz introduced himself and other board members and explained the order of procedure for the hearing.

APPLICANT: Daniel Verhil was physically present.

REASON FOR HEARING:

Chairman Janusz stated the hearing is the result of a variance request, by Daniel Verhil to reduce the required setback requirement for a detached garage located at 8660 S. Vista Dr., Parcel # 62-19-28-360-001.

ADJOINING PROPERTY OWNERS NOTIFICATION:

All property owners within 300 feet of the above parcel were re-notified with a copy of the Public Notice for the June 30, 2021 hearing.

ZONING ADMINISTRATOR COMMENTS: (See Staff Report for Variance Request filed 5/5/21)

Joe Selzer, ZA, re-reviewed the Staff Report which provides specific detail of the property location and background for the variance request. The report concluded that the property is unique in size and shape and that all six standards are met. The ZA recommends approval of the request

APPLICANT’S REASONS FOR APPEAL:

Mr. Verhil states the property was purchased in 2017 and is very small. He wishes to build a 24x24 garage and porch off the front. The cottage was purchased with the intent of spending time with children and grandchildren and build memories. The number of grandchildren has grown and the property is too small to allow quality family togetherness. A garage will allow additional space.

SUPPORTING/OPPOSING STATEMENTS FROM PUBLIC:

None

ZBA CHAIRMAN REVIEW

Chairman Janusz asked Mr. Verhil to review specifics of the structure requested – He wishes to build a 24x24 garage with a porch extension off the front to complement the existing outdoor kitchen located off the front of the dwelling.

ZBA MEMBERS QUESTIONS AND COMMENTS:

Chairman Janusz – Does not believe the porch extension would meet current zoning requirements.

Response – Joe Selzer, ZA clarified that in the lake district, from the water’s edge back fifty feet (50’), a deck no larger than 300 square feet can be built as long as it is not attached to a structure, therefore, M.r. Verhil’s request meets zoning requirements in that respect

Mark Pitzer – Noted that the proposed garage placement is nine feet (9’) from the existing dwelling. Zoning ordinances require a distance of ten feet (10’) due to fire requirements.

Response – Cory Nelson states the garage placement could possibly be moved over another foot to meet the ten foot (10’) requirement.

Dave Warren – What will be done with the existing shed and has Mr. Verhil received any feedback from neighbors?

Response – Mr. Verhil plans to tear the shed down. He has spoken with Chris Whitfield, a neighbor, who supports the proposed structure. The ZA stated that a note (submitted with the original request), from another neighbor, Leonard Nicholson, also supports the proposed structure.

Question directed from Dave Warren to the ZA: Do other nearby homes on non-conforming lots have the 10-foot separation?

Response: Some yes and some no...depended on when they were built and existing ordinance language at the time.

Greg Myers: Does the septic tank propose any issues?

Response: The septic is 2500 twin holding tanks only, with no drain field

FINAL REBUTTAL/COMMENTS

None

CORRESPONDENCE: Note submitted with original variance request from neighbor Leonard Nicholson.

DELIBERATIONS BY THE ZBA:

ZBA members discussed and presented the motions identified below.

MOTION & ROLL CALL VOTE

Moved by Warren, **seconded** by McLeod to accept the variance request as written

Motion Approved based on roll call vote: *AYES*: Janusz, Pitzer, Warren, Myers, McLeod
Nays: None

NEW BUSINESS:

- 1) Scheduled date for approval of Verhil minutes is planned for Tuesday, 6/15/21, at 12:00 PM, Noon, via conference call.
- 2) Election of New Officers – **Moved** by Myers, **seconded** by Warren to keep the current officers in place. **Unanimously Approved**

UNFINISHED BUSINESS

- 1) Approval of Joling minutes – **Moved** by Warren, **seconded** by McLeod to approve the combined minutes of the January 28th, 2021 and the May 20th, 2021, meeting minutes as written. **Unanimously Approved**

BOARD MEMBER COMMENTS: Comments received

PUBLIC COMMENTS: None

ADJOURNMENT:

Meeting was closed by Janusz at 7:55 PM

Respectfully submitted,

Frank Janusz _____
Zoning Board Chairman

Dianna Schaafsma _____
Recording Secretary