

# CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING MI 48433

## ZONING BOARD OF APPEALS

DATE: JANUARY 8, 2013

TIME: 7:30 P.M.

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### MEMBERS:

Edward Henneke, Chair

Eric Swanson

Richard Vaughn, Vice Chair

James Sarka

Donn Hinds, Planning Commission Representative

Julia A. Morford, Recording Secretary

**I. VICE CHAIR RICHARD VAUGHN** opened the meeting at 8:00 p.m. with Roll Call and the Pledge to the American Flag.

**ROLL CALL:** Richard Vaughn, James Sarka, and Donn Hinds

**MEMBERS ABSENT:** Edward Henneke and Eric Swanson

**OTHERS PRESENT:** None

**II. APPROVAL OF AGENDA: SARKA MOVED**, seconded by Hinds to approve the Agenda as submitted. **MOTION CARRIED.**

### III. PUBLIC COMMENTS:

**8:01 P.M. – Opened for Public Comments for Non-Agenda Items**

None

**8:02 P.M. – Closed for Public Comments for Non-Agenda Items**

**IV. APPROVAL OF MINUTES OF SEPTEMBER 4, 2012: HINDS MOVED**, seconded by Sarka to approve the minutes of September 4, 2012 with corrections. **MOTION CARRIED.**

### V. UNFINISHED BUSINESS:

None

### VI. NEW BUSINESS:

#### 1. Approval of 2013 Meeting Dates

**SARKA MOVED**, seconded by Hinds to approve the 2013 Meeting Dates as presented with the correction of the May7 meeting date to April 30, 2013 due to an Election being held on May 7, 2013. **MOTION CARRIED.**

#### 2. Election of Officers

1. **Rick Hansen and Phyllis Hansen, 4473 N. Seymour Road, Flushing MI 48433**  
Variance regarding Distance Requirements between Buildings, Parcel No.  
08-27-502-009

**8:06 P.M. – OPEN FOR COMMENTS FROM THE AUDIENCE**

1. **Terry Peck, Supervisor for Flushing Township** – “Hansen had a permit for his house and garage; was later told by the Building Inspector there wasn’t enough room between the two (2) buildings; Peck measured the distance and it was nine (9) feet between the foundations; Peck couldn’t approve because it didn’t meet the code so recommended going to the Zoning Board of Appeals to request a variance; State Building Inspector said permit was issued by the State but didn’t meet the code so made a copy and cancelled the permit; Hansen was told he could request a variance.”

**8:10 P.M. – CLOSED FOR COMMENTS FROM THE AUDIENCE**

**DOYLE MOVED**, seconded by Minaudo that the rational should be ten (10) feet and that is trying to allow any kind of vehicle or fire fighting necessity to fight fire; the amount of footage is not a great problem as whether it is capable of being able to ward against fires; for that reason the variance be approved and not ordinarily accepted because if you build according to footage. In the particular case, the issue is a fire problem and the amount of distance is a rational issue to request a variance be obtained for a two (2) foot difference. **DOYLE** would move to accept even if there is a two (2) foot difference.

**DISCUSSION:**

There was discussion as to the ten (10) foot rule was not clear if it was from foundation to foundation or eve to eve; it was felt it was from foundation to foundation. A breezeway could be constructed between the two (2) buildings which would be legal.

It was recommended to have the Planning Commission update the ordinance to make a specific ruling on the distance between buildings. In the Zoning Ordinance, there is a distinct difference between attached and detached accessory structures; the attached accessory structure has to comply with the yard requirements and the detached accessory structure shall not be nearer than ten (10) feet to the principal building so that fire fighting equipment can get between the buildings. It was mentioned that ten (10) feet is really too small for an emergency vehicle to get between the buildings and would have to go around the building.

2. **Jared Staley, 9352 W. Stanley Road, Flushing MI 48433**  
Variance for a Minimum Lot Size

**IT WAS DETERMINED** that the variance could not be granted; a Quit Claim Deed is the only thing that would be needed. A variance is not needed to add to only subtract from the property.

**VII. NEXT REGULAR SCHEDULED MEETING** will be held on **TUESDAY, JANUARY 8, 2013 AT 7:30 P.M.**

**VIII. ADJOURNMENT: VAUGHN MOVED**, seconded by Minaudo to adjourn the meeting at 9:00 p.m.

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**EDWARD HENNEKE**, Chair

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**JULIA A. MORFORD**,  
Recording Secretary

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**RICHARD VAUGHN**, Vice Chair

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Date Approved

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