

**AUGUSTA CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
8021 Talladay Road, P.O. Box 100  
Whittaker, MI 48190  
Monday, December 21, 2009 6:30 pm  
DRAFT MEETING MINUTES**

1. Meeting Called to Order by Shelby at 6:30 pm.
  
2. Pledge of Allegiance
  
3. Roll Call: Present: Chie, King, Shereda, Shelby and Alternate Messer. Absent: Cicotte.
  
4. Approve Minutes:

Motion by Chie, 2<sup>nd</sup> by Shereda to approve the meeting minutes of 9-15-08.

Roll Call Vote: Aye: Chie, King, Shelby and Messer. Abstain: Shereda. Absent: Cicotte. Motion carried.

5. Public Comments (2 minute time limit please): Opened at 6:35 pm, Closed at 6:35 pm. Hafler, former ZBA member and Chair offered resignation of Chair position at 6:36 pm with full support of Zoning Board of Appeals.

Motion by Messer, 2<sup>nd</sup> by King to appoint Shelby as Chair of Zoning Board of Appeals. Roll Call Vote: Aye: Chie, King, Shelby, Messer and Shereda. Absent: Cicotte. Motion carried.

Motion by Shelby, 2<sup>nd</sup> by Chie to appoint Shereda as Secretary of Zoning Board of Appeals. Roll Call Vote: Aye: Chie, King, Shelby, Messer and Shereda. Absent: Cicotte. Motion carried.

6. Mallory Setback Variance Request (ZBA-09-01):

Motion by Chie, 2<sup>nd</sup> by Shelby for a five (5) foot set back for said property located at 9030 Talladay, Willis, Michigan 48191, T-20-23-200-007, ZBA-09-01. Roll Call Vote: Aye: Chie, King, Shelby, Messer and Shereda. Absent: Cicotte. Motion carried.

***The following language was read into the record by Shelby which was taken from (A) the Public Notice and (B) the ZA Report and will appear in the meeting minutes.***

- (A) Augusta Charter Township Board of Appeals has received a request for variance from zoning ordinance regulation concerning proposed construction of a house addition with **a proposed side set back of approximately 5 feet** on the property located at 9030 Talladay Road, Willis, Mi 48191, T-20-23-200-007.
- (B) The current zoning is AR. In the AR zoning district, the minimum front yard setback is 50 feet. Additionally, the AR district requires a side yard setback of 30 feet. In this proposal, **the applicant is requesting a variance of 25 feet from the side setback requirement.**

Shereda asked if this would be setting a precedent. Shelby reported that he and Messer were out there on Saturday and the applicant's only choice was to go back. King added that there was a same type. Chie said the gentleman did not create the problem. King added if all the neighbors were ok with this, there should not be a problem. Shelby read into the record from the Township Zoning Ordinance, Article 15 - Zoning Board of Appeals section 15.4 C on Finding of Fact.

7. Motion by King, 2<sup>nd</sup> by Chie to table discussion of the Zoning Board of Appeals Bylaws until everyone had time to read. No one had copies in their packets. Motion passed. Chie said we must have bylaws.
8. Public Comments (3 minute time limit please) Opened at 6:45 pm, Closed at 6:45.
9. Adjournment  
Motion by King, 2<sup>nd</sup> Shereda to adjourn meeting at 6:45 pm. Motion passed.

Respectfully submitted by:

Brian Shelby  
Zoning Board of Appeals  
Recording Secretary

Copies to: Minute Book  
Public Minutes Binder  
Webmaster  
File ZBA-09-01

**APPROVED AS DRAFT FOR NEXT ZBA MEETING  
With the indicated edits in red ink.**

\_\_\_\_\_  
(Secretary Signature)

\_\_\_\_\_  
(date)