

**SOMERSET TOWNSHIP
ZONING BOARD OF APPEALS
VARIANCE – PUBLIC HEARING
HELD JULY 26, 2022**

Call to Order: The meeting was called to order at 7:00 PM by the Chairman: D. Hinkelman.

The Pledge of Allegiance was recited.

Roll Call: Members present: D. Hinkelman, M. Blucher, D. York and K. Bedard. L. Hartzler was not present.

Recognition of Township Officials: D. Hinkelman recognized the Zoning Board of Appeals consultant; Don Figiel, Zoning Administrator.

Approval of Agenda: D. Hinkelman added Approval of Minutes for June 14, 2022, under ZBA New Business and Public Comment before Meeting Adjournment. D. York moved to approve the agenda with the changes. Motion seconded by; M. Blucher. All ayes; motion approved.

Explanation of Hearing Process: D. Hinkelman explained the process for the scheduled hearing.

Public Comments: No comments.

Open Public Hearing Appeal #255 @ 7:01 PM: There were no conflicts of interest for this hearing. D. Hinkelman advised that there were a couple corrections to the Staff Report and the application for the appeal, the address of 11940 Sauk Trail should be 11490 Sauk Trail.

- a. Zoning Administrator D. Figiel gave an overview of the variance request. He advised that there have been no calls or letters regarding the hearing he then advised that the zoning ordinance requires a 25-foot setback from the front property line and the petitioners are requesting a 16-foot setback to build a 24-foot-wide by 28-foot-deep garage. *See staff report attached.*

D. Hinkelman advised that the petitioner is challenged with proving a hardship for the variance request.

- b. Opening Comments for the Petitioner Kevin & Mary Botz: The petitioner K. Botz provided visual pictures and explained each exhibit to the zoning members. K. Botz advised that the road curves where the house sits and the west side of the house to the street is 61 feet and the east side of the house is 44 feet to the street. He advised that it drops 17 feet from one side to the other. *See pictures attached.* K. Botz advised that there is a similar home 2 doors away from him; Exhibit I and J show the position of the garage and they would like to do the same thing that was done for the layout of that garage. The petitioners advised that they have no out buildings for storage and the bedrooms are the only rooms upstairs to the front door access of the home. The kitchen and living areas are downstairs and they would like to make this home their permanent home and need somewhere to store stuff; they are using the back patio to store items at this time.

- c. Comments from the public directed to the Chair: Lori Coyle, President of Lake LeAnn Association advised that she had viewed the property with D. Figiel and was for the variance request and that it would be the best use for the property. Ray York of 10740 Waldron Rd. advised that if the garage build is approved it will not stick out farther than the garage next door to the property. He also advised that he works with the Building Control Committee (BCC) and they agree with the variance request. He explained that the BCC works with the township.
- d. Close public comment
- e. ZBA Members deliberation including further discussion and questions related to details of Appeal #255: K. Bedard asked petitioner if the garage door will be facing the road or to the side; the petitioner advised that it will be to the side. D. York asked about the notes marked on Item D of the appeal package from D. Figiel. A clearer copy was provided. *See attached.* M. Blucher stated that she thought the petitioners had presented a very good picture of the request for the garage. Board members thanked the petitioners for providing the pictures to clarify the property angle and the location of the garage. D. Hinkelman advised that he felt the petitioners met the needs for the variance.
- f. D. York moved to approve Appeal #255; based on the finding of facts and the topology of the lot. Seconded by; M. Blucher. A roll call vote was taken. All ayes; motion approved.

Close Public Hearing @ 7:30 PM.

New Business

- **Approval of Minutes (June 14, 2022):** K. Bedard advised that a correction will need to be made under Election of Secretary regarding the voting and discussion. D. York moved to approve the minutes as corrected. Seconded by; M. Blucher. All ayes; motion approved.

Public Comments: No Comments.

Adjournment: With no further business, D. Hinkelman moved to adjourn the meeting. Seconded by; M. Blucher. All ayes; Motion carried. Meeting adjourned at 7:45 pm.

Respectfully submitted; Kimberly S. Bedard, ZBA Secretary