

**CHARTER TOWNSHIP OF FILER
ZONING BOARD OF APPEALS PUBLIC HEARING
FILER TOWNSHIP HALL, 2505 FILER CITY RD.
Manistee, Michigan 49660
October 7, 2019**

Present: Jennifer Williams, Elizabeth Allen, Lynn Kooyers

Also Present: Larry Thompson, Zoning Administrator and Richard Wilson, Township Attorney

Meeting called to order by Chairperson Williams and Pledge of Allegiance at 4:00 p.m.

Motion by Kooyers, supported by Allen to approve the minutes of the meeting held on September 9, 2019 with the following corrections: Page 1- Change the second sentence of the motion approving the Krolczyk variance request to read "The Planning Commission needs to re-address the size of the building and land coverage per ordinance 31.40.4004 E.2 Regulations and Standards." Page 2- Correct the vote on the approval of the Masty variance request to read: "Allen-yes, Williams-yes, Kooyers -no. 2 yeas, 1 nay." All in favor. M/C.

Case #359-19

Gary Krolczyk
240 W. Preuss Rd.
Manistee, MI 49660, Filer Township, Manistee County
Parcel #51-06-124-450-05

Zoning Administrator Thompson presented the case for the Krolczyk appeal. He stated that the Planning Commission discussed the Krolczyk Special Use Permit at their September 17, 2019 meeting. In the future, the Planning Commission will consider changes to Chapter 31, Article 40 and Article 45 of the Ordinance to address the 4,000 sq. ft. maximum land coverage in the Medium and High-Density Residential Districts.

After much discussion, the Zoning Board of Appeals determined that, as interpreted by the Zoning Board of Appeals Sections 31.40.4004 E. 2. and 31.45.4504. E. 2. Of the Zoning Ordinance shall be construed to mean that where the parcel is larger than the minimum size for the Medium Residential District or High Density Residential District, the 25% limit on lot coverage is the intended limit and the 4,000 sq. ft. limit stated in Sections 31.40.4004 E. 2 and 31.45.4504 E. 2 is intended to apply to parcels that have only the minimum parcel size in this district. The Zoning Board of Appeals found it would be unreasonable to construe the ordinance such that a parcel of 5 acres would be required to adhere to the zoning ordinance as written. Motion by Kooyers, seconded by Allen, to approve the variance request. Vote: Allen-Yes, Williams-Yes, Kooyers-Yes. 3 Yeas, 0 Nay. M.C.

Zoning Administrator Thompson informed the Board that the Zoning Office received no letters regarding this application.

Chairman Williams called for public comment.
No comments were received.

Motion by Allen, seconded by Williams to adjourn the hearing. All in favor. M/C
Hearing adjourned at 4:25 p.m.

Respectfully submitted,

Elizabeth Allen, Secretary
Zoning Board of Appeals