

MINUTES OF Zoning Board of Appeals

HELD June 18, 2015
Metamora 20 Jennie Dagher

Township of

Clerk

Form M-1-PT

The Reg's Press, Inc., Flint, Michigan

Chairman Porretta called the regular meeting of the Metamora Township Zoning Board of Appeals to order at 7:02 p.m. at the Metamora Township Hall, 730 W. Dryden Road, Metamora, Michigan.

Members Present: Frank Porretta, Dean Bedford and Phil Bellinger

Members Absent: None

Also Present: Julie Barlia, Eli Barlia, Delia Gipson, Janine Klayman, Maureen Thomas, Charles Dean, Heidi Mehl, Kim Mehl, Kallie Meyers, Bruce Meyers, Attorney Bryan Monaghan

The Pledge of Allegiance was recited.

Approval of Agenda

Motion by Member Bedford, supported by Member Bellinger, to approve the agenda as submitted. Motion carried, all voting aye.

Approval of Minutes

Chairman Porretta noted that the next item is to approve the minutes of May 21, 2015. **Motion by Member Bedford, supported by Member Bellinger, to approve the minutes of the May 21, 2015 Public Hearing on the Barlia application and the minutes of the Zoning Board of Appeals regular meeting of May 21, 2015, as presented. Motion carried, all voting aye.**

Public Comments: Non-Agenda Items

Attorney Bryan Monaghan asked about the decision process for tonight's meeting and Chairman Porretta explained the process.

Unfinished Business

A. Decision on Public Hearing - Eli & Julie Barlia for a variance from the Metamora Township Zoning Ordinance, Article 13. Schedule of Regulations under Section 1300 - A-2 district to allow for a split to be under the minimum lot area of 10 acres.

Chairman Porretta noted the next item is unfinished business and the decision on the petition of Eli & Julie Barlia for a variance. Member Bellinger commented that he viewed the subject property and the cemetery on the property, noted how small the cemetery area is, that it is a very old cemetery and no longer used, and that the Township mows the cemetery. Member Bedford stated the Barlia property wraps around Rock Valley Cemetery located at the northwest corner of Rock Valley and Barber Roads and that directly on that corner is where Rock Valley School used to be and that the cemetery may date back to before Michigan became a state. Chairman Porretta noted he was not present for the public hearing and asked questions of the applicants. Mr. Porretta indicated that the public hearing has already taken place and that all correspondence received on this matter has been noted but asked the audience if there were any more comments. Kallie Meyers of 3100 Delano Road addressed the Board in favor of granting the variance. Board discussion. Chairman Porretta expressed his misgivings about splitting the subject parcel stating the applicants originally owned almost 40 acres and could have split off 19 instead of splitting off 20, but stated there is a unique aspect of this property because of the .6 acre cemetery and the cemetery area wouldn't be developed. Chairman Porretta stated that

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the purpose of the ordinance is to maintain low density in that area and it would be maintained if the variance was granted. Member Bellinger concurred and stated further that if a house were built on that 9.4 acre parcel it could deter vandalism in the .6 acre cemetery property. Member Bedford stated that the granting of this variance would not change the character of the neighborhood. Mr. Bedford stated he lives kitty-corner from the subject property and would support granting of the variance.

GRANT OF VARIANCE
2634 Rock Valley Road
Tax Parcel No. 44-015-036-002-50

Motion by Member Bedford, supported by Member Bellinger, that the Metamora Township Zoning Board of Appeals hereby grants a variance from the Zoning Ordinance under Section 1300, Schedule of Regulations, Article 13, to allow a split of property owned by Eli and Julie Barlia located at 2634 Rock Valley Road off the main parcel of 19.4 acres creating a 9.4 acre parcel and a 10 acre parcel. The grounds for this decision are stated on the attached Final Decision of the Metamora Township Zoning Board of Appeals. Roll call vote: Porretta, aye; Bedford, aye, Bellinger, aye. All ayes, no nays, no absent. Motion carried.

This decision was certified pursuant to the attached Final Decision of the Metamora Township Zoning Board of Appeals dated June 18, 2015.

New Business

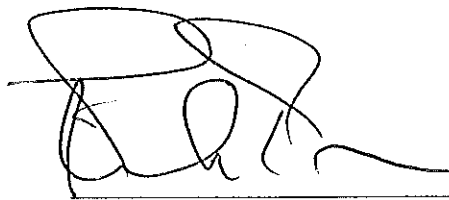
None.

Matters for Discussion from the Commission Members

None.

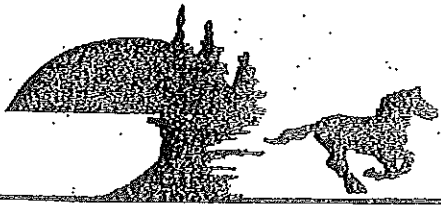
**Motion by Member Bedford, supported by Member Bellinger, to adjourn at 7:23 p.m.
Motion carried, all voting aye.**

Respectfully submitted,
Darlene Wise, Recording Secretary



Frank Porretta, Chairman

cc: All Board Members
Persons requesting same



Metamora Township

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Metamora Township, Lapeer County

Final Decision of the Metamora Township Zoning Board of Appeals

For an appeal by right of this decision to be timely, it must be made to the circuit court for the county in which the property is located within 30 days of the date of this order. (MCL 125.3606).

Appeal Name: _____ Hearing Date: 6-18-15

Applicant: Eli and Julie Barlia Decision Date: 6-18-15

Address: 2634 Rock Valley Rd.

Phone Number: 248/802-2141 Fax Numbers: _____

Type of Request to ZBA (variance, interpretation of zoning map, administrative appeal, other etc.)

ZBA Findings of Fact:

The premises are 19.6 acres; had been part of 39.6 acres; 20 acre parcel to south sold off; cemetery will not be developed; applicants' parcel wraps around cemetery;

ZBA Decision:

Petition is granted.

Reasons for Decision:

Zoning ordinance purpose is not thwarted by variance; density will be essentially 10 acres; parcel is unique because of cemetery

Votes of ZBA Members:

Frank Pogretta Yes No

Dean Bedford Yes No

Phil Bellinger Yes No

Signatures of Members

[Signature]
[Signature]

I, Darlene Wise, Recording Secretary of the Metamora Township Zoning Board of Appeals, certify that on this date I witnessed the signatures set forth above and attest to the accuracy of this final decision report.

Darlene E. Wise

Darlene Wise, Recording Secretary Zoning Board of Appeals

Metamora Township Zoning Board of Appeals
Sign In Sheet

Please Print

Date: 6/18/15

Name	Company	Address
Julie Barlia		2634 Rock Valley Rd.
Eli Barlia		2634 Rock Valley Rd.
Delia Gipsen		2602 Rock Valley
Tenise Klayman		5474 Barber Rd
Maurgen Thomas		5610 Metamora Rd
Chris Dunn		5774 Barber
Heidi Mehl		5820 Hempstead
Kim Mehl		" "
Kallie Meyers		3100 Delano
FRUCE MEYERS		3100 DELANO