

CHARTER TOWNSHIP OF ORION ZONING BOARD OF APPEALS
******* MINUTES *******
REGULAR MEETING – MONDAY, August 9, 2021 – 7:00 PM

The Charter Township of Orion Zoning Board of Appeals held a regular meeting on Monday, August 9, 2021, at 7:00 pm at the Orion Township Community Center, 1335 Joslyn Road, Lake Orion, Michigan 48360.

ZBA MEMBERS PRESENT (Board Member Location):

Dan Durham, Chairman
Don Walker, PC Rep to ZBA
Mike Flood, BOT Rep to ZBA
Tony Cook, Vice-Chairman
Diane Dunaskiss, Board Member

ZBA MEMBERS ABSENT:

None

CONSULTANT PRESENT:

David Goodloe, Building Official

OTHERS PRESENT:

Julia Klee	James and Diane Zawal
Linda Moran	Lawrence and Deb Sak
Kyle Loveday	Will Wilsher

1. OPEN MEETING

Chairman Durham called the meeting to order at 7:00 pm.

2. ROLL CALL

As noted

3. MINUTES

A. 7-26-2021, ZBA Regular Meeting Amended Minutes

Moved by Board member Walker, seconded by Vice-Chairman Cook, to **approve** the minutes as presented.

Motion carried.

4. AGENDA REVIEW AND APPROVAL.

Moved by Trustee Flood, seconded by Commissioner Walker to **approve** the agenda as presented.

Motion carried.

5. ZBA BUSINESS

A. AB-2021-38, Kyle Loveday, 820 Merritt Ave., 09-10-429-037

Chairman Durham read the petitioner's request as follows:

The petitioner is seeking 3 variances from Zoning Ordinance #78 – Zoned R-2

Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2)

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1. A 10-ft. rear yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the rear property line.
2. An 8-ft. side yard setback variance from the required 8-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line (south).
3. An 8-ft. side yard setback variance from the required 8-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line (north).

Board member Walker moved, supported by Trustee Flood, to move this item to the end of the agenda to allow the petitioner time to arrive.

Vote was as follows: Durham, yes; Cook, yes; Flood, yes; Walker, yes; Dunaskiss, yes. Motion carried 5-0.

B. AB-2021-39, Julia Klee, 890 Buckhorn Dr., 09-11-454-007

Chairman Durham read the petitioner's request as follows:
The petitioner is seeking 2 variances from Zoning Ordinance #78 – Zoned R-3

Article VI, Section 6.04

1. An 18-ft. front yard setback variance from the required 30-ft. to erect a 6-ft. privacy fence 12-ft from the front property line (Buckhorn Dr.).

Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2)

2. A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line (south).

Ms. Julia Klee introduced herself and explained the variances requested for privacy fencing. She would like the 6 foot fencing because of the proximity to the property line and the fact that her neighbors have dogs and she would like the added quiet.

Board member Dunaskiss asked about the location of the proposed fence.

Ms. Klee explained the location of the existing fencing and the proposed fencing. She stated that she has two front yards and a very small backyard.

Board member Dunaskiss asked why the petitioner does not extend the picket fence.

Ms. Klee answered that she could do that but was looking to do the same thing consistently, meaning the same fence.

Board member Walker asked when the petitioner purchased the home.

Ms. Klee answered January 2019.

Chairman Durham asked if there was any public comment on this case.

Neighbor, 895 Buckhorn Drive, introduced himself to the Board. He agrees with the placement of the fence and he provided a letter to the Board supporting the request.

No further public comment was heard.

Ms. Klee commented that her adjoining neighbors have no issue with the proposed fence.

Vice-chairman Cook asked Ms. Klee why she wanted the 6 foot fence instead of the shorter picket fence.

Ms. Klee responded that the 6 foot fence is more private to her. If it was a concern that the 6 foot would obstruct traffic she would put the shorter fence, but it doesn't make any difference. She explained where the picket fence would be and where the 6 foot fence would be installed. She currently has 4 foot fence in a location 12 feet from the front. She is leaving the existing fencing where it is; the temporary fencing is being removed.

Vice-chairman Cook moved, and Board member Dunaskiss supported, in Case# AB-2021-39, Julia Klee, 890 Buckhorn Dr., 09-11-454-007 to grant the petitioner's request for 2 variances from Zoning Ordinance #78 – Zoned R-3 Article VI, Section 6.04 for an 18-ft. front yard setback variance from the required 30-ft. to erect a 6-ft. privacy fence 12-ft from the front property line (Buckhorn Dr.) and from Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2) for a 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line (south) because the petitioner has demonstrated that the following standards for variance have been met and they set forth facts in this case that show:

- 1. The petitioner does show the following practical difficulty; the construction and location of the home on the property being 12 feet from the property line.**
- 2. The following are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in this same district or zone: the property does have two front yards and in addition, the size of the home compared to the size of the lot.**
- 3. The variance is also necessary for the preservation and enjoyment of a substantial property right possessed by others in the same zone or vicinity based on the following findings of fact: there are a variety of sizes of fences because of where the property is located and the property is exceptionally small.**
- 4. The granting of the variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or to the improvement in such zone or district in which the property is located based on the following: this will allow for enjoyment for both sides of the fence in having more quiet and the ability to go out into the backyard at any time.**
- 5. Based on the following findings of fact, the granting this variance would not impair an adequate supply of light and air to the adjacent property, it would not unusually increase congestion on the public streets. There is also not going to be an increase of fire, or endanger of the public safety, and is not going to reasonably diminish or impair established property values within the surrounding area, due to the fact that when the fence is going to be erected, it will be erected with the good side of the fence facing out. The granting of this variance will not impair the public health, safety, comfort, morals or welfare of the inhabitants of the Township.**

Roll call vote was as follows: Durham, yes; Dunaskiss, no; Cook, yes; Flood, no; Walker, no. Motion failed 3-2.

C. AB-2021-36, Lawrence J. Sak, 980 Indianwood Road, 09-03-251-001 (postponed from the 7/12/2021 ZBA Meeting)

Chairman Durham read the petitioner's request as follows:

The petitioner is requesting 1 variance from Zoning Ordinance #78 -Zoned R-1

Article XXVII, Section 27.02 (A)(8) Buildings, Structures, and Uses, for lot size 1 to 2.5 acres

1. A 461.46 sq. ft. variance above the allowed 1,000 sq. ft. Maximum Floor Area of All Detached Accessory Buildings to build a 720 sq. ft. pole barn in addition to an existing 741.46 sq. ft. detached garage for a total of 1,461.46 sq. ft. Maximum Floor Area of All Detached Accessory Buildings.

Mr. Lawrence Sak introduced himself to the Board and explained the variance request and summarized all changes since July 12, 2021.

Chairman Durham commented on the favorable changes that Mr. Sak has made since his last presentation.

Mr. Sak stated that both neighbors were pleased with the changes and he has text messages from them verifying their approval of the new position.

Trustee Flood stated that he was happy that Mr. Sak worked with the neighbors and he appreciates the fact that all of the requested numbers have gone down.

Chairman Durham asked if there was public comment.

No public comment was heard.

Chairman Durham confirmed a written message from Pete and Wendy Micula, 996 Indianwood, approving the new location. He also confirmed a message from Bob and Kathy Brent, 80 Chippewa, approving the new location.

Board member Walker moved, and Trustee Flood supported, in Case # AB-2021-36, Lawrence J. Sak, 980 Indianwood Road, 09-03-251-001 to approve a variance from Zoning Ordinance #78 -Zoned R-1, Article XXVII, Section 27.02 (A)(8) Buildings, Structures, and Uses, for lot size 1 to 2.5 acres for a 461.46 sq. ft. variance above the allowed 1,000 sq. ft. Maximum Floor Area of All Detached Accessory Buildings to build a 720 sq. ft. pole barn in addition to an existing 741.46 sq. ft. detached garage for a total of 1,461.46 sq. ft. Maximum Floor Area of All Detached Accessory Buildings because the petitioner did demonstrate that the following standards for variance have been met and they set forth facts in this case that show:

1. The petitioner does show the following practical difficulty; due to the unique shape of the property and it being very narrow and very long. When the petitioner came to the Board originally, the neighbors did not support the proposal.

2. The following are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in this same district or zone: the unique shape and size of the lot. It is sized between 1.5 and 2 acres but is not squared, it is long and elongated.

3. The variance is also necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone or vicinity.

4. The granting of the variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or to the improvement in such zone or district in which the property is located based on the following: the property is located based on the following; it is off of the road.

5. Based on the following findings of fact, the granting this variance would not impair an adequate supply of light and air to the adjacent property, it would not unusually increase congestion on the public streets. There is also not going to be an increase of fire, or endanger of the public safety, and is not going to reasonably diminish or impair established property values within the surrounding area. The granting of this variance will not impair the public health, safety, comfort, morals or welfare of the inhabitants of the Township.

Roll call vote was as follows: Durham, yes; Dunaskiss, yes; Cook, yes; Flood, yes; Walker, yes. Motion carried 5-0.

D. AB-2021-41, Orion Storage, 1761 W. Clarkston Rd., 09-16-226-001, & .648 acres of 09-16-200-002 (postponed from the 7/12/2021 ZBA meeting)

Chairman Durham read the petitioner's request as follows:
The petitioner is seeking 8 variances from Zoning Ordinance #78 – Zoned LI

Article XVI, Section 16.04 – Area and Bulk Requirements

1. A 20-ft. side yard setback variance, from the required 25-ft., for a building to be 5-ft. from the property line (east).
2. A 12.52-ft. side yard setback variance, from the required 25-ft., for a building to be 12.48-ft. from the property line (west).
3. A 7.2% lot coverage variance, above the allowed 30%, for a total lot coverage of 37.20%.

Article XVI, Section 16.03(C)(3)

4. A 15-ft. off-street parking setback variance, from the required 20-ft., for parking to be 5-ft. from the property line (east).

Article XVI, Section 16.03(D)(2)

5. A 39-ft. greenbelt width variance, from the required 50-ft., for the greenbelt width to be 11-ft. (south).
6. A 37.52-ft. greenbelt width variance, from the required 50-ft., for the greenbelt width to be 12.48-ft. (west).
7. Interpretation of Zoning Ordinance #78, Section 16.03(D)(2), what width of greenbelt applies when adjacent to REC-2, if any?
8. A 45-ft. greenbelt width variance, from the required 50-ft., for the greenbelt width to be 5-ft. from a recreational use (east).

Mr. Gary Quesada introduced himself to the Board members as representing the applicant.

Chairman Durham commented on variances #7 and #8. There is no language for these variance requests. He feels that #7 and #8 should be dropped.

Mr. Quesada stated that these two variance requests, #7 and #8, were about legal issues which they talked about last time.

Board members discussed whether or not to consider variance #7 and #8.

Trustee Flood stated that according to the Township Attorney, the Zoning Board does not have the authority to weigh in on #7 or #8 because the language is not in the ordinance. The ordinance defines commercial property and residential use and zoned property. He suggested that a separate motion be made.

Trustee Flood moved, and Chairman Durham supported, in the matter of ZBA Case # AB-2021-41, Orion Storage, 1761 W. Clarkston Rd., 09-16-226-001, & .648 acres of 09-16-200-002 to remove items #7 Interpretation of Zoning Ordinance #78, Section 16.03(D)(2), what width of greenbelt applies when adjacent to REC-2, if any? And #8. A 45-ft. greenbelt width variance, from the required 50-ft., for the greenbelt width to be 5-ft. from a recreational use (east) be removed pending the Township Attorney's opinion that the ZBA has no authority on judging those two items.

Roll call vote was as follows: Durham, yes; Dunaskiss, yes; Cook, yes; Flood, yes; Walker, yes. Motion carried 5-0.

Mr. Quesada stated that if the Township hasn't spoken on the issue, it means that there is no government mandate for the property owner to do one thing or another. He stated that they would like to go forward with the variance request. The greenspace to the Rec area is a secondary issue. He stated that they met with the Polly Ann Trail representatives and there seems to be confusion about this property. Mr. Quesada displayed several renderings for the Board members to review and he explained them. The five foot setback

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that they are asking for is only in the one spot where the saw tooth approaches the building. The saw tooth moves away from the building then and moves out to 15 feet. He pointed out another point in the back that is 35 feet. They are not asking for 5 feet the whole way because it ends up being a taper. He pointed out the landscaping that would be used for screening.

Mr. Quesada stated that based on the Planning Commission's approval, if they get approval from this Board for the variances, they can move forward.

Chairman Durham stated that they might need more, he doesn't know.

Mr. Quesada stated that if all of the other variances are granted, he is not sure that lacking #7 and #8 are going to have an effect. He will talk to the Township Attorney and discuss it.

Board member Walker stated that the indication that he sees is that if they follow the Township Attorney's recommendation, they are not going to hear the rest of the argument. It effectively closes the door on the case today. Another conversation with the Polly Ann Trail folks is in order.

Mr. Quesada asked if they are asking for a continuance.

Chairman Durham stated that the applicant has the right to ask for a vote on what they brought in tonight or they have the right to withdraw and re-present at another time.

Mr. Quesada stated that there might be understanding what it means that variance #7 and #8 are gone. He thinks it means there is no governmental mandate for those issues.

Chairman Durham asked if it was his feeling that if he got approval for everything except #7 and #8, that he can move forward?

Mr. Quesada replied yes, that is what he is hearing but he did not get the legal memo.

Board member Walker stated that the discussion with the Township Attorney and Polly Ann representatives might get it done.

Chairman Durham asked if there was public comment.

Linda Moran, Polly Ann Trail Manager, stated that they walked the site with Mr. Quesada. Prior to the visit, they were under the impression that it was 5 foot for the entire property. Mr. Quesada showed them the renderings and were cooperative with their requests. She stated that they added the landscaping and she thinks it is a very doable project. She stated that are fine with the amended proposed plan.

Chairman Durham asked Building Official Goodloe if the variances were successful, would they need to go to site plan review.

Building Official Goodloe asked if there were any outstanding issues.

Mr. Quesada stated that they do not have to go back to the Planning Commission if they are granted the variances.

Building Official Goodloe stated that if the site plan was changed as Mr. Quesada suggested in the aerials shown tonight, they would have to go back to the Planning Commission.

Chairman Durham commented that the site plan displayed tonight looked good.

Building Official Goodloe confirmed that they would need to go back in front of the Planning Commission for the amended site plan.

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Trustee Flood stated that the applicant is using the school's greenbelt to substantiate not having a greenbelt. In the packet, there are no neighbors shown. In fact, the school has hundreds of children occupying that building. When variances are granted, they go with the land forever. This is a concern that he has when these variances are granted. He provided historical information regarding the property.

Board member Walker stated that the request is different than the request that was in the original packet.

Mr. Quesada commented that the zigzag property line has always been there but it is difficult to tell on a two dimensional drawing. The applicant bought a 40 foot strip on the west side with the school district who redeveloped the property.

Board member Walker asked if the petitioner's request was the same as it was before.

Building Official Goodloe stated that Tammy Girling did not mention that there were any differences.

Mr. Quesada stated that there are no differences. The only thing they added was the landscaping.

Trustee Flood stated that he is focused on the six variances in front of them; landscaping has nothing to do with them. The rezoning of the 40 feet that the petitioner purchased was approved and will remain. Even with the purchase of the 40 feet, the petitioner still cannot make the requirements of the greenbelt on the west side, nor can he meet the lot coverage.

Chairman Durham provided the options to the petitioner.

Mr. Quesada stated that he believes he needs to see the memo from the Township Attorney.

Board members discussed client confidentiality.

Mr. Quesada stated that it was probably in their best interest to withdraw the case and come back on a date certain.

Board member Walker moved, and Board member Dunaskiss supported, that at the petitioner's request, they adjourn to a date certain of September 27, 2021.

Roll call vote was as follows: Durham, yes; Dunaskiss, yes; Cook, yes; Flood, no; Walker, yes. Motion carried 4-1.

E. AB-2021-46, Diane & James Zawal, 733 Buckhorn, 09-11-456-019

Chairman Durham read the petitioner's request as follows:

The petitioner is seeking 1 variance from Zoning Ordinance #78 – Zoned R-3

Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2)

1. A 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence on the side property line (north).

James and Diane Zawal introduced themselves to the Board and explained the variance requested.

Chairman Durham asked if there was a developing neighborhood dispute over this.

Ms. Zawal stated that there were issues created by the dogs jumping into their yard. A 6 foot fence would keep their dogs safe and the neighborhood dogs would be kept out.

Mr. Zawal stated that the neighbor told him to do whatever he wanted.

Chairman Durham asked how many running feet of fence would he have.

Mr. Zawal stated that it is 200 feet but it doesn't go straight. He explained the route of the fence. It is not near the street. He provided the details of the vinyl fence that they are proposing.

Board member Dunaskiss asked if the dogs went back into their yard after they called animal control.

Ms. Zawal replied no but they want to avoid future conflicts.

Board member Walker asked how many dogs they had.

Ms. Zawal replied two puppies and another female dog that is 8.5 years.

Board member Walker asked when they moved into the house.

Ms. Zawal replied 2013. The neighbors are new and moved in last year.

Chairman Durham asked if there was any public comment.

No public comment was heard.

Mr. Zawal stated that they have also talked to all of the other neighbors and no one has a problem with it.

Trustee Flood confirmed that the practical difficulty is the neighbor's dogs.

Mr. Zawal replied and their own dogs when they get older. The current fence is a 4 foot wood privacy fence.

Vice-chairman Cook asked when they contacted animal control and they came out, what was the resolution.

Ms. Zawal replied that the control officer never came back and gave her a report after he went over and talked to the neighbors.

Vice-chairman Cook asked since the last occurrence in October of last year, have there been any additional issues.

Ms. Zawal stated no; they have been keeping an eye on them when they put them out.

Vice-chairman Cook asked if they are show dogs.

Ms. Zawal replied yes.

Vice-chairman Cook moved, and Board member Dunaskiss supported, in the matter of ZBA AB-2021-46, Diane & James Zawal, 733 Buckhorn, 09-11-456-019 that the petitioner's request for 1 variance from Zoning Ordinance #78 – Zoned R-3, Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2) for a 10-ft. side yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence on the side property line (north) be denied because the petitioner did not demonstrate the following standards for variance have been met in this case in which they set forth facts that show:

1. The petitioner does not show a following practical difficulty due to the strict definition of that. It does have strict characteristics of the property but it is not related to the general condition of the area of the property.

2. The following are not exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in this same district or zone:

there was an incident where a neighbor's dog did jump the fence. It was addressed and has not happened since that one occasion.

3. The variance is not necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zone or vicinity based on the following findings of fact.

4. The granting of the variance or modification will be materially detrimental to the public welfare or materially injurious to the property or to the improvement in such zone or district in which the property is located due to the fact that this fence would run between the properties and at some point potentially impair other views, but more importantly, it does not rise to the occasion that there is a danger from the neighbor's based upon the discussion that they have had here tonight.

5. Based on the following findings of fact, the granting this variance would not impair an adequate supply of light and air to the adjacent property, it would not unusually increase congestion on the public streets or increase of possibility of fire since they do have a letter from the Fire Marshall. It would not reasonably diminish or impair established property values within the surrounding area, or impair the public health, safety, comfort, morals or welfare of the inhabitants of the Township.

Roll call vote was as follows: Durham, no; Dunaskiss, yes; Cook, yes; Flood, yes; Walker, yes. Motion carried 4-1.

A. AB-2021-38, Kyle Loveday, 820 Merritt Ave., 09-10-429-037

Chairman Durham read the petitioner's request as follows:
The petitioner is seeking 3 variances from Zoning Ordinance #78 – Zoned R-2

Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2)

1. A 10-ft. rear yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the rear property line.
2. An 8-ft. side yard setback variance from the required 8-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line (south).
3. An 8-ft. side yard setback variance from the required 8-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line (north).

Mr. Kyle Loveday introduced himself and explained the variance request.

Chairman Durham asked if he believed in underground fence.

Mr. Loveday replied that currently he has a 4 foot chain link fence. He would also like the dogs to not be able to see the neighbors when they are out. He described the two dogs that he has.

Board member Walker asked when he purchased the property.

Mr. Loveday replied 5 years ago. He stated that they adopted the first dog within a year of owning the property. His 3 year old dog is good but he jumps the fence.

Board member Walker asked if he has jumped the 4 foot fence.

Mr. Loveday replied no.

Board member Walker explained that he could put up a 4 foot fence or a 6 foot fence not on the property line without a variance.

Mr. Loveday replied that he wants it on his property line so he doesn't lose any property by moving 10 feet. There are a lot of trees there and he would like to continue to look at the trees.

Board member Dunaskiss asked why he wanted a higher fence in the back yard that adjoins his neighbor.

Mr. Loveday stated that with a 6 foot fence, he would not be able to see all of the neighbor's stuff behind his house and the neighbor would not see his stuff.

Chairman Durham asked about the stuff behind the neighbor's house. He asked if the ordinance person would be interested in investigating.

Mr. Loveday replied no; he takes care of his entire property. His house is probably 290 feet from the proposed fences

Board member Dunaskiss asked if he put up a 4 foot fence, could he put vegetation in the rear to provide a visual barrier.

Mr. Loveday replied that he didn't know what he would be able to put back there. He doesn't want his dog barking at the neighbor all day. The neighbor to the north of him has the same exact fence set up.

Trustee Flood asked if he got a variance for that.

Mr. Loveday replied he doesn't know.

Board member Walker moved, and Vice-Chairman Cook supported, in case # AB-2021-38, Kyle Loveday, 820 Merritt Ave., 09-10-429-037 to deny the petitioner's request for 3 variances from Zoning Ordinance #78 – Zoned R-2, Article XXVII, Section 27.02(A)(4) & Article XXVII, Section 27.05(H)(2) for a 10-ft. rear yard setback variance from the required 10-ft. to erect a 6-ft. privacy fence 0-ft. from the rear property line, for an 8-ft. side yard setback variance from the required 8-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line (south) and an 8-ft. side yard setback variance from the required 8-ft. to erect a 6-ft. privacy fence 0-ft. from the side property line (north) be denied because:

- 1. The petitioner does not show a following practical difficulty. Petitioner has a long lot and the property currently has a 4 foot chain link fence. The petitioner admitted that there are alternatives that he could use including a 6 foot fence not on the property line and a 4 foot fence on the property line and the petitioner indicated that he did not want to avail himself of those possibilities.**
- 2. The above are not exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in this same district or zone in that his neighbor has the same size lot.**
- 3. The variance is not necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zone or vicinity based on the following findings of fact.**
- 4. The granting of the variance or modification would be materially detrimental to the public welfare**
- 5. The granting this variance would not impair an adequate supply of light and air to the adjacent property, it would not unusually increase congestion on the public streets or increase of possibility of fire. It would not reasonably diminish or impair established property values within the surrounding area, or impair the public health, safety, comfort, morals or welfare of the inhabitants of the Township.**

Roll call vote was as follows: Durham, yes; Dunaskiss, yes; Cook, yes; Flood, yes; Walker, yes. Motion carried 5-0.

6. PUBLIC COMMENTS

None

7. COMMUNICATIONS

A. Date Certain Memo

8. COMMITTEE REPORTS

None

9. MEMBERS' COMMENTS

Board member Walker discussed the fence cases that were presented during tonight's meeting.

Board member Dunaskiss commented on the fence cases tonight.

Trustee Flood commented on the recent joint meeting with the Township Board.

10. ADJOURNMENT

Moved by Trustee Flood, seconded by Chairman Durham to adjourn the meeting at 8:33 pm

Respectfully submitted,

Erin A. Mattice
Recording Secretary