

MINUTES OF THE JUNE 11, 2025

MILLINGTON TOWNSHIP ZONING BOARD OF APPEALS

The meeting was called to order by. Robert Benard at 6:01 PM

Roll call: Present were members Robert Benard, Carol Kager, Matt Opperman, Nathan Ptaszenski, and alternates George Moore and Emory Close. Absent and excused was member Kassie Burns.

There were nine people in the audience.

Seating of Alternates: A motion to seat Alternate Moore in the absence of Burns was made by Benard, supported by Opperman. The motion was carried by a unanimous voice vote.

The Pledge of Allegiance was recited.

Approval of Meeting Agenda: A motion was made by Kager, supported by Opperman to approve the meeting agenda. The motion was carried by a unanimous voice vote.

Approval of the May 6, 2025 Meeting Minutes: Kager noted several changes to be made to correct the Minutes of the May 6, 2025 ZBA meeting by:

1. **correcting** 2 misspellings on p. 2;
2. **adding** on p. 2, under Public Comments, after the comments attributed to Matt Opperman that "It was noted by Ms. Kager that the 2007 Planning Commission minutes that mentioned 'Kager' as a board member referred to Richard Kager, her late husband, and not herself."
3. **omitting**, on p. 3 the entire paragraph under e: " Ms. Nisidis then handed the 'Statement of Position submitted by Appellee Tri-County Aggregates' to Ms. Kager to be added to the minutes of this meeting. (It was noted by by Ms. Kager at this time that exhibits by MS. Nisidis that were records of Planning Commission decisions from 2007 that included a mention of 'Kager' as a voting member of the Planning Commission referred to the late Richard Kager.)"
4. **adding**, on p.2, under public comments during the Public Hearing that Ed Maschke provided documentation from the Township Attorney giving the Planning Commission discretion prior to the decision on the Special Land Use Permit.

Discussion followed.

A motion was made by Kager, supported by Opperman, to accept the minutes as amended. A roll call vote was taken: Ptaszenski: Yes, Kager: Yes, Opperman: Yes, Moore: Yes, Benard; Yes. The motion was carried.

The Millington Township Policy for Public Comments was Identified.

Public Comments: There were no Public Comments.

Old Business: None

New Business: None

A motion was made by Benard, supported by Kager, to close the Public Meeting and move to the Public Hearing. A roll call vote was taken: Ptaszenski: Yes, Kager: Yes, Opperman: Yes, Moore: Yes, Benard: Yes.

The Public Hearing Commenced at 6:14 PM

Noticed Public Hearing:

Consider a dimensional requirement variance for parcel #017-032-000-1000-00 at 10528 Old Irish Road, Millington, MI.

Seating of Alternates: Moore had already been sworn in as an alternate in the absence of Burns.

Public Comments:

- Janet Dimond Burris: Questions who owns the property, and why did someone other than the owner request the variance. A new septic field was installed at the 10528 Old Irish Road address in 2012, at which time it was noted that there was a high water table and heavy soil at the location; she is worried about run off of water on the property. She also noted that the property was .53 acre, as opposed to the township AR requirement of 1 acre minimum for building. There is a fence put up partly on her property. Her property is to the north and east.
- Donald Whitehead: Gifted this property to his daughter; she and husband have cleaned it up; had the property surveyed today. The 2012 septic can be changed if necessary.
- James Trudgeon: The property has been sold 3 or 4 times; can't keep the border straight. Every time he turns around, someone else owns the place. Why was the 2012 septic added. Need a 4/12 pitch on the roof.
- Donna Mc Graw: Lived there (in trailer) from about 1997-2015. They had the septic done in 2012, because the old system (barrel in the ground) was failing.
- Lori Hunt: It seems that there may be confusion between "modular" and "manufactured" home. This will be a modular home, built on site. This will improve

everybody's property value This is a young couple wishing to put down roots. The American dream.

- Letters from Janet Dimond Burris and her attorney Gregory S. Schroder were read aloud. Copies are attached.

Presentation by Petitioners Danela and Jeremy LaFoy

- Petitioners described their plans to build a modular home on the lot in question. A trailer, in which they have lived for four years, and a garage are on the property now. The plan to remove both structures and to build a 56' wide house with a 24' wide attached garage, for a total of 80' wide.
- Ms. La Foy reported that she has lived in Millington her whole life, and would like to put down roots here and raise a family.
- Property values would increase if this is permitted.

Presentation by Zoning Administrator

Written comments by Zoning Administrator Tammy Daenzer are attached.

ZBA Discussion and Action

- This project would improve the neighbors' views. The property now is assessed at \$30,000.00; would probably improve to about \$140,000.00.
- Remember the process in Ordinance 19.04-"Review Considerations;" these considerations show that practical difficulties will result if the appeal is denied.
- From Ordinance Article 15; 15.03 "Should such [non-conforming] structure be moved for any reason whatever, it shall thereafter conform to the regulations of the district in which it is located after it is moved".
- A 5' difference does not amount to a lot.
- A motion was made by Ptaszenski, supported by Moore to approve the variance as requested to reduce the lot width from 150' to 110'; to reduce the acreage required from 1 acre to .53 acre; to reduce the side lot line back from 20' to 15'.
- A roll call vote was taken: Ptaszenski: Yes, Kager: Yes, Opperman: Yes, Moore: Yes, Benard: No. Benard commented that he felt the width of the house could have been changed.

A motion was made to close the Public hearing and return to the Public Meeting by Opperman, supported by Benard. The motion was carried by a unanimous voice vote.

ZBA Member Comments: It was noted that Benard, Kager, Opperman, Ptaszenski, Moore and Close attended the Michigan Township Association attended the 4 hour training class for Zoning Board Members, fulfilling their annual training obligation.

Adjournment: A motion was made by Kager, supported by Opperman to adjourn the meeting. The motion was carried by a unanimous voice vote.

The meeting was adjourned at 7:07 PM.

Carol Kager, Secretary

Millington Township Zoning Board of Appeals