

WEXFORD COUNTY ZONING BOARD OF APPEALS
Meeting Minutes: Monday, September 15, 2014
Human Services Building; 401 N. Lake Street
7:00 PM

1. **Call to Order:** Chairperson Monroe called the meeting to order at 7:00 PM
2. **Roll Call:** Prebay, Swank, Wiersma, Adams, Vice Chairperson, and Monroe - Chairperson were present. Michael Green, Zoning Administrator, was also present.
3. **Approval of the Agenda:** Motion was made by Adams, with support by Wiersma, to approve the agenda as presented. Motion carried with all in favor.
4. **Approval of the August 18, 2014 Minutes:** Monroe moved to add "Monroe and" before "Wiersma" in the last sentence of Item #6. Motion was made by Wiersma, with support by Adams, to approve the August 18, 2014 Minutes as corrected. Motion carried with all in favor.
5. **Correspondence not related to public hearing(s):** *[None]*
6. **New Business**
 - (a) **PZBA #14-004:** Request for a variance from the zoning district front yard fence height limit of 3 feet to allow a four (4) foot cyclone fence due to a shallow rear yard. The property is located on 1621 S. Lake Mitchell Drive in Cherry Grove Township. Michelle Dodson is the applicant.
 - i. **Open Public Hearing and Review Request:** Monroe opened the public hearing at 7:10 pm. Rich Herweyer was present as the representative to the applicant and was available to answer questions.
 - ii. **Acknowledge Written/E-mail Comments Received:** *[None]*
 - iii. **Receive Public Comments:** Rich Herweyer spoke in favor of the request and explained that the fence will only be one foot higher than already allowed and will not impair site vision for traffic entering the roadway. The fence will be an open cyclone construction.
 - iv. **Close Public Hearing for Board Comments:**
 - A. Prebay stated that there is already a fence in the front yard. It was noted that the existing fence is three foot high and in compliance with the Ordinance.
 - B. Monroe did not believe that the site plan accurately depicted the front yard setback line and wondered if the fence would remain off the road right-of-way.
 - C. Wiersma suggested that approval be conditional on the fence being kept out of public right-of-ways.
 - v. **Consider Motion:** Motion was made by Adams, with support by Wiersma, to grant the variance for an additional one foot in fence height in the front yard. Motion carried by 5-0 roll call vote.
7. **Old Business:** *[None]*
8. **Other Business:** It was reported that the Planning Commission once again approved the request for a new cell tower on E. 24 Road in Colfax Township at their meeting on September 10, 2014. Green reported that Verizon has filed a lawsuit against the County and the Zoning Board of Appeals due to the decision to overturn the granting of the special use permit for the Woodward Lake site at M-115 and S. 29 Road. Wiersma asked Green if the county has hired a municipal

attorney to represent them. Green responded that the county has municipal counsel other than the prosecutor and has asked them to respond to Verizon's lawsuit. Upon request of Monroe and Wiersma, Green promised to provide a copy of the lawsuit to each member, along with a zoning board of appeals handbook. [Monroe asked if the Zoning Board of Appeals members had training. They all indicated that they did not.](#)

9. **Public Comment:** *[None]*

10. **Adjournment:** Motion was made by Adams, with support by Wiersma, to adjourn the meeting at 7:40 pm. Motion carried with all in favor.

Respectfully Submitted by:

Michael Green, Zoning Administrator

Beverly Monroe, Chairperson