

**REGULAR MEETING  
ZONING BOARD OF APPEALS  
CHARTER TOWNSHIP OF MILFORD**

**JUNE 9, 2010  
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**MEMBERS PRESENT:** Richard Chowaniec, Chairman; George Joerin, Vice-Chairman; Keith Cheresko; Secretary; Members Richard Lemke, Lance Oberg, Dale Wiltse

**ABSENT:** Member William Russo

**ALSO PRESENT:** Kenneth and Linda Peltier, Timothy Brandt, Building Official; Holly Brandt Township Clerk, Recording Secretary; One Audience Member

Chairman Chowaniec called the meeting to order at 7:27 p.m. and determined that a quorum was present.

The Pledge of Allegiance was recited.

**PLANNING COMMISSION LIAISON REPORT**

Mr. Lemke reported on the Planning Commission meeting of May 27, 2010.

**TOWNSHIP BOARD LIAISON REPORT**

Mr. Wiltse reported on the Township Board meeting of May 19, 2010.

**UNFINISHED BUSINESS**

VARIANCE V-10-001 (POSTPONED FROM APRIL 14, 2010) – KENNETH PELTIER, 16-29-201-004

Chairman Chowaniec stated the public hearing portion of this request was held at the April meeting.

Mr. Kenneth Peltier, 2561 W. Buno Road, Milford, presented four letters in support of his request from surrounding property owners and photos of the barn for the Board's inspection. He said he has added a second story to the barn to store hay for his horses and said he didn't know that the original variance for the barn did not address this type of addition.

The Board discussed the original variance for a side yard setback and the recent modification to the barn. Mr. Brandt said the ordinance allows for a 20% increase value for repairs but that does not include costs for an increase in size.

Chairman Chowaniec stated there were four letters from neighboring property owners in favor of the project as follows: Mr. David Thomas, 2515 W. Buno

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Road, Mr. Rob Bean, 2601 W. Buno Road, Mr. Mike Miller, 2581 W. Buno Road and Mr. & Mrs. Dan Russo, 2525 W. Buno Road.

Mr. Peltier said he wasn't aware he needed another variance to add the second story. He also said he had to make substantial improvements to the barn because it was in disrepair.

Mr. Cheresko stated the structure should be considered as new construction and if a new barn were to be built the present location would make sense because of the topography issues.

The Board discussed the topography of the property. It determined the existing location was the only location in which a barn could be placed. It was noted that the applicant did not get a permit for the second story addition.

Chairman Chowaniec called for findings of fact:

- Addition would be minimal expansion of non-conforming building.
- The structure was existed when the home was purchased by applicant.
- The structure would not have an adverse affect on the neighboring property.
- The neighboring property has previously received a variance for an accessory structure.
- Applicant is allowed two out buildings on the property.
- Proposed location is most ideal for intended use.
- If placed elsewhere, it would limit the applicant from building a small storage shed.

Mr. Oberg moved, Mr. Cheresko seconded to approve the variance request V-10-001, Kenneth Peltier, 2561 W. Buno Road, 16-29-201-004 with the same findings of fact as the original variance, V-08-002, from February 13-2008 with the exception of the location based on the following findings of fact:

1. Addition would be minimal expansion of non-conforming building.
2. The structure was existed when the home was purchased by applicant.
3. The structure would not have an adverse affect on the neighboring property.
4. The neighboring property has previously received a variance for an accessory structure.
5. Applicant is allowed two out buildings on the property.
6. Proposed location is most ideal for intended use.
7. If placed elsewhere, it would limit the applicant from building a small storage shed.

**Motion unanimously carried.**

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**APPROVAL OF MINUTES**

Mr. Wiltse moved, Mr. Cheresko seconded to add approval of July 8, 2009 minutes to the agenda and amend the agenda changing the approval of minutes for April 14, 2009 to April 14, 2010. **Motion unanimously carried.**

**APPROVAL OF MINUTES, JULY 8, 2009**

Mr. Oberg moved, Mr. Wiltse seconded to approve the minutes of July 8, 2009 as amended. **Motion unanimously carried.**

**APPROVAL OF MINUTES, NOVEMBER 18, 2009**

Mr. Wiltse moved, Mr. Oberg seconded to approve the minutes of November 18, 2009 as corrected. **Motion unanimously carried.**

**APPROVAL OF MINUTES, DECEMBER 9, 2009**

Mr. Wiltse moved, Mr. Oberg seconded to approve the minutes of December 9, 2009 as corrected. **Motion unanimously carried.**

**APPROVAL OF MINUTES, APRIL 14, 2010**

Mr. Wiltse moved, Mr. Cheresko seconded to approve the minutes of April 14, 2010 as corrected. Mr. Oberg abstained as he was not in attendance for the meeting. **Motion carried.**

**BOARD MEMBER'S REMARKS**

Mr. Oberg discussed continued review of the ZBA application form and the board agreed this was a good idea.

**CALL TO THE PUBLIC**

There was no response from the public.

**ADJOURNMENT**

Mr. Cheresko moved, Mr. Wiltse seconded to adjourn the meeting at 8:12 p.m. **Motion unanimously carried.**

Charter Township of Milford,

Keith Cheresko  
Secretary