

GRAYLING CHARTER TOWNSHIP ZONING BOARD OF APPEALS
OCTOBER 21, 2019 MINUTES (DRAFT)

1. 7:00 P.M. Call to order.
2. Pledge of allegiance.
3. Roll Call
Present –French, K. Olson, J. Zalobsky, McClain & alternate C. Reetz
4. Chair explains the formation, powers and duties of the zoning board of appeals and the public procedure to be followed. (3, 4 or All) members were present. Chair explains that a majority of three votes is needed to take action. Variances are granted to the property, not to the owner. Chair reads 125.3606 MCL concerning appeals. An appeal under this section shall be filed within 30 days after the zoning board of appeals certifies its decision in writing or approves the minutes of its decision. Appeals of zoning decisions are made in circuit court.
5. Chair opens public hearing closes regular meeting.

Motion by J.Zalobsky support by K. Olson to amend agenda and hear Case#19-08 before Case #19-07

Case # 19-08	Request for variance
Petitioner:	Sandra Moore
Address:	4109 E. Beaver Island Rd. Grayling, MI 49738
Local Address	4109 E. Beaver Island Rd Grayling, MI. 49738
Property ID #	040-41-008-04-120-00
Location	SEC 8 T26N R3W
Zoning:	NRD Natural River District
Lot size:	1.60 acres+-
Request:	Requesting 128’ front variance to construct 30X36 Great Room. Requesting 75’ front variance to construct 40X60 Attached Garage.
Non-conformances:	Ordinance 2018-01, Article 4.12 section I.2
Zoning justification:	Ordinance 2018-01, Section 8.3.A.4.A-I

Petitioner Sandra Moore explains request.
No public comments or letters in opposition

6. Chair closes public hearing opens regular meeting.
Motion by C. Reetz support by J. Zalobsky to approve request as presented. All ayes. Motion carried. Work sheets on file.
7. Chair opens public hearing closes regular meeting.

Case # 19-07	Request for variance (tabled from 9-16-19)
Petitioner:	Sheronica Chase- Agent Tillman Infrastructure.
Address:	10700 W. Higgins Rd. Rosemont, IL 60018
Local Address	581 N. Wilcox Bridge Rd.

Property ID # Grayling, MI. 49738
040-44-032-04-080-01
Location SEC32 T27N R3W
Zoning: R-F Recreational Forest
Lot size: 2.50 acres +or-
Request: Requesting Separation Variance half mile separation requirement, and
Fall zone setback of 109' for 180' tower
Non-conformances: Ordinance 2018-01, Article 7.24.C.1.6.
Zoning justification: Ordinance 2018-01, Section 8.3.A.1-.4.A-I

Tillman spokesman Mike Bieniek explains request
Mike addresses tower location proximity, explains existing structural analysis of current tower cannot support new array of equipment needed for modern service. 3G service will be mandated by the Federal Government to be eliminated.
Explains sabre engineering for new tower collapses onto itself and only needs a 30 ft. fall radius.
Would only fall on leased property.
Airport zoning height has been approved.
First net will be on new tower.
Explains October 18, 2019 letter (on file)
Explained the process to select location.
Twelve possible parcels sent representative to knock on doors. Smock and Quintano said they would allow tower on their property.
DNR variance in flood plain is not easy and is one of the reasons Quintano property was selected over Smock.
Explains flight path.
Requests both variance's be approved.

Joe Smock explains discrepancy with locations sited on his property with markers in letter.
Explains his property has FEMA/LOMA survey above the flood plain.
Explains his reason for not wanting tower on small lot.
Neighbor Betty Millikin expressed her concerns to Joe in regards to tower being on Quintano property. Letter of opposition from Betty Millikin (9-16-19 ZBA meeting) on file.

Larry Opalewski (American Tower Rep) existing wood tower.
Larry explains parcel requesting variance needs practical compromise caused by exceptional or extraordinary circumstances.
Not to be self-created.
Strict compliance with regulations would make it very burdensome.
Would locate on a new pole if it existed.

Rebuttal from Mike Bieniek.
Addresses Mr. Smock's concerns, engineering is done to specific parcels.
Addresses Mr. Opalewski's statements, Definition of hardship is existing technology is reason for hardship.
AT&T has not reached out to American Tower letter on structural deficiencies to AT&T submitted in June 2017.
Larry explained his company has informed AT&T has contacted American Tower.

8. Close public hearing open regular meeting.

Board has discussion.

C. Reetz explains proximity is an issue with her.

J. Zalobsky has concerns about separation upon fall of tower.

Motion by C. Reetz support by McClain to deny requests.

Roll call vote-

K. Olson-aye, C. Reetz-aye, J. Zalobsky-aye, McClain-aye

French-nay

Four ayes, one nay. Motion carried. Work sheets on file.s

9. Motion by C. Reetz support by J. Zalobsky to approve minutes from September 16, 2019 with corrections. All, ayes. Motion carried.
10. Motion by C. Reetz support by J. Zalobsky to adjourn 8:20 pm. All ayes. Motion carried.