

**MINUTES ZONING BOARD OF APPEALS  
Variance Request # 2016-VA-001-Shepler Development  
PUBLIC HEARING  
MACKINAW CITY**

**7:00 PM**

**July 21, 2016**

**I. CALL TO ORDER/TAKING OF ROLL/PLEDGE OF ALLEGIANCE**

President Robert R. Heilman called the meeting to order and with the following Trustees present –Belinda Mollen, Scott Newman, Mario Rodriquez, Robert Glenn, Tom Chastain, and Paul Michalak. Also present, Kenneth Lane-Attorney, Fred Thompson Jr.-Zoning Administrator and Lana Jaggi-Clerk.

Chris Shepler from Shelper Development was present also.

Visitors – List Attached.

Pres. Heilman informed the ZBA and the public the Pledge of Allegiance would be recited during the regular meeting and all discussion or comments must regard the variance request.

**Public Comments:**

John Lemanski-Resident, against variance

Mathew Vermetten, Attorney representing opposing side-provided letter

The applicant requested the following consideration:

- 12-104 (C) 1-3, Elimination of all yard setbacks
- 04-114, Elimination of landscape requirements
- 04-111 Elimination of landscape for parking lots

Lengthy discussion eschewed between council members. Attorney Lane summarized five zoning qualifications needed to allow the variance.

**MOTION TO DENY VARIANCE REQUEST 2016-VA-001**

Motion Newman seconded Glenn to deny variance request 2016-VA-001 based on the following:

- In accordance with Section 24-104 of the zoning ordinance, the ZBA has received public comment, materials and documents relating to a variance request submitted by Shepler Development, whose property is located at 503 East Etherington in the Village; and
- After consideration of such items, the ZBA denies the requested variances for 503 East Etherington based upon the inability to meet each of the required zoning ordinance standards; and

**MINUTES ZONING BOARD OF APPEALS  
Variance Request # 2016-VA-001-Shepler Development  
PUBLIC HEARING  
MACKINAW CITY**

**7:00 PM**

**July 21, 2016**

**Page 2**

- **Specifically:**
  - **The need for the requested variances is not solely based upon unique circumstances or physical conditions of the property but rather the applicant's personal or economic difficulty; although the applicant can operate an off-street parking lot, it cannot fit as many parking spaces as desired on the property;**
  - **Strict adherence to the requirements of the zoning ordinance will not unreasonably prevent the applicant from constructing or operating an off-street parking lot;**
  - **The variances are not minimum actions, rather they represent a total elimination of three separate sections of the zoning ordinance.**

**Roll Call: Yeas-Mollen, Newman, Rodriguez, Heilman, Glenn, Chastain, Michalak.  
Nays - none. Motion carried. Variance denied.**

**Adjournment 7:46 pm**

**Respectively Submitted;**

**Robert R. Heilman; President**

**Lana Jaggi; Clerk**