

**Village of Baldwin
Zoning Board of Appeals
November 5, 2021
Meeting Minutes
(approved)**

CALL TO ORDER

Meeting called to order at 12:58 P.M

Robert Toland Village Planner

Roll Call: The Meeting began at 1:15 PM at the Baldwin Village offices

Present: Crystal William's - secretary, Dani Gardner - chairperson, Karen Hamilton - vice-chairperson

Absent: none

Village Staff Present: Robert Toland, Village Planner/Zoning Administrator

Acknowledgment of Visitors: Diana Swain, Nellie Montgomery, Michael Batcke

GENERAL BUSINESS

Approval of Agenda: No agenda was presented for approval

Approval of Minutes: No minutes were presented for approval

NEW BUSINESS

Public Hearing – Consideration of a request by StealthCraft Boats for a Use Variance to construct an addition to a building that is currently nonconforming,

Robert Toland opened the floor by explaining to everyone in attendance the purpose of the hearing. A neighbor, Nellie Montgomery, had some concerns about what was being built by StealthCraft.

The applicant, Michael Batcke, explained that their building in Pleasant Plains township was destroyed by fire and they were informed by the Village President that the site they are now occupying was suitable for their operation. Mr. Batcke explained that he bought the property with the understanding that it was already an industrial property. He said that his tax bill indicates that he is being taxed as an industrial use. He went on to explain that the reason for the addition is to comply with an order from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) by providing air quality controls due to fiberglass vapors escaping the building. The project should mitigate odors and maintain cleaner air quality. Mr. Batcke also noted that he is just building a 32-foot by 42-foot (1,344 square foot) addition that has been engineered at considerable expense.

Robert Toland took the floor, read the zoning ordinance to the Board, and went over several comments and concerns.

The village president joined the meeting at 1:18 P.M (JAMES Truxton)

Public comments were opened to the floor and the Board asked if there were any more concerns or questions for Mr. Batcke from StealthCraft.

After discussion, the Board determined that:

1. Because the property already contains an industrial building it would be very difficult for the property to be put to a reasonable use if permitted to be used only as a residential parcel.
2. The unnecessary hardship of the regulation on the property in question is due to unique circumstances.
3. The variance, if granted, would not alter the essential character of the area or neighborhood.
4. The conditions upon which the petition for a variance is based would not be applicable to other property within the same zoning district.
5. The purpose of the use variance request is not based merely upon a desire to make more money out of the property.
6. The alleged hardship has not been created by any person presently having an interest in the property.
7. The granting of a variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
8. The granting of a variance will not impair an adequate supply of light and air to adjacent property, or increase the congestion in public streets, or increase the danger of fire, or endanger the public safety, or diminish or impair property values within the neighborhood.
9. The use variance is the minimum necessary to permit reasonable use of the land and buildings.

Dani Gardner, Chairperson, motioned to grant the motion Karen Hamilton seconded the motion and Crystal Williams agreed. The motion was passed at 1:20 PM.

Meeting Schedule: Next meeting is set for November 15th, 2021, at 6:30 P.M

ADJOURNMENT

A motion to adjourn was offered by Dani Gardner and supported by Karen Hamilton. Motion carried. Meeting adjourned at 1:25 PM.

Respectfully submitted,
Crystal Williams, Secretary