

ZONING BOARD OF APPEALS
Ontwa Township, Cass County, Michigan

Tuesday, Nov. 26, 2024,
6:00 PM (EST)

Ontwa Township Hall
26225 US12, Edwardsburg

Members Present: Todd Haberland- Chair, James Forlenza, Bruce Cassady, Steve Foster, Vice Chair- Judy Kukla, and Bob Thompson

Present: Zoning Administrator – Dawn Bolock

Other Present: Brigid Forlenza – Recording Secretary

The meeting was called to order by Vice-Chair Judy Kukla, followed by the Pledge of Allegiance.

Agenda Approval:

Motion was made by Judy Kukla seconded by Bruce Cassady to approve agenda as presented. All in favor motion carried.

Approval of Minutes:

Motion made by Bruce Cassady seconded by Bob Thompson to approve minutes as presented. All in favor motion carried.

New Business:

Zoning Variance – Property number 14-090-070-016-00

Applicant & Owner of Record: Bruce & Nancy Paczosa

Address of property: 23674 South Shore Drive, Edwardsburg, MI 49112

Vice Chair Judy Kukla opened the meeting.

Zoning Administrator Dawn Bolock addressed the board and spoke in reference to this matter. Owners need a new home as a permanent residence. The lot is very narrow requiring variance approval.

Public Meeting Opened:

One letter received against project from Tim Nasco, 23664 South Shore Drive, who spoke openly at meeting against variance.

Vicki Lintz, 23597 South Shore Drive spoke against variance approval.

Peggy Hnath, 23682 South Shore Drive concerned regarding environmental issues, water runoff, quality of life, and sunlight being obstructed.

Stacy Nasco – 23664 South Shore Drive, is against variance approval and believes the foundation will be an issue.

Rich Hnath – 23682 South Shore Drive, against approval of variance. Requested to see footprint of house, has concerns regarding foundation issues and worries about damage to his home.

Charlie Carter, 23622 South Shore Drive, voiced concerns over another monster house. The ordinances should serve the public not the individual.

Participants in favor of variances:

The property owners, Bruce & Nancy Paczosa addressed the board. Relating they have owned property for thirty years. Want to build a home as a permanent residence. The lot size was determined on a plat map. They need space for family members that visit over summer.

Rebuttal by Builders: In favor of project. The house is out of date and code height will be lower than current house. Variance is needed.

Motion made by Bruce Cassady seconded by Judy Kukla to close public hearing. All in favor, motion passes.

Board Discussion:

The lot is a platted lot in the original plat map. Topics addressed: How the homes in the area line up, current drainage issues, the new property meets impervious surface requirements, and concerns regarding closeness of properties for fire department.

Motion made by Bob Thompson seconded by Steve Foster to deny the variance.

Discussion held:

Bob Thompson needs to be closer to conforming in use rather than further from conforming. The expansion is twenty-one feet longer. There will be drainage issues to the lake. It is a self-created need.

Steve Foster – The properties would be too close and danger for fire issues based on his experience.

Roll Call Vote to deny variance:

Bob Thompson – yes
James Forlenza – yes
Judy Kukla – yes
Steve Foster – yes
Bruce Cassady – yes
Todd Haberland – yes

Motion passes to deny variance.

Motion made by Bob Thompson seconded by Bruce Cassady to adjourn meeting. All in favor motion passes.

Respectfully submitted,

Brigid Forlenza
ZBA Recording Secretary

