

**ZONING BOARD OF APPEALS**  
**Ontwa Township, Cass County, Michigan**

Tuesday, May 28, 2024,  
6:30 PM (EST)

Ontwa Township Hall  
26225 US12, Edwardsburg

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

**Absent:** Zoning Administrator – Dawn Bolock

**Other Present:** Brigid Forlenza – Recording Secretary

The meeting was called to order by Acting Chair Haberland, followed by the Pledge of Allegiance.

**Agenda Approval:**

Motion made by James Forlenza seconded by Bob Thompson to approve agenda as presented. All in favor motion carried.

**Approval of Minutes:**

Motion made by James Forlenza seconded by Steven Foster to approve minutes as presented. All in favor motion carried.

**New Business:**

**Zoning Variance – Property number 14-090-240-006-00**

**Applicant & Owner of Record: Kevin Bailey**

**Address of property: 70168 Lakeview Drive, Edwardsburg**

Acting Chair Todd Haberland opened meeting – related the board needs to review request regarding Section 21.08 of zoning ordinance. 3.21 size does not comply with ordinance.

Owner was cited for numerous boats parked on property – so now he wants building to store his property (boats).

**Public Meeting Opened:**

**Participants in favor of variances:** Owner Kevin Bailey – 70168 Lakeview Drive.

Co-owners – Jeff & Cheryl White – 70168 Lakeview Drive.

Neighbor: John Cleaver – 70178 Lakeview Drive

**Letters In Support Of:**

Debra & Thomas Blume – 70228 Lakeview Drive

Karl Bentzer – 70166 Lakeview Drive

Letters read to Board by Recording Secretary.

**Comments from public against variance: None**

Discussion held regarding ownership of vehicles/boats parked on lot, age of the house across from lots 1959, other accessory buildings in area. Criteria of zoning ordinance reviewed – the request exceeds ordinance allowable size by three times the square feet of 768 sq ft.

Bob Thompson – hands are tied by zoning ordinance. However, he stated there is a case to be made to the Planning Commission. Example – a double lot. He likes what they are doing.

21.07 and 21.08 reviewed – variances prohibited.

Acting chair requested motion to close public hearing. Motion made by Steve Foster seconded by Bob Thompson. All in favor motion passes.

Motion made by James Forlenza to deny request as it is self-created seconded by Bruce Cassady.

**Discussion Held:**

Bob Thompson reiterated this is a positive plan and applicant should go to Planning Commission to request their approval. However, they (ZBA) are required by law to follow zoning ordinance.

Deny under 21.08 Roll Call Vote. All members support the motion. Variance denied.

**Old Business:**

**Election of Officers:** Motion made by James Forlenza seconded by Judy Kukla to nominate Todd Haberland as Chair. All in favor motion carried.

Motion made by James Forlenza seconded by Bob Thompson to nominate Judy Kukla as Vice Chair. All in favor motion carried.

At the end of the meeting after the applicant's zoning variance was denied board member Bob Thompson spoke to the applicant. He advised them to approach the Planning Commission and ask for approval as a special use due to their situation.

**Special Exception Use:** Member Thompson further related that they need to expand their thinking (Planning Commission) as 768 sq feet is not big enough to get the job done. He believes they need to update the ordinance to help the community.

Motion made by Bob Thompson seconded by James Forlenza. All in favor motion carried.

Respectfully submitted,

Brigid Forlenza  
ZBA Recording Secretary

