

September 15, 2005  
Hearing # 2005-01

WALES TOWNSHIP ZONING BOARD OF APPEALS  
RICHARD MUSTO AND ANTONIO LAUDAZIO HEARING  
AND REGULAR MEETING

Public hearing called to order by Chairman John Minor at 7:30 P.M.  
Present: John Minor, Ron Lepak, Terry Maki, Dave Shannon, Larry Zalut, Richard Hart, Township Planner Ken Montgomery, and Marie J. Muller. Also present applicants Richard Musto and Antonio Laudazio and 3 persons.

Request # 2005-01 is for a reduction in lot frontage requirements from 165' to 150'. Also known as parcel # 74-31-035-2005-000. Notification of neighboring parcels was made by first class mail, with no written responses received. Chairman J. Minor gave presentation of guidelines to conducting hearing; having distributed written copies, to those present acquired from pages of "The Basic guide for citizens and local officials".

Applicant Richard Musto presented his request for a variance reduction in lot width frontage. Land was purchased in 1966 jointly by Richard Musto and Antonio Laudazio. They had land surveyed in 1971 wanting to show their divisions of ownership. Their understanding was that it was split and recorded. All of their intended nine (9) splits meet township zoning with exception of one split. The variance they are requesting is for only this one lot, since as they have drawn the splits it is an unbuildable lot.

John Minor asked Township Planner Ken Montgomery if any other documentation was presented other than what board had received. Ken Montgomery replied, "none was presented".

Township Planner K. Montgomery gave presentation of his report, (as attached). Explaining that applicant has not presented hardship, which must not be self-created. Creating a new non-conforming lot is by definition self created. Also there is no practical difficulty as applicant could divided land in such a way as to meet Township requirements, or possibly acquire additional land from neighboring parcel to achieve compliance. Therefore Townships' Planner recommendation is to deny request as groundless.

Board discussed presentations, basically agreeing with planner's report. Noting applicant has not shown hardship, that there is no practical difficulty geographically, and that applicant has other options, such as creating eight (8) parcels instead of nine (9), or the option of acquiring additional land to meet requirements. **Motion** made by Larry Zalut supported by Terry Maki to deny variance request based on facts presented, siting Township's Planners report that applicant has not shown hardship, as hardship is self created, and also lack of practical difficulty. Roll Call vote: Larry Zalut, yes, Terry Maki, yes, Dave Shannon, yes, Ron Lepak, yes, John Minor, yes. Motion carried. Variance request denied. (Richard Hart not voted as he was present, to observe, as our newly appointed alternate) Hearing adjourned 8:15 P. M.

(2)

Board discussed implementing a written decision order. This subject has often been discussed in past years. Recently this was brought to our attention by Township Supervisor Eugene Jakubiak. The Michigan Township Association sample form was discussed. It was then recommended that we have our Township Attorney review the form before we start using form.

Since this was the first seating of 2005 election of officers followed. After discussion **Motion** by Ron Lepak supported by Terry Maki to elect the following slate, Chairman John Minor, Vice Chairman Larry Zalut, Secretary Terry Maki. All in favor, none opposed, motion carried. Chairman J. Minor encouraged all members to attend any schooling presented. Adjourned 8:25 P.M.

Respectfully submitted,

Marie J. Muller  
Zoning Board of Appeals