

---

**PITTSFIELD TOWNSHIP ZONING BOARD OF APPEALS MINUTES**

---

**Members Present:** Gerald Krone, Chris Wall, Jan Haupt, Ann Harris, Scott Fisher

**Members Absent:** None

**Others Present:** Rebecca Strazelec, Adam Vrlicek, Laura Kreps -Township Planning Consultant, Elizabeth Bergeron - UMS Manager, Sonia Castleman - Recording Clerk.

**1.0 Call Meeting to Order/Determination of a Quorum**

Chairperson Fisher called the meeting to order at 6:30 p.m. A quorum was present.

**2.0 Approval of Agenda**

**Motion Member Wall, supported by Member Harris, to move Item 7.1 to follow 5.1 and approve the agenda as recommended.**

**MOTION CARRIED**

**3.0 Communications and Announcements**

None

**4.0 Items from the Floor**

None

**5.0 Public Hearings**

**5.1 ZBA 23-06 3483 Burnham  
Submitted for Variance - Fence  
Article 13, Zoned PUD (Burnham Woods)**

Laura Kreps, Township Planning Consultant presented ZBA 23-06 Burnham - Fence. The applicant is requesting a variance to install a 4-foot aluminum fence into the required front yard setback along Briar Ridge Drive. The applicant contends that the fence is needed for their dog. The allowed 3-foot fence will not meet their needs. The ordinance allows ornamental fences only and not to exceed three (3) feet in height. The applicant indicates there will not be any new sight line obstruction with the installation of the fence. No information has been provided by the applicant regarding whether HOA approval has been granted.

However, we note two (2) emails in support of the fence and one (1) not in support have been submitted by neighboring property owners.

The applicant/property owner Rebecca Strazelec presented the following comments:

- A fence is needed for the dog.
- The back yard is small and unusually shaped and the topography drops off which prevents the fence from being placed there.
- The fence model chosen matches the other fences throughout the neighborhood.
- The property is not located in a subdivision that requires HOA approval.

Chairperson Fisher opened the floor for public comments.

No comments were made by the public.

**Motion by Member Wall, supported by Member Harris, to close the Public Hearing ZBA 23-06 3483 Burnham – Variance / Fence**

**MOTION CARRIED**

**7.1 ZBA 23-06 – 3483 Burnham – Variance/ Fence**

The board members general discussion was as follows:

All board members supported the proposed fence height for the following reasons:

- Only requesting an additional one (1) foot difference from the ordinance.
- The 4-foot-high fence would provide safety for the dog and those passing by.
- Due to the unique shape of the backyard the area chosen would be the best place to add the fence.
- The ornamental fence chosen would provide a great appearance to this corner lot.
- Chairperson Fisher expresses concerns that if an approval decision was made that it be based on the uniqueness of the variance requested.
- The placement of the fence is not directly against the sidewalk.
- The fence being open as opposed to being privacy.

**Chairperson Fisher reads the findings for ZBA 23-06 3483 Burnham to allow a 4-foot aluminum fence to be installed in the front yard setback along Briar Ridge Drive instead of the 3-foot height required in the ordinance.**

- 1. That strict compliance with the restrictions governing area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose or would render the conformity with such regulations unnecessarily burdensome.*

Member Haupt agrees with the finding.  
Member Krone disagrees with the finding.  
Member Wall disagrees with the finding.  
Member Harris disagrees with the finding.  
Member Fisher disagrees with the finding.

- 2. That the granting of a variance would do substantial justice to the applicant as well as to the other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property and be more consistent with justice to other property owners.*

Member Haupt agrees with the finding.  
Member Krone agrees with the finding.  
Member Wall agrees with the finding.  
Member Harris agrees with the finding.  
Member Fisher agrees with the finding.

- 3. That the plight of the applicant is due to the unique circumstance of the property and not to general conditions in the area.*

Member Haupt agrees with the finding.  
Member Krone agrees with the finding.  
Member Wall agrees with the finding.  
Member Harris agrees with the finding.  
Member Fisher agrees with the finding.

- 4. That the plight or problem is not self-created.*

Member Haupt disagrees with the finding.  
Member Krone disagrees with the finding.  
Member Wall disagrees with the finding.  
Member Harris disagrees with the finding.  
Member Fisher disagrees with the finding.

5. *That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts, shall be considered grounds for the issuance of the variance.*

Member Haupt agrees with the finding.  
Member Krone agrees with the finding.  
Member Wall agrees with the finding.  
Member Fisher agrees with the finding.  
Member Harris agrees with the finding.

6. *That the variance observes the spirit of the Ordinance, secures public safety, and does substantial justice.*

Member Haupt agrees with the finding.  
Member Krone agrees with the finding.  
Member Wall agrees with the finding.  
Member Fisher agrees with the finding.  
Member Harris agrees with the finding.

**Motion by Member Wall, supported by Member Harris, to approve petition ZBA 23-06 3483 Burnham to allow a 4-foot aluminum fence to be installed in the front yard setback along Briar Ridge Drive instead of the 3-foot height required in the ordinance.**

#### **ROLL CALL**

**YES:           HAUPT, KRONE, WALL, FISHER, HARRIS**  
**NO:            NONE**  
**ABSENT:     NONE**  
**ABSTAIN:    NONE**

**MOTION CARRIED – VARIANCE GRANTED**

#### **8.0 Zoning Administrator’s Report**

Laura Kreps shared she will no longer be attending the ZBA meetings due to schedule conflicts on Monday’s. Elizabeth Bergeron (UMS Manager) or Ben Carlisle (Planning Consultant) will be attending in her place.

**9.0 Member's Report**

None

**10.0 Secretary's Report**

Minutes from August 28, 2023, ZBA meeting were submitted and signed.

**11.0 Chairperson's Report**

None

**12.0 Approval of Prior Minutes**

**12.1 Minutes of August 28, 2023**

**Motion by Member Krone, supported by Member Harris,  
to approve the Minutes of August 28, 2023.**

**MOTION CARRIED**

**13.0 Adjournment**

Chairperson Fisher adjourned the meeting at 6:52 p.m.



s/ Chris Wall, Secretary

11/27/2023

Date