

**DAVISON TOWNSHIP  
ZONING BOARD OF APPEALS  
JUNE 14, 2022**

**MEMBERS PRESENT:** Richard Hill, Eric Hernandez, Nancy Davis, Tim Green, Carol Hagler  
Building Official Planning/Zoning Admin./ Matt Place  
Attorney Bill Delzer  
Recording Secretary Jami Vert

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** John Jelinek, Steve Shimmons, Ken Bullis, Robert Burley, Ray Banister

**CALL TO ORDER**

The regular meeting of the Davison Township Zoning Board of Appeals was called to order at 7:00 P.M. at the Davison Township Municipal Center, 1280 N. Irish Road, Davison, MI 48423.

**ADOPT THE AGENDA**

**MOTION BY DAVIS, SECOND BY HAGLER** to adopt the June 14, 2022 agenda. Motion carried unanimously.

**MOTION BY DAVIS, SECOND BY HAGLER** to amend the agenda and add John Jelinek as an item. Motion carried unanimously.

Hill – would like to honor John Jelinek for 50-years of service to the Zoning Board of Appeals; Davison Township would like to give you an honorary plaque for serving all these years on this board; I’ve been appointed to replace you and I will tell you I am intimidated by you and having to follow in your footsteps.

Jelinek – would like to thank Davison Township for giving me the opportunity to join this board; would like to introduce my son and daughter-in-law; my wife and I bought our farm back in 1967/1968 and did not know they were going to be putting I-69 through this town; we thought we were moving into a quiet town; the township has gone through a lot of different changes and I am glad to be part of that.

Hill – you told me you were a teacher as well; we really appreciate you and your time you put into the Zoning Board of Appeals.

Jelinek – be I resigned I had a fall and never had a chance to come and talk to the board and I feel like I let you down.

Hill – are you saying you want to come back?

Jelinek – give me about 50-years or so.

**DAVISON TOWNSHIP  
ZONING BOARD OF APPEALS  
JUNE 14, 2022**

**PREVIOUS MINUTES**

**MOTION BY HAGLER, SECOND BY DAVIS** to approve the May 10, 2022, regular board meeting minutes as presented. Motion carried unanimously.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**CASE #16-V-2022-4 – WINDSOR PLACE APARTMENTS – FINAL PHASE – EDWARD ROSE AND SONS – A VARIANCE REQUEST FOR BUILDING LENGTH PER SECTION 903.1**

Hill – we only are here tonight to focus on the variance.

Ken Bullis and Steve Shimmons - Edward Rose and Sons – final phase; different now then when previous built years back; dimension of the buildings are 268, 273, 274, 275, 322 feet-in-length are the previous building; we don't believe we asking for anything different except the ordinance change since we had put the older buildings up; the variance we are asking for the new building are for 65-foot of variance and 107-foot of variance for the two new buildings.

Davis – you are asking for 107 above the 200 and 65 above the 200?

Ken Bullis – yes.

Hernandez – how many extra units are you asking for?

Ken Bullis – they are going from 36 units to 42-unit building.

Hernandez – how many apartments would you lose if you stick with our current ordinance?

Ken Bullis – not sure of the answer off the top of my head; I want to say in the realm of 80.

Hill – if you did follow the township ordinance, how many apartments would you lose?

Ken Bullis – estimated 40.

Place – Edward Rose and Sons; Administrative Review; Windsor Place Apartments; Final Phase (25-05-08-551-050); case # 16-V-2022-4; they are requesting a variance for 3-buildings; a variance of 107-foot for the length of the two 42-unit buildings; Section 903. of the zoning ordinance states no building shall exceed two hundred (200) feet in length; there are currently 20 buildings in Windsor Place; the development was under construction from 1973-1992 and contains 51 acres; during that era the zoning ordinance did not have a maximum building

**DAVISON TOWNSHIP  
ZONING BOARD OF APPEALS  
JUNE 14, 2022**

length; in 1994 the zoning ordinance was updated and restrictions were added for aesthetics; Section 903. creates a practical difficulty for Edward Rose Properties; enforcing this maximum length requirement would disrupt the continuity of the aesthetic character of this development; the Planning/Building Department would support a recommendation for approval based on the following reasons:

1. The change to the Davison Township zoning ordinance created this practical difficulty.
2. This variance request meets the spirit and intent of the zoning ordinance.

**PUBLIC COMMENT PERIOD**

Public comment period opened at 7:16 P.M.

Robert Burley – Court St – I lived in the township for years; but now own land in the township; they have to prove a hardship exist; why is this a hardship on them; they have not proved this; they want to make more money off this; I ask that you carefully think about that; I would deny it if I were on the board; it is not a hardship.

Roy Banister – 8261 E Court St – Davison, MI – before I put a purchase agreement on this house back in 1998, I spoke with Randy, he stated that they were not allowed to add anymore unless they bought more property; he stated that those apartments cannot get any closer to the properties.

Public comment period closed at 7:19 P.M.

Hernandez – changed ordinance in 1994; don't know why we can't stick with new ordinance; it will look nice even if you don't go as big; ordinance was changed for a reason; okay with growth; it will look nice the way it is that meets the ordinance.

Davis – in regards to this case, how will this apply to any case?

Place – it is a case by case; can't answer that.

Delzer – there is no grandfather; this board has to make the decision; did they show the hardship or not?

Hernandez – this is not a grandfather; I don't see the hardship.

Green – if we deny the variance can they still build?

Hill – yes.

**MOTION BY GREEN, SECOND BY DAVIS** to deny case # 16-V-2022-4 – Windsor Place Apartments wanting a variance based on hardship. Motion carried unanimously.

**INFORMATIONAL ITEMS**

**DAVISON TOWNSHIP  
ZONING BOARD OF APPEALS  
JUNE 14, 2022**

None

**ADJOURNMENT**

**MOTION BY DAVIS, SECOND BY GREEN** to adjourn at 7:29 P.M. Motion carried unanimously.

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**Eric Hernandez, Secretary**