

**SANDS TOWNSHIP ZONING BOARD OF APPEALS  
SANDS TOWNSHIP OFFICE COMPLEX  
NOVEMBER 5, 2024**

1. **Call to Order and Pledge of Allegiance:** Victoria Jenema called the meeting to order at 6:30 p.m.
2. **Roll Call:**
  - Present:** Victoria Jenema, Shelley Brauer, Jane Noe, Jamin Wonch, Justin Yelle\*  
\*Representing township board in David Kallio's absence
  - Absent:** David Kallio (excused)
  - Employees in Attendance:** Randy Yelle (zoning administrator), Barb Kransi (recording secretary)
  - Public in Attendance:** Jeremy Pickens, Patrick Penhale, Jerry Williams, Roy Sicotte, Scott Tuma
3. **Agenda:** Jane Noe moved; Shelley Brauer seconded motion to approve the agenda.  
Ayes: 5 Nays: 0 Motion carried.
4. **Minutes:** Victoria Jenema moved; Shelley Brauer seconded motion to approve the minutes from the July 16, 2024 Planning Commission meeting as presented.  
Ayes: 4 Nays: 0 Motion carried.
5. **Public Comment:** Roy Sicotte reserved time and handed out a packet that included a letter requesting that VAR24-01 be denied. He also used this time to state his opinion that the variance be denied.
6. **Business:** Mr. Patrick Penhale is requesting a 19-foot variance from the required 25-foot setback for a shed on his property at 924 Silver Creek Road.
  - a. Public hearing VAR24-01
    - Victoria Jenema opened the public hearing.
      - ❖ Randy Yelle summarized request for a 19-foot variance from the required 25-foot setback for a shed on a parcel at 924 Silver Creek Road. He stated that the notification to surrounding property owners resulted in one phone call requesting clarification. He reminded board members that they have three options for resolving the request. 1. Approve, citing a practical difficulty; 2. Decline, citing no practical difficulty; or 3. Postpone a decision and provide a date by which a decision would be reached.
    - Requestor input
      - ❖ Mr. Penhale stated that when he placed the structure in June, he misunderstood the setback requirement.
      - ❖ He further stated that the current location of the building is the only suitable location based on the property's slope and the setback requirements with the property lines and additional buildings.
      - ❖ Mr. Penhale said that he would be unable to move the structure back without interfering with the location of a pet's gravesite.

- Public input
    - ❖ Mr. Sicotte requested again that the variance be denied and shared his opinion that there are other suitable locations on the property that would meet zoning requirements.
  - Victoria Jenema closed public hearing.
  - Planning Commission questions and comments
    - ❖ Jamin Wonch asked if the building is on “skids” and clarified that he meant was it a pre-fabricated building, and Mr. Penhale responded that it is.
    - ❖ Board members discussed specific setback requirements to property lines and existing building and Mr. Yelle confirmed required distances.
- b. Following commissioner questions and discussion, Jane Noe, after conducting the required public hearing, reviewing the township Zoning Ordinance, receiving public, staff, and requestor input, determined that is no practical difficulty or hardship and moved to deny variance request VAR24-01.

Motion seconded by Justin Yelle.  
Ayes: 5 Nays: 0 Motion carried.

**7. 2025 Meeting Dates:**

Victoria Jenema moved; Jamin Wonch seconded motion to approve the following 2025 ZBA meeting dates:  
March 4, June 3, August 5, October 7, 2025.  
Board further confirmed the meeting time as 6:30 p.m.

Ayes: 5 Nays: 0 Motion carried.

**2025 Officers:**

Shelley Brauer moved; Justin Yelle seconded motion to maintain the current ZBA officers as follows:

Chair – Victoria Jenema  
Vice Chair – Jane Noe  
Secretary – Shelley Brauer

Ayes: 5 Nays: 0 Motion carried.

**8. Public Comment:** Mr. Penhale expressed his disappointment at the board’s decision.

**9. Commissioners Comment:** None. Mr. Yelle asked for a date by which Mr. Penhale would be expected to move the structure to a location in compliance with township requirements. After discussion, Victoria Jenema moved and Jamin Wonch seconded a motion to allow Mr. Penhale until May 1, 2025 to relocate the structure.

Ayes: 5 Nays: 0 Motion carried.

**10. Adjournment:** Victoria Jenema adjourned the meeting at 6:58 p.m.

Victoria Jenema  
Chairman

Jane Noe  
Secretary

Barb Kransi  
Recording Secretary