
AGENDA
ZONING BOARD OF APPEALS
Wednesday, December 3, 2025

- I. Call to Order/Pledge of Allegiance
- II. Roll Call
- III. Previous Minutes - September 10, 2025
- IV. Additions or Changes to the Agenda
- V. Communications
- VI. Public Comment
- VII. Parcel 18-32-300-032
Variance to allow construction on a previous lot deemed unbuildable until a private road is built.
- VIII. Old Business
- IX. Adjournment

VIENNA TOWNSHIP ZONING BOARD OF APPEALS

Wednesday, December 3rd, 2025

Roll Call: Present: R. Johnson, A. Vettese, J. Harrington, M. Johnson, K. Mason

Additionally Present: Samantha Merchant, Recording Secretary
Keith Rossman
Rita Anderson

Previous Minutes: Harrington moved to approve the minutes from September 10th, 2025. Vettese seconded this motion.

All in favor

Additions/Changes: None

Communications: None

Public Comment: None

New Business:

1. 18-32-300-032 Variance to allow a buildable lot

M. Johnson invited the property owners up to the podium to discuss what their request is.

Rita Anderson and Winifred Bishop are requesting a variance, explaining that about 25 years ago there was a variance to split the farm property from the rest of the property and with that there was a stipulation that stated they couldn't build on the property. Anderson further explained that she purchased the farmhouse from her parents, her parents kept the rest of the property and at that time, her dad wanted to keep the driveway that went to the property. The board at that time indicated that they could approve splitting the property leaving this one in question with 66 feet to install a driveway. Johnson confirmed that 66 foot is what is currently there.

Anderson stated that at the time the board stated that he couldn't build on the property, she believed that her father was thinking they meant that he couldn't build on the frontage which he wasn't planning to do. Again, the variance is to release the prior variance that was set. They are aware that this is a single resident property. M. Johnson stated that the variance isn't in effect anymore, further indicating that they have 66 foot which is enough to put in a driveway to go back to the rest of the property.

M. Johnson further explained that the previous minutes indicated that the property had to have a private road. Anderson explained that they did have a private road, but the board didn't let them keep it. This road

was put in when they were selling sand. This was a road grade drive that was at the property. Vettese explained that it is possible it wasn't considered a private road due to rules and regulations. Mason asked if the property has a driveway, Anderson explained yes but it belongs to the property that has the farmhouse so a new driveway would have to go in. Harrington stated he accessed the property on what appeared to be a driveway and Anderson clarified that drive belongs to the owners of the farmhouse which she no longer owns. There is a trail that goes back into the property, around the lake and to the proposed building site.

Vettese asked if there was a timeline for breaking ground, the real estate agent for the property owners advised that he put the property on the market and the intention of the buyer is to build a residence in the next year or two. Vettese advised that another driveway would be necessary.

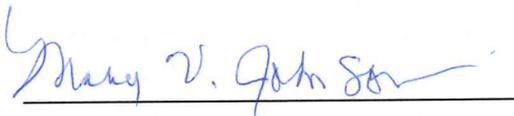
R. Johnson made mention that there should be enough room for emergency vehicles to have access to the residence.

Public comment, Dave Sitko, neighbor of the property being discussed. His concern was that this property would turn into a subdivision if a private road was requested of this property. M. Johnson advised that it no longer requires a private road, but it doesn't mean it couldn't happen in the future. Gerald Williams, neighbor of the property being discussed. His concern was the same as Sitko's. He indicated that he has a 60-foot easement and it is plenty of easement for him to access his property. M. Johnson further stated that a subdivision would be required to have sewer and water. Keith Rossman, across from the property, asked if 66 foot is wide enough for a road. Vettese instructed that a private road or easement minimum would be 60 feet. Todd Minary, potential buyer of the property, stated his intention with the property is for a single-family home.

R. Johnson motioned to accept the variance on parcel 18-32-300-032, depending on the building department recommendations during the process of building. K. Mason seconded the motion.

**Yes: A. Vettese, J. Harrington, K. Mason, J., M. Johnson, R. Johnson
Motion Carries**

Adjournment: Adjourned by M. Johnson at 5:56 p.m.



Mary V. Johnson, Chairperson

Recorded by Samantha Merchant, Building Administrator

VIENNA TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

I. PROPERTY INFORMATION

Address or Parcel Number: 18-32-300-032 Site Plan Included: Y N
 (Please Include some form of site plan)

Description of General Location: E 1/2 of E 1/2 of SW 1/4 EXC N 480 FT Also Exc W 594.58'

Current Zoning: RES ACG Lot Size: 29.150 acres Current Use: OF S 260 FT SEC 32 Dry USE T9AL R6E(01) FR

Requesting: Variance Interpretation Administrative Appeal 18-32-300-022

Type of Variance(s): Setbacks Signage Parking Other (Describe Below)

Owners want a buildable property

Reason / Description of Request: Owners want to sell property as a buildable lot.

II. APPLICANT INFORMATION

OWNER Name: Rita Anderson / Winifred Bishop Phone: 810-275-0006 / 810-288-2302

Mailing Address: 2470 W Frances Rd City: Mt Morris State: MI Zip: 48458

III. PROPERTY OWNER INFORMATION (if different from applicant)

Owner Name: Winifred Owner Phone:

Owner Address: 423 Center St City: Cllo State: MI Zip: 48420

IV. CHECKLIST (Please answer each question to the best of your ability & explain your answer on next page)

- | | |
|--|---|
| 1. Special or unique conditions and circumstances exist which are not generally applicable to other lands, structures, or buildings in the same district. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. The provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district; and that the variance is the minimum necessary. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. The special conditions and circumstances do not result from the actions of the applicant. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. The granting of the variance will be in harmony with the general purpose and intent of this ordinance. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 5. The variance will not be injurious to the neighborhood or otherwise detrimental to the general welfare. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 6. The spirit of this ordinance shall be observed, public safety secured and substantial justice done. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

I hereby affirm that the information provided for this hearing is accurate to the best of my knowledge.

Rita Anderson dotloop verified 11/05/25 8:27 PM EST CA0A-0RYP-OZNO-XHBK

11-5-25
Date

Rita Anderson
Applicant Name Printed

Winifred Bishop dotloop verified 11/05/25 7:05 PM EST UQ68-WZT6-IDNB-AUPX

11-5-25
Date

Winifred Bishop
Owner Name Printed

Owner Signature

OPTIONAL: By signing below, I hereby grant permission for Vienna Township Officials and/or Zoning Board of Appeals Members to enter my property for on-site inspection related to this application. (Failure to grant permission will not affect any decision on your application)

Rita Anderson dotloop verified 11/05/25 8:27 PM EST XPYP-VLT4-SQIT-1CTR

Winifred Bishop dotloop verified 11/05/25 7:05 PM EST FK1P-XK1K-N1NG-EMBZ

11-5-25
Date

Office Use Only: Fees Paid <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Amount Paid: <u>900</u>	Date Paid: <u>11/6/25</u>	Hearing Date: _____
Decision: <input type="checkbox"/> Approved <input type="checkbox"/> Denied Determination: _____			
Vienna Township ZBA Signature _____	Date _____	Vienna Township ZBA Name Printed _____	

V. PLEASE EXPLAIN YOUR ANSWERS FROM THE CHECKLIST IN SECTION IV. (NON-USE / DIMENSIONAL)

1. Special or unique conditions and circumstances exist which are not generally applicable to other lands, structures, or buildings in the same district.

Property is a large parcel with a 66' access frontage on Frances Rd.

2. The provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district; and that the variance is the minimum necessary.

Neighbor to immediate West 5354 W Frances has 42.21 acres with similar road frontage (home + structures) 9197 N Webster has a similar set-up 14.46a.

3. The special conditions and circumstances do not result from the actions of the applicant.

Applicants (owners) are heirs of property and were unaware of any restrictions.

4. The granting of the variance will be in harmony with the general purpose and intent of this ordinance.

Property is large enough and home site could be set-back a similar distance.

5. The variance will not be injurious to the neighborhood or otherwise detrimental to the general welfare.

Request seems in-line with neighboring parcels.

6. The spirit of this ordinance shall be observed, public safety secured and substantial justice done.

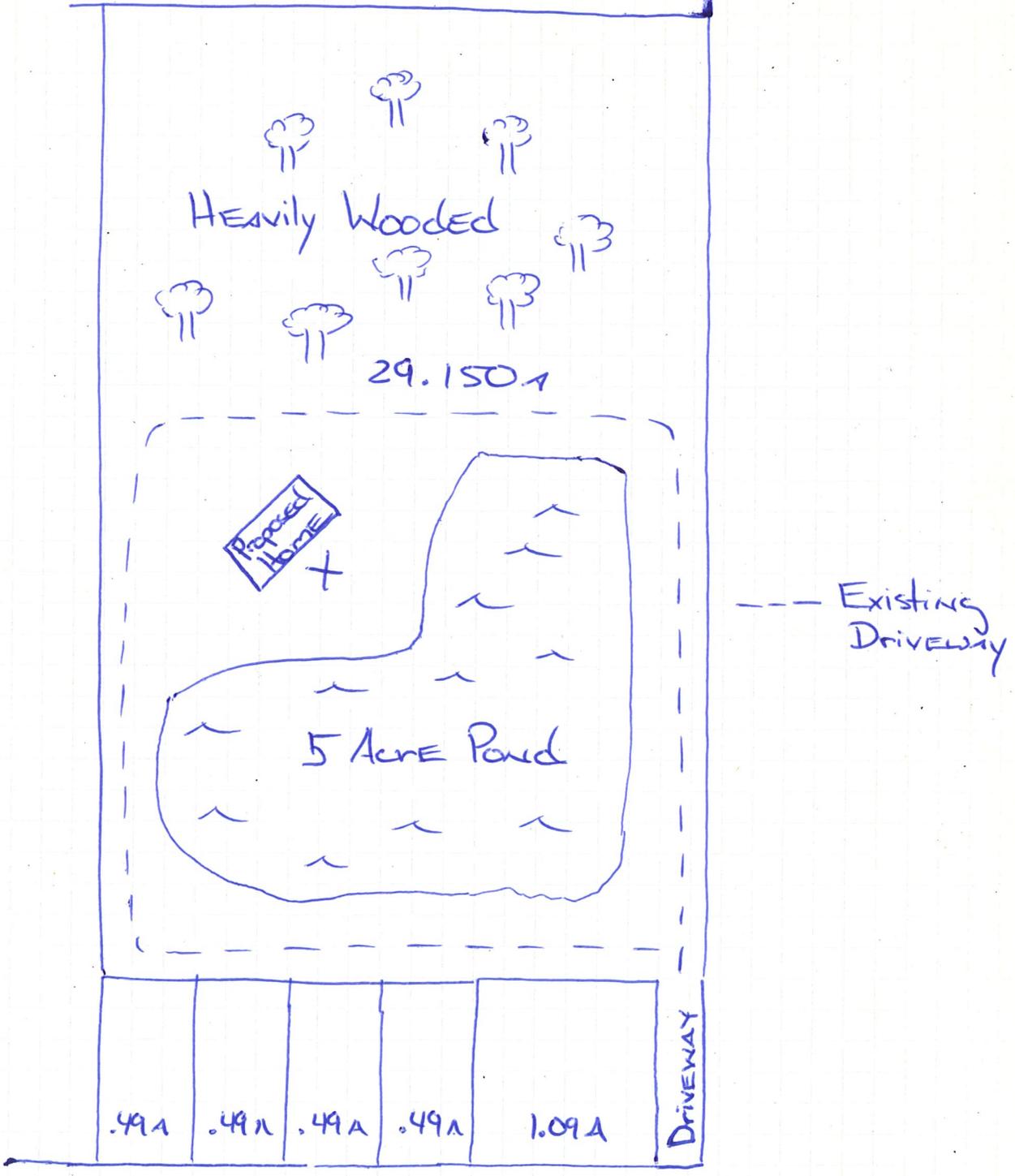
Applicants are looking to sell the property to someone building a beautiful new home.

A drawing of the site/property must be included with the application showing any pertinent details and dimensions necessary.

Rita Anderson
dotloop verified
11/05/25 8:29 PM EST
TWIV-GTWO-NKIO-TRJG

Winifred Bishop
dotloop verified
11/05/25 7:03 PM EST
1OUX-OLFZ-K4AJ-ZKGU

18-32-300-032 Site Plan



6

Rita Anderson
dotloop verified
11/05/25 8:33 PM EST
6DIQ-CTEN-ZEJI-TFFW

Winifred Bishop
dotloop verified
11/05/25 7:04 PM EST
2YHN-EEKO-YGUE-ZJAD

VIENNA TOWNSHIP BOARD OF APPEALS APPLICATION

Application No. _____

Date Filed: 11-9-00

To the Vienna Township Board of Appeals, Vienna Township, Genesee County, Michigan:

We, the undersigned, being persons having an interest in the property hereafter described, hereby APPLY to the Vienna Township Board of Appeals to grant a permit to:

99 Ft Frontage Variance With the understanding that No House Be Built on Property until a private Road is Built

In support of this Application, we agree to pay any fee your Board requires, and submit the following information, which we represent to be true and complete:

Name (s) of Owner (s): Dan + Sharon Duff
Address (s) of Owner (s): 5272 W. Frances Rd. Clia Mi. 48420
Names of such other persons having an interest in property: NONE

Addresses of such other persons: _____

Kind of interest of such persons: _____

Legal description of property for which application for permit is made: _____

LEGAL DESCRIPTION ATTACH

30.40 ACRES

Size of Lot: 210.578 260' Present Zoning Classification: 101 RA

Present Use: FARM Date such use commenced: _____

Reasons of this Application are as follows: TO SELL LOT

Consent Filed: _____

Notice to property owners within 300 feet sent: 11-14-00

Amount of fee: \$ 50.00

Date fee paid: 10-9-00

Signature of Applicant: Dan Duff
Address: 5272 W. FRANCES RD CLIA
Phone: 686-8431

Signature of Applicant: _____
Address: _____
Phone: _____

Public Hearing Date: 12-7-00

Disposition of Application: _____
Statement of Grounds for Determination: Approved as per minutes

Ordinance Reference # _____
ART. 13.01 (1.)

Vienna Township Board of Appeals
By: John W. Matthews

VIENNA TOWNSHIP BOARD OF APPEALS

DATE: DECEMBER 7, 2000

TIME: 7:30 P. M.

Present: Chairman John Matthews, Robert Sanborn, Norm Rolison, James Schweitzer, Richard Scott, Vernon Curtis, Bob Sanborn, Robert Wilson, Vernon Curtis.

Also Present:

Gerald C. Totten, 5346 W. Frances Road,
Ronald L. Gruener, 5366 W. Frances Road
Dan Duff, 5272 W. Frances Road, Petitioner.

Previous Minutes of November 9, 2000. Moved by Schweitzer, seconded by Rolison to approve the previous minutes as presented.

Motion carries.

NEW BUSINESS:

Dan Duff, 5272 W. Frances Road, was present requesting a 99 foot front yard variance. This will give him a lot with 66feet of frontage. This property is zoned RA, which requires 165 foot frontage. His lot is currently 276.58 feet wide by 260 feet deep. He will have 2 lots, 1 at 66 feet by 2554 feet approximately and the other will be 210 feet by 260 feet.

Moved by Schweitzer, seconded by Rolison to grant a 99 foot frontage variance which will allow a 66 foot front yard on the new lot, with the stipulation that a house cannot be built on the 66 foot wide lot.

Roll Call Vote: all yeas, motion carried.

Moved by Schweitzer, seconded by Rolison to retain John Matthews a Chairman.
Motion carries.

Moved by Schweitzer, seconded by Rolison to appoint Bob Sanborn as Vice Chairman.

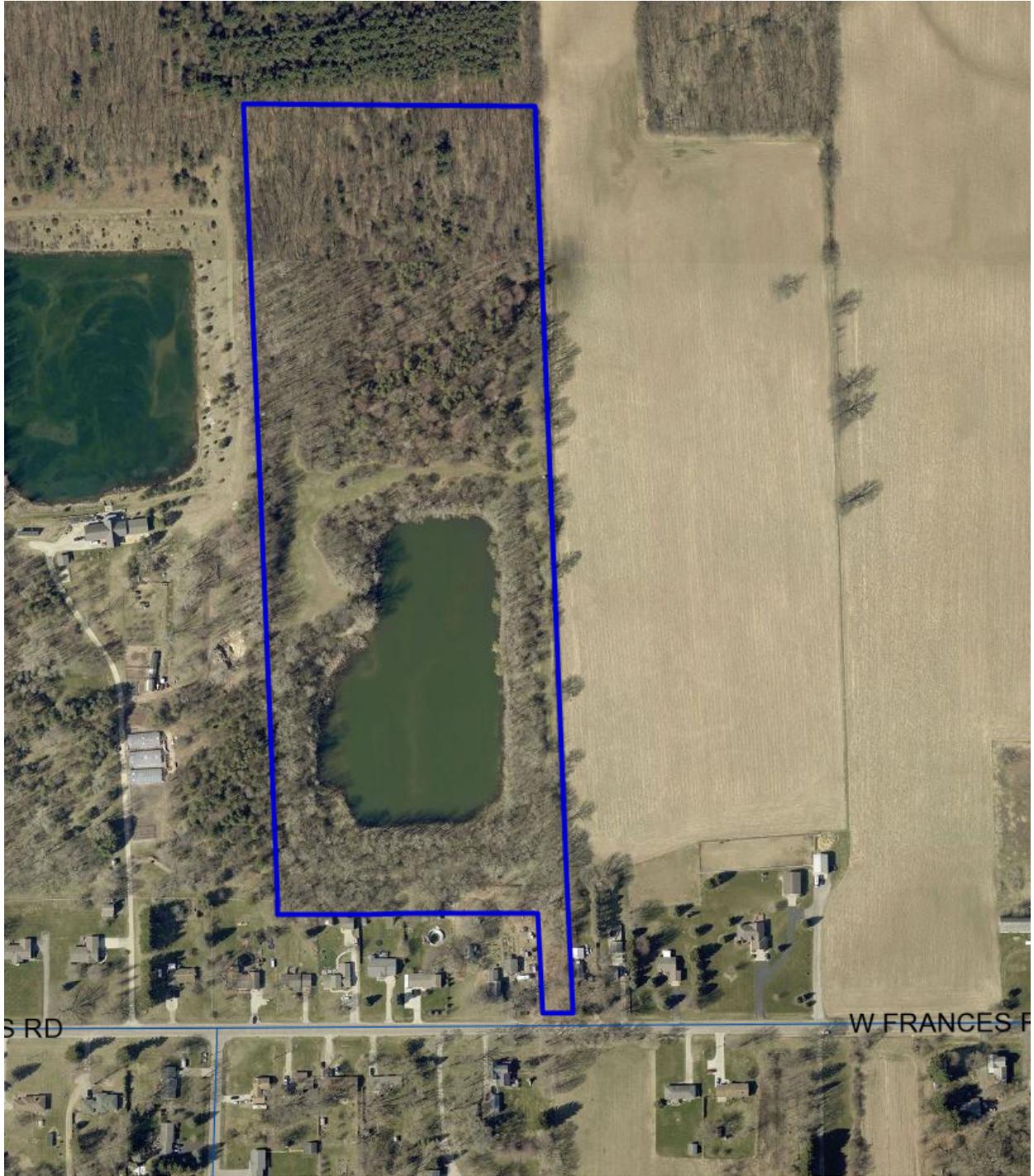
Motion carries.

Moved by Schweitzer, seconded by Rolison to appoint Richard Scott as Secretary.
Motion carries.

Meeting adjourned.



Richard E. Scott, Secretary











CODE OF ORDINANCES

Appendix A ZONING

Zoning District	Stated Intent and Purpose
MH: Mobile Home	This district's purpose is to provide a suitable location for the development of mobile home parks and related uses. The district's intention is to afford a place for persons who wish to live in traditional mobile homes in a park setting.
O-1: Office	This district is intended to accommodate uses such as offices, banks and personal services which can serve as transitional areas between residential and commercial districts and provide a transition between major thoroughfares and residential districts.
C-1: Neighborhood Commercial	This district intends and purposefully provides neighborhood shopping areas to meet residents' day-to-day convenience shopping, service, and professional needs.
C-2: General Commercial	This district's intent is to promote the development of businesses that primarily serve the needs of residents and other businesses in a regional market.
I-1: Industrial Manufacturing	This district is intended for industrial use and has few nuisance characteristics, but it also permits nonretail commercial and service establishments. It is designed to permit the manufacturing, production, processing, assembling, packaging, and treatment of products from previously prepared materials. The purpose of this district is to promote industrial areas which are protected from incompatible uses.

Sec. 307. Dimensions.

Zoning district	Zoning Lot dimensions		Front yard Setback	Rear yard Setback	Side yard Setback		Min. total square feet	Maximum height	Maximum stories
	Minimum area	Minimum width	Minimum depth	Minimum depth	Minimum total	Minimum 1 side			
R-1A Agricultural and One-family residential	2 Acres	165'	35'	35'	25'	10'	1,040'	45'	3
R-1 Single Family Residential	8,000' (A)	70' (A)	25'	35'	25'	10'	1,040'	25'	2
R-2 Multi-Family Residential	1 Acre	100'	25'	35'	20'	20'	750'	45'	3
MH – Mobile Home	See State Statutes THE MOBILE HOME COMMISSION ACT Act 96 of 1987								
O-1 Office	5,000'	100'	30'	40'	B				
C-1 Neighborhood Commercial	6,000'	100'	30'	40'	B		2,000	45'	3
C-2 General Commercial	10,000'	100'	40'	40'	C		2,000'	70'	5
I-1 Industrial	12,000'	200'	40'	100'*	60*	60*	2,000'	80'	5

* I-1 setback restrictions when abutting residential property 100 feet.

- A. Where public sanitary sewer is not available, the minimum lot size shall be one acre. Where public water is not available, the minimum lot size shall be 15,000 square feet. Where public sanitary sewer or public water is not available, the minimum lot width shall be 90 feet in the R-1 Single Family district.
- B. 10 feet each side if detached; may be attached to another business with approved firewall construction between; 20 feet if abutting a residential district (both main & accessory bldg.).
- C. 20 feet each side if detached; may be attached to another business with approved firewall construction between; 40 feet if abutting a residential district (both main & accessory bldg.).

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