

ZONING BOARD OF APPEALS MEETING**April 23, 2026**

CALL TO ORDER: The meeting was called to order by Chairperson Bob Neis at 6:00 pm.

PLEDGE OF ALLEGIANCE:**ROLL CALL:**

MEMBERS PRESENT: Kim Arter, Bob Neis, Suzanne Lockwood Hayes,

MEMBERS ABSENT: Don Nellis (excused), Adam Rosema (excused)

ALSO PRESENT: Zoning Administrator Heidi Tice, Recording Secretary Melissa Coates, Steven Crooks, Amy Dam and Tom Hayes.

APPROVAL OF AGENDA:

- Kim Arter made a motion to approve the agenda. Suzanne Hayes supported the motion. The motion carried.

APPROVAL OF MINUTES:

- Kim Arter made a motion to approve the minutes of January 12, 2026. ~~Kim Arter~~ Suzanne Hayes supported the motion. The motion carried.

PUBLIC COMMENTS ON THE AGENDA: NONE**CORRESPONDENCE:**

- **ZA Heidi Tice had nothing to report at this time**
- **Mr. Neis read the hearing rules**

UNFINISHED BUSINESS: NONE**NEW BUSINESS:****1. Public Hearing – Variance for parcel # 09-005-400-0009-00 address 1691 Simonelli Rd.**

- Kim Arter made a motion to open hearing. Suzanne Hayes second. Motion passed.
- Kim Arter read the posting for the public hearing.
- Kim Arter stated there was no other calls, emails, letters or communications.
- ZA Tice reported on the property and why the hearing was necessary. She explained it is for an accessory building which is different than a garage. The parcel meets the acreage requirement to have the accessory building in front, but not the road frontage requirement of 200 ft. This parcel has 165 ft road frontage and this is why she had to deny the request.
- Steven Crooks that the easement from the utility line draws a narrow opportunity to build behind the house. Also, behind the house the ground water is 18 inches from the surface and the ground is very soft due to that. The front of the parcel where he would like to place the accessory building is dryer and has enough room even with the easement for the utility lines.

PUBLIC COMMENTS REGARDING VARIANCE:

- Tom Hayes (1690 Simonelli Rd) said he is the neighbor across the street and that he supports the variance. He agrees that there is a hardship with the water behind the house and that he has seen utility vehicles using the easement to work on the lines.

- No public comment against allowing the variance.

APPLICANT REBUTTAL:

- None

ZBA DELIBERATION:

- Suzanne Hayes made a motion to close the public meeting. Kim Arter seconded. Motion passed.
- Kim Arter said that she would like to see the paperwork showing that the utility company has an easement on that parcel, creating the hardship. Discussion over easement and proof of ensued for 20 minutes.
- Suzanne Hayes stated the lots are narrow on Simonelli making it difficult.
- ZA Tice said this style of lot is no longer allowed by the state.
- Steven Crooks reiterated that the land behind the building is saturated with water.
- Suzanne Hayes asked what type of building it would be.
- Steven Crooks stated like a garage, will match the house. Using to store camper and other recreational vehicles.
- Kim Arter asked if fill can be brought in for an accessory building to be built. Discussion took place about fill and the land being saturated with water for 20 minutes.
- Suzanne state that with the nature of the land, the age of the house, the area and the lot dimensions there are hardships present.
- Bob Neis said that the topography of the parcel placing the accessory in the front of the house is really the only place for it to be. Suzanne Hayes agreed.
- Steven Crooks re-stated the hardship to say based on the topography and with the parcel being saturated with water behind the dwelling the only place to build the accessory building is in the front yard.

Suzanne Hayes made a motion to approve the request for the variance at 1691 Simonelli based on topography of the property not being conducive to building behind the house. Kim Arter seconded motion.

ROLL CALL VOTE:

YAY: Kim Arter, Bob Neis, Suzanne Lockwood Hayes

NAY: NONE

Motion Carried. Request for variance at 1691 Simonelli due to hardship of topography of the land was approved.

OTHER BUSINESS:**2) ZBA Bylaws review**

- ZA Tice presented the bylaws to the ZBA and stated that they worked on them, but never voted them in.
- Kim Arter made a motion to accept the bylaws.
- Suzanne Hayes seconded the motion.
- The motion carried.

OTHER BUSINESS: NONE**BOARD COMMENTS:**

- Bob Neis would like to see if there is a faster way to set the meeting dates for ZBA. Discussion on possible solutions for 5 minutes took place.
- Bob Neis stated that in all his years being on ZBA and other boards that ZA Tice is by far the best Zoning Administrator he has ever worked with.
- Suzanne Hayes agreed with him and thanked Heidi for always doing such an excellent job.

PUBLIC COMMENTS: NONE

ADJOURNMENT:

Kim Arter moved to adjourn the meeting. Suzanne Hayes supported the motion. The motion passed. The meeting adjourned at approximately 6:57 pm.

Submitted by: Kim Arter, ZBA Secretary