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GOODLAND TOWNSHIP
ZONING BOARD OF APPEALS COMMISSION MEETING
June 10, 2015

A meeting of the Goodland Township Zoning Board of Appeals was held at the Goodland Township Hall, located at 2374 N Van Dyke Rd, Imlay City, MI 48444; pursuant to notice duly posted.

Board Members Present: Rob Sommer, Larry Kohler, Norm Tanis, Early Hummel, Dan Steckly

Board Members Absent:

Others Present: George & Lynne Foltz, Do Van Den Berg, Bob Van Den Berg, Suzy Super, Ariel Super, Karla Seaman, Jeff Seaman, Michelle & Erin McKee, Dawn Fleming, Dennis Cischke, Ron Evans, Aiden Tanis, Atty. David Churchill, Amy Nolin

Chair Sommer called the meeting to order at 7:14 p.m. The Pledge of Allegiance was recited.

AGENDA

Motion 06-15-01PC

Motion by Tanis, seconded by Hummel, to approve the agenda as presented.

MOTION CARRIED.

MINUTES

Motion 06-15-02PC

Motion by Tanis, seconded by Kohler, to approve the minutes of the January 22, 2014 meeting as presented.

MOTION CARRIED.

NEW BUSINESS

Ron Evans Hearing opened at 7:17 p.m.—Mr. Evans owns property (parcel # 44-009-020-019-00) located at 2204 N Blacks Corners Rd on which he operates a private airplane runway for his crop dusting business. He is requesting a variance to the side-yard setbacks (Sections 11.01 & 11.02 of the Zoning Ordinance) to construct a 30' x 72' "hoop-style" building. Years ago the property was split (prior to his ownership) and there are now two agricultural related businesses in close proximity. Mr. Evans is requesting a variance to allow the building to be constructed 2' from the property line as he feels this would help decrease air flow between the properties. He would also use the building for storage. Mr. Evans feels that due to existing driveway and the way the air flows, this building needs to be as close to the property line as possible. He said that the land topography & existing trees also limit the buildable area. There is an existing barn on the neighboring property that is 6' from the property line (pre-existing due to prior land splits). Mr. Evans maintains that the situation is not self-created due to the prior land splits (occurred before he owned the property), due to the use/topography of the land the circumstances are unique, and there are other existing buildings for similar uses so the neighborhood characteristics would not change.

The neighbors expressed concerns about the ability to construct/maintain a building being so close to the property line. They also were concerned about what would be stored in the building and future ramifications of similar requests. One letter was received (attached) that did not have any objections.

The public portion of the hearing was closed at 7:50 p.m.

1 The Board discussed the valid concerns of the neighbors and the scope of their decision. Atty. Churchill
2 advised the Board of their options (approve, approve with conditions, postpone, or deny). They also
3 discussed the report from the Zoning Administrator.
4

5 **Motion 06-15-03PC**

6 Motion by Sommer, seconded by Tanis, to table a decision until the next meeting (6/24), to allow the
7 Attorney to advise if a decision would need to meet all four criteria.

8 **MOTION DENIED.**

9
10 Mr. Evans asked that the Board not postpone the decision, but if the neighbors were against the building
11 and the variance was denied, he would not force the issue.
12

13 **Motion 06-15-04PC**

14 Motion by Sommer, seconded by Steckly, to deny the variance request by Mr. Ron Evans for his property
15 at 2204 N Blacks Corners Rd to construct a building within 2' of the side yard property line. This is due
16 to the fact that the building could be built in another location that would be in compliance with the
17 ordinance.

18 **MOTION CARRIED, with a roll call vote: Tanis, no; Hummel, yes; Sommer, yes; Steckly, yes; and**
19 **Kohler, yes.**

20
21 Meeting adjourned at 8:39 p.m.

22
23 These minutes are correct to the best of my knowledge.
24
25
26

27 _____
28 Robert Sommer, Chair

Cameron Walton, Secretary

29
30 _____
31 Amy Nolin, Recording Secretary