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GOODLAND TOWNSHIP
ZONING BOARD OF APPEALS COMMISSION MEETING
June 24, 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: Rick Duthler, George & Lynne Foltz, Bob Van Den Berg, Brian Kinzer,
Atty. David Churchill, Amy Nolin

Chair Sommer called the meeting to order at 7:02 p.m. The Pledge of Allegiance was recited.

AGENDA

Motion 06-15-05PC

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

MOTION CARRIED.

MINUTES

Motion 06-15-06PC

Motion by Tanis, seconded by Hummel, to approve the minutes of the June 10, 2015 meeting as presented.

MOTION CARRIED.

PUBLIC TIME—no one wished to address the Board.

NEW BUSINESS

Helena Hearing opened at 7:06 p.m.—Rick Duthler was representing Helena in regards to their use variance request to allow commercial use on a portion of property that is zoned agricultural. The property has a zoning line that runs through it, part commercial and part agricultural. Helena wants to install a driveway/truck turn around on the property that would extend approximately 75' over into the agricultural zone. All buildings would be contained in the commercial zoned area. The turning radius of semi-trucks and buildings limit the location available for the drive construction. The drive would be a gravel construction of approximately 75' x 300' in the Ag. zoned area. Additionally, they are seeking a 1' dimensional variance for storage tanks that will be installed. The maximum height allowed is 35' but the standard manufacturing height for these tanks is 36'. The tanks will meet all EPA regulations and specifications.

The public comments received were in regards to the storage tanks. It was discussed that the tanks could be sunk below grade to meet the Ordinance, but that corrosion could then become an issue. It was also mentioned that there is a swale that drains the property to the NE and that it should be avoided during construction.

The public portion of the hearing was closed at 7:18 p.m.

The Board discussed the valid concerns of the neighbors and the scope of their decision. Atty. Churchill advised the Board of their options (approve, approve with conditions, postpone, or deny). They also discussed the report from the Zoning Administrator. The Board also discussed Tanis's request to abstain from any decisions due to the fact that he is an employee of Helena. It was the consensus of the Board to allow Tanis to abstain.

1 **Motion 06-15-07PC**

2 Motion by Sommer, seconded by Hummel, to approve Helena's request for a use variance on parcels 044-
3 009-021-008-00 & 10 to allow for the construction of a gravel area for truck turn around that would be
4 approximately 75' x 300' into agricultural zoning, as depicted in the site plan that was approved by the
5 Goodland Township Planning Commission on 6/4/15, for the following reasons:

- 6 1) Only a small percentage of the agriculturally zoned property would be impacted by the variance,
7 2) The variance would not alter the essential characteristics of the neighborhood,
8 3) No opposition from neighbors was received at the meeting or by correspondence.

9 **MOTION APPROVED, with a roll call vote: Kohler, yes; Steckly, yes; Sommer, yes; Hummel, yes;
10 and Tanis, abstain.**

11
12 **Motion 06-15-08PC**

13 Motion by Sommer, seconded by Kohler, to approve Helena's dimensional use variance request to allow
14 the installation of 6-36' tall storage tanks on their property (044-009-021-008-00 & 10). The following
15 considerations were used in this decision:

- 16 1) To deny the variance would cause a practical difficulty as the standard manufacturing height is
17 36'.
18 2) The variance is minimal (1' difference).
19 3) The variance does not impact the characteristics of the neighborhood, and
20 4) No opposition was received.

21 **MOTION CARRIED, with a roll call vote: Steckly, yes; Sommer, yes; Hummel, yes; Kohler, yes;
22 and Tanis, abstained.**

23
24 Meeting adjourned at 7:30 p.m.

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

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29 _____
30 Robert Sommer, Chair

Cameron Walton, Secretary

31
32
33 _____
34 Amy Nolin, Recording Secretary