

ZONING BOARD OF APPEALS

Monday, May 2, 2016

AGENDA and MINUTES

CALL TO ORDER:

PLEDGE OF ALLEGIENCE:

APPROVAL OF AGENDA: *May 2, 2016*

INTRODUCTION OF MEMBERS:

CALL TO PUBLIC:

APPROVAL OF MINUTES FOR: *August 3, 2015 Regular Meeting*

OLD BUSINESS:

No Old Business

NEW BUSINESS:

- 1) ZBA Case # 01-16 – Ross & Sharon Huetteman – 4349 Adria Drive
Tax ID# 4710-25-202-034*
- 2) Annual Organizational Meeting*

CALL TO PUBLIC:

ADJOURNMENT:

MINUTES

MEMBERS PRESENT: Larry Fillinger, Larry Grunn, Linda Manson-Dempsey, Dan Lowe, and Dan Rossbach

MEMBERS ABSENT: None

OTHERS PRESENT: Annette McNamara, Zoning Administrator

CALL TO ORDER

Larry Fillinger called the meeting to order at 7:30 p.m.

APPROVAL OF AGENDA

Linda Manson-Dempsey motioned to approve the agenda as presented. Larry Grunn seconded. **Motion carried 5-0.**

MEMBERS PRESENT

The members of the Zoning Board of Appeals introduced themselves.

CALL TO THE PUBLIC

No response.

APPROVAL OF MINUTES

August 3, 2015 Regular Meeting: Linda Manson-Dempsey motioned to approve the minutes as presented. Larry Grunn seconded. **Motion carried 3-0** (Fillinger and Rossbach abstained.)

OLD BUSINESS

None.

NEW BUSINESS

ZBA Case #01-16—Ross & Sharon Huetteman, 4349 Adria Dr., Tax ID #4710-25-202-034

The property owners were present to request a variance for construction of a deck to replace one that was previously removed. They moved into the home about seven weeks ago. They are requesting a variance to the front yard setback, *Section 8.04 E #3 a 1.*

Call to the Public

Duane Barclay, 4394 Adria Dr., was present and said the Huettemans' have made many improvements since they purchase the property and he would have no objections.

Linda Manson-Dempsey said she spoke with Mr. Poole, one of the neighbors, and he also doesn't object.

Dan Rossbach asked about screening, and Mr. Huetteman said he intends to put up some trees.

Motion

Dan Rossbach motioned for ZBA Case #01-16—Ross & Sharon Huetteman, 4349 Adria Dr., Tax ID #4710-25-202-034, to relax the front-yard setback requirement by allowing a 9 foot variance on the NE corner of the deck and a 28 foot variance on the NW side, as depicted in the plot plan labeled A1, considering the following criteria:

1. That the restrictions of the township zoning ordinance would unreasonably prevent the owner from using the property for a permitted use. *As the property is a corner lot and has two front-yard setbacks, it would be unreasonable to not allow a deck. .*
2. That the variance would do substantial justice to the applicant and a lesser relaxation than that requested would not give a substantial relief to the owner of the property. *To not allow the deck would unusually impede the use of the property, and allowing the deck also provides an emergency access through the doorwall.*
3. That the request is due to the unique circumstances of the property. *The corner lot and position of the house are unique.*
4. That the alleged hardship has not been created by a property owner. *The situation was not created by the property owner; it was created by the previous owner.*
5. That the difficulty shall not be deemed solely economic. *The difficulty is not economically based.*

Linda Manson-Dempsey seconded. Roll call vote: Grunn, Manson-Dempsey, Fillinger, Rossbach, Lowe—all yes.

Motion carried 5-0.

Annual Organizational Meeting

Dan Lowe motioned to nominate Larry Fillinger as chairman of the Zoning Board of Appeals. Linda Manson-Dempsey seconded. **Motion carried 5-0.**

Larry Fillinger motioned to nominate Linda Manson-Dempsey as vice chair of the Zoning Board of Appeals. Dan Rossbach seconded. **Motion carried 5-0.**

Linda Manson-Dempsey motioned to nominate Dan Lowe as secretary of the Zoning Board of Appeals. Larry Fillinger seconded. **Motion carried 5-0.**

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Linda Manson-Dempsey motioned to adjourn at 8:03 pm. Dan Lowe seconded. **Motion carried.**