

Submitted by: S. Longstreet

Approved: _____

**MARION TOWNSHIP
2877 W. Coon Lake Rd., Howell MI 48843
ZONING BOARD OF APPEALS
FEBRUARY 4, 2019**

MEMBERS PRESENT: Larry Fillinger, Dan Lowe, Linda Manson-Dempsey, Larry Grunn,
and Ed Galubensky (alternate)

MEMBERS ABSENT: Dan Rossbach

OTHERS PRESENT: Dave Hamann, Zoning Administrator

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

INTRODUCTION OF MEMBERS

The board members introduced themselves.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

January 7, 2019 Regular Meeting: Linda Manson-Dempsey motioned to approve the minutes as presented. Larry Grunn seconded. **Motion carried.**

CALL TO THE PUBLIC

Greg Busick, 4746 Hawthorne, said he wanted to respond to the Call to the Public statements from the January 24 board meeting. Mr. Busick was advised that he should attend the next Board of Trustees meeting on February 14 to address his concerns; the zoning administrator asked him to contact the office to discuss.

NEW BUSINESS

ZBA Case #01-19—Janet Godfrey, 3157 Pingree Rd., Howell MI 48843, Tax ID #4710-19-100-046, Section 6.19 A 2

Kenneth Godfrey, representative for the owner, said Ms. Godfrey is requesting a second driveway because of the location of the septic and reserve field, safety concerns, and other parcels in the township have two driveways.

Cheyenne Pistole, representative for the owner, said that emergency vehicles, delivery vehicles, and service vehicles are unable to turn around in the driveway. Linda Manson-Dempsey said theirs is more than enough space to turn around vehicles in the existing driveway. Dan Lowe said that the property owner could make a circle driveway and eliminate the need for two driveways.

Letters were received from Kenneth & Amber Felkins, 3043 Pingree Rd., and Kay & Todd Johnson, 3235 Pingree Rd., opposing this request.

Motion

Linda Manson-Dempsey motioned for ZBA Case #01-19—Janet Godfrey, 3157 Pingree Rd., Tax ID #4710-19-100-046, to deny the applicant's request for a second driveway, per Section 6.19 A 2 of the Zoning Ordinance, 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. *The property owner is not being prevented from putting in a circular driveway.*
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. *A variance is not required for the owner to put in a circular driveway to alleviate concerns about vehicles being able to turn around.*
3. That the request is due to the unique circumstances of the property. *There are many parcels in the township like this one and there is nothing unique about this one.*
4. That the alleged hardship has not been created by a property owner. *A hardship has not been demonstrated.*
5. That the difficulty shall not be deemed solely economic. *There is no difficulty.*

Larry Grunn seconded. Roll call vote: Lowe—yes; Grunn—yes; Fillinger—yes; Manson-Dempsey—yes; Galubensky—yes. **Motion to deny variance request carried 5-0.**

OLD BUSINESS

Review Zoning Board of Appeals Rules & Procedures/Revise Bylaws

At the January meeting, Larry Fillinger asked the board members to review the document and bring back any revisions to the next ZBA meeting. However, not all board members were present at the last meeting, so this document will be reviewed at the March meeting.

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Linda Manson-Dempsey motioned to adjourn at 8:01 pm. Larry Grunn seconded. **Motion carried.**