

Zoning Board of Appeals
Meeting
August 31, 2016

The regular meeting of the Almont Township zoning Board of Appeals was called to order at 7:00 p.m. by chairman Schenburn at the Almont Township/Village Hall, 817/819 N. Main Street, Almont, Michigan Roll call was taken.

MEMBERS PRESENT: Rick Dodge, Larry Malburg, Jerry Moore, David Schenburn, and Clay Stroup.

MEMBER ABSENT: 0

ALSO PRESENT: 1 Guest

MINUTES: MOVED BY DODGE AND SUPPORTED BY MALBURG TO RECEIVED THE MINUTES FROM AUGUST 10, 2016 AS PRESENTED. MOTION CARRIED.

HEARING NO. 1. Petition 16-07 –Eric & Christine Flinn – 8054 Dryden Road, Almont, MI 48003

Chairman Schenburn asked Mr. Flinn to give a brief explanation of his request. Mr. Flinn noted that he would like to divide his property but due to the location of his barn he may not be able to as the barn would be short by 1foot and 10 inches of meeting the required 15 foot setback required under Article 2, section 2.02(5) of Zoning Ordinance 39 as amended. It was also noted that according to Article 2, section 2.12 of the Zoning Ordinance *“every dwelling or principal building shall be located on a lot which shall front upon a public street or approved private road for the full width of the lot”* Therefore the lot line cannot be adjusted around structures or objects but must continue as straight as possible.

Chairman Schenburn open the meeting for public comment at 7:06 p.m. Due to the fact that there was no public other than the applicant and no written comments were received, Chairman Schenburn closed the public comment portion of the hearing at 7:07 p.m.

Discussion was held noting that the barn was built prior to the change in the ordinance. The area in question is heavily wooded and cannot be seen from the main road.

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Petition 16-07 –Eric & Christine Flinn –Variance from Art. 2, Sect. 2.02(5) Setbacks. Continued:

MOVED BY DODGE AND SUPPORTED BY MALBURG TO GRANT THE REQUEST SUBMITTED BY ERIC AND CHRISTINE FLINN FOR PARCEL 44-001-014-008-30 ALSO KNOWN AS 8054 DRYDEN ROAD AND ALLOW A VARIANCE FROM ALMONT TOWNSHIP ZONING ORDINANCE NO 39, AS AMENDED, ARTICLE 2, SECTION 202.5 WHICH WOULD ALLOW FOR AN ACCESSORY BUILDING TO BE 1 FOOT AND 10 INCHES LESS THAN THE REQUIRED 15 FEET FOR SIDE SETBACK DUE TO THE FACT THAT STRICT ENFORCEMENT OF THE ZONING ORDINANCE WOULD CAUSE PRACTICAL DIFFICULTY AND UNNECESSARY HARDSHIP AND DEPRIVE THE APPLICANT THE RIGHTS ENJOYED BY OTHER PROPERTY OWNERS WITHIN THE SAME ZONING DISTRICT; THE CONDITIONS AND CIRCUMSTANCES ARE UNIQUE TO THE SUBJECT PROPERTY AND SIMILARLY APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING DISTRICT; THE CONDITIONS AND CIRCUMSTANCES ARE UNIQUE TO THE PROPERTY DUE IN PART TO ARTICLE 2, SECTION 2.12 OF ALMONT TOWNSHIP ZONING ORDINANCE 39, AS AMENDED, WHICH PROHIBITS A LOT FROM BEING CREATED THAT DOES NOT EQUAL THE FRONTAGE OF THE LOT WIDTH FOR THE WHOLE LENGTH OF SAID PARCEL; THAT REQUESTED VARIANCE WILL NOT CONFER SPECIAL PRIVILEGES THAT ARE DENIED OTHER PROPERTIES SIMILARLY SITUATED AND IN THE SAME ZONING DISTRICT; NOR WILL THE REQUESTED VARIANCE BE CONTRARY TO THE SPIRIT AND INTEND OF THE TOWNSHIP ZONING ORDINANCE.

ROLL CALL VOTE: DODGE – YES, MALBURG – YES, STROUP – YES, MOORE – YES, SCHENBURN –YES. MOTION CARRIED.

Consensus of members present agreed to meet on September 7, 2016 at 6:30 p.m. to review and approve the minutes of August 31, 2016 and to sign the Final Decision Form.

Chairman Schenburn adjourned the meeting at 7:18 p.m.

Respectfully submitted by,

Ida L. Lloyd

Ida L. Lloyd,
Recording Secretary