

Zoning Board of Appeals
Meeting
August 20, 2014

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: Brad Bletch, Larry Malburg, Jerry Moore, David Schenburn, and Clay Stroup.

MEMBER ABSENT: 0

ALSO PRESENT: 4 Guests

MINUTES: MOVED BY STROUP AND SUPPORTED BY MALBURG TO RECEIVED THE MINUTES FROM AUGUST 13, 2014 AS PRESENTED. MOTION CARRIED.

HEARING NO. 1. Petition 14-004 – Leander Blue variance from Zoning Ordinance No. 39, Art. 2, Section 2.02.3 – detached accessory building shall not be erected in any front yard.

Chairman Schenburn noted for the record that petition 14-004 was being continued from July 2, 2014. The Zoning Board Appeals had postponed petition 14-004 to give the applicant, Leander Blue, sufficient time to make the necessary corrections to his plot plan and submit to the ZBA a revised site plan showing accurate locations of all structures on the property, setbacks, and size of buildings.

Chairman Schenburn asked Mr. Blue if he had an updated site plan for the ZBA members to review. Mr. Blue submitted a new site plan. As there were very few measurements on the site plan Mr. Blue was asked to note the setback distances between the existing buildings, the creek (Paton Drain), and the location of the proposed barn.

Petition 14-004 Continued:

Chairman Schenburn opened the meeting to the public at 7:12 p.m. Public comments were heard on the fact that one cannot operate a business in a barn, the size of the parcel (13.64 acres), the size of the proposed barn (40' x 60'), the location of a proposed second driveway that would service the barn only, the topography of the parcel in question, and if the barn was really necessary. After asking for and not hearing any new comments, Chairman Schenburn closed the public portion of hearing at 7:19 p.m.

ZBA members went into lengthy discussion.

**MOVED BY MOORE AND SUPPORTED BY BLECH TO APPROVE THE REQUESTED VARIANCE FROM ZONING ORDINANCE NO. 39, AS AMENDED, ARTICLE 2, SECTION 2.02.3 AS PRESENTED BY LEANDER BLUE OF 8515 HOUGH ROAD AS PRESENTED BASED ON THE FOLLOWING FINDINGS OF FACT: IT COMPLIES WITH STANDARD ONE (1) BASE ON THE FACT THAT OTHERS IN THE NEIGHBORHOOD HAVE BEEN PERMITTED TO BUILD ACCESSORY BUILDINGS IN THE FRONT YARD; IT COMPLIES WITH STANDARD TWO (2) BASED ON THE FACT THAT THE STREAM(COUNTY DRAIN) LOCATED NEAR THE FRONT LINE CREATES A NEED FOR AN ACCESSORY BUILDING BETWEEN THE FRONT LOT LINE AND THE DRAIN; IT COMPLIES WITH STANDARD THREE (3) BASED ON THE FACT THAT THE STREAM (DRAIN) IS A PRE-EXISTING CONDITION THAT WAS NOT "CREATED" BY THE APPLICANT; IT COMPLIES WITH STANDARD FOUR (4) ON THE FACT THAT THE ZBA HAS GRANTED VARIANCES TO OTHER IN THE AREA WITH BARN IN FRONT OF THE RESIDENCES (HOME); IT COMPLIES WITH STANDARD FIVE (5) BASED ON THE FACT THAT ARTICLE 9 OF THE ORDINANCE 39 ALLOWS ACCESSORY BUILDINGS AND AS SUCH WOULD PRESERVE THE ORDINANCES RULE AND ENVIRONMENT. FURTHER, IN ORDER TO ENSURE COMPLIANCE WITH THESE STANDARDS, THE FOLLOWING CONDITIONS ARE PART OF THE MOTION: THE DRIVEWAY LOCATION IS TO BE MOVED SIXTY (60) FEET TO THE WEST OF ITS CURRENT PROPOSED LOCATION WHICH IS ACROSS FROM THE PRIVATE ROAD GRACE LANE, AND THAT NO TREES SHALL BE REMOVED UNLESS TO CLEAR THE LAND FOR THE DRIVEWAY WHICH SHALL BE CURVED (SEE DIAGRAM) AND/OR THE BARN LOCATION.
ROLL CALL VOTE: MOORE – YES, BLECH – YES, MALBURG – YES, STROUP – NO, SCHENBURN – YES.
MOTION CARRIED.**

Consensus of ZBA members present agreed to meet at 6:30 p.m. on September 10, 2014 to review the August 20, 2014 meeting minutes and sign the Final Decision Form.

Chairman Schenburn adjourned the meeting at 7:55 p.m.

Respectfully Submitted by:

Ida L. Lloyd

Ida L. Lloyd,
Recording Secretary