

Almont Township

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Zoning Board of Appeals Meeting

July 14, 2015

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 was taken.

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

MEMBERS ABSENT: 0

ALSO PRESENT: 2 guests

MOVED BY STROUP AND SUPPORTED BY MALBURG TO RECEIVE THE MINUTES FROM SEPTEMBER 10, 2014 AS PRESENTED. MOTION CARRIED.

Hearing No. 1.: Petition 15-001 – Keista/Darin Parker, 8195 Tubspring Road – 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 explained meeting procures.

Mr. Darin Parker explained that when he and his wife purchased the property known as 8195 Tubspring Road they were not made aware of the wetland conditions on the site. Since learning of the wetlands they have had to abandon their hopes of having horses as they could not turn any of the designated wetland into pasture. The wetland boundaries extend from the front southwest corner of their property and along the west side of their property. The rear of the property is about 2/3 to 3/4 covered by wetlands. Mr. Parker explained that at present there are two small sheds that will be demolished and removed so that a pole type barn can be constructed. The sheds are located in front of the house. Mr. Parker provided a copy of a plot plan that outlines the wetland area and all structures. The property is also heavily wooded and the current sheds are barely visible from the road.

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Hearing No. 1.: Petition 15-001 Continued:

Chairman Schenburn opened the meeting to hear public comments at 7:10 p.m. Upon requesting for and not receiving any comments Chairman Schenburn noted for the record that the public comment portion of the meeting was closed at 7:11 p.m.

Discussion followed between the Zoning Board of Appeal members.

MOVED BY STROUP AND SUPPORTED BY MALBURG TO APPROVE THE REQUESTED VARIANCE FROM ZONING ORDINANCE NO. 39, AS AMENDED, ARTICLE 2, SECTION 2.02.3 AS PRESENTED BY KEISTA AND DARIN PARKER OF 8195 TUBSPRING ROAD AS PRESENTED BASED ON THE FOLLOWING FINDINGS OF FACT: IT COMPLIES WITH THE FOLLOWING STANDARDS: (1) BASED ON THE FACT THAT STRICT ENFORCEMENT OF THE ORDINANCE WOULD DEPRIVE THE OWNER OF RIGHTS ENJOYED BY OTHER PROPERTY OWNERS; (2) THE CONDITIONS AND CIRCUMSTANCES ARE UNIQUE TO THE SUBJECT PROPERTY ; (3) THE CONDITIONS AND CIRCUMSTANCES UNIQUE TO THE PROPERTY WERE NOT CREATED BY THE OWNER, OR HIS PREDECESSOR IN TITLE ; (4) THE REQUESTED VARIANCE WILL NOT CONFER SPECIAL PRIVILEGES AS OTHER PROPERTIES WITHIN ALMONT TOWNSHIP HAVE BEEN APPROVED TO CONSTRUCT ACCESSORY BUILDINGS IN THE FRONT YARD; AND (5) THE REQUESTED VARIANCE WILL NOT BE CONTRARY TO THE SPIRIT AND INTENT OF THE TOWNSHIP ZONING ORDINANCE. THIS APPROVAL IS ALSO CONTINGENT UPON THE REMOVAL OF THE EXISTING SHEDS PRIOR TO THE CONSTRUCTION OF THE NEW ACCESSORY BUILDING AND NOTING THAT ALL SETBACKS MUST BE OTHERWISE ADHERED TO.

**ROLL CALL: STROUP – YES, MALBURG – YES, BLETCH – YES, MOORE – YES, SCHENBURN – YES.
MOTION CARRIED.**

Consensus of the members agreed to meet on July 20, 2015, 7:00 p.m. to review and approve the minutes and sign the Final Decision Form.

Meeting was adjourned at 7:22 p.m. by Chairman Schenburn.

Respectfully Submitted by:

Ida L. Lloyd

Ida L. Lloyd,
Recording Secretary

