

<p style="text-align: center;">YANKEE SPRINGS TOWNSHIP ZONING BOARD OF APPEALS MEETING</p> <p style="text-align: center;">Tuesday, August 12, 2014</p> <p style="text-align: center;">Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333</p> <p style="text-align: center;">MINUTES</p>	<p>FINAL MINUTES Approved Feb 10, 2015 Page 1 of 3</p>
<p>Meeting called to order at 7:03 PM by Mary Cook.</p> <p>Roll Call: Present: Al Schwennesen, Richard Beukema, Roger Rottschafer, Mary Cook, Chuck Biggs (Alternate)</p> <p>PLEDGE OF ALLEGIANCE –</p> <p>Staff Present: Larry Knowles- Zoning Administrator, Sandy Marcukaitis and Jim Orr, Constable.</p> <p>Visitors: 5- not including staff present</p>	<p>CALL TO ORDER</p> <p>ROLL CALL</p> <p>PLEDGE</p>
<p>ADDITIONS OR CORRECTIONS TO AGENDA:</p> <p>Move “Old Business” up to #3 on the agenda.</p>	<p>ADDITIONS TO AGENDA</p>
<p>OPENING OF MEETING:, Meeting Chairman</p> <p>Discussion took place on Chuck Biggs going from an alternate to a full time member of the ZBA. C. Biggs has agreed to do so.</p> <p>Motion by M. Cook with support from R. Beukema to approve Chuck Biggs being a full member of the ZBA. All Ayes. MOTION CARRIED.</p>	<p>OPENING OF MEETING:</p> <p>Motion to approve Chuck Biggs being a full member of the ZBA. MOTION CARRIED.</p> <p>(OLD BUSINESS)</p>
<p>MOTIONS FOR CHAIRMAN AND VICE-CHAIRMAN OF TONIGHT’S MEETING:</p> <p>Motion by C. Biggs with support from Rottschafer to approve M. Cook as serving as Chairman of tonight’s meeting. All ayes. MOTION CARRIED.</p> <p>Motion by M. Cook with support from R. Beukema to approve C. Biggs as serving as Vice-Chairman of tonight’s meeting. All ayes. MOTION CARRIED.</p>	<p>MOTIONS FOR CHAIRMAN AND VICE-CHAIRMAN OF TONIGHT’S MEETING</p>
<p>APPROVAL OF MINUTES:</p> <p>Motion by C. Biggs with support from R. Beukema to approve ZBA meeting minutes of July 8, 2014 as presented. All ayes. MOTION CARRIED.</p>	<p>APPROVAL OF MINUTES:</p> <p>Minutes of ZBA July 8, 2014 Meeting approved.</p>
<p>NEW BUSINESS:</p> <p>ZBA 14-06-05 Parcel ID 004-011-80 Property address: 1606 N. Norris Rd., Middleville. A request by William & Melissa Schilthroat for a variance to the minimum lot size of 3 acres in the RA Zoning District. Article XII.5</p>	<p>NEW BUSINESS:</p> <p>ZBA 14-06-05 Parcel ID 004-011-80 Property Address: 1606 N. Norris Rd., Middleville.</p>

M. Cook asked for a consensus of the board regarding this situation/request.

Chuck Biggs- suggested to notify township board and possibly notify zoning so that we could move on from there with our recommendations.

Rich Beukema- suggested to follow the land split protocol and go from there.

Al Schwennesen- commented that it would be nice to save the barn, but thinks it would be a dream to save it.

Melissa Schilthroat- concerned that if the house is sold with the barn, the barn will continue to deteriorate and fall. It will be closer to their house and to their property. She would repurpose the wood if it were up to her. Schilthroat wants to keep the barn, but if it gets to the point that it cannot be saved, what is going to happen?

Roger Rottschafer – commented that the request needs to go back to the Board, and maybe get it on the agenda for this Thursday’s Board of Trustee’s meeting.

Mary Cook entertained a motion to the effect that the ZBA finds they can’t deal with neither of these issues because they are not granted the right by law. However, the ZBA would not object to either action happening. It would seem to Cook that a lot that is in Rural Ag going to Rural Residential is a perfectly compatible use and that there is rural residential in that vicinity and a half of mile of that, so it wouldn’t be out of the ordinary. Cook commented on the possibilities of doing either the split or the re-zoning. Cook explained that the ZBA didn’t have the authority to diminish a lot size for zoning. That would then become a use variance and the ZBA is not allowed to do use variances. The ZBA is allowed to do dimensional things only.

Motion by C. Biggs with support from Rottschafer to send request back to the Board of Trustees and Planning Commission with full recognition that the ZBA doesn’t have authority to do anything with the request but recommends it be done because it’s not an incompatible use to make the smaller lot Rural Residential, and ZBA recommends that all fees be returned. ROLL CALL: Rottschafer: yes, Schwennesen: yes, Beukema: yes, Biggs: yes, Cook: yes. All yes votes. MOTION CARRIED.

ZBA 14-06-06 Parcel 028-004-20 Property address: 10383 Gun Lake Rd., Middleville. A request by Bradley Knowles for a variance to the minimum side yard setback of 10%. Article XII.4.2.a

B. Knowles presented a drawing of the proposed pole barn. Only one drain field is on the property now. In the event that he would need another drain field, which had happened at his previous home, the only place that he could put in another drain field (that the Health Dept. approved) was extremely limited.

One unidentified neighbor was present and inquired to see the drawing/sketch of the project. After viewing this, neighbor had no objections to the project.

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ZBA 14-06-05 Parcel ID 004-011-80 Property Address: 1606 N. Norris Rd., Middleville. William & Melissa Schilthroat

Motion to send request back to the Board of Trustees and Planning Commission with full recognition that the ZBA doesn’t have authority to do anything with the request but recommends it be done because it’s not an incompatible use to make the smaller lot rural residential, and ZBA recommends that all fees be returned. MOTION CARRIED.

ZBA 14-06-06 Parcel 028-004-20 Property address: 10383 Gun Lake Rd., Middleville.

M. Cook read the Practical Difficulty test.

Discussion took place with ZBA members.

Motion by C. Biggs with support from R. Beukema to grant a 15 foot variance (10 feet from the property line) to the building line of proposed barn on SE side of property for Bradley Knowles at 10383 Gun Lake Rd., Middleville. ROLL CALL: Rottschafer: yes, Schwennesen: yes, Beukema: yes, Biggs: yes, Cook: no. Yes: 4, No: 1.
MOTION CARRIED.

(Clarification from M. Cook : 60% variance = 15 feet)

With no further business at hand:

ADJOURNMENT: It was motioned by Beukema and seconded by Schwennesen to adjourn at 7:40 p.m. Approved by all.

Respectfully submitted:

Deb Mousseau

Recording Secretary

8-17-14

Approved by: _____

Janice C. Lippert, Township Clerk

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Motion to grant a 15 foot variance (10 feet from the property line) to the building line of proposed barn on SE side of property for Bradley Knowles at 10383 Gun Lake Rd., Middleville. MOTION CARRIED.

ADJOURNMENT