

GRATTAN TOWNSHIP ZONING BOARD OF APPEALS
Regular Meeting of September 15, 2010

1. Call to Order

Chairman Pat Mooney called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

P. Mooney led the Pledge of Allegiance.

3. Roll Call

Members present: P. Mooney, N. Benner, A. Berry, J. Jakeway, D. Hockemeyer and B. Johnson. Members absent: G. Jonker.

4. Approval of Agenda

N. Benner added discussion of Zoning Book updates as item 7 on the agenda.

D. Hockemeyer moved and B. Johnson seconded to approve the amended agenda. All ayes. The motion carried.

5. Approval of Minutes

A. Berry moved and N. Benner seconded to approve the minutes of the April 21, 2010 meeting as presented. All ayes. The motion carried.

6. New Business- Adam Senica- 8255 Wabasis Ave- Variance Request

A. Berry read the published meeting notice out loud.

Megan Senica said they are requesting a variance to build a 30' x40' pole barn in the front yard. She said the location of their existing septic field, a reserve area for a second septic field, the location of the well and wetted areas on the property limit where the proposed building can be located.

A. Berry said it appeared that with the removal of some trees the pole barn could **BE** moved farther west on the property and be located on the north side of the house. The applicants said that area slopes to a wetland area and the pole barn would still be located in front of the house. The applicants said they would have to bring in sand if the pole barn was moved to that location. A. Berry said he did not notice a slope in that area.

Draft: 09/20/10

Approved: 10/07/10

N. Benner thanked the applicants for explaining reasons for the variance request. She said soil maps show very mucky soil types with poor drainage on the property.

P. Mooney asked how far in front of the house the proposed pole barn would be located. Megan Senica said it would be 35'-40' in front of the house.

The ZBA received no correspondence regarding the Senica application.

N. Benner provided maps to ZBA members and explained the unique 150' road right-of-way along this section of Wabasis Avenue.

N. Benner moved and D. Hockemeyer seconded to open the public hearing. All ayes. The motion carried.

Rob Keys, neighbor, said the proposed building will be back from the road and he had no issues with the proposed location of the pole barn. He said the proposed location is the driest spot to build on the property.

Marcia Kutchins, neighbor, said she had no problem with the proposed location of the pole barn.

A. Berry moved and J. Jakeway seconded to close the public hearing. All ayes. The motion carried.

ZBA members discussed the proposed variance. J. Jakeway said land in that area is always wet and the applicant will always need fill dirt. A. Berry said he had hoped to find a location for the pole barn without the need for a variance. N. Benner said she appreciated the neighbor's comments. She said those comments could help make the request more justifiable. B. Johnson did not see any difference in the proposed pole barn location or the one suggested by A. Berry. He said either location will need lots of fill. D. Hockemeyer said she doesn't like to see trees cut down and did not see much advantage to moving the proposed barn. P. Mooney said the road right-of-way is unique.

A. Berry asked for a straw vote. Ayes: J. Jakeway, N. Benner, P. Mooney, B. Johnson and D. Hockemeyer. Nays: A. Berry.

P. Mooney reviewed standards the application must meet in order to approve the requested variance. A. Berry said the ZBA receives lots of variance requests for wet, low lands. He asked if there was a way to allow these types of requests without coming before the ZBA. B. Johnson said lots of townships in the area have lower setback requirements. P. Mooney will contact the Planning Commission Chair regarding this matter.

Draft: 09/20/10

Approved: 10/07/10

A. Berry moved and D. Hockemeyer seconded to approve ZBA resolution 10-002, with additional findings of fact added at the meeting, granting Adam and Megan Senica's request for a 118' dimensional variance to build a 30' x 40' pole barn in the front yard at 8255 Wabasis Avenue. Roll call vote: Ayes: D. Hockemeyer, B. Johnson, N. Benner, A. Berry, J. Jakeway, and P. Mooney. Nays: none. The motion carried 6-0.

N. Benner explained Zoning Ordinance Section 18.08, time limitations on variances, and provided a copy of that section of the Zoning Ordinance to the applicants.

7. Discussion- Updates to Zoning Book

N. Benner distributed updated copies of Zoning and Regulatory ordinances to ZBA members.

8. Schedule Next Meeting

The next meeting will be held October 7, 2010 at 7:00 p.m.

9. Adjournment

There being no further business, N. Benner moved to close the meeting. The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Al Berry, ZBA Secretary

Diane Timmons
ZBA Recording Secretary