

**GRATTAN TOWNSHIP
ZONING BOARD OF APPEALS
MARCH 19, 2008**

The meeting was called to order by Chairman Pat Mooney at 7:00 p.m. followed by the Pledge of Allegiance.

Members present: Pat Mooney, Nancy Benner, Al Berry, John Jakeway, Glen Jonker, Brian Heethius and Brian Johnson

Township attorney, Ron Reddick also present at meeting.

Agenda: Motion to approve as presented by Nancy Benner, second John Jakeway. All ayes. Agenda approved.

Minutes: Motion to accept the February 20, 2008 minutes as presented by Al Berry, second Brian Johnson. All ayes. Minutes approved.

New Business:

1. The ZBA appreciates the service of George Poulias and his many years of dedication; his seat on the ZBA has been appointed to John Jakeway.

Old Business:

1. Court ordered remand for consideration of Variance application submitted by Don Kurylowicz, 4822 Abrahams Dr. N.E. Parcel # 41-12-29-277-018.

Mr. Kurylowicz was represented by his attorney, Steve Grim, who explained that the applicant applied for a variance before the ZBA and that it was denied, and then taken to Circuit Court where it has been remanded for one item and is asking the ZBA to reconsider this request. By denying the request it creates a difficulty for John and Anitra Mallindine, as this is a shared driveway. Dale Childs was asked to explain to the ZBA the hardship of the driveway from a snow removal stand point and Mr. Kurylowicz reviewed the history of the property with the easements that were in place since the early 1900's.

ZBA discussion:

The ZBA stated this is a unique location of the property as it is on a curve with an incline and would like to satisfy the request, and from a safety standpoint look at the driveway allowing the applicants to safely get in and out of the driveway.

Brian Johnson questioned if there was any consideration of the driveway by an engineer to place a new driveway onsite. Steve Grim stated that a new drive is possible, however for the line of site distance the one in use is best suited for the topography.

Glenn Jonker stated he has snow plowed for many years and it is possible to plow with a smaller truck and a radius would make it easier to get in and out.

The members of the ZBA also discussed off street parking.

Nancy Benner stated that if the drive behind the Mallindines went away it would create a practical difficulty. Mr. Kurylowicz explained that if he used the drive on the south side it would cause hardship due to the slope. Nancy also stated she did not think the snow plowing was an issue and that the road commission seemed to agree with the new house plans. Al Berry stated that all standards for the driveway were met in regards to what Greg Converse the Zoning Administrator presented. Brian Heethius said the proposed layout would gain some area and it would be 18-feet from the existing home and help with safety. Pat Mooney said the proposal with part of the bank removed from the southern tip and be graded down would help the site. Nancy Benner asked if the request is approved will a legal easement be done, and Steve Grim stated they would consent to that.

Pat Mooney stated that due to the shape and topography he is leaning toward approving the request. Brian Heethius stated he voted to approve the request the first time and will lean the same way.

Motion by Nancy Benner to grant the variance request with the proposed findings, second by John Jakeway.

Roll call vote:

Brain Johnson-yes

Nancy Benner-yes

Al Berry-no

Pat Mooney-yes

John Jakeway-yes

Brian Heethius-yes

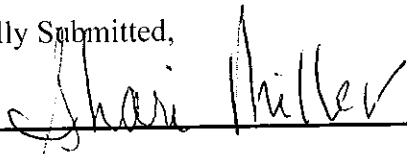
Glen Jonkers-no

Variance request approved.

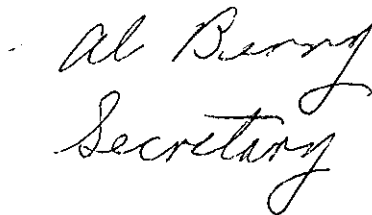
Next Meeting: April 16,2008

Adjourned: 9:00 p.m.

Respectfully Submitted,



Shari Miller, ZBA Recording secretary



Secretary