

MINUTES OF THE SCHOOLCRAFT TOWNSHIP ZONING BOARD OF APPEALS

MEETING ON JULY 9, 2020

A meeting of the Zoning Board of Appeals of Schoolcraft Township was held on July 9, 2020, at the Schoolcraft Township Hall, 50 East "VW" Avenue, Vicksburg, Michigan.

Members Present: Terry Blodgett, Ray Hocevar, Gary Steensma, and John Gardner.

Members Absent: Greg Feldmeier.

Also Present: Applicant, Bryan Sallmen, Zoning Administrator, Chris Hamilton; Township Attorney, Michael Homier, Township Supervisor, Don Ulsh.

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

Review and Approval of Minutes

A Motion by Comm. Gardner was made to approve the minutes of the January 9, 2020 meeting, supported by Comm. Steensma. Motion carried 4-0-1.

Variance request of Bryan Sallmen of 10819 Poplar Bluff Ct., Portage, Michigan 49024, from the 50' waterfront setback requirements to 40'. Chairman Blodgett commented that the Township had received three letters of objection to the variance.

Public Hearing

Chairman Blodgett opened the public hearing and asked the Applicant to provide background on the request.

The applicant stated that he desires to build a home on the lot at 1335 Panama, but requires a 10' variance from the waterfront setback requirements of 50' to 40' to ensure that the house will fit the lot. The applicant purchased the lot with the intent of building a house to downsize his family into. Additionally the applicant stated that the ZBA had previously approved a variance for the previous owners of this property in 2019, but that the variance had expired. Mr. Sallmen stated that the only thing holding up the ability to build the home is the variance. The variance would allow for a driveway that would help with parking since there is no street parking available.

Comm. Blodgett discussed the lot size and dimensions.

Comm. Garner asked the applicant about the floor plan and what would have to be done for the home to meet the 50' setback. The applicant responded that they have already changed the floor plan of the home to keep it within the proposed 40' setback. Comm. Garner commented that he would like to better understand the hardship to which the applicant responded that he would not be able to build the home without the variance.

Comm. Blodgett talks about the variance and the size and layout of the lot and the variance requested.

Comm. Garner commented that the applicant is not trying to build an oversized house. Zoning Administrator Chris Hamilton added that that if the applicant moved the house towards the street he would experience other issues requiring variances because it wouldn't meet the setback requirements from the road.

Comm. Steensma had no questions or comments to add.

Tom Kelly mentioned that the home needed to be situated close to the water to provide for parking since there is not any available on the street.

Comm. Blodgett mentioned that when looking at the standards and lot design that was platted in 1963 the shape is exceptional and extraordinary. Additionally, if the variance is granted there will not be a substantial detriment to the adjoining properties.

There being no public comment, the public hearing was closed.

Township Attorney Homier read and explained the variance standards located in the Schoolcraft Township Zoning Ordinance as section 28.9. Additionally Mr. Homier commented to give some context that if the original applicant had filed the same request due to a delay in construction the Board could renew the variance.

Comm. Steensma asked Attorney Homier if the Board could rely on the findings from the previous variance. Mr. Homier responded that the Board could rely on the previous findings, and could add to the findings if the Board so choose.

Comm. Blodgett stated that looking at the standards and based on the lot design that was platted in 1963 the shape is exceptional and extraordinary. Additionally he added that granting the variance would not be of substantial detriment to the adjoining properties. The building of the home would increase the property's value and provide additional taxable income for the Township. The first five standards have been met and/or do not apply to this request.

Comm. Steensma voiced concern for the neighbors and the potential to move the property closer to the road and make the driveway smaller.

Zoning Administrator, Chris Hamilton commented that if the applicant made the house fit all of the setbacks it would not fit the size of the homes in the neighborhood. This is a reasonable request for the neighborhood.

A motion was made by Comm. Gardner to approve the variance as requested, supported by Comm. Steensma. Motion carried 4-0-1.

Public Comment

Written comments were received from Tom King for L. King/L. Baker and 2 unidentified individuals and entered as part of the record.

Bryan Sallmen thanked the Board for their assistance.

Adjournment

There being no other business, a Motion was made by Comm. Gardner, supported by Comm. Steensma to adjourn the meeting. 4-0-1

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Date: 9-17-20