

Submitted by: S. Longstreet

Approved: \_\_\_\_\_

**MARION TOWNSHIP  
2877 W. Coon Lake Rd., Howell MI 48843  
ZONING BOARD OF APPEALS  
SEPTEMBER 11, 2017**

**MEMBERS PRESENT:** Larry Fillinger, Larry Grunn, Dan Lowe, Dan Rossbach, and Linda Manson-Dempsey

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Dave Hamann, Zoning Administrator

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**CALL TO ORDER**

Larry Fillinger called the meeting to order at 7:30 p.m.

**MEMBERS PRESENT**

The members of the Zoning Board of Appeals introduced themselves.

**APPROVAL OF AGENDA**

Linda Manson-Dempsey motioned to approve the agenda as presented. Larry Grunn seconded. **Motion carried.**

**CALL TO THE PUBLIC**

No response.

**APPROVAL OF MINUTES**

**August 7, 2017 Regular Meeting:** Linda Manson-Dempsey motioned to approve the minutes as presented. Larry Grunn seconded. **Motion carried.**

**OLD BUSINESS**

None.

**NEW BUSINESS**

**ZBA Case #06-17—John Spencer for Jennifer Johnson, 273 S. Burkhart Rd., Tax ID #4710-05-202-001**

The builder, John Spencer, was present along with the property owner to request a 3' variance on the north side of the property to expand the garage. Letters of support were received from Edward Highe,

Daniel & Karen Murdock, Ulyssis & Audrey Queener, Roger Snodsmith, and William & Julie Van Horn. Tom Hargadon, 239 S. Burkhart, was present and had no objections.

### **Call to the Public**

No response.

### **Motion**

Linda Manson-Dempsey motioned for ZBA Case #06-17—John Spencer for Jennifer Johnson, 273 S. Burkhart Rd., Tax ID #4710-05-202-001, to grant a 3' side yard variance on the north side of the property, considering the following criteria:

1. That the restrictions of the township zoning ordinance would unreasonably prevent the owner from using the property for a permitted use. *The applicant is asking for a relaxation of the side yard setback, which is against an easement.*
2. That the variance would do substantial justice to the applicant and a lesser relaxation than that requested would not give a substantial relief to the owner of the property. *Granting the variance would give the property owner the ability to expand the garage, and they are only requesting a 3' variance.*
3. That the request is due to the unique circumstances of the property. *The property does not have unique circumstances.*
4. That the alleged hardship has not been created by a property owner. *The property owner did not create the situation and it is a reasonable request.*
5. That the difficulty shall not be deemed solely economic. *The request is not solely economic.*

Larry Grunn seconded. Roll call vote: Rossbach—yes; Manson-Dempsey—yes; Fillinger—yes; Grunn—yes; Lowe—yes. **Motion carried 5-0.**

### **Call to the Public**

No response.

### **DISCUSSION**

Dave Hamann passed out the packet for next month's meeting and encouraged the board members to review. The attorney has been invited to attend the meeting. He also passed out information on the Fundamentals of Planning & Zoning course for those who are interested.

### **ADJOURNMENT**

Linda Manson-Dempsey motioned to adjourn at 7:50 pm. Larry Grunn seconded. **Motion carried.**