

Submitted by: S. Longstreet

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

**MARION TOWNSHIP  
2877 W. Coon Lake Rd., Howell MI 48843  
ZONING BOARD OF APPEALS  
APRIL 2, 2018**

**MEMBERS PRESENT:** Larry Fillinger, Larry Grunn, Dan Rossbach, Linda Manson-Dempsey, and Ed Galubensky (alternate for Dan Lowe)

**MEMBERS ABSENT:** Dan Lowe (removed himself due to conflict of interest)

**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. Ed Galubensky seconded.  
**Motion carried.**

**CALL TO THE PUBLIC**

No response.

**APPROVAL OF MINUTES**

**January 8, 2018 Regular Meeting:** Linda Manson-Dempsey motioned to approve the minutes as presented. Dan Rossbach seconded. **Motion carried.**

**OLD BUSINESS**

None.

**NEW BUSINESS**

**ZBA Case #01-18—Matt Schroeder, Tax ID #4710-01-300-021**

Mark Mahajan from Fairway Engineering was present on behalf of the property owner. In order to expand his business and better serve the community, the owner is requesting two variances: Section 7.05 C—Scope of Regulations, and Section 17.04A, B #8—Automobile Repair Garage, Buffering Requirements. They are asking for a 9’ variance on Section 7.05 C, and they are asking the ZBA to relax the requirement

that an automotive repair facility be at least 200' from a religious facility (Crossroads Apostolic Church.). The ZBA members discussed screening between the subject property and the church. A representative from the church was present and said they have no objection to the proposed repair facility, and would work with the owner in selecting trees for the buffer. The zoning administrator reminded the ZBA members that this request is still being reviewed by the Planning Commission. A letter from Kim Hiller of the LCRC was submitted that states that Schroeder Park Drive is not within their jurisdiction.

### **Call to the Public**

No response.

### **Motion**

Linda Manson-Dempsey motioned, for ZBA Case #01-18—Matt Schroeder, Tax ID #4710-01-300-021, to grant the applicant's request for a 9' relaxation to Section 7.05 C—Scope of Regulations, on the west side of the property, and to allow the repair facility to be less than 200' from a religious facility as required in Section 17.04A B #8, and regular building setbacks will still apply, 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 variance in order to make a parking lot and use the entire piece of property.*
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. *The front setback variance request is minimal and it's not for a structure; the church property will still have a significant setback.*
3. That the request is due to the unique circumstances of the property. *The situation is due to the unique requirement of the zoning ordinance.*
4. That the alleged hardship has not been created by a property owner. *The property owner did not write the zoning ordinance.*
5. That the difficulty shall not be deemed solely economic. *The request is not driven by cost.*

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

### **CALL TO THE PUBLIC**

No response.

### **ADJOURNMENT**

Linda Manson-Dempsey motioned to adjourn at 7:58 pm. Larry Grunn seconded. **Motion carried.**