

Submitted by: S. Longstreet

Approved: _____

**MARION TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR ELECTRONIC MEETING
JUNE 1, 2020**

MEMBERS PRESENT: Larry Fillinger, Linda Manson-Dempsey, Larry Grunn, and Diane Bockhausen

MEMBERS ABSENT: Dan Lowe

OTHERS PRESENT: Dave Hamann, Zoning Administrator

CALL TO ORDER

Larry Fillinger called the meeting to order at 7:31 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

November 4, 2019 Regular Meeting: Diane Bockhausen motioned to approve the minutes as presented. Linda Manson-Dempsey seconded. **Motion carried.**

OLD BUSINESS: None

NEW BUSINESS

ZBA Case #01-20—Stephen & Audine Puckett, 4321 Rurik Drive, Howell, MI, Tax Code #4710-25-202-041; Seeking variance for Section 8.04 E2a Front Yard Setback of 50 Feet and Section 6.19 A2 No More Than One Driveway Per Parcel

The applicant, Stephen Puckett, was present to request a variance for a family room addition and two-car garage that won't meet the front yard setback requirement because he's on a corner lot and therefore has to meet the front yard requirement on both the east and north sides. He would like to build the family room immediately and hopes to build the garage in the near future. In addition, when the new garage is built, he would like to add a second driveway off of Irene Street to allow access to the garage. There is a new septic field on the rear of the home and the well is in the front of the house. Therefore, the only place he could put the addition is on the east side.

The board members discussed whether there would be a time limit on the variance if it were granted for future building of a garage; Dave Hamann said no, the variance stays with the property. The only time limit is once a permit has been granted, construction must be started within six months and completed within two years.

Larry Grunn said the Planning Commission is working on the "Access Controls" part of the ordinance to perhaps allow multiple driveways in the future. Dave Hamann said the Livingston County Road Commission will issue permits for two driveways on public roads; private roads are the responsibility of private road owners and are within the township's jurisdiction.

Call to the Public

Tom VanderPlas, 1877 Olympia Drive, is a neighbor who supports granting this variance.

Anthony Smith, 4327 Irene Street, is a neighbor who also supports the variance.

Motion

Linda Manson-Dempsey motioned for ZBA Case #01-20—Stephen & Audine Puckett, 4321 Rurik Drive, Tax Code #4710-25-202-041, Section 8.04 E2a to grant a 31-foot variance for the east side of the property (Irene Street) for construction of an addition and future garage. The ZBA granted this variance 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 property has two front yard setbacks because it is a corner lot, and due to health issues, a future garage is necessary to avoid steps.*
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. *A variance would allow the owner to continue to live here and would provide substantial relief.*
3. That the request is due to the unique circumstances of the property. *The location of the well and septic and the two front yards are unique to this property.*
4. That the alleged hardship has not been created by a property owner. *The hardship was not created by the owner, and the variance will make the property more livable.*
5. That the difficulty shall not be deemed solely economic. *The difficulty is not based on economics.*

Diane Bockhausen seconded. Roll call vote: Bockhausen, Grunn, Manson-Dempsey, Fillinger—all yes. **Motion carried 4-0.**

Motion

Linda Manson-Dempsey motioned for ZBA Case #01-20—Stephen & Audine Puckett, 4321 Rurik Drive, Tax Code #4710-25-202-041, Section 6.19 A2 No More Than One Driveway Per Parcel, to allow a second driveway off of Irene Street when the second garage is built, considering the same criteria and reasons stated above. Diane Bockhausen seconded. Roll call vote: Bockhausen, Grunn, Manson-Dempsey, Fillinger—all yes. **Motion carried 4-0.**

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Larry Grunn motioned to adjourn at 7:59 pm. Linda Manson-Dempsey seconded. **Motion carried.**