

Submitted by: S. Longstreet

Approved: _____

**MARION TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING
JULY 11, 2022**

MEMBERS PRESENT: Larry Fillinger, Larry Grunn, Dan Lowe, and Diane Bockhausen

MEMBERS ABSENT: Linda Manson-Dempsey

OTHERS PRESENT: Dave Hamann, Zoning Administrator

CALL TO ORDER

Larry Fillinger called the meeting to order at 7:30 p.m. The meeting is also available online.

MEMBERS PRESENT

The members of the Zoning Board of Appeals introduced themselves.

APPROVAL OF AGENDA

Diane Bockhausen motioned to approve the agenda as amended. Larry Grunn seconded. **Motion carried.**

APPROVAL OF MINUTES

February 7, 2022 Regular Meeting: Diane Bockhausen motioned to approve the minutes as presented. Larry Grunn seconded. **Motion carried.**

CALL TO THE PUBLIC

No response.

NEW BUSINESS

ZBA Case #01-22 Stephen Bullinger, 245 Brighton Road, Tax Code #4710-25-300-033, seeking a variance for Section 8.01 F 3 a Front-yard Setback

Stephen Bullinger was present to ask for a 43' front-yard variance for a shed. Mr. Bullinger said there are mature trees screening the property, the location of the drain field presents a hardship, and the property has unique topography. Dan Lowe said he didn't think it would be an issue due to all of the trees screening the property.

Call to the Public

Benjamin Dunklee, 285 Brighton Road, said he supports Mr. Bullinger's request.

Motion

Diane Bockhausen motioned for ZBA Case #01-22 Stephen Bullinger, 245 Brighton Road, Tax Code #4710-25-300-033, to grant a 43' front-yard variance on the southwest corner 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 current location is the most functional and is not visible.*
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.** *Due to the width of the lot and constraints on where the shed could be located, the requested location is best suited for storage of landscape equipment.*
3. **That the request is due to the unique circumstances of the property.** *The drain field runs the full depth on the east side of the house.*
4. **That the alleged hardship has not been created by a property owner.** *The property has a high-voltage easement and a swampy area, neither created by the property owner.*
5. **That the difficulty shall not be deemed solely economic.** *This request is not solely economic.*

Dan Lowe seconded. Roll call vote: Bockhausen—yes; Grunn—yes; Fillinger—yes; Lowe—yes. **Motion carried 4-0.**

SPECIAL ORDERS

Dan Lowe questioned the structure from ZBA Case #02-21; he wasn't aware that it was more than one story and there's an issue with the overhang. Dave Hamann said he would check the building plans and update the board.

Larry Fillinger asked the ZBA members to review the ZBA Rules of Procedure prior to the August meeting to discuss changing the time of the meetings back to 7:30 pm. A copy of the document will be emailed to the board members.

Larry Fillinger said he would like the township attorney to attend the August 8, 2022 ZBA meeting.

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Diane Bockhausen motioned to adjourn at 7:24 pm. Larry Grunn seconded. **Motion carried.**