

Submitted by: S. Longstreet

Approved: _____

**MARION TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING
FEBRUARY 3, 2025**

MEMBERS PRESENT: Larry Fillinger, Linda Manson-Dempsey, Jim Witkowski, Larry Grunn, and Ed Galubensky (alternate)

MEMBERS ABSENT: None

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

MEMBERS PRESENT

The Zoning Board of Appeals members introduced themselves.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

December 2, 2024 Regular Meeting: Linda Manson-Dempsey motioned to approve the minutes as presented. Larry Fillinger seconded. **Motion carried.** (Galubensky abstained.)

CALL TO THE PUBLIC

No response.

NEW BUSINESS

ZBA Case #01-25 Randall Metz, 4124 Ulana Ct., Tax Code #4710-25-201-028, seeking variances to Section 6.04 E—pool in front yard and 6.07.3—accessory structure in front yard

The applicant, Randall Metz, was present to request a variance for an inground pool. He indicated that the proposed location is the only flat area on the property. The pool will not be visible to neighbors or from the lake. He said his family has concerns about the chemicals that are put in the lake.

Linda Manson-Dempsey asked when he purchased the property; he said 1998. She asked if it will be salt water; he said yes. She asked where the water would drain, if necessary; Mr. Metz said on his driveway to the road. She asked if he could provide details on how the drainage will be handled; he indicated he would send an email to the zoning administrator with the information.

Larry Fillinger asked about the location of the fence; Mr. Metz showed on the diagram where he intends to put the fence.

Jim Witkowski complimented Mr. Metz on his presentation.

Motion

Linda Manson-Dempsey motioned for ZBA Case #01-25 Randall Metz, 4124 Ulana Ct., Tax Code #4710-25-201-028, to relax *Section 6.04 E—pool in front yard* and *6.07.3—accessory structure in front yard*, to allow installation of an inground pool, 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 township restrictions would unreasonably prevent the owner from installing an inground pool, which is a permitted use.*
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 lesser relaxation of the ordinance would not give substantial relief.*
3. **That the request is due to the unique circumstances of the property.** *The unique circumstance of the front yard being the water side justifies the variance; a pool would not be installed on the “street” side.*
4. **That the alleged hardship has not been created by a property owner.** *The hardship was not created by the owner.*
5. **That the difficulty shall not be deemed solely economic.** *There is no economic benefit to the owner.*

Larry Fillinger seconded. Roll call vote: Witkowski, Manson-Dempsey, Grunn, Fillinger, Root—all yes. **Motion carried 5-0.**

UNFINISHED BUSINESS

None.

SPECIAL ORDERS

None.

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Larry Grunn motioned to adjourn at 7:56 pm. Larry Fillinger seconded. **Motion carried.**