

**Vergennes Township
Zoning Board of Appeals Minutes
August 6, 2003**

Minutes approved on May 10, 2004

A meeting of the Vergennes Township Zoning Board of Appeals was held on August 6, 2003 at the Township Offices. Chairman Gustafson called the meeting to order at 7:03 pm. Also present were members Schreur, Baird, Humphries and Jernberg.

Approval of June 9, 2003 minutes: Motion to approve by Humphries, seconded by Schreur. All approved.

McGregor Variance Request

Chairman Gustafson asked the Zoning Administrator Vandersloot for a brief synopsis of the request. She reported that the request is a side lot line variance for the old garage that is being moved and the new proposed garage.

Chairman Gustafson briefly went through the application package and noted the drawings depicting the existing and proposed building locations, setback variance requested area, pond location and letters from the west side land owner and tenant approving the request.

Gustafson asked if the old building can meet the 25-foot side setback and whether dirt can be added in the low area. McGregor answered that a lot of dirt would have to be brought in and they are requesting that both buildings need the variance because of the pond and the wet ground around the pond which forces the building area close to the west lot line. McGregor also said that it is possible that the old garage will be torn down, it depends on how sound it is. The area where the new garage is planned drops off from front to back. There was a question of why the drawing showed 18 feet and the request was for 15 feet from the side lot line. McGregor said that they wanted a few feet to work with for final measuring, they used a tape measure and they are not positive of the accuracy.

Humphries asked if the pond is lower than normal right now and how would that affect bringing in fill. McGregor said that the pond is about 2 feet lower than normal. There was a discussion that fill could be brought in and then when normal water levels came up, the area would still be too low for the building. Schreur asked if the dirt from the old garage area could be used for the moved garage area. McGregor answered it likely would not be enough. Jernberg said that clay should not be used for fill dirt. McGregor said that sand must be added under the new cement garage floor.

Gustafson noted that this application is a side setback variance only; the west property owner and tenant are fine with the request. He noted that there was not anyone else in the audience for public comment. No comments were received by the Zoning Administrator.

Humphries said that people are entitled to common uses and the pond is the unique circumstance. Schreur said that he would like to see the old garage at 25 feet or as close to the ordinance as possible. Jernberg said that he was fine with both buildings treated the same and the low water now could be a large impact when the water rises. Humphries noted that the same landowner owns along the west lot line for a long distance back.

Jernberg motioned to allow both buildings to be 15 feet from the side lot line, but closer to 18 feet if possible. McGregor said that they have just been getting price quotes back and they may extend the building farther to the north and make it one story instead of two stories; that is the most economical cost. The building would still be at the same requested side building line. There was a discussion about various construction options.

There was some discussion about the power lines and easement edge to building location restrictions. McGregor said that Consumers told him that the building could be within 10 feet of the lines or they could stack the lines and add 4 more feet to be closer if needed.

Humphries seconded the motion but had some concerns about the shed. Motion carried 5-0. The decision form was filled out and signed by the members. Jernberg motioned, Baird seconded, to adjourn the meeting at 7:26 pm.

Respectfully submitted,
Jeanne Vandersloot, Recorder