

**Vergennes Township  
Zoning Board of Appeals Minutes  
February 22, 2005**

*Approved June 8, 2005*

A meeting of the Vergennes Township Zoning Board of Appeals was held on February 22, 2005 at the Township Offices. Chairman Gustafson called the meeting to order at 7:03 pm. Also present were members Schreur, Baird, Rittenger and Jernberg. Odell was in attendance in case an alternate was needed.

**Approval of January 31, 2005 minutes:** Jernberg motioned, Baird seconded, to approve the minutes as presented. Carried 5-0.

**Sefton Variance Request:**

Chairman Gustafson asked the applicant to give an overview of the requested new information from the last meeting. David Sefton noted the documents that he submitted are complete as requested from the Board. He met with his surveyor/engineer who confirmed the legal descriptions and the fact that he could grant an additional easement through his property for the new proposed lot as written on page 4, last sentence of section 6. It was confirmed that the recorded agreement documents are binding to him, and also to the Porter's and the Chase's on each side of him. See page 5, L 2156, pg 706. Basically it means that one single family dwelling is allowed in the area from the center of the Beckwith Rd easement into the property up to 570 feet deep, and one other single family home from the 570 foot point to the river's edge. Pg 6, #10 has the binding language.

Jernberg had several questions: Which parcel is Sefton? It is parcel B. What about the entrance, shared drive or new driveway? David read his revised request to split the parcel as previously asked and for the new parcel to share the same driveway that he and the Porter's use. They would equally share costs by 1/3 to maintain.

Chairman Gustafson said that restrictions added could include that no more driveways be added. The recorded documents prohibit any more splits. David noted that Mr. Porter died unexpectedly the day before and that he would discuss driveway maintenance at a later appropriate time with Mrs. Porter. A consensus of sentiment was offered on the news.

It was noted that the applicant followed through on all of the previous meeting requests and Jernberg motioned to approve the variance contingent that the title of the maintenance agreement be changed. David asked if that document should be recorded? The Chairman suggested that it be recorded for a permanent record for future purchasers.

There was one email received from 590 Wildview Dr. urging approval of the request. Roger Odell said that he was impressed with the quality and detail of the application materials. He asked if all aspects of such a lot width variance were discussed, was in favor of granting it. The members said that many details were discussed about the application at the first meeting.

After some discussion on clarifying the motion, Baird seconded. Carried 5-0. Motion reads as: Motion to grant a variance to permit the sale of the front parcel as described in the application, with lot width/frontage less than 300' in the RA district, subject to the following conditions: (1) the new lot shall utilize the existing driveway easement on the property and a variance is granted to permit 3 lots to use that driveway off Beckwith; (2) applicant shall arrange and file with the township an agreement for road maintenance requiring the purchaser of the lot to share in the cost of such maintenance.

### **Bunn Variance Request:**

Chairman Gustafson asked the applicant, Jeff Bunn, to present his application and materials. Applicant said he wants to build a pole barn for more storage of recreational items and horse equipment. There is an existing small shed about 10 feet from the property line that would be removed. The lean-to would be for storage of his large horse trailer. He lives on Wildview Dr, west of the high school, south off Vergennes and has a little over 4 acres. He owns Equine Medical on Lincoln Lake Ave. He is narrowing the barn's width, so that only 6 feet of the lean-to would be in the side setback. He pointed out the other buildings for horses, fences, house, etc on the aerial map. Vandersloot stated that 25 feet is the required side setback distance for the RA District.

Questioned why he can't move the building the extra 6 feet? Applicant has had extensive tree removal already and does not want to remove so many more for the building. He also needs the access driveway area kept open to access the rear barn. There was some discussion of other possible locations. The driveway goes all the way back to the small shed and the rear barn and pastures. The fence, a 6-foot solid wood one, was put in last year for privacy between the neighbors, as the neighbor to the north have a pool. There was some discussion on the wording of the setback variance request in the application, which says 12 feet from the property line, and Jeff clarified that the edge of the lean-to should be 19 feet from the north property line.

Public comment included a letter from the adjacent neighbor to the north, the Finnie's, who are strongly opposed to the request and a letter from another neighbor at 590 Wildview in favor of the request. Sue Sejat was in attendance for the Finnie's, who were on vacation, to take notes of the outcome. She said she knew that the Finnie's had read over the application and were opposed to the building location and height.

Other member questions were what was the building going to be constructed of? Jeff answered that it would be steel sided and shingles to match the other buildings and the house. What was to be stored in it? The horse trailer, tractor, other recreational items

and horse equipment. There was concern about the neighbor's opposition letter and his view of the proposed building.

Jernberg questioned what changes would be made if the request was denied? Jeff said he would cut off the lean-to and keep the trailer outside as is. Schreur said he was concerned with the neighbor's opposition and whether tree removal for 6 feet is a large enough hardship for a variance. Jernberg concurred, he would like to get the neighbors reaction to the setback request of 19 feet, not 12 feet, and whether they would like to see the trailer outside or under a lean-to placed 6 feet inside the setback and whether they know that the small building is being removed. A discussion noted that the lean-to is 12 feet wide, the horse trailer is 35 feet long, and the building would be 60 feet long.

The members suggested that Jeff consult with the northern neighbor on the facts that (1) the small shed 10 feet from the side lot line would be removed; (2) that the lean-to is on the north side to enclose the horse trailer from view; and (3) the north edge of the lean-to would be 6 feet inside the 25 foot required setback at 19 feet, not 12 feet. The request could be tabled to allow Jeff to get this information and the neighbor could attend the next meeting. The sentiment of the Board is to grant if the neighbor withdraws his objection. Jernberg motioned, Baird seconded, to table the setback variance request to give Jeff time to speak with the abutting neighbor to discuss the points above. Carried 5-0.

The decision forms were filled out and signed by the members and a copy given to each applicant.

Jernberg motioned, Baird seconded, to adjourn at 8:35 pm. Carried 5-0.

Respectfully submitted,  
Jeanne Vandersloot, Recorder