

**Vergennes Township
Zoning Board of Appeals Minutes
January 11, 2006**

Draft Until Approved

A meeting of the Vergennes Township Zoning Board of Appeals was held on January 11, 2006 at the Township Offices. Chairman Gustafson called the meeting to order at 7:02 pm. Also present were members Schreur, Baird, and Jernberg. New alternate member Doug Wester was welcomed and joined the members at the table to replace regular member Roger Odell, who was the applicant for variances of this meeting.

Approval of November 29, 2005 minutes: Jernberg motioned, Wester seconded, to approve the minutes as presented. Carried 5-0.

Odell Variance Request:

Chairman Gustafson briefly noted the details of the request as follows: that the applicant is the representative of the estate of Adelbert and Connie Odell, a 5 acre parcel on Bailey Dr with the Odell home, a second house and numerous barns. The estate wants to separate the two homes and the sons were to keep the barns. This would require splitting the property.

Roger Odell, applicant and representative of the estate, said the west house was originally his grandmother's and the estate is selling it to a niece. The other house is rented and they may sell it in a year or so. The farm buildings were to stay with the boys and they keep some farm equipment in it (3 tractors and tillage equipment). It is also rented for other client's storage under the rental storage ordinance.

The homes previously shared a well and they have had a new well put in for the west house that the niece is buying. They want to split each home and the barns on separate lots (3). Variances would be for lot area on all three parcels, frontage on parcel A and B, front and west side setbacks on the existing barns and to allow barns on a lot without a dwelling. The front barn is 2 feet from the Bailey right of way and 18 feet from the proposed new west lot line and 40 feet from the north property line. There is a tree line at the boundary line of the north side of the parcel with a field beyond to the north. There is plenty of distance from the homes to the wells.

The property to the north is owned by his brother and is in the Conservation Reserve Program. The intent is to preserve this property in a natural state. Roger handed out a list of justifications for the request that included keeping the property appearance the same, just different owners, using existing tree and fence lines, long generations of existence, meets cluster housing principals, variances are for logical split lines.

Questions from Bill – what are the barns used for? What other permits are needed from the Township? Roger answered that they use it for their farm equipment and rented to Luscious Landscape for their landscaping business, and they may be there another year

but have less equipment there now. Vandersloot noted that the rental storage ordinance would oversee regulations and requirements for the property. A previous rental storage special use permit was granted but may be voided with the lots being split and the owner deceased. A new proposed rental storage ordinance, if adopted at the next Township Board meeting, would be applicable for this situation and could be applied for to keep the rental storage designation.

Questions from Scott – What utilities are there for the buildings? Roger answered that they shared the existing well but the new one was just put in and is being hooked up for the west house and they have their own drain fields.

Questions from Doug – Do the barns have a well? Answer from Roger that a well line goes to the barns from the house. It will have to either have an easement for shared use or taken out and a new well put in if they sell the house.

Chairman Gustafson opened the floor to public comment. Ben Zoodsma of 10533 Bailey asked what the total frontage is now and what is the proposed smallest lot frontage and if the barns lot had any space for a future house. Roger answered that the total frontage is now 764 feet and the smallest lot would be 180 feet. The barns are older, not much space currently, some of them could be taken down to make a place for a future dwelling or a variance from setbacks could be requested.

No more public comment was offered and the comment period closed. Chairman Gustafson noted that this 5 acre parcel with the two homes and barns has been in the family for generations. The Kent County Health Department would oversee wells and septic systems.

Some general discussion by the members took place. Scott Jernberg motioned to approve the request as presented, including the aerial and parcel drawing showing the proposed split lines and frontage, lot size and orientation. Motion seconded by Al Baird. Motion carried 5-0.

The decision form was filled out with the finer details of the request and approval and signed by the members and a copy made for the applicant along with a split application.

Bill motioned, Scott seconded, to adjourn the meeting at 7:27 pm.

Respectfully submitted,
Jeanne Vandersloot, Recorder