



Vergennes Township

69 Lincoln Lake Ave. NE • P.O. Box 208 • Lowell, MI 49331 • (616) 897-5671

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ZONING BOARD OF APPEALS

April 7, 2022

Minutes

Call to order – 7 p.m. by Vice Chair Odell

Roll Call - Gillett (alternate), Makuski, Odell, Jarema, Kutzli all present

Makuski motioned to approve the Minutes from December 6, 2021, as presented. Kutzli supported the motion. All members voted yes, motion carried.

1. Variance request from -

- Anderson/Tarak – 10336 Bailey Dr NE – 41-16-30-200-012
- Tarak – 365 Parnell Ave NE – 41-16-30-200-031
- Giguere – 10356 Bailey Dr NE – 41-16-30-200

Variances are needed for existing buildings and parcels that are non-conforming. Applicants are moving boundaries in attempts to get closer to conformity, however several non-conforming conditions still exist. Giguere submitted a written agreement of the application.

Public Hearing was opened at 7:46 pm and closed at 7:46 p.m.

Motion was made by Makuski and supported by Gillett to approve the following variances –
365 Parnell:

- a) 15' side yard setback variance
- b) 25' rear yard setback variance

10336 Bailey:

- a) 114' frontage variance
- b) Variance for maintaining width throughout

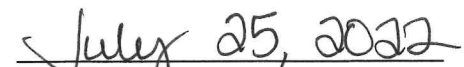
10356 Bailey:

- a) 2 acre minimum lot size variance
- b) 89' frontage variance
- c) 40' rear yard setback variance

Roll Call Vote – Kutzli, Jarema, Makuski, Gillett and Odell all voted yes. There were none opposed, motion carried.

Gillette motioned and Kutzli supported the motion to Adjourn at 7:49 p.m.


Shantell Ford, Clerk


Date Approved

Motion:

At the April 7, 2022 Zoning Board of Appeals meeting of Vergennes Township, a variance for a non-conforming boundary line adjustment, along with the following variances, were approved for the applicant Don Anderson & Julie Anderson at the following properties:

365 Parnell:

- a) 15' side yard setback variance
- b) 25' rear yard setback variance

10336 Bailey:

- a) 114' frontage variance
- b) Variance for maintaining width throughout

10356 Bailey:

- a) 2 acre minimum lot size variance
- b) 89' frontage variance
- c) 40' rear yard setback variance

In approving these variances, the following findings were made:

1. Is there reasons why it is practically difficult to require strict enforcement with the ordinance?

Yes, for the following reasons: **Existing non-conforming parcels, structures, etc. make strict enforcement and compliance impossible to achieve conforming parcels.**

2. Are there exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or types of uses in the same zoning district?

Yes, for the following reasons: **Existing structures that predate the zoning code create non-conforming issues that are uncommon and prohibit full enjoyment of property.**

3. Is a variance necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return to the appellant shall not of itself be deemed sufficient to warrant a variance?

Yes, for the following reasons: **A variance is necessary to clarify boundary line disputes, remedy existing non-conforming issues, and preserve the right to enjoy existing property in the same manner as other R-A zoned properties.**

4. Will authorizing of such variance have a substance adverse impact on the value or enjoyment of adjacent property or materially impair the spirit or purposes of this Ordinance or the public interest?

No, for the following reasons: **No. Adjacent properties all have boundary line issues that this will remedy. Does not impact properties beyond boundary line adjustment.**

5. Will the variance result in one of the following?

(a) Permit the establishment within the "FR" District of any use which is not permitted by right within that district. **N/A**

- (b) Relate only to property under ownership and control of the appellant.
Yes, for the following reasons: **Yes.**
- (c) Materially increase the risk of fire, flood or similar dangers.
No, for the following reasons: **No.**
- (d) Materially increase traffic congestion.
No, for the following reasons: **No.**
- (e) Produce nuisance conditions to occupants of nearby premises, whether by reason of dust, noise, fumes, odor, vibration, smoke or lights.
No, for the following reasons: **No.**
- (f) Otherwise impair the public health, safety, comfort or the general welfare of the residents of the Township.
No, for the following reasons: **No.**

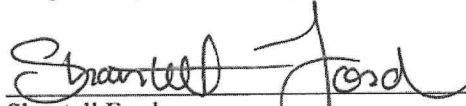
5. The Zoning Board imposes the following conditions upon the grant of the subject variance: None.

Moved by: Makuski
Supported by: Gillett
YEAS: Kutzli, Jarema, Makuski, Gillett and Odell
NAYS: None

CERTIFICATION

I, Shantell Ford, Clerk for the Township of Vergennes, hereby certify that the above decision was adopted at a regular meeting of the Vergennes Township board on April 7, 2022.

Respectfully submitted by


Shantell Ford
Township of Vergennes Clerk