

CHARTER TOWNSHIP OF MONITOR
ZONING BOARD OF APPEALS
May 20, 2010

The meeting was called to order by J. Horen at 7:00 p.m.

Members present: J Horen, D Darland, J Gwizdala, W Sinke, T. Miller
Members absent: None
Also present: J Krueger, Alternate Member

Also in Attendance Were: Jon and Larissa Thurlow, Leila Salo, Jim Sleeper.

Motion by T. Miller seconded by J. Gwizdala to adopt the agenda as presented.
Motion carried.

Motion by W. Sinke seconded by D. Darland to approve the minutes of December 17, 2009 as presented.
Motion carried.

Public Input

Public input was opened at 7:04 p.m.

Larissa Thurlow is a neighbor to the south who brought in pictures. She is not opposed to Mr. Gaertner putting up a fence, but she opposes it being placed in the front yard.

Public input was closed at 7:06 p.m. with no other public wishing to speak.

New Business

Election of Officers

Motion by Sinke seconded by Darland to elect J. Horen as chairperson. Motion carried.

Motion by J. Horen supported by D. Darland to nominate /elect W. Sinke as Vice-chairperson. Motion carried.

Motion by J. Horen supported by D. Darland to nominate/elect T. Miller as secretary. Motion carried.

Motion by D. Darland, supported by W. Sinke to nominate/elect J. Krueger as alternate. Motion carried.

Gaertner Fence Variance

Larissa Thurlow and John Thurlow spoke in opposition to Mr. Gaertner's request to extend the fence in his front yard.

Mr. Gaertner was not present at the meeting.

D. Darland pointed out that no hardship has been suggested by Mr. Gaertner to defend his placing a fence on a vacant lot in front of what is, from the neighbor's perspective, a front yard. The ordinance clearly states "that a fence or wall in an R zoning district may be constructed in any yard except a required front yard."

Commissioners questioned how the fence was built on the adjoining lot at 5510 Gaertner Court since it is in violation in the front yard and has been built relatively recently. This is a platted subdivision. J. Horen also noted safety issues related to the fence.

Motion by D. Darland supported by J. Gwizdala to deny the variance for a fence in the required front yard of 5528 Gaertner Court requested by Erich Gaertner as no hardship was shown according to Sec. 18.10 a, b, or c of the Ordinance. Allowing the fence in the front yard would 1) be against the entire ordinance and 2) there is a safety issue with people walking on the sidewalk and lack of visibility for people backing out of driveways.

Roll call:

Yes: Horen, Darland, Gwizdala, Miller, Sinke

No: None

Absent: None

Motion carried to deny.

Salo—Garage in Side Yard Variance

Leila Salo of 2340 Chip Rd. has requested a variance to replace an existing garage in her side yard with a 36' x 52' pole barn.

D. Darland recused himself as the applicant is his neighbor. J. Krueger was asked to fill in as an alternate.

J. Horen read the letter that went out to residents within 300' of the applicant's property. A letter of support came from the neighbor on the east, Susan Darland, on May 6, 2010.

Ms. Salo brought pictures and diagrams depicting the drop-off in the back yard.

J. Horen noted that the existing garage is non-conforming and the proposed pole barn is larger, but within guidelines for AG zone.

Ms. Salo is concerned about the ecology in the rear as well as a steep draw if they were required to place the structure behind the house.

T. Miller moved that in the absence of neighborhood objections; in as much as the applicant meets or exceeds all ordinances except being in the rear of the house; and because of the hardships regarding the unusual shape of the property, potential wetland/floodplain concerns in the rear, and the safety concerns regarding the draw in the rear, the applicant meets Sec. 18.10 a,b,c, and is unable to locate elsewhere because of those conditions, Ms. Salo is thus granted a variance. Supported by W. Sinke.

Roll call vote:

Yes: Krueger, Gwizdala, Miller, Sinke, Horen

No: None

Absent: None

Motion carried for approval of variance.

Communication

Miller moved to accept Communications. Seconded by Horen. Motion carried.

The meeting was adjourned at 8:05 p.m.

Respectfully,

Terry Miller
Secretary