



Fruitland Township
White River Light Station Museum

Fruitland Township Zoning Board of Appeals Minutes of April 9, 2012

CALLED TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE

PRESENT: Chairman John Warner, Board members Penny Larson, Brian Lernowich, Eileen Stoffan and Clarence Gaertner.

ALSO PRESENT: Zoning Administrator Sandel, Recording Secretary Sally Dion and 13 interested parties.

AGENDA: Motion by Penny Larson, second from Clarence Gaertner II, ***ADOPTED***, to approve the April 9, 2012 Zoning Board of Appeals agenda.

5 AYES

NOMINATIONS/ELECTIONS: Motion by Clarence Gaertner, second from Penny Larson, ***ADOPTED***, to nominate and re-elect John Warner as Chairperson, Clarence Gaertner as Vice Chairperson and Eileen Stoffan as Secretary for the Zoning Board of Appeals year of April 2012 to April 2013.

Roll Call: Gaertner – AYE, Larson – AYE, Lernowich – AYE, Stoffan – AYE, and Warner – AYE.

5 AYES

MINUTES: Motion by Eileen Stoffan, second from Brian Lernowich, ***ADOPTED***, to accept the March 12, 2012 Zoning Board of Appeals as presented.

5 AYES

Chairman Warner explained the purpose and function of the Zoning Board of Appeals.

ADDRESS: 4753 W. Bard Road

61-06-129-200-0001-25

Christopher L. Campeau, applicant, requests a variance from the following article for the construction of an accessory building 135 feet from the road right-of-way:

- *Article III, General Provisions, Section 3.08 E. Detached accessory buildings shall:*

2. *be placed at least two hundred (200) feet from the road right-of-way if located in the front yard, between the house and road in the RR, LDR, MDR, MHDR, and HDR Districts.*

Zoning Administrator Sandel explains if the applicants home was at the 100' required setback this accessory building would be allowed; however, because he chose to have his house further back he needs this variance. On the plan submitted with the Zoning Application it shows the proposed accessory building side setback 20' and it needs to be 25' for this size of building.

Christopher Campeau, applicant, 4753 W. Bard Road stated to place the proposed accessory building behind the house he would need to go through his existing yard or remove several trees to the west to create a way to it, thus removing sound barrier between him and his neighbors. He stated he will be sure the building is located 25' from the side to meet the side setback requirement.

Public Hearing opened at 7:10 p.m.

Public Comment:

- James Harwood, 4735 W. Bard Road, neighboring property owner, supports variance.
- Jack VanAndel, 4769 W. Bard Road, neighboring property owner, supports variance.

Public Hearing closed at 7:20 p.m.

Board Comments:

Board Member Clarence Gaertner states he feels the proposed accessory building could be moved back so not such a big variance is needed.

Board Member Penny Larson states she was part of the group that created this setback for accessory buildings and does not believe hardship was proven to grant a variance.

Brian Lernowich states he was denied to construct an accessory building in front of his sister's home on McMillan Road, he believes this would set precedence.

Eileen Stoffan states this is an instance she believes a variance should be approved; this would leave the vegetative area as it is now.

Chairperson John Warner asked if the garage could be moved back, the applicant responded maybe 10' without having to remove a very large oak tree – stump included, really no way to change the plan without causing a lot of changes to the yard, landscaping, sprinkling, etc.

Motion by Brian Lernowich, second from Clarence Gaertner, ***ADOPTED***, to ***deny*** the variance as requested.

Roll Call: Stoffan – NAY, Lernowich – AYE, Larson – AYE, Gaertner – AYE, and Warner – AYE.

Chairperson Warner advises the applicant if the decision is appealed it shall be filed within 30 days.

ADDRESS: 6777 South Shore Drive

61-06-012-300-0033-00

White Lake Golf Club, applicant, requests a variance on a 134.35 acre parcel from the following articles for the construction of an accessory building and parking for a proposed practice facility including driving range, putting green(s), and sand traps with entrance off of Michillinda Road:

- Article III, General Provisions, Section 3.08 G. Accessory building sizes, heights and setbacks.
 2. *Maximum floor areas and heights (as measured from the ground to the highest point of the roof) and setbacks for buildings accessory to single and two-family dwellings:*

<i>MAXIMUM ACCESSORY BUILDING FOOTPRINT SIZE</i>	
<i>Parcel Size</i>	<i>Maximum Building Footprint Size</i>
<i>20 acres and over</i>	<i>3,200 square feet</i>

- Article XIV, Special Land Uses, Section 14.04 Special Land Use Specific Requirements, K. Golf courses.
 5. *A driving range may be included as an accessory use subject to the following requirements:*
 - d. *The driving range shall not include separate public facilities for vehicle access, circulation or parking. Such amenities shall be combined with the primary vehicle access, circulation and parking facilities for the golf course.*

Chairman Warner explains that the Planning Commission approved a Special Land Use Permit at their March 7, 2012 meeting contingent on approval of a variance for the proposed parking area and a small accessory building needed for power and restrooms for the proposed practice facility including driving range, putting green(s), and sand traps with entrance off of Michillinda Road.

Zoning Administrator Sandel echoed Chairman Warner’s explanation.

Public Hearing opened at 7:40 p.m.

Public Comment:

- James Harwood, 4735 W. Bard Road, asks if there is a current plan to get golf carts to and from the proposed driving range.
- Tom Bart, 6300 Michillinda Road, lives near the driveway of the proposed driving range, voices concerns of golf carts going down Michillinda Road, otherwise supports the variance.

Dale Augustin on behalf of the White Lake Golf Club stated golf carts will not be allowed on Michillinda Road, at a later date if there is a need for golf carts to go from one side of Michillinda to the other to the driving range a path will be created off the roadway.

Public Hearing closed at 7:47 p.m.

Board Comments:

Consensus of all board members is if they are to have a re-located driving range they will need parking and a building. All Special Land Use requirements were met except for the parking and the square footage allowed for an accessory building that will be further exceeded.

Motion by Clarence Gaertner, second from Brian Lernowich, **ADOPTED**, to **approve** the variance as requested.

Roll Call: Stoffan AYE, Lernowich AYE, Larson AYE, Gaertner AYE and Warner AYE

Chairman Warner informed Dale Augustin, on behalf of the White Lake Golf Club, that they have 180 days to begin the project.

ADJOURNMENT

Motion by Clarence Gaertner, second from Penny Larson, **ADOPTED** to adjourn the April 9, 2012 Zoning Board of Appeals meeting at 7:55p.m.

5 AYES

Respectfully Submitted,

Sally Dion
Recording Secretary