

Vergennes Township
Zoning Board of Appeals Minutes
March 31, 2010

Approved May 25, 2010

A meeting of the Vergennes Township Zoning Board of Appeals was held on March 31, 2010 at the Township Offices. Chairman Gustafson called the meeting to order at 7:00 pm. Also present were members Baird, Wester, Jernberg and Schreur. Odell attended in case an alternate was needed and picked up his updated zoning book. Updated books were passed out to the other members.

Approval of last meeting minutes:

Wester motioned, Schreur seconded, to approve the last meeting minutes of January 11, 2010 as presented. Motion carried 5-0.

11914 4 Mile Rd – lot area variance

Applicant Bill Harrison's friend, Terry Conley, gave the presentation. Mr. Harrison is out of town on business. He showed on the aerial map and the survey the small sliver of land that Bill wanted to buy from the bank (parent parcel was a foreclosure). His family had always mowed the lawn area and thought they owned it for decades. It is part of his lawn area behind a garage that straddles the Grattan/Vergennes Twp line. He proposed buying just the part of the lawn area up to the edge of the private road (see survey). The bank has since gone ahead with the sale to the Harrison's. A letter from the bank and a copy of the deed was submitted by the zoning administrator. The members discussed the property portion purchased and the rest of the lot and the odd shape and location of it.

During public comment, Doug and Barb VanPortfleet stated that they live across the street from this land on the Grattan side and on Murray Lake and have just purchased the rest of the foreclosed lot. They are making provisions to put the private road area into an association and create a private road easement and set up a maintenance method. There may be a possibility of splitting the rest of the land up between several other lakefront neighbors so each will own part of this land. They will have to apply for a similar type of variance if this is decided to go ahead with.

Dave Steinbrecher said that he had originally put a bid in on the whole property. He has an issue on making 2 nonconforming lots and should have restrictions that no houses can go on the property. An easement for the private road right of way should be described and recorded. The houses down there do not have a legal easement on this private road. He signed one for the front part of the road for a house down the road that could not get financing due to no legal easement being found through a title search. This is a great time to get a legal easement for this long section of the private road. Doug VanPortfleet said he is working on doing this so there is a legal easement.

After more discussion, Jernberg motioned to approve the request to split off the small portion of a parent nonconforming parcel (# 411604226012) as shown on the survey

(parcel A) and combine it with his existing parcel in Vergennes Twp. The Board notes that the remainder of the parent parcel still is a nonconforming undersized lot and the new owners plan to address the lack of a private road easement. Baird seconded the motion and it passed 5-0. The Chairman filled out the decision form and copies were made for the applicant's representative Terry Conley, the VanPortfleet's and Steinbrecher.

There was not any other business to come before the Board.

Adjournment:

Jernberg motioned, Schreur seconded, to adjourn the meeting at 7:44 pm. Motion carried 5-0.

Respectfully submitted,
Jeanne Vandersloot, Recorder