

**PORTER TOWNSHIP ZONING BOARD OF APPEALS  
MEETING HELD AT  
PORTER TOWNSHIP ADMINISTRATION BUILDING  
69373 BALDWIN PRAIRIE ROAD UNION, MICHIGAN 49130  
BRIAN AND CAROL ARBOGAST VARIANCE REQUEST  
PARCEL #14-120-216-033-13 APPLICATION #15-9575  
FEBRUARY 4, 2016**

Meeting was called to order by Chairman Hank Yeomans with the Pledge to the Flag at 6:01 p.m.

**ROLL CALL:** Tom Robbins, Jamie Thompson, Hank Yeomans and Jon White Present  
Alternates: Diane Konneck and Robert McDonald Present  
ABSENT: Steve Northrup  
Alternate Diane Konneck was seated on the board.

**MOTION:** Made by Jamie Thompson supported by Jon White to approve Chad and Lynn Castro minutes held on October 29, 2015.

**Voice vote: unanimous**

**MOTION:** Made by Jamie Thompson supported by Diane Konneck to approve the agenda with Jamie Thompson as Acting Secretary.

**Voice vote: unanimous**

Chairman Hank Yeomans opened the public hearing with the Procedures and Rules. Main points of the variance request were discussed.

Brian and Lynn Arbogast informed the board that they decided to reduce the square footage from 3800 to 2400. They show the drawings for the property located at 70946 Baldwin Landing Drive, Union, Michigan 49130 (Baldwin Lake) with the board and public.

**COMMENTS FROM THE PUBLIC IN ATTENDANCE:**

Paul and Mary Gerwels from 70938 Baldwin Landing Drive, Union, Michigan 49130. Voiced their concerns about the location and landscaping for the property. They also wrote a letter to the Board.

Jerry Flint from 13636 Wayne Street, Union, Michigan 49130. Stated he was concerned about the environmental impact the construction would have on the creek located on the property.

Attorney Andrew Horne (Representing John and Eileen Healy) from 70944 Baldwin Landing Drive, Union, Michigan 49130. They are in opposition of the request. Mr Horne stated he felt the Ordinances numbers 111.1602 and 111.1603 does not meet the "specific circumstances" that is required under them. He also sent the board written letters.

Brian Mulhern from 70932 Vista View Drive, Union, Michigan 49130. Stated he felt we are not allowed to grant this variance under the "Variance Prohibited section 111.1603" stating that it does not meet the exceptional narrowness or shallowness and unnecessary hardship.

Paul Landis from 70822 Baldwin Landing Drive, Union, Michigan 49130. Stated he was concern about accessibility and felt it was to large.

**CORRESPONDENCE:**

In Favor of the request:

Sue Parker 70907 Wayne Street, Union, Michigan 49130

Norma Sponseller 70875 Hollywood Shores Drive, Union, Michigan 49130

Lynda K. Awald 70895 Hollywood Shores Drive, Union, Michigan 49130

Van Erbe 70889 Hollywood Shores Drive, Union, Michigan 49130

Paul DeLano 70736 Vista View Drive, Union, Michigan 49130

Vaughn Seltzer 13714 Wayne Street, Union, Michigan 49130

Lance Webber 13672 Wayne Street, Union, Michigan 49130

Danny C, Yarnall 70907 Hollywood Shores Drive, Union, Michigan 49130

Judy and Keith Wankel 70833 South Baldwin Lake Drive, Union, Michigan 49130

In opposition of the request:

John and Eileen Healy (Represented by Attorney Andrew Horne) 70944 Baldwin landing Drive, Union, Michigan 49130

Brian J. Mulhern (Resident and Attorney P.C.) 70946 Baldwin Landing Drive, Union, Michigan 49130.

Duane and Glenda Bonta 13734 Wayne Street, Union, Michigan 49130.

Paul and Mary Gerwels 70938 Baldwin Landing Drive, Union, Michigan 49130.

John C. Mang 70896 Baldwin Landing Drive, Union, Michigan 49130.

**ZONING BOARD of APPEALS DELIBERATE AND DISCUSSES:**

Discussion seem to be we would violate the “letter of the law” if we granted the request. We violate “consistent acts” if we deny the request.

**MOTION:** Made by Diane Konneck supported by Tom Robbins, under 111.1607 to table until we obtain a legal opinion.

**ROLL CALL VOTE:** Diane Konneck-Yes, Tom Robbins-Yes, Jon White-Yes Jamie Thompson-Yes, Hank Yeomans-Yes.

**OTHER MATTERS:**

Jon White nominated Jamie Thompson to be Secretary of the Zoning Board of Appeals.

**Voice vote: unanimous**

After discussion to prepare Jon White to take over as Chairman. It was decided that Hank Yeomans will stay on as chairman to get us through couple of pending difficult cases.

Tom Robbins nominated Hank Yeomans to be Chairman of the Zoning Board of Appeals.

**Voice vote: unanimous**

Planning Commission Representative Tom Robbins informed the board that construction for Dollar General has begun and the car wash is moving into the old ice cream place.

It was discussed that the Planning Commission will have to change the Accessory Building Ordinance (111.508) It was felt the “one size fits all” is not working.

**MOTION:** Made by Jamie Thompson supported by Jon White to adjourn at 7:43 p.m.

**Voice vote: unanimous**

Respectfully submitted,

Jamie Thompson  
Secretary