

PORTER TOWNSHIP BOARD OF APPEALS

February 24, 2011

The meeting was called to order by Hank Yeomans, Chairman, at 6:00 p.m. at the Porter Township Administration Building

Pledge of Allegiance

Roll Call

Present: Hank Yeomans. Steve Northrup. Robert Temple. Mike Rivers. Tom Robbins
Alternate: Jon White

Absent: Phil Yoder

Minutes of November 18, 2010 were read and approved. Motion to approve made by Steve Northrup, seconded by Mike Rivers. Voice vote: Unanimous.

The chairman presented the Agenda which was approved. Motion made by Steve Northrup, seconded by Mike Rivers. Voice vote: Unanimous.

The variance request made by Moses Troyer, parcel #14-120-370-005-00, 70535 Wayne Street, Union, MI was introduced by the Chairman.

- The zoning administrator refused the application for violations of zoning ordinance #111.801 sheds (c) entire subsection. Appeal was for variance of zoning ordinance
- Reason for appeal: Applicant has already built a structure 17' from the water's edge and 13' from the property line. The structure measures 368 square feet with a loft area above that measures 192 square feet. Total square feet: 560
- Applicant wants to keep structure as it is. No permit was issued by the Building Dept.
- Applicant replaced an existing shed. Did not think that a permit was required.
- Chairman read and explained code #111.801 to Moses Troyer
- Many photographs were submitted by the Chairman, neighbors and Mr. Mosier.

Comments of interested parties.

- Donald Hemler, 70497 South Beechwood Street, spoke in support of the variance.
 - Mr. Lent, adjacent property owner, spoke in support of the variance
 - Rick L Pharis, P.E., adjacent property owner commented against the variance
- Related correspondence to the Chairman from Mr. Pharis, P.E. was read by the Secretary. Photographs were enclosed. Reasons for non-support were summarized.

Steve Northrup moved to close the public hearing; seconded by Mike Rivers. Voice vote was unanimous. After deliberation, the Chairman summarized the related issues.

A motion to deny the variance was made by Robert Temple. Steve Northrup seconded the motion.

- Roll call vote: Steve Northrup - Yes. Mike Rivers - Yes. Robert Temple - Yes.
Tom, Robbins - Yes. Hank Yeomans- Yes.

The motion to deny the variance was unanimous for the following reasons:

- Mr. Troyer was unable to meet the provisions of 111.801 in the Zoning Ordinance.

Mr. Troyer may confer with Rich Drew, Building Inspector, and Mike Alwine, Zoning Enforcement Officer, within a 30-day time frame in regard to code compliance.

Hoffman Island

The Board discussed the ZBA Public Hearing in regard to the Hoffman island which is scheduled for March 10, 2011 at 6:00 p.m. at the Township Administration Building.

Election of Officers

The ZBA Board elected the following Officers:

Hank Yeomans, Chairman
Steve Northrup, Vice Chairman
Robert Temple, Secretary

Planning Commission Report:

Tom Robbins reported on the reviewing of Ordinances.

Motion to adjourn was made by Tom Robbins and seconded by Steve Northrup. A voice vote was unanimous.

Meeting was adjourned at 7:30 p.m.

Respectfully,



Robert Temple, Secretary