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**Richland Township
Zoning Board of Appeals**

Minutes of a Meeting Conducted on January 25, 2023

A regular meeting of the Richland Township Zoning Board of Appeals was conducted at the Richland Township Hall on January 25, 2023, commencing at 6:00 p.m.

Present were:

Robert Burr
Bill Witters
Ron Vorholt

CALL TO ORDER

An email glitch had resulted in lack of notification to the members of the Zoning Board of Appeals, who usually receive their packets via email. The meeting was commenced at 6:00 p.m. once a quorum was present.

NOMINATION OF CHAIRPERSON

Witters moved, supported by Vorholt, to nominate Burr as chairperson for the meeting. The motion passed by a vote of 2-1 with Burr voting in the negative.

AGENDA

Witters moved, supported by Vorholt, to approve the agenda as submitted. The motion passed unanimously.

MINUTES

Upon motion of Witters, supported by Vorholt and unanimous voice vote, the minutes of the November 30, 2022 Zoning Board of Appeals meeting were approved as submitted.

CORRESPONDENCE

None.

ELECTION OF OFFICERS

Burr suggested postponing this matter until a full board was present. All agreed.

JOINT MEETING REQUEST

Burr requested that the Township schedule a joint meeting of the ZBA and the Planning Commission when the next opportunity is presented.

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PUBLIC HEARING

- **Mark Applegren / McCarty Family Trust 9424 Fraulin Dr. 3903-12-430-401**

The next item on the agenda was the request of Mark Applegren regarding property owned by the McCarty Family Trust., 9424 Fraulin Drive, Parcel No. 3903-12-430-401 for three variances:

- A 6% variance from the permitted 25% lot coverage limitation in order to permit 791-square foot additions to the house; and
- A 12' front yard setback variance from the required 50' setback in order to permit the construction of a new front porch 38' from the property line; and
- An 18' 4" variance from the required 30' setback in order to permit the expansion of the interior living space of the house 11' 8" from the rear property line.

Priest noted that the property has three parts divided by public roads and that all three variance requests involve the part of the parcel on which the dwelling is located

Applegren approached the members with the print, showing the additions represented on the plan by hash marks. Burr inquired about the front porch. Applegren stated that the addition on the back side is to make the kitchen larger. In response to an inquiry from Burr, Applegren stated that the porch was open-air and covered. The kitchen addition would be on a slab with crawl space and the porch would be on a slab. Doster pointed out the front porch area on an aerial view, showing that a portion she called the "bump out" would be removed and that portion would be incorporated into the new front porch. In response to an inquiry from Witters, Applegren showed the location and orientation of the new front porch on the plan. He stated that they were basically adding 6 square feet to the porch area. Burr noted that the rear projection would be the same as the existing house with the addition.

The group discussed the circular "paper" road that was platted, and from which the measurements would be taken even though it would never be created. Doster stated that only one portion of this circular road was actually built. Burr noted that the existence of the paper road and its circular design made conformity with the ordinance difficult. Burr stated that he had conversed with the fire chief before the meeting started and that he reported no trouble with fire department access.

Burr inquired about a shed attached to the garage. It looked like it was up against the property line. Doster stated that it had been there forever. Priest indicated that the neighbor was her brother and that he had received no complaints.

At Burr's invitation, Priest reviewed his staff report. He stated that the overall square footage of the three portions of the parcel would put the request at .48 over the permitted lot coverage. He suggested approving the variance at 31% in order to permit some room for error in the calculations. He placed the aerial view on the screen, showing the locations of the existing house and the proposed locations of the additions. Burr noted that the addition would not encroach into the setback any further than the existing line of the house. Therefore, he surmised, the request really was not changing the existing setbacks.

Priest indicated that prior setback requests were always considered for the parcel that the construction was to be on, not necessarily with other adjoining parcels under the same ownership. Priest also stated that there were no side yards, only front and rear yards on this parcel due to its unique configuration. The

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group considered the mapped parcels, labelled A, B and C. Witters commented that B may be a separate parcel, but it was too small to do anything with. Burr indicated that for this area, it is not uncommon to have lot percentage and setback variances.

Burr opened a public hearing on the request. No one spoke for or against it.

Burr walked the group through the 5 decision parameters, which had been provided in abbreviated form on the dais. As to item ii, the group determined that, while the property could be used without the variance, conformity with the ordinance was unduly burdensome based on the odd lot configuration and the existing house and paper road. All of the other standards for variance were easily met.

Burr moved, supported by Vorholt, to approve the variance requests as submitted. The motion passed unanimously. The decision form was signed and provided to the applicant.

OLD BUSINESS

None

ADJOURNMENT

There being no additional business to come before the Zoning Board of Appeals, upon motion of Vorholt, support by Witters, and unanimous voice vote, the meeting was adjourned at 6:40 p.m.

Respectfully submitted:

Roxanne C. Seeber

Roxanne C. Seeber

SYNOPSIS OF ACTIONS

The Richland Township ZBA took the following actions at its meeting of January 25, 2023:

- Granted setback and lot coverage variances for additions to the house at 9424 Fraulin Drive.

Minutes available: February 2, 2023

Minutes approved: