

SPRING ARBOR TOWNSHIP
ZONING BOARD OF APPEALS
MAY 3, 2012

The May 3, 2012 meeting of the Zoning Board of Appeals was called to order at 7:03 p.m. by Todd Zeller.

Members Present: David Herlein, William Jaquays, Beth Kuntzleman, Earl Miller and Todd Zeller.

Guests: David Van Riper.

Staff: Jan Gardner

Minutes - Motion was made by Jaquays and seconded by Herlein to approve the minutes of the April 12, 2012 meeting. Motion carried.

Application for Variance - V12-02 Mr. David Van Riper, 3120 Lorrie Drive, Spring Arbor, Parcel number 124-12-15-227-009-00, zoned RS-1 Suburban Residential. The purpose of the request is to allow for the construction of a 6 foot tall privacy fence with a proposed front yard setback (along Faith Street) of 1 foot; the zoning ordinance requires a 35 foot minimum. Mr. Van Riper explained that he and his wife had removed several trees and selected a 6 foot tall wood privacy fence before they became aware of the requirements of the Township Zoning Ordinance.

Jan Gardner stated the two applicable sections of the Zoning Ordinance - Sec.4.6. 4A1 - which requires two front yards on a corner lot and Sec 6.5.3 - which states the type of fence allowable in a front yard. She distributed an e-mail from Cindy Ott, 3124 Lorrie Drive, that expressed her concerns about granting this variance.

After discussion, a motion was made by Herlein and seconded by Kuntzleman to grant the variance as requested. Roll Call - Yes - Herlein, Kuntzleman, Miller and Zeller. No - Jaquays. Motion Carried.

Granting this variance will not be detrimental to the adjacent properties or the surrounding neighborhood because this corner lot is unique in several aspects:

1. The house on the property that is behind the Van Riper's (3122 Faith Drive) is situated on a curve/angle so that when the residents look out their front window they will not be looking directly at the proposed fence. This neighbor expressed no objection.
2. There is no house on the north side of Faith Drive facing the Van Ripers.
3. The length of the proposed fence along Faith Drive is relatively short (less than 60 feet.)

The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Beth Kuntzleman
Secretary