

SPRING ARBOR TOWNSHIP
ZONING BOARD OF APPEALS
AUGUST 24, 2009

The August 24, 2009 meeting of the Zoning Board of Appeals was called to order at 7:00 p.m. by Chairman David Herlein.

Members Present: David Herlein, Todd Zeller, Earl Miller, Williams Jaquays, Larry Atkins.

Absent: Beth Kuntzleman

Guests: Jan Gardner, Jason & Teresa Wielenga, Lloyd & Judi Ganton, Harold DeCan, Jerry White, Robert Wight, Judy Rowe, Pat Watson, Ken Foust, Fran & Bob Richards, Bernie Reizner, Robert & Dorothy McCluskie, Donald & Eleanor James, James Schindler.

The minutes of the meeting held May 21, 2009 were approved.

V09-3

Request for variance from Jean Rendall/Jason & Teresa Wielenga, for a variance from the minimum road frontage requirement. Request is for 80' instead of the required 120'.

Mr. Wielenga explained the proposed purchase of land of approximately five (5) acres from Mrs. Rendall and their future plans to build a single-family home. Several residents of the Arbor Ridge Condominiums expressed their opposition to the variance request. Ms. Rowe, also an adjacent property owner, stated her support for the variance request.

Motion was made by Miller and seconded by Zeller to deny the variance request. The motion was unanimously approved. The variance was not granted because the situation was the result of actions by the applicant and was not due to exceptional or unusual conditions that were unique to the property.

V09-4

Request for variance from Spring Arbor University, for a variance from the rear yard setback (proposed 10'; required 25') and the maximum building height (proposed 48'; permitted 35').

Mr. White explained the University's plans to build a residence hall, north of Second St., with three stories and a garden level. He stated that the proposed design is similar to Gainey Hall.

Motion was made by Jaquays and seconded by Atkins to approve the request with the following conditions:

The University must obtain a written agreement for an easement, 15' wide and 150' long, from the adjacent property owner to the north to be used for emergency access.

Easement must be kept free from barriers or obstructions. A copy of the easement agreement must be provided to the Township.

Motion was unanimously approved.

Rationale for granting the request:

Previous buildings on the University campus received variances from the 35' height restriction. Height of building conforms with other buildings on campus. Sufficient use of land by building a three-story building.

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

William Jaquays
Secretary