

SPRING ARBOR TOWNSHIP
ZONING BOARD OF APPEALS
OCTOBER 20, 2011

The October 20, 2011 meeting of the Zoning Board of Appeals was called to order at 7:05 p.m. by Dave Herlein.

Members Present: David Herlein, William Jaquays, Beth Kuntzleman, Todd Zeller and Larry Atkins (alternate)

Absent: Earl Miller

Guests: Peggy French, Kevin Ganton, Elizabeth Miskowski and Sarah Miskowski.

Staff: Jan Gardner

Dave Herlein explained the need to elect a new chairperson and suggested that the Board appoint a member to serve as chairperson for this meeting only, due to the absence of one of the regular members (Earl Miller.) Motion was made by Herlein and seconded by Kuntzleman to appoint Todd Zeller as chairperson for this meeting. Motion carried.

V11-1 Phillip W and Margaret J. French, owners of 6180 Spring Arbor Road, request a variance to allow a day care center to operate on this property zoned C-3.

Jan Gardner explained that the Township's Zoning Ordinance does allow for day care centers as a conditional use in C-1 and C-2 but does not allow for them in C-3. The Board reviewed and discussed the need to comply with the requirements for Day Care Centers in section 5.9.4 of the Zoning Ordinance. Ms. Miskowski (one of the day care center's owners) answered questions about fencing, signage and parking.

A motion was made by Herlein and seconded by Kuntzleman to approve the variance request with two conditions:

1. A fence must be installed along the front sidewalk and edge of the parking lot from the front entrance to the driveway within 60 days; and
2. A second fence must be installed along the edge of the parking lot from the rear of the building to the fenced play area, to be completed by June 1, 2012.

Motion carried.

Rationale for granting variance request:

1. Proposed use will not alter the essential characteristic of the neighborhood or intent of the master plan.
2. Current location is better in several aspects than the previous location within the Township (i.e. newer building, paved driveway and parking lot, less traffic congestion)
3. Business owner has provided copy of license issued by the State of Michigan.
4. Applicant and business owner have agreed to meet standards for Day Care Centers in section 5.9.4 of Zoning Ordinance.

Motion was made by Herlein and seconded by Jaquays to approve the minutes of the June 29, 2010 meeting. Motion carried.

Motion was made by Herlein and seconded by Kuntzleman to request the Planning Commission to consider the possibility of amending the Zoning Ordinance to add day care centers as a conditional use in C-3. Motion carried.

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

Respectfully submitted,

William Jaquays
Secretary