

Polkton Charter Township
Zoning Board of Appeals Minutes (Unapproved)
September 9, 2021

Members Present: Tim Alt, Marlin VandenBrink, Kelly DuBois.

Members Absent: Leah Spinner, Sheryl Koning.

Other Attendees: Les Lindberg, Greg Kral, Sandy Rollenhagen, Jim Rollenhagen, Pat Lindberg, Jan Kimble, Bill Conlen, Ronald Redick.

Chairperson Alt called the meeting to order at 7:00 PM.

1. ZBA members introduced themselves to the audience.
2. Minutes of the June 10, 2021 Meeting: Motion by VandenBrink, supported by Alt to approve the revised version of the minutes from Koning. Vote taken--All ayes— Motion carried.

Variance Request #1: Consumers Energy
One Energy Plaza
Jackson, MI 49201

Applicant has submitted a request for two dimensional variances to build an electrical substation. Substation to be located on a parcel that is approximately 5.02 acres. Parcel is located to the southeast of the intersection of Cleveland Street and 80th Avenue, zoned AG-1, parcel 70-05-21-100-030. legally described as:

NW ¼ OF NW ¼ N OF G.T.R.R. EX 33 FT STRIP N OF & ADJ TO SD RR R/W, ALSO COM AT NW COR OF NE ¼ OF NW ¼, TH E 241 FT, S 28D 30 M W 385 FT TO N LI OF A 33 FT WIDE STRIP LYING N OF AND ADJ TO G.T.R.R. R/W, TH NW'LY ALG SD LI TO W 1/8 LINE, TH N TO BEG. SEC. 21 T8N R14W.

Public Hearing: Chairperson Alt opened the public hearing at 7:04 PM and explained the rules for public comment.

Greg Krul presented his request on behalf of Consumers. Current substations are functioning at almost full capacity and there is a public need for additional electricity. Substation will be located to maximize distance away from existing dwellings and roads. Adjacent parcel to the south lot line is also owned by Consumers Energy and the next lot is the rail corridor. The substation will be 800 ft. from the nearest dwelling, further than the required 500 ft. distance.

Public Comment/Written Correspondence: Vice Chairperson Alt asked for public comment. There were a few questions asking for clarification about the substation location. No written comments were received.

Chairperson Alt closed the public hearing at 7:12 PM

Board Discussion: Applicant is seeking two variances from ordinance 21.11D:
Side lot setback reduced from 150 ft. to 108 ft. (to the road right of way on Cleveland Street.)
Rear lot setback reduced from 150 ft. 15.4 ft.

As the Planning Commission has already conducted a site plan review, no site plan review was conducted by the ZBA.

Board discussed variance request. The proposed location of the substation situates it ideally next to power lines. It will be much further than the required 500 ft. from the nearest dwelling. There is a public need for additional energy and this will help supply it. The irregular shape of the parcel makes meeting the setback requirements difficult. The setback variance requests will bring the substation nearer to a road and a railway right of way, which will cause minimal public impedance.

As a result, the following motion was made:

Motion: Motion was made by VandenBrink and supported by Alt to approve two setback variances from Section 21.11D; side yard setback reduced from 150 ft. to 108 ft and a rear yard setback reduced from 150 ft. to 15.4 ft for the proposed electrical substation. Vote taken—All ayes. Motion carried.

Variance Request #2	Les and Nadia Lindberg
	1151 Barry Road
	Haslett, MI 48840

Applicant has submitted a request for a dimensional variance to rebuild a dwelling with side and front yard setbacks that exceed the 200 ft. maximum requirement of ordinance 21.08. Building to be located on a parcel that is approximately 40.88 acres. Parcel is commonly known as 14984 88th Ave, Coopersville, MI 49404, zoned AG-1, parcel 70-05-32-100-004, legally described as:

THE SW ¼ OF THE NW ¼ OF SEC 32, T8N, R14W.

Public Hearing: Chairperson Alt opened the public hearing at 7:36 PM and explained the rules for public comment.

Mr. Lindberg presented his request and provided additional supporting documents for his application. Proposed house location will not impede any agricultural activity and is ideally situated to allow for basement drainage.

Public Comment/Written Correspondence: Vice Chairperson Alt asked for public comment. Jim Rollenhagen (neighbor) expressed that the existing house is inhabitable and has been sitting empty for 10 years. The new site is beautiful and he supports the applicant. Jan Kimball (neighbor) stated that she has no problem with the applicant's plan and his proposed house location, is clearly the best place to situate the house. Sandy Rollenhagen (neighbor) said that the previous owners removed a lot of sand from the property but a lot still exists, leaving the proposed house location very sandy and unsuitable for agricultural activity. No written comments were received

Chairperson Alt closed the public hearing at 7:48 PM

Board Discussion: Applicant is seeking two variances from ordinance 20.08:
Side yard setback will be increased from 200 ft. to 270 ft.
Front yard setback will be increased from 200 ft. to 507 ft.
Primary residence for parcel will have approximately 1500 sq. ft. floor area.

Alt led the review of the site plan per ordinance Section 16A.03. Items one through four were met, five was waived, six was met, seven through twelve were waived, thirteen was met, fourteen and fifteen were waived, sixteen was met (with explanation—within one year), seventeen was met (motion contingent-lighting), eighteen was waived, nineteen through twenty-three were met, twenty four was waived, twenty five was met, twenty six through twenty nine were waived and thirty was met. DuBois then led review of Section 16A.04. Item A was waived, B through E were met, F through H were waived, and I was met (motion contingent-lighting).

Board reviewed ordinance Section 6.04 as the Lindberg property is in AG-1 zoning. Items A through D were met.

The Board also reviewed Section 21.08B. Item 1 was waived (pursuant to ordinance 14.03), item 2 was met, item 3 was met, item 4 was not met, items 5-6 were met.

Board discussed variance request. Members felt that the proposed site was well suited for a house and would not impede agricultural activities.

As a result, the following motion was made:

Motion: Motion was made by DuBois and supported by Alt to approve the two dimensional variance requests: side yard setback increased from 200 feet to 270 feet and front yard setback increased from 200 feet to 507 feet. Motion contingent on compliance with the Township lighting ordinance Section 23 and compliance with Township driveway ordinance Section 20.04. Motion contingent on demolition of all existing structures on the property prior to occupancy of the new dwelling. Applicant must obtain all necessary building permits. Vote taken—All ayes. Motion carried.

3) Other ZBA Business:

ZBA members- ZBA needs to have an alternate member. Alt has some contacts that he will pursue.

Motion to adjourn: Motion made by VandenBrink and supported by Alt to adjourn. Vote taken-- All ayes. Motion carried. Meeting adjourned at 8:14 PM.

Next regular meeting is December 9, 2021 (if required).

Submitted by K DuBois, ZBA Secretary