

Golden Township Zoning Board of Appeals

January 18, 2011

Golden Township Hall

7:00 pm

1. Meeting called to order by Worth at 7:04pm.
2. Pledge of Allegiance recited by all.
3. Roll Call: Worth, Whitney, Henderson, Beattie, Prudhomme, Zoning Administrator Whelpley.
4. Motion made by Prudhomme to approve the agenda, second by Beattie, motion carried.
5. Motion by Beattie, support by Henderson, to approve the minutes from September 20, 2010 meeting, motion carried.
6. New Business
 - a. Election of Officers:

Chairman: Prudhomme nominates Beattie, Beattie declines.
Beattie nominates Prudhomme, Prudhomme accepts.
Vice Chair: Prudhomme nominates Beattie, Beattie accepts.
Secretary: Beattie nominates Henderson, Henderson accepts.
 - b. Variance Public Hearing Accurate Automotive, LLC
 1. Prudhomme opened the Public Hearing at 7:09pm
 2. Zoning Administrator Presentation – Whelpley
 - a. Requesting to add on to existing business, Accurate Automotive, LLC, to increase the work space for the business.
 - b. During the original Site Plan review it was discovered that the rear set back for the addition did not meet requirements for the Zoning Ordinance. The Zoning Ordinance requires 25' and this addition would be 18' from the rear set back.
 - c. Whelpley read Section 18.7 of the Zoning Ordinance which addresses Variances.
 - d. This original building was built before Zoning existed in Golden Township which gives Mr. Hawkins the right to request a Variance for the addition.
 3. Petitioner Presentation
 - a. Mr. Hawkins stated that he finished the privacy fence which was previously requested in the Special Use Permit.
 - b. Stated he would like to add on to increase the workspace for his business.
 4. Correspondence Pro – None.
 5. Correspondence Con
 - a. Whelpley received phone call from neighbor across the street who is concerned about excessive noise. This neighbor is also concerned that Golden Township already issues too many Variances and this one should not be allowed.
 - b. Whelpley received phone call from Sand City Sports owner which adjoins to Hawkins property. He was concerned about water run-off and requested that it be considered in the final decision.

6. Public Comment Pro
 - a. Jack Snider commented that Mr. Hawkins runs a good business, he has followed through with fencing requirements to buffer the campgrounds and he should be allowed to improve his business.
 - b. Jeffery Hunt commented that he believes water run-off to Sand City Sports will not be a problem. If anything, water runs back to Mr. Hawkins business.
7. Public Comment Con – None
8. Petitioner Comments; Rebuttal
 - a. Stated that this shouldn't be an issue. Mr. Hawkins stated that he tries to keep the noise down.
9. Zoning Administrator Summary
 - a. This Variance is possible because of section 18.7 of the Zoning Ordinance. The Zoning Board of Appeals is charged with ensuring this Variance meets all requirements noted in this section. If all requirements are met, the Variance can be approved.
10. Close Public Hearing
11. Deliberation, Using Variance Standards
 1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the surrounding neighborhood or area.
 2. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity.
 3. That the granting of a variance will not be detrimental to the public welfare nor injurious to the property or improvements in the neighborhood or area in which the property is located
 4. That the granting of such variance will not adversely affect the purpose or objectives of this Ordinance, and Amended June 8th, 2004.
 5. That the need for a variance is not the result of an action by the appellant.

-After discussion, the ZBA agreed that all five standards have been met.
12. Decision
 - a. Motion by Worth, support by Beattie to grant a variance to reduce the rear yard setback for Accurate Automotive, LLC from 25 feet to 18 feet for the existing building and a 40X60 addition. All yes, motion carried.

7. Old Business – None

8. Public Comment – None

9. Adjournment – Motion by Whitney, support by Henderson to adjourn the meeting. All yes, meeting adjourned.

Meeting adjourned 7:22pm.

