

**ONEIDA CHARTER TOWNSHIP ZONING BOARD OF APPEALS MEETING**

**HELD APRIL 6, 2021**

**AT 8:00 P.M.**

**MEMBERS PRESENT: CHAIRMAN BRUNTON, MEMBERS WALTERS, GROSTEFON, AND SCHULTZ**

**OTHERS PRESENT: ZONING ADMINISTRATOR GOSCHKA, APPLICANTS MR. AND MRS. CROWNER, SUPERVISOR COOLEY, AND TOWNSHIP TRUSTEE GREEN.**

1. Meeting was called to order at 8:00 p.m. by Chairman Brunton
2. Pledge of Allegiance was given.
3. Additions to the Agenda, there were none. Motion to approve the Agenda was made by Mrs. Schultz and supported by Mr. Grostefon. Motion Carried.
4. Election of Officers: Chairman Brunton nominated Mrs. Schultz to be Secretary. Support was given by Mr. Grostefon. Motion Carried. Mr. Walters nominated Mr. Brunton to be Chairman. Support was given by Mr. Grostefon. Motion Carried. Motion was made by Mr. Walters nominated Mr. Grostefon to be Vice Chairman. Support was given by Mrs. Schultz. Motion Carried.
5. Minutes of October 6, 2020 were approved as presented in a Motion made by Mr. Brunton and supported by Mr. Walters. Motion Carried.
6. Public Hearing, Split the non-conforming parcel with two houses into two parcels. Variance requests for road frontage, side yard setback, and 1 to 4 depth ratio, Parcel No. 030-024-100-032-02. Addresses 5262 and 5272 E. St. Joe Hwy. Grand Ledge, MI 48837.

Chairman Brunton asked the Applicants to discuss the request with the Board. Mrs. Crowner explained that they had bought the 20-acre piece in 2000 with the two houses on it and had come to the Township to request a lot split to allow them to build a new home on the site. Now they want to sell the property and split the front 2 acres so that each home will have its own lot instead of two homes on one lot. They already have separate septic systems and know that they have to drill a new well so that each lot has its own well. The two homes on the site have always been rented. Mr. Grostefon asked if they were rented by two separate families. Mrs. Crowner said yes, they were.

Mrs. Crowner noted that lot 5262 will be 1.18 acres and lot 5272 will be just shy of an acre.

Mrs. Schultz made a Motion to approve the request based on Section 18.07 D. Use Variance of the Zoning Ordinance found on Page 18-6. The request meets all the requirements of the Ordinance.

Chairman Brunton said he needed more discussion and noted that he felt that we were causing 6 problems by allowing this request. He noted the required front footage of 165 feet and side setbacks of 30 feet and discussed the fact that if one of the homes burned, they can only build on the same foot print as they are non-conforming.

Mrs. Schultz read the requirements for a Use Variance Section D. from the Ordinance that stated that in a hardship situation when all the conditions of Section D. 1 through 4. Were met the request should be approved.

There was much discussion. Mr. Grostefon said he wouldn't purchase the site because of the replacement requirements. Mrs. Crowner discussed the zoning and that she had worked in the zoning field for some time and that the bank will not finance a lot with two homes. Mr. Brunton said he saw the advantage to having two tax parcels in the Township, but had a problem with allowing two non-conforming uses. He felt that a precedent was being set.

Mrs. Schultz noted that there had been non-conforming homes allowed in the past and there would be no precedent set by this situation. Mr. Walters noted the home just west on M-43 that had been allowed a rezoning. Mrs. Schultz said there are several in the Township with non-conforming situations. And a lot of lots that are only 100 feet wide as that used to be the requirement under the old Ordinance.

Mr. Grostefon had a question regarding the Drive way for one of the homes. Mrs. Crowner came forward and helped explain it to him.

At this time, Mrs. Schultz said there is a Motion on the floor and Mr. Walters supported the Motion to approve the request for the Variance as presented.

Roll Call Vote: Aye, Mr. Walters, Mr. Grostefon, Mrs. Schultz and Mr. Brunton.

Nay: None. Motion Carried. Variance Granted.

7. Public Comment: There was none.
8. Any Other Business. There was none.
9. Adjourn Meeting; Meeting was adjourned at 8:42 p.m.

Minutes respectfully submitted by Zoning Administrator Goschka and Jan Schultz

APPROVED:

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MR. CHAD BRUNTON, CHAIRMAN