

Berrien Township Zoning Board of Appeals Meeting Minutes for October 3, 2017.

The Berrien Township Zoning Board of Appeals met Tuesday, October 3, 2017, 7:00 p.m. at the Berrien Township Hall, Berrien Center, Michigan.

CALL TO ORDER

Chairman Ron Harner called the meeting to order at 7:00 p.m. and opened with the Pledge of Allegiance to the American flag.

ROLL CALL

Members Present: Chairman - Ron Harner, Vice-Chairman - Mark Coulston, Secretary - Bill Zebell, Sonya Bailey and Jeff Marks.

Members Absent: Tom Fisher

Others Present: Supervisor- Bryan Bixby, Recording Secretary-Heidi Miller, Building Inspector-Ross Rogien, Dale and Karen Sherwood and Mary Simko.

New Business: Ron asked Bryan Bixby if there is any new business to be presented. Bryan introduced Heidi Miller as the new administration secretary for the township. Also included was information that the Berrien County Road Commission has been dissolved. They have now been combined with the County. The transition should be smooth with lots of hard surfacing to be done next year.

The meeting was recessed to open the public hearing at 7:03 p.m.

Case #2017-001 Parcel #11-04-0036-0003-07-01 (4.27acres)
Dale and Karen Sherwood 9479 Chapel Rd. Niles MI 49120

Dale Sherwood called to floor to give information on hardship variance of property. Mr. Sherwood presented that he and his wife are interested in putting a mobile home on the property due to their age. Their grandchildren would move into their home, to take care of them. Well and septic are in place on the property for the additional dwelling. The medical letters from various doctors are included in the files were present.

Beyond this, per Bryan Bixby there were no letters or phone calls received at the township hall concerning this case.

The Public Hearing closed at 7:10 p.m. The meeting of the Zoning Board of Appeals reconvened.

300.1119 Dwelling, Temporary from the Zoning Ordinance Letter B, number 4, letter a through e. Mark Coulston has visited the home and didn't see a problem with this variance. In 1998 a hardship variance was granted for Dale's mom, Dana Gibbs. Mobile home is no longer there.

Sonya Bailey made a few additional questions one being. if on the same property why does the land survey show three parcels? Ron Harner said the parcel listing has been updated and it is now one parcel. Sonya asked for the updated form. Bryan Bixby made copies for the board. Second concern Sonya made is, why is request not for a modular home vs a mobile home and how does this qualify as hardship? Ron Harner said per the bank, it is approved for a temporary dwelling and the parcel has been moved to one.

Motion by Jeff Marks, supported by Mark Coulston, to grant the temporary dwelling in order for grandkids to care for Dale and Karen Sherwood on the same parcel. **All in favor, motion carried.**

Ross Rogien said if there were any stipulations to this they should be made in 60-90 days. Mr. Sherwood said in the ordinance to move a trailer there are no provisions but it could take up to a year. Ross Rogien said there should be yearly reviews to adopt this into a formal format for Zoning Boards of Appeals but cannot do this until the next public forum.

Sonya Bailey inquired on the hardship case about the public commenting to her in this particular case. Ron Harner stated that each case is different but in this case it the homeowner who is being preventative for future medical exceptions because of there age. Ron Harner also stated if there is concern then they should have either called the township or had been at this meeting.

Sonya Bailey said she followed the guidelines in the ordinance book and that is the reasoning for the temporary dwelling concerns.

Ross Rogien said it is finding the facts and to adopt consistent findings.

Sonya Bailey also stated that in conjunction with this the new copy of the property parcel should have been presented.

ADJOURNMENT

Motion by Mark Coulston, supported by Sonya Bailey, to adjourn the meeting at 7:35 p.m.

All in favor, motion carried.

Minutes as recorded by Heidi Miller, Zoning Board of Appeals Recording Secretary and approved by:

Bill Zebell, Secretary
Zoning Board of Appeals