

***Pennfield Charter Township
20260 Capital Avenue, NE
Battle Creek, Michigan 49017***

**CHARTER TOWNSHIP OF PENNFIELD
ZONING BOARD OF APPEALS
MEETING MINUTES OF JULY 26, 2016**

Chairperson Maryann Herbstreith called the meeting to order at 6:01 pm in the Pennfield Township Office Annex. Members present were Maryann Herbstreith, Chuck Adams, Curtis Whitaker, Perry Beard and Lindsay Draime. A quorum was met.

Others Present: M/M Randy Hammer, (8) residents and Rob Behnke

PUBLIC COMMENTS:

There were no public comments.

APPROVAL OF APRIL 5, 2016 MEETING MINUTES:

Perry Beard made a motion, seconded by Curtis Whitaker, to approve the meeting minutes of April 5, 2016 as presented. Motion carried.

PUBLIC HEARING / VARIANCE REQUEST BY M/M RANDY HAMMER

Maryann Herbstreith called the Public Hearing to order at 6:03pm. Mr. Hammer explained that due to the way his property falls off he needs a variance to construct a new accessory building. The zoning ordinance requires a 100 foot from road right of way setback. Mr. and Mrs. Hammer are seeking relief of 68 feet. Mr. Hammer indicated that his towing service is an emergency first responder which means he has 15 minutes to get to the scene of an accident on I-94 so he needs his tow truck at his house on 11 Mile Road and he wants to put the tow truck inside the accessory building when not in use.

Some of the residents near Mr. Hammer's property at 19218 11 Mile Road expressed concern about his lot size, his current setbacks, the contour of his property and the running of the vehicle outside. They also indicated their concerns about the construction of the accessory building and what it could be used for. They believe that the Hammer's are wanting to run a commercial business from an agricultural zoned area.

The zoning board also received (2) letters. The first letter was from Mr. Tom Joy, 19187 11 Mile Road, expressing his concern about the variance and asking that the board deny the variance. The second letter was from Dave and Cathy Yeager, 19176 11 Mile Road, expressing their concerns about the variance request (they were also in attendance).

Member Curtis Whitaker asked if there was anywhere else they could build the accessory building. He also questioned using the tow truck for business purposes in an area zoned agricultural.

Member Chuck Adams asked questions about what it means to be an emergency first responder for a towing business.

Member Perry Beard asked what address was on their license. The address was at 111 South Kendall Street. This is the main office for Tiger's Towing.

Chairperson Maryann Herbstreith closed the Public Hearing at 6:59pm.

NEW BUSINESS:

A motion was made by Perry Beard to TABLEe the Hammer variance request until more specific information about the following items was obtained from the Hammer's:

1) actual location of where the accessory building would sit on the property at 19218 11 Mile Road, including exact measurements from the side lot line, the back lot line and the distance to the main dwelling

2) actual documentation about emergency first responder requirements

supported by Curtis Whitaker.

ROLL CALL VOTE ON THE MOTION:

DRAIME- Yes

ADAMS- Yes

WHITAKER- Yes

BEARD- Yes

HERBSTEITH- Yes

Motion was approved.

BOARD MEMBER COMMENTS:

No comments

CHAIRPERSON ANNOUNCEMENTS:

No Chairperson comments.

ADJOURNMENT:

A motion was made by Chuck Adams to adjourn the meeting, supported by Perry Beard. Motion carried with unanimous approval. Meeting adjourned at 7:05pm.

Submitted by

Rob Behnke
Township Supervisor/Zoning Administrator

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