

**Cannon Township Zoning Board of Appeals
Regular Meeting Held Tuesday, January 19, 2016 at 6:00 PM**

Business Agenda Items:

ZBA 16-1

Paul & Laura Reges
3904 Dursum Ave NE
Ada MI 49301

ZBA 16-2

Kenneth Root
6881 Cannonsburg Rd NE
Belmont MI 49306

Members Present: Birn, Hanna and Eslinger

Members Absent: Betten

Staff Present: Julie Lovelace

The invocation was offered by Commissioner Eslinger

Approval of 2016/2017 meeting dates: Move to approve 2016/2017 meeting dates as written. MOTION: Birn. SECOND: Eslinger. Voice vote: Yes - 3, No - 0. Motion carried.

Pending Business: None.

New Business: ZBA 16-1

Paul & Laura Reges
3904 Dursum Ave NE
Ada MI 49301

Mr. Reges from 3904 Dursum spoke on his behalf. He stated his application to Consumer's began about 2½ years ago. He contracted with a company called Solar Winds to install the solar panels. The installer was supplied with a survey. It took about a month to install. After it was installed, the neighbor sold their property and had a survey done. It was then that they discovered that the panels encroached on the neighboring property. They were notified by the Township that they needed to move the panels. It was quoted approximately \$20,000 - \$25,000 to move the panels. The neighbor agreed to an easement, but then sold the property with the encroachment on it. The easement would be for 14'. They came to discuss the easement at the Township and found that it would not satisfy the Township's Zoning Ordinance. The panels are in concrete pilings 6' deep. Birn asked who checked the "no permit required" box on the electrical permit. Reges explained that he does not know, as that was filled out by the installer. Mr. Reges asked how other properties are allowed to have structure over the property line. Mr. Reges was told that County and GIS aerial shots are not as accurate as a survey. Easements are usually to pass through a property, not for structure.

Dave Lathrop 3850 Dursum is the neighbor and spoke. He did not find the location of the cells disturbing at all.

Hanna explained that there are only 3 members of the ZBA present. Therefore, after deliberation, the applicant would be offered the ability to have the subject postponed until the next meeting.

Eslinger stated he had taken no joy in hearing this story, but that the job of the ZBA is to look at the five criteria. Birn stated he did not meet the five criteria. It is self created, though created through the contractor. Hanna agreed as well.

Move to postpone this discussion until the next meeting until more members are present for a full board vote. MOTION: Eslinger. SECOND: Hanna. Voice Vote: Yes – 3, No – 0. Motion carried.

ZBA 16-2
Kenneth Root
6881 Cannonsburg Rd NE
Belmont MI 49306

Mr. Root spoke on his behalf. They wish to put a yard shed on the east side of the house, but cannot meet the setback. The rest of the yard is soft dirt and the septic is west of the house in the front yard. You would have to drive across the drain field.

Board Comments: Eslinger felt that the request was reasonable.

Move to approve variance based on the five conditions

- A. Shed cannot be put in front of the house and the only other side is prohibited by a septic field**
- B. This is the only place to put it.**
- C. The home was there when he purchased the lot.**
- D. He felt a 10x14 building is reasonable.**
- E. He felt that 3' was the minimum necessary and is also dictated by the well location.**

MOTION: Eslinger. SECOND: Birn. Roll Call: Birn – Yes, Eslinger – Yes, Hanna – Yes.

Adjournment: 7:14 p.m.

Next Meeting: March 16, 2016

Julie Lovelace
Zoning Administrator

Mike Hanna
Chair, Zoning Board of Appeals