

**Charleston Township Zoning Board of Appeals
December 29, 2015**

Call To Order:

The meeting was called to order at 7:01 p.m. by the Chair Norm Zomer who led those present in the pledge of allegiance to the flag.

Roll Call of Officers:

Roll was called and members present were: Norm Zomer, Don Balkema, Jim Whitehead, Mark Appelgren and Don Kramer. Also in attendance were Martha Croasdale and David Anson.

Adoption of Proposed Agenda:

Balkema/Kramer moved to adopt the agenda with the addition of election of officers for 2016.
CARRIED

Approval of Minutes:

Balkema/Kramer moved to accept the minutes of April 27, 2015 as presented. CARRIED

Citizen Time:

No comments were offered.

New Business:

Martha Croasdale Application

**4346 North 37th Street
Galesburg, MI 49053**

3908-06-276-011 Non-Conforming Use Building Permit Variance

The Chair explained the categories allowed for a variance and said that Ms. Croasdale's application fell into the category of Other Circumstances or Extraordinary Conditions. Mr. Zomer also explained that if the variance was not approved, Ms. Croasdale was prohibited from re-applying for one year. Ms. Croasdale presented pictures of her property and detailed the reasons why she was requesting a variance. She explained that her porch was becoming a health hazard because water was running into the basement through cracks causing mold growth. She was also concerned that the root cellar under the porch was being undermined. The house is 115 years old, built before zoning requirements were in effect, and the porch is 40 feet from the road while the current setbacks are 50 feet. She wanted to fill in the root cellar and rebuild the porch using the same footprint. She said that eventually she would maybe like to cover the porch. Mr. Zomer explained that because of the non-conforming use she would need to present her plans to the Township Board for approval before covering the porch. Most of the Board members indicated that they had driven by the property in question. The Zoning Administrator's report

indicated that the request was in order and administratively complete. The Chairman then went through the criteria required to be present before a variance can be approved:

1a. Given the age of the house and the deterioration of the porch, the evidence indicated extraordinary conditions. All of the Board members agreed that the condition was met.

1b. The variance will not affect any adjoining property such as to be of substantial detriment to such property. None of the adjacent neighbors had objected. All of the Board members agreed that the condition was met.

1c. The variance will allow the spirit of the ordinance provision or requirement to be observed, and public safety secured. All Board members agreed that public safety was not jeopardized.

1d. The variance is necessary for substantial justice to be done, e.g. to ensure that the property may be used in a manner specified by the zoning classification and similar to other properties in the same zone. All of the Board members agreed that the condition was met. Roll Call Vote: Balkema – Y; Whitehead – Y; Kramer – Y; Appelgren – Y; Zomer- Y. CARRIED

2. The Chair asked if the hardship had been self-created. The Board agreed that the hardship was not self-created.

Mr. Zomer asked if there were any comments from the audience. There were none.

Balkema/Whitehead moved to grant the Martha Croasdale's request for a variance on the property located at 4346 North 37th Street based on Article 28.8 of the Zoning Ordinance. Roll Call Vote: Whitehead – Y; Kramer – Y; Appelgren – Y; Zomer – Y; and Balkema – Y. CARRIED

Mr. Zomer reminded Ms. Croasdale that the work must be done within one year.

Election of Officers:

Balkema/Whitehead moved to nominate Mark Appelgren for the position of ZBA Chairman and Norm Zomer to the position of Vice-Chairman. All Ayes. CARRIED

Adjournment:

Balkema/Whitehead moved to adjourn at 7:35 p.m. CARRIED

Minutes prepared by:

Linda Kramer
12/29/15