

**Port Sheldon Township Board of Appeals Hearing
Meeting Minutes for April 2, 2025 at 5:30 PM**

1. Call Meeting to order: 5:30PM
2. Attendance: Bobby Forrest, Brian VanBeveren, Rachel Frantom, Steve Grilley, Donald Curry, Ryan Capson (ZA)
3. The request of John & Laura Dolan for a variance from Section 5.04.1 of the Port Sheldon Township Zoning Ordinance – Parcel: 70-11-16-329-018 Address: 7541 Margaret Ave, West Olive Mi 49460
4. Open Public Hearing at 5:31PM- Applicant's description: Applicant's representative asked if compass directions could be used instead of front and rear yard. The applicant would like to demolish the existing house and build a new home. This lot is a non-conforming lot as it is only 50 feet wide and 6250 total square feet. To construct a new home, the applicant is requesting a variance on the south and west yard setbacks. There is an easement concern that needs to be addressed with neighbors and the owner and his representatives have plans to have discussions with the neighbors. The septic will be on the west side of the property and the owner has a tentative approval from the Association to put this system on Mountain Beach property.
5. Public Comments: Brian Barkwell whose mother in law owns the properties to the south of the applicant brought up the following concerns: The retaining wall between the parcels, neighbor driveway easements, beach easement, window bump out on the 2nd floor over the setback request, egress well on the southside of the property, swale directing the water.

James Criner representing the Criner Trust at 7497 Margaret Ave had the following concerns: Did the township know of the easement and where did the board stand on the easement issue?

Sharon Barkwell representing the Milanowski Family that owns parcels south of the applicant had the following concerns: Did not like the 1'.3" west setback, would like to see no variance on the south of the property, applicant building their dream home at the neighbors property values, the applicants house too large for the parcel, the location of the AC and generator on the south side of the parcel will be an issue.

Judy Barkwell at 7531 Margaret had concerns of the easement being blocked off and the egress well on the applicants drawing.

6. Close Public Hearing at 6:48PM
7. Board Discussion: The board had discussions on the parcel being a non-conforming lot, the south and west yard setbacks. The board noted that the easement is not a ZBA issue. The board also reviewed the plan submitted dated 2/19/25.

Fact finding review:

1. R-1 nonconforming lot at 6250 square feet and 50 feet wide.
2. Building envelope to construct a new home would be difficult without a variance.
3. The existing non-conforming parcel dated back to before the current zoning ordinance was adopted.
4. Many homes in the area have had to get a variance for setbacks due to the location and old platted lots.

8. Motion: Brian VanBeveren made the motion that the west side yard be 1'.3" due to the 4 standards had been met. 2nd by Don Curry. Motion carried with 4 Yea votes and 0 No votes. Chairman Forrest recused from voting.
9. Review meeting minutes for 11-6-24 public hearing.
10. Motion by Bobby Forrest to approve the meeting minutes with corrections to parcel number and the builders last name need an s at the end. 2nd by Steve Grilley. The motion passes as shown by the following votes: 5 Yea votes and 0 No votes.
11. Chairman – Bobby Forrest adjourned the meeting at 7:22PM