

MINUTES
HAYES TOWNSHIP
ZONING BOARD OF APPEALS
February 11, 1987

The meeting of the Hayes Township Zoning Board of Appeals was called to order at 7:32 P.M. by Chairman Dan Berg. Board members present were Dan Berg, Lloyd Kuebler, Betty Straw, Fred Parsons, and Jerry Simpson, also present were Ron Graybiel, Township Clerk, Ethel Knepp, Township Zoning Administrator, Paul Hoadley, Township Supervisor, and William and Mary Lee Huber.

Bill Huber presented a brief history of their ownership of the property in question. The property serves as their residence as well as the location of a small business in which they grow and sell flowers and herbs, a use allowed in their zone district which is A-1.

The Hubers request a variance from section 4.13 A, "Floor Space Requirements" so that they may build an addition to their garage and an addition to a small shed on the north property line. (see site plan) They also request variances from section 4.13 B, "Side Yard Setbacks", in order to construct both additions.

Bill Huber presented letters from two adjacent property owners which stated that they had no objections to the Huber's plans to build closer to the property line. (see Attached)

Mr. Huber indicated that the addition would follow the present design of the house, and felt that the variance would not interfere with the spirit of the Ordinance. The addition to the north would keep all vehicular traffic for the business away from their private side of the house (the south side). To build to the south would also disturb plantings that the Hubers had placed on the south side of the house, and Mr. Huber said he would be forced to carry his firewood further because he would have to find another place to store it if he built to the south. To the east lies the septic system which would restrict building in that direction.

Dan Berg indicated that the variance from section 4.13 A was not necessary because the requirement excluded garages, and utility areas.

It was pointed out that the location of the present buildings does not meet setbacks for A-1, and granting a variance would in effect expand a non-conforming use.

The Board discussed alternatives to the plan that the Hubers presented. The Board came up with several alternate plans which would not require variances, most of which were building to the south and east.

The small shed near the north boundary of the property could be moved to a location which would not require setback variations where it could be enlarged, and still not interfere with their farming operations.

Fred Parsons moved that the variance from section 4.13 B for the small building be denied because the building could be put somewhere else on the property and conform to the setbacks. Seconded by Jerry Simpson. Roll call vote: Ayes; Lloyd Kuebler, Betty Straw, Jerry Simpson, and Fred Parsons, Nays; none. Motion carried.

Jerry Simpson moved that the variance from section 4.13 B for the addition to the garage/house be denied because suitable alternatives to the plans presented exist that would not require setback variances. Seconded by Betty Straw. Roll call vote: Ayes; Lloyd Kuebler, Betty Straw, Jerry Simpson, Fred Parsons, Nays; none. Motion carried.

Meeting was adjourned at 8:45 P.M.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Ronald I. Graybiel".

Ronald I. Graybiel,
Hayes Township Clerk