

# TOWNSHIP OF FREMONT

COUNTY OF TUSCOLA

MAYVILLE, MICHIGAN 48744

Zoning Board of Appeals Meeting

June 28, 2010

**Board Present:**

Frank Ellicott

Ken Bragg

James Holmes

Arland Draper

Soleiman Seghatoleslami

**Board Absent:**

None

**Guest:**

Amy Holbrook

Henry Wymore

Jennifer Fox

Ed Gotwalt

Amanda Gotwalt

Joy Hipes

Greg Eggert

Lyle Fryers

Meeting opened at 7:05p.m. by Bragg. Bragg stated the purpose of the meeting and where the property was located.

**Jennifer Fox:**

Stated that she understands the reasoning for the ordinance but feels that if she would split her property it would make it so it didn't conform with some of the other ordinances. For instance she is currently putting up a fence for a horse which she wouldn't be able to have and also there is a family memorial, a barbeque pit (which has electric & water ran to it), a horse barn and a child's tree house located where the split would need to be. She also stated that putting in a newer trailer would increase her property taxes and give the township more money.

**Public Comments:**

Brian Smith sent a letter to Bragg stating that he had no problem with what Fox is requesting. Bragg also received a couple phone calls from neighbors that have no problems. A. Gotwalt stated that the trailer was purchased prior to the issue of having to split the property was mentioned. She stated that she asked Fryers what was required and he told her that it needed to be a certain size and have a peak roof. Later he stated that the property would need to be split. G. Eggert stated that she is not going to conform with either the 2 trailers on one parcel or the structures on the property line. J. Hipes stated that Fox was legal having 2 trailers on one parcel until the ordinance was changed and therefore Fox didn't create the hardship the township did. Fryers stated that the township didn't create the hardship because she can split her property. A. Gotwalt also stated that the old trailer is unhealthy to live in and has water damage and mold.

**Board Discussion:**

Holmes stated that by not approving the variance and having her split the property there would be more non-conforming issues created. Soleiman stated that having livestock wouldn't be an issue because she could lease land from herself to have enough acreage. The property would all still be in her name. Ellicott stated that the property could be split the property by leaving the

165' of road frontage for each section and then have the split take a jog around the structures so that one parcel has 3 acres and the other has 2 acres. Holmes read Section 13.10 of the Zoning Ordinance which states that with a variance there can be more than one dwelling on a parcel as long as the dwelling is placed on the parcel so that the property could be split at a later time if necessary. Soleiman asked what they would do with the old trailer and Fox stated that it would be pulled to the side so that they could get the belongings out of it and then it would be hauled out of there. Ellicott asked what Wymore's thoughts were and Wymore stated that because he was the Twp. Supervisor he cannot say either way but he can answer questions asked of him. Bragg stated that Holmes pointed out Section 13.10 and that basically covers Fox's situation.

**Motion:** Motion made by Holmes, seconded by Draper to approve the variance for Fox to replace the old trailer with a newer one without splitting the property at this time so that she can have livestock. Motion was made due to Zoning Ordinance Section 13.10 which states *No more than one single-family dwelling may be constructed or placed on a single parcel of land. If a variance is granted for farm use or other reasons, all dwellings shall be placed on the parcel in such a manner that the property could be later divided with each dwelling being able to independently comply with all lot size and setback requirements.* Roll call vote: Holmes-yes, Ellicott-yes, Draper-yes, Soleiman-yes, Bragg-yes. Motion approved.

Meeting adjourned at 8 p.m.

Respectfully submitted by

Amy L. Holbrook, Secretary