

ALPINE TOWNSHIP ZONING BOARD OF APPEALS
Regular Meeting
Monday, February 27, 2023

CALL TO ORDER / PLEDGE OF ALLEGIANCE

Vice Chair Ted Spangenberg called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. Members present: Bill Schweitzer, Bill Homrich, Amber Bremer and Paul Flanery. Also present: Planner Sue Becker and Recording Secretary Barb Griswold.

APPROVAL OF MINUTES

The Board reviewed the January 23, 2023 minutes. Schweitzer motioned, supported by Homrich to approve the minutes with two corrections.

Ayes: 5 Nays: 0 Motion carried

NEW BUSINESS

CASE #23-ZBA-02

A request by Matthew & Sarah Bloem to allow for the increase in the allowable building size and height of a detached accessory building on property at 3636 Gillette Ridge Drive within the RA, Rural Agricultural zoning district. Specifically, variances from the allowable 1,200 square foot maximum size to 3,248 square foot in size and from the 20 feet in height to the building peak to 26.25 feet to the building peak.

Vice Chair Spangenberg reviewed the request for a variance of Section 2.01(b) from the allowable 1,200 square foot maximum size to 3,248 square foot in size and from the allowable 20 feet in height to the building peak to 26.25 feet to the building peak.

Applicant Matthew Bloem stated his lot size is 12.1 acres and is unique because his property is larger than 90% of the lots zoned RA, Rural Agricultural. Of the lots that are larger than 12 acres, 46% of those are vacant.

Mr. Bloem said a larger accessory building will not be harmful or damaging to the neighbors' properties. The surrounding properties are zoned RA, Rural Agricultural or A, Agricultural and the potential of a variance has been discussed and was favorably received by the other residences on his cul-de-sac. There is a Consumer's Energy easement that runs through the property south of 3636 Gillette Ridge so it is very unlikely that a house could be built close to his property line.

Motion by Flanery to open the public hearing, supported by Bremer.

Ayes: 5 Nays: 0 Motion carried

Bob Penninga, 3650 Gillette Ridge Drive said he is in favor of the variance request. He thinks the size of the applicant's property is a good enough reason to approve the request. The RA, Rural Agricultural lots are supposed to be a buffer to Agricultural zoned lots, so the request should not be an issue. There are also people who have bigger accessory buildings in the Township too.

Sean Collins, 3600 Gillette Ridge Drive said he supports the variance request.

A letter from neighbor Maria Gillette, 4321 Hendershot Avenue was read. She is opposed to the variance request. The development on Gillette Ridge has 2 and potential a 3rd large RA lots to

be created yet and she would not want to allow the revision for any of these lots either now or in the future.

Motion by Schweitzer to close the public hearing, supported by Flanery.

Ayes: 5 Nays: 0 Motion carried

Flanery said the size of the Mr. Bloem's property could be considered unique and there should be a sliding scale to allow for bigger accessory buildings in the ordinance for larger sized lots. It would be tough to have the restraints of the ordinance with such a large piece of property.

Schweitzer said all RA, Rural Agricultural lots are limited to a 1,200-square foot accessory building and he doesn't see anything unique about the applicant's property. Spangenberg agreed saying the amount of acreage doesn't make it unique.

Homrich said all lots in the RA, Rural Agricultural zoning district should be treated the same and Bremer said she doesn't see anything unique about the applicant's property.

Homrich stated Mr. Bloem has the same right as anyone else with 2-acres or more to build a 1,200-square foot accessory building. Schweitzer said he doesn't think it is fair to neighbors or others to build a building that tall either.

Schweitzer said he thinks the request could set a precedent. Homrich added that the neighbor has the same size lot as Mr. Bloem, he could also want a bigger accessory building.

Bremer said the request could set a precedent and where do you draw the line when the ordinance rules are in place?

<p>MOTION: ACCESSORY BUILDING SIZE AND HEIGHT VARIANCE AT 3636 GILLETTE RIDGE DRIVE CASE #23-ZBA-02</p>
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Schweitzer made a motion, supported by Bremer to DENY the requested variance from Section 5.04(c) in conjunction with Section 2.01(b) to vary the allowable 1,200 square foot maximum building size for a detached accessory building to 3,248 square foot in size and from the allowable 20 feet in height to the building peak to 26.25 feet to the building peak in the RA, Rural Agricultural zoning district for the property located at 3636 Gillette Ridge Drive NW, PP#41-09-32-176-015.

FINDINGS OF FACT (CHOOSE AS APPROPRIATE):

1. The requested variance *does not* meet Standard # 1, that "There must be unique circumstances or conditions about this property, not the use of the property." The property has no unique features or conditions that sets it apart from other RA, Rural Agricultural zoned properties. There are other large RA zoned properties in the Township.
2. The requested variance *does* meet Standard # 2, that "In giving the variance, the Zoning Board of Appeals will be assuring that the applicant has the same rights that other property owners in the same zoning district or vicinity have." The property owner can build an accessory building up to 1,200 square feet and 20 feet in height like other property owners can.

3. The requested variance *does not* meet Standard # 3, that "The variance will not create a situation that may be harmful or damaging to the neighbors' properties or the public interest." By granting the variance, it would allow the applicant to build a larger building with more height than is what is allowed and could be detrimental to surrounding neighbors.
4. The requested variance *does not* meet Standard # 4, that "The variance cannot set a precedent." The variance request would set a precedent as there are similar properties in the Township and it could cause others to want a larger building also.

Ayes: 4 Nays: 1 Motion carried

Ayes: Schweitzer, Spangenberg, Homrich, Bremer Nays: Flanery

ZONING BOARD OF APPEALS ADMINISTRATIVE ITEMS

Election of Officers:

Schweitzer motioned, supported by Bremer to nominate Stackowiak as Chair

Ayes: 5 Nays: 0 Motion carried

Flanery motioned, supported by Schweitzer to nominate Spangenberg as Vice Chair


Ayes: 5 Nays: 0 Motion carried

Planner Becker reviewed the 2022 year-end report.

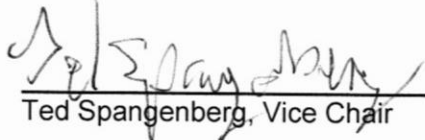
ADJOURNMENT

Motion made to adjourn the meeting at 8:35 PM by Homrich, supported by Flanery.

Ayes: 4 Nays: 0 Motion carried



Susan Becker, Planning Director



Ted Spangenberg, Vice Chair



Barb Griswold, Recording Secretary