

**WRIGHT TOWNSHIP**  
**ZONING BOARD OF APPEALS MINUTES**  
**August 3<sup>rd</sup>, 2021, MEETING**  
**1565 JACKSON ST. MARNE, MI 49435**

1. Meeting was called to order at 7:30 PM by Chairperson Pat Raap.  
Members In attendance; Pat Raap, and Theresa Frank. Steve VanTimmeren was absent. Planning support Brian Werschem was also in attendance. Alternative member, Don Engle was not available for the meeting date.  
Public present: see attached sign in sheet.
2. No parking in the reserved parking for the Fire Department was announced.
3. Election of Commission Officers for 2021 were made. Frank motioned to nominate Pat Raap as Chairperson, and Raap supported, all ayes, hearing no other nomination, motion carried.  
Frank Motioned to nominate Steve Van Timmeren as Vice Chair, and Raap supported, all ayes, hearing no other nomination, motion carried.  
Raap motioned to nominate Theresa Frank as Secretary, Frank supported, all ayes, hearing no other nomination, motion carried.
4. Raap made a motion to approve the agenda, and Frank supported. All ayes, motion carried.  
Frank motioned to approve the May 15, 2021 Zoning Board of Appeals minutes, Raap supported. All ayes, motion carried.
5. Public hearing for a Dimensional Variance was requested by Linda and James Nowatzke. For property located at 17935 – 24<sup>th</sup> Ave. Conklin MI 49403. Parcel # 70-06-09-200-005. The applicants are seeking a Dimensional Variance to build an attached 24' garage. Wright Township Zoning Ordinance Chapter 5- Agricultural District, Sec. 504.5 Minimum rear yard. Each lot or parcel shall have a minimum rear yard of fifty (50) feet in depth from the rear lot line. Nowatzke is requesting the variance of nineteen (19) feet from one corner of the purposed garage, to the property line. There is already a thirty-one (31) foot rear yard, from that line. The applicant could build the garage up further and be within the ordinance fifty (50) feet.  
Public Meeting was opened by Chair Raap at 7:34 PM, and comments were taken. James Norwatzke explained the location of his property with reference to the neighboring property, an orchard. James has been told by the neighbor that they do not mind that the distance is only thirty-one (31) feet from their property line. James also let the Commissioners know that his wife is disabled, and can no longer use the stairs to the basement. The 24' foot garage would be a single overhead door, with area for a washer and dryer so his wife would not have to use the basement stairs any longer. They could not build up in front of the house because it would need a breezeway to enter,

and they could not afford to do this. He feels it would be a hardship and also impractical. Linda Nowatzke reiterated what her husband had to say, and she had many pictures of the property surrounding the house. She felt if the garage was built upfront of the house the family could not see the outside from the inside of the house. They would only see the garage. Linda also told the Commissioners that they would have to have a new driveway if the garage was built in front of the house, and they could not afford to do that.

Scott Morrison, the couple's son, also spoke of his mother's disability, and let the Commissioners know that the trusses for the garage have been bought already, saying his parents did not know they would be denied to build. He said this is the hardship.

Max Whalen, the proposed builder brought up the fact that the well pipe would not be accessible if the house was moved up front. This would not be practical, because there is also a significant slope in the front for the trucks to get up to the pipe for any kind of maintenance. After some questions, and discussion between the applicants, the Commissioners, and Planner Werschem, Chair Raap closed the Public Hearing part of the meeting at 8:09 PM.

At this time the Commissioner discussed the Standards.

#### 1600.1 VARIANCES.

Standard #1 – Special conditions or circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other land, structure, or buildings in the same district and which conditions or circumstances will cause unnecessary hardship and practical difficulties if the Zoning Ordinance is enforced upon the land, structure, or use.

Both Commissioners agreed that the applicants showed hardship and impracticality, and did meet standard number one. Hardship because the applicant would have a lack of visibility from the inside of the house to the outside property if they were to put the structure up front to meet the ordinance dimensions required. Applicant Linda has a disabled arm, and a broken back thus needing her appliances upstairs. Lack of accessibility to the well pipe would not be practical, and a new drive would have to be made at great expense to the property owner.

Standard #2 Literal interpretation of the provisions of this Ordinance would deprive the applicant of property rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

Both Commissioners agreed that this standard was met because if the Zoning Ordinance were to be enforced upon the applicants it would not be practical, and would be a hardship for the same reasons as above in standard #1. Also, the applicants would not be able to have a garage connected to their home.

Standard #3 Special conditions or circumstances do not result from the actions of the applicant.

Both Commissioners agreed that this Standard was met because the action of the applicant was made 50 years ago when they built the house, and did not include a design for an added garage. They did not know then that it would not meet an ordinance dimension in the future if they wanted to add on a garage.

A motion was made by Frank, and supported by Raap to grant the requested dimensional

variance to build a laundry room / one stall garage. The variance was requested by James and Linda Nowatzke, at parcel number 70-06-09-200-005, 17935 – 24<sup>th</sup> Ave. Conklin MI 49403. All ayes, motion was carried.

Werschem did not agree that the hardships or practicality were reasons for the variance.

6. No Board Concerns.

7. Chairperson Raap motioned to adjourned the meeting at 8:09 PM, supported by Frank, motion carried.

Respectfully submitted by,

Theresa Frank  
Secretary for the Zoning Board of Appeals