

**FRANKLIN TOWNSHIP
BOARD OF APPEALS
January 28, 2014**

The Franklin Township Board of Appeals meeting was brought to order at 7:34 p.m. by Recording Secretary Sue Whitehead, who chaired the meeting in the absence of Chairman John Krueger. Present: Mike Kelley, Todd Wolf, John Ost and Bill Spycher. Also present: Building Administrator Bruce Nickel, applicant William Robinson and his parents Tom and Joyce Fisher who own property and live at 236 Pentecost Hwy. No neighbors of the applicant were present.

Whitehead read the following variance request: **William Robinson, with property at 6840 Pawson Road, Onsted (FRO-107-3525-00)** is requesting to divide off 1.02 acres. To allow the division, side and area dimensional variances would be required to allow a 30 x 48 foot accessory building to remain.

Whitehead then read Zoning Administrator Nickel's letter to the board which stated that Robinson would like to return to his parents, Tom & Joyce Fisher, a portion of the land that he acquired and built on in 2006. The Fisher's constructed a 30 x 48 pole barn on the west end of the property next to a 12 foot drive easement. The parent property is 3.74 acres and includes a single family dwelling and two pole barns which is zoned AG and is being used residentially. There was a question pertaining to the zoning status and Nickel stated he believed that the 1971 map was correct. Mr. Fisher has met with the Lenawee Co. Health Dept. and there were no issues. Both the new parcel and remaining parcel would meet the Franklin Township area and frontage requirements.

Board questions: Kelley asked if the property had ever been surveyed? Mr. Fisher stated no he used dimensions that are on the drawing. Ost questioned whether the neighboring Kerr property is part of the private road. Yes it is. Wolf questioned if it would be a buildable lot if connected to a sewer or septic field? There is no sewer tap with the property. Kelley asked how far off the easement is the barn? It is 3 foot. There is 15 feet between the pole barns. Mr. Fisher said the pole barn is not heated, has no water inside and has a cement floor. If a variance was approved the overhead door at the end of the building would be closed off. Nickel stated that when there is an accessory structure without a primary residence one option is to do a building restriction and tie the lots together.

(3) Board letters received. Whitehead read the letters received from the following:

1. George & Karen Stoops at 6840 Pentecost Hwy. No objections.
2. Andrew Weeden, 611 and 617 Pentecost Hwy. No objections.
3. Cliff & Judy Lambright at 605 Pentecost Hwy. No objections.

Ost moved to approve the request with the following conditions: a survey is required in order to verify the dimensions and Nickel will oversee the survey results. The lots will be tied together with the parcel at 236 Pentecost Hwy (FRO-430-8027-00) in a building and use deed restriction. As outlined in Nickel's letter a parcel division is required to allow the 30 x 48 pole building on the new parcel and the following variances are required:

- East side yard variance of 3 feet to allow the minimum setback of the pole barn to be 12 feet from the proposed east side property line. Section 16.01
- West side yard variance of 9 feet is required to allow a total side yard setback of 31 feet. Section 16.01
- A 12 foot side yard variance is required to allow the 36 x 56 foot pole building to be 3 feet from the proposed west side property line. Section 16.01. This will allow the 36 x 56 foot pole barn to remain on the remaining parent parcel.

Spycher seconded the motion. Motion carried unanimously 4-0. A land division application will need to have township board approval.

Old Business: The Darius Sedlecki property located at 4720 Kemp Rd., Tipton, was granted a variance August 12, 2013 to build a pole barn, remove an existing structure and store equipment inside the new building with a deadline of February 1, 2014. As of this date the requirements have not been met. Nickel will review the issue again February 1st.

Having no further business the meeting was adjourned at 8:11 p.m.

Sue Whitehead
Recording Secretary