

**WASHINGTON TOWNSHIP BOARD OF APPEALS
PUBLIC HEARING – OCTOBER 12, 2015**

The meeting was called to order and opened with the Pledge of Allegiance at 6:30 p.m.

Roll Call: Matt Hart, present; Kathy Gorski, present; Chuck Conner, present; Harry Thoman, present; Bill Ducey, present.

Zoning Secretary administered the Oath of Office to Bill Ducey.

This public hearing is at the request of Brent Meldrum, 2506 Shoreland Avenue in Washington Township. He is requesting a variance of zoning resolution sections 1303, 1310, and 2101 specifically, to allow placement of a privacy fence into a front yard.

Legal notices were published in *The Blade* on Thursday, September 24, 2015 and the *Point/Shoreland Journal* on October 11, 2015.

Public Comment:

Mr. Jeff Zilba, One SeaGate, Suite 1645, attorney for Mr. Brent Meldrum: Sent a letter to Ms. Bodette on August 31, 2015. They are contesting the interpretation of the fence. They claim that the fence in the rear of the yard – not the front. Ms. Bodette felt that Mr. Meldrum has two front yards as he is a corner lot. They don't feel that they've violated the zoning ordinance. If they are violating the ordinance, then they would request a variance to maintain the fence that he's installed.

Mr. Brent Meldrum, 2506 Shoreland Avenue: There is a lot of activity on the ramp next to his yard and he likes the privacy the section of fence offers.

Mr. Ducey mentioned that he has served as Zoning Inspector and worked on the development of the Zoning Resolution for the township. This property is on somewhat of a hill and is a unique application. Almost every corner lot has had some issue because of the set-backs for "two front yards." Feels that there is a need for two votes. One for declaring if there is a violation of the zoning and one for the variance.

Mr. Ducey moved to declare that the Zoning Inspector's interpretation of the zoning resolution for the fence is correct for this application. (Does the fence violate the zoning resolution?) Mr. Conner seconded. Roll Call: Mr. Hart, yes; Mrs. Gorski, yes; Mr. Conner, yes; Mr. Ducey, yes; and Mr. Thoman, no. Motion passed.

Mr. Thoman said that he doesn't consider the section of fence, a fence. It is more like a "blind" to block the view of the boat launch.

Mr. Meldrum is now requesting a variance to allow the fence as it is installed. Mr. Hart said that this is a unique circumstance. This is corner lot and does have "two fronts." He hasn't seen any hardship expressed by the applicant and understands the need for privacy for that side of his house. The same effect could have been achieved if the fence was installed in the rear yard – following the zoning resolutions. The fence was erected without a permit from the beginning. When the application was made, it was denied, and that's why we're here today.

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Mr. Ducey moved to approved the variance as stated. Second by Mr. Thoman. Mr. Ducey said there are two issues: height and set-back. Because of the elevation of the property, there would have been an issue anyway. Ms. Bodette said that if the fence was in the rear yard, it would have been measured at ground grade. Mr. Ducey said that he never noticed the fence until the appeal was made, and doesn't see the harm in it from the community's standpoint. He did notice that there is firewood stacked up against it that is not in compliance with zoning resolutions. Mr. Conner shared that he lives just a few houses down and also never noticed the fence until the appeal was made. He doesn't have any issue with it.
Roll Call: Mr. Hart, yes; Mrs. Gorski, yes; Mr. Conner, yes; Mr. Ducey, yes; and Mr. Thoman, yes.

The fence has been granted the variance. It was installed nicely and it's a nice addition.

Meeting went into recess at 6:54 p.m. to prepare the minutes.

Meeting was called back from recess at 7:00 p.m.

Mr. Ducey moved to approve the minutes. Second by Mr. Conner. Roll Call: Mr. Hart, yes; Mrs. Gorski, yes; Mr. Conner, yes ; Mr. Ducey, yes; Mr. Thoman, yes.

With no other business, Mr. Hart moved to adjourn the meeting at 7:01 p.m. Second by Mr. Thoman. Roll Call: Mr. Hart, yes; Mrs. Gorski, yes; Mr. Conner, yes; Mr. Ducey, yes; Mr. Thoman, yes.

Respectfully submitted,

Karen A. Mayfield
Zoning Secretary

Mark Jacob
Rachel Gorski
Mr. Conner
Mr. Ducey
Mr. Thoman
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