

**Birch Run Township  
Zoning Board of Appeals  
Regular Meeting Minutes  
November 23, 2010**

Chair Beverly Nelson called the Regular Meeting of the Birch Run Township Zoning Board of Appeals to order at 7:00 p.m. with the Pledge of Allegiance.

Roll was taken. Present were Chair Beverly Nelson, Vice Chair Richard Belger, Secretary Rosemary Manchester, and member Dennis Bronner and Ed Magnus. A quorum was present. Also present was one member of the public.

**Election of Officers**

Moved by E. Magnus, supported by R. Belger to nominate Beverly Nelson for Chair of the Zoning Board of Appeals for the term ending April, 2011. No other nominations were offered.

**YEAS:** Belger, Bronner, Magnus, Manchester, Nelson

**NAYS:** None

**Motion Carried.**

Moved by E. Magnus supported by R. Manchester to nominate Richard Belger for Vice Chair of the Zoning Board of Appeals for the term ending April, 2011. No other nominations were offered.

**YEAS:** Belger, Bronner, Magnus, Manchester, Nelson

**NAYS:** None

**Motion Carried.**

Moved by E. Magnus supported by R. Belger to nominate Rosemary Manchester for Secretary of the Zoning Board of Appeals for the term ending April 2011. No other nominations were offered.

**YEAS:** Belger, Bronner, Magnus, Manchester, Nelson

**NAYS:** None

**Motion Carried.**

**MINUTES**

Motion to approve October 20, 2009 Zoning Board of Appeals meeting minute, moved by D. Bronner, supported by R. Belger, approved by all, the minutes of October 20, 2009 meeting as presented.

**Birch Run Township  
Zoning Board of Appeals  
Public Hearing for Charles & Tracie St. James  
Parcel ID# 05-10-6-26-2015-000  
November 23, 2010**

Special Request by D. Bronner as to abstain because of relationship with his wife and Mrs. St. James.

Variance 1 - Article 9, table 9-4 requires lots in the C1 General Commercial District to have a 300 feet of lot width on the South Gera Road.

Current variances complies with 330 feet on the South Gera Road.

Variance 2 - Article 9, Table 9-4 requires lots in the C-1 General Commercial District to have a lot area of 1.50 acres.

Motion by E. Magnus supported by R. Belger, this lot would have the minimum 1.50 acres if the property in question did not have two entrances into their parking lot, one on Gera and the other on Birch Run Road.

**YEAS:** Belger, Magnus, Manchester, Nelson - Bronner Abstained.

**NAYS:** None

**Motion Carried.**

Variance 3 - Article 9, Table 9-4 requires a front yard set-back of forty feet from the right of way. The front porch extends into the right of way by approximately five feet.

Motion by R. Belger supported by E. Magnus, this lot would have had the recommend forty feet if not for the right of way from Gera Road.

**YEAS:** Belger, Magnus, Manchester, Nelson - Bronner Abstained.

**NAYS:** None

**Motion Carried.**

Variance 4 - Article 17, Section 17.04(B), buffer areas requires one tree for each seventy five feet of frontage on South Gera Road.

Motion by E. Magnus supported by R. Belger, this buffer was for breaking up of

large parking lots. This does not apply to this parking lot.

**YEAS:** Belger, Magnus, Manchester, Nelson - Bronner Abstained.

**NAYS:** None

**Motion Carried.**

These variances are approved with the following conditions:

1. New revised plans must be drawn up and submitted. The building's roof on the north and south end and porch must match.
2. Variance authorization period, each variance granted under the provisions of this ordinance shall become null and void unless the construction or other authorized by such variance have commenced within 180 days of granting to such variances, and unless the structure or building for which the variance applies has been constructed to and extension excess of fifty percent of its replacement value. Start of November 23, 2010.

Signature: \_\_\_\_\_  
Rosemary Manchester, ZBA Secretary

Date: \_\_\_\_\_