

Jonesfield Township
Saginaw County Michigan
Jonesfield Township Zoning Board of Appeals (ZBA) Minutes
October 6, 2020

Chairman Ruth Coppens called the ZBA Meeting to order at 6:00 p.m. with the pledge of allegiance to the flag. The meeting was held virtually using GoToMeeting.

PRESENT: Richard Bluemer, Ruth Coppens and Larry Tibbits

ABSENT: None

GUESTS: Jim Grey, Lee Glazier, Chris Patterson, Jason Hannath, Brittany Headley, Paul Funk, Emily Palacios, Mark Gath and three unidentified callers.

The Pledge of Allegiance was recited.

Public Comment unrelated to the variance request. - None

New Business

A non-use dimensional variance requests was submitted to the Zoning Board of Appeals (#2020-001A) related to a Special Use Permit submitted by Lee and Bev Glazier who are requesting a permit for sand mining under the Townships Zoning Ordinance Section 612(p) that governs Natural Resource Extraction for sand, gravel, and topsoil removal. The variance request from the Zoning Board of Appeals is for the provision of 100 feet required setback to any property line or road right-of-way line. The common property lines between the two properties described below that are the subject of this variance request belong to the applicants. The property is zoned A-2 Farming and Rural Residential.

Project Location: The drives to the property are located approximately 2700 feet south of O’Hara Road on Meridian Road.

Property Number #1: 17-12-1-21-3001-000

Described as: N ½ OF SW FRL ¼ EXC S 20 ACRES THEREOF ALSO EXC N 750 FT OF S 1080 FT OF W 300 FT 53.22 ACRES SEC 21 T12N R1E

Property Number #2: 17-21-1-21-3001-002

Described as: N 750 FT OF S 1080 FT OF W 330 FT OF N ½ OF SW FRL ¼ 5.16 ACRES SEC 21 T12N R1E

Mr. Glazier stated that he is asking that the 100 ft. setback be waived for the property lines that are common to the properties above. He owns both parcels and wants to remove the sand

from an area that overlaps both of his parcels. He meets the setback requirements from the north and the south and from the centerline of Meridian Road.

Mr. Glazier further stated that he understands that the Zoning Board of Appeals as a governing body must meet the court established standards for non-use dimensional variances by the applicant demonstrating “practical difficulties” if the variance is not granted. He offered the following two reasons why he meets this criterion:

1. The larger parcel, 17-12-1-21-3001-000 is currently in P.A. 116 to ensure the preservation of farmland. P.A. 116 requires at least 51% of the parcel must be farmland as opposed to woodland or future sand excavation pond. Therefore, by having the majority of the sand excavation of the smaller parcel and clearing sufficient woodland from the east side of the larger parcel, P.A. 116 eligibility and the resultant farm preservation is possible.
2. He stated that if he were to combine the parcels to eliminate the requested variance, he would lose P.A. 116 eligibility because of the 51% rule.

Board member Bluemer asked which property lines would be affected by the variance. Mr. Glazier stated that the small parcel’s east property line and the large parcel’s west property line are common and the property line that is the subject of the variance request.

Jim Gray indicated that he would normally have a written report on the request and that he had studied the variance requests and the special use permit request and site plan. He recommends that the request be approved.

It was later learned that Mr. Darling of 1248 N. Meridian Road, an adjoining property owner, lost connection with the virtual meeting but wanted to ask about the long-term effects to his well. He was able to connect to the following Planning Commission meeting to voice his concern. He was later satisfied with the answer given by Mr. Glazier and his contractor.

Larry Tibbits moved to accept the proposed written decision approving the variance requests submitted by Lee and Bev Glazier to vary the 100-foot setback required from the shared property line between Glazier’s two parcel included in his related Special Use Permit application to zero, with the condition that Glazier must receive SUP and site plan approval for the proposed use. Richard Bluemer seconded the motion. The decision is based upon the following facts:

- The variance request for property line setback are internal to the property and are owned by the applicant.
- Granting the variance keeps farmland within the township preserved under the P.A. 116 program.
- Public Safety and welfare of Jonesfield Township residents will not be affected.
- Property owners in the township will continue with the preservation and enjoyment of their property rights.

- When the excavation is complete, Mr. Glazier will restore the property appearance with tree planting and berms between Meridian Road and the pond.

The motion carried unanimously for immediately effect pending the Planning Commission deliberation on the Special Use Permit on this date immediately following the Zoning Board of Appeals adjournment.

Respectfully submitted

Larry E. Tibbits, Secretary of the ZBA