

Zoning Board of Appeals

June 02, 2025

Meeting Called to Order

4:00 pm

Roll Call:

Present: Matt Oesterle, Kurt Kranz, Becky Lott

Approval of Agenda

Motion to approve agenda made by Mr. Kranz, second by Ms. Lott.

Approval of 03/17/2025 Minutes

Motion to approve made by Mr. Kranz, second by Ms. Lott

New Business:

To receive and consider as well as receiving public comment on a variance requested by Gregory Ingle, property owner at 1192 Hagadorn Rd parcel # 33-06-06-29-400-005. The variance request is to build a 50' X 36' pole barn for accessory use in front of the home. The proposed side yard setback would be 30' from the North boundary line and the front yard setback would be 1,700' from the West boundary line. Current zoning does not allow for an accessory building to be located in front of the principal dwelling.

ZBA was shown approximate location of the requested pole barn. In addition, Mr. Ingle clarified that current set back from the North boundary line was set at 50'. Mr. Ingle maintains that he is operating a farm as defined by Michigan's Right To Farm Act (RTFA), and as such the pole barn is to be defined as a farm structure that would house current and future cattle. The ordinance in question for which this variance was requested states the following:

Section 20.11 Accessory Uses, Buildings and Structures

C. Placement/Setbacks:

1. No accessory building or structure shall be located in a front yard, including but not limited to a detached garage, and no residential garage entrance shall be located within sixty (60) feet of a front lot line. This subsection (1) shall not apply to farm buildings and structures.

Mr. Ingle, maintained that since he is running a farming operation, he is allowed to place a structure in front of his home as indicated in the above Ordinance. Of concern to the ZBA, was the proximity of Mr. Ingle's proposed pole barn structure in relation to a pond belonging to Mr. Ingle's immediate neighbor to the North (the Brogren's.)

Also in attendance:

- Tom Hitch via phone (Alaiedon Twp Attorney)
- Peter Ruddell (Honigman - Mr. Ingle's Attorney)
- Nels Brogren – 1270 Hagadorn Rd, Mason
- Anne Brogren – 1270 Hagadorn Rd, Mason
- Connie Clark – 1171 Hagadorn Rd, Mason
- Charlene & Emerson Hyde – 1321 Hagadorn Rd, Mason
- Jim & Colleen Wallace – 1300 Hagadorn Rd, Mason
- Tim Salow – 4725 Parman Rd., Stockbridge
- Anthony Ingle – 5220 Harper Rd., Mason
- Paul Hedemark – 344 S. Meridian Rd., Mason

ZBA Decision:

Motion by Mr. Kranz:

The Zoning Board of Appeals recommends the variance be approved with the following contingencies:

- Mr. Ingle is to move the approximate location of the pole barn no less than 10' to the South.
- A survey must be conducted at Mr. Ingles expense to ensure the exact location of the North property line separating Mr. Ingle's and the Brogren's properties.
- Mr. Ingle must install a 100' long berm centered on the pole barn, toward the North property line in an effort to eliminate any potential waste runoff from Mr. Ingle's property into the Brogren's pond.
- Mr. Ingle must maintain GAAMPs compliance regarding manure maintenance

Seconded by Ms. Lott

Public Comment:

In attendance were several surrounding neighbors in addition to customers of Mr. Ingle. Strongly opposing the site plan of this structure included Nels and Anne Brogren sharing concerns of possible waste runoff off from Mr. Ingle's property into their pond. Also opposing were Jim and Colleen Wallace echoing the same concerns as the Brogren's. The remaining attendees shared their support of the Ingle's and their future site plans.

Meeting Adjourned

5:50 pm

Minutes respectfully submitted by Becky Lott