

**CHARTER TOWNSHIP OF UNION**  
**Zoning Board of Appeals**  
**Special Meeting**

A regular meeting of the Charter Township of Union Zoning Board of Appeals was held on March 5, 2014 at the Township Hall.

**Meeting was called to order at 7:00 p.m.**

**Roll Call**

**Present:** Warner, McCracken, Darin, Henley, Hauck

**Excused:** Newland

**Others Present**

Woody Woodruff

**Approval of Minutes**

**Hauk** moved and **McCracken** supported the approval of the January 14, 2014 meeting minutes. **Ayes: All. Motion carried.**

**Correspondence** - None

**Approval of Agenda**

**Henley** moved and **Darin** supported the approval of the agenda as presented.

**Ayes: All. Motion carried.**

**Public Comment** - None

**EXISTING BUSINESS**

1. **VS** – 1738 – Variance to allow existing pool as placed at, or near rear yard lot line.

**McCracken** moved and **Darin** supported removing the item from the table for discussion. **Ayes: All. Motion carried.**

Mr. Woodruff reviewed the request for variance, and public comment/notification process. Chairman Warner requested the applicant present his case for a variance.

Mr. Harry Guenther, 3851 Green Acre Drive presented his request for variance, stating the pool was installed 28 years ago, admittedly without a building permit, and is located 2' from the property line. He stated that he would be unable to move the pool due to the size/placement of his septic field.

**Public Comment** -

Mr. Bob McGerry (PO BOX 398, Shepherd 48883), owner of the adjacent property discussed on-going property line disputes with Mr. Guenther, and requested the Board deny the request for variance.

Mr. Woodruff stated that the Township does not have jurisdiction over property line disputes, and they would have to be addressed in Circuit Court.

Further discussion was held by the Board, including requirements for granting a variance, and various scenarios for resolution.

**McCracken** moved and **Darin** supported the approval of VSB 1738 with the following stipulations:

1. The pool is fully located on Mr. Guenther's property, if not, the pool would have to be removed, or moved to meet setback requirements
2. Any future damage requiring repairs to the pool exceeding 50% of current value of the pool, would require moving the pool to meet setback requirements
3. Any future developments on the adjacent property would require the pool be moved to meet setback requirements, or completely removed.

**Ayes: (4); Nays: (1); Motion carried.**

Mr. Woodruff stated that there is a 21 day appeal period before the decision becomes final.

**Other Business** – None

**Extended Public Comment** - None

**Adjournment**

**Henley** moved and **Darin** supported a motion to adjourn at 7:53. **Ayes: All. Motion carried.**

**APPROVED BY:**

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**Mary Henley - Secretary**

*(Recorded by Angela Schofield)*