



PLAIN TOWNSHIP BOARD OF ZONING APPEALS

MEETING MINUTES

January 10, 2017

Chair, Mike Roberts called the Plain Township Board of Zoning Appeals Meeting to order at 7:00 p.m.

ROLL CALL

Attending the Plain Township Board of Zoning Appeals meeting were Mike Roberts, Valerie Jorgensen, Richard Martin, and Shane Clapham. Zoning Officer, Ben Collins and Mary Fee were also present.

ADDITIONS OR CORRECTIONS TO AGENDA

Mr. Roberts asked to hold the hearing after the additions or corrections to the agenda.

HEARINGS

Variance Application 11-17-2016-01 – 7575 Lee Road, requesting a variance to install a power safety pool cover instead of a locking gate and fence.

Mr. Collins stated that this case is similar to a request we received in May, the owners have installed an in ground pool to the rear of their home. A satellite overhead of the property is included. Owners originally intended to fence the entire property but decided to install a power safety pool cover instead. A variance is required per the Plain Township zoning text. A copy of the certification for the pool cover is available for viewing. Ms. Jorgensen indicated that she had read the certification at home. Mr. Collins reminded the board that the subject property is a larger parcel and the closest residence is over 400 feet away. There is a private drive, with a fence surrounding a large portion of the property. Mr. Roberts asked if it was an automatic gate that is closed most of the time. Mr. Cain answered affirmatively.

Mr. Roberts asked about the fence that currently surrounds the property. His biggest concern is for children and their safety. Mr. Roberts asked how the automatic closing feature on this pool operates. Mr. Mark Cain indicated that this cover has a key latch. Mr. Cain researched the features and chose to have a cover that did not close automatically he did not want to have the cover to close automatically and possibly trap someone accidentally. Mr. Roberts concern is that someone not remember to close the cover. He reminded Mr. Cain to always remember to close the cover. Mrs. Cain volunteered that their rule at their house is that they are not allowed in the pool unless there is an adult present. The adult is to close the pool and remove the key after the last swimmer leaves the pool.

Neighbor, Mr. Jeff Markley of 7561 Lee Road expressed his concern due to the sheep he has on his property. A discussion was held concerning Mr. Markley's concerns. Mr. Roberts reiterated that he is not concerned about sheep and other animals; his concern is about children and people.

Holding of water and snow on the cover was discussed. The woven material drains. During the winter months a special cover is installed over the retracted automatic cover. The winter cover is more substantial since the water is not in the pool to help keep the tension of the cover. Mr. Roberts voiced that under normal situations, under normal conditions, under normal loads, the cover sounds very safe.

Mr. Markley is concerned about chlorine build up from having the pool closed up and trapping chlorine gasses. Mr. Roberts indicated that he felt that was a different concern than the safety of the pool cover. Discussion followed concerning the opening of the cover for the chlorine. Mr. Roberts indicated that the Zoning Board of Appeals cannot police the maintenance aspects of the cover.

Mr. Roberts made a Motion to Approve Variance Application 11-17-2016-01 – 7575 Lee Road, requesting a variance to install a power safety pool cover instead of a locking gate and fence provided *that the safety cover specifically complies with ASTM F 1346-91 and meets the definition of an automatic power safety cover.*

Mr. Clapham seconded the motion.

Valerie Jorgensen seconded the amended motion; a roll call vote was taken:

Valerie Jorgensen	Yes
Mike Roberts	Yes
Richard Martin	Yes
Shane Clapham	Yes

The motion to approve the application as stated above Passed.

APPROVAL OF MEETING MINUTES

December 13, 2016 Meeting Minutes

Mr. Clapham made a motion to approve the meeting minutes of December 13, 2016 as submitted. Mrs. Jorgensen seconded the motion. All in favor. Motion Carried.

RECOGNITION OF VISITORS/ CITIZEN'S COMMENTS

Mr. & Mrs. Mark Cain - applicant for Variance Application 11-17-2016-01.
Mr. & Mrs. Jeff Markley – 7561 Lee Road

ZONING OFFICER'S REPORT

Discussion followed regarding the fact that there has not been a re-zoning in the township since 2012.

ELECTION OF CHAIR

Mr. Martin made a motion to appoint Mike Roberts as the 2017 Board of Zoning Appeals Chair. Mrs. Jorgensen seconded the motion. All in favor. Motion carried.

ELECTION OF VICE CHAIR

Mr. Roberts made a motion to appoint Richard Martin as the 2017 Board of Zoning Appeals Vice Chair. Mrs. Jorgensen seconded the motion. All in favor. Motion carried.

NEW BUSINESS

2017 Filing Deadlines and Meeting Schedule

Mr. Martin made a motion to approve the 2017 Filing Deadlines and Meeting Schedule. Mr. Roberts seconded the motion. All in favor. Motion carried.

2017 Rules of Procedure

Mr. Roberts made a motion to approve the 2017 Rules of Procedure. Mrs. Jorgensen seconded the motion. All in favor. Motion carried.

Designate the Zoning Officer as the Secretary of the Board of Zoning Appeals

Mr. Roberts, as the chair of the Board of Zoning Appeals designated the Zoning Officer as the Secretary of the Board of Zoning Appeals.

2016 Board of Zoning Appeals Fees

Mr. Roberts made a motion to approve the 2017 Board of Zoning Appeals Fees. Mr. Martin seconded the motion. All in favor. Motion carried.

The 2017 Zoning Commission Members Term List, updated 1/10/2017 was reviewed.

OLD BUSINESS

None

BOARD MEMBER COMMENTS

None

PUBLIC COMMENTS

None

ADJOURNMENT

Mr. Roberts adjourned the meeting.

The regularly scheduled public meeting of the Plain Township Board of Zoning Appeals was adjourned.

****AS APPROVED****



Ben Collins
Zoning Board of Appeals Secretary