

Ganges Township Zoning Board of Appeals

Meeting Minutes for August 20, 2025

Ganges Township Hall

119th Avenue and 64th Street

Fennville MI, Allegan County

Call to Order

Carol **Josefowicz** called the meeting to order at 6:00 PM.

Roll Call

Present:

Carol **Josefowicz**

Dale **Pierson**

Dick **Hutchins**

Tasha **Smalley**

Katelynn **Wolfe**

Audience:

Gary **Hattan** & Rebecca Clifford **Hattan** –
7054 Glenn Oaks, South Haven

Don **Karaus** – 2025 Brookhill Dr

Charles **Carlson** – PO Box 111, Douglas

Review/Approve Agenda

Hutchins made a motion to approve the agenda. **Pierson** seconded the motion. Motion passed.

Public Comment for non-agenda items - None

Public Hearing

Owner: Gary **Hattan** and Rebecca **Clifford**

Subject Property: 7054 Glenn Oaks Dr - 0307-220-012-00

The property owners have petitioned for two variances from the 3.09 fence regulations. First, the existing fence height is 6 feet. The regulation states that a fence shall not exceed 4 feet in height within the front setback. The second request is regarding the type of fence, to use single stand wire fencing. THIS PROPERTY HAS TWO FRONT YARDS. **Pierson** questioned when the fence was erected. **Hattan** replied in March of 2025. After discussion, it was noted that the fence was built before the new ordinance took effect. The old ordinance allowed for a 6 ft fence behind the PRINCIPLE STRUCTURE'S FRONT YARD'S BUILDING ~~front yard-setback~~ line.

a. **Opening of Public Hearing** – 6:10 PM

b. **Applicant explain request**

Hattan presented their case and argued that the challenging topography and dense vegetation on their property necessitated the fence's placement for protection against deer. She also emphasized their efforts to maintain the natural state of the property and

the importance of the fence for preserving pollinator and bird habitats. **Hattan** continued that they live on a corner lot, they own the property on the east side, the fence does not obstruct visibility for neighbors and it does not pose any safety concerns. She continued that the fence consultants did not mention that they should have a permit and according to the Glenn Oaks Drive Association bylaws there is a clause that allows developers to grant a variance, WHICH THE DEVELOPER DID. **Hattan** stated that they are asking to keep the 6 ft fence located on the property line and the low voltage electricity on the south, east, and west sides of the property.

c. Correspondence

Josefowicz read two letters opposing the variance request from Douglas **Holzrichter** and Jim **Wincek**.

d. Audience for/against comments

Don **Karaus** shared experiences of severe deer damage to natural growth on his property, leading to deforestation. He continued describing his efforts to manage deer population through fencing and hunting, emphasizing the need for effective solutions.

Charles **Carlson**, an architect, discussed the demand for deer fencing among his clients and the challenges posed by current zoning laws. He suggested that zoning regulations could be adapted to allow for tasteful fencing solutions that address deer issues.

e. Further discussion - None

f. Close of Public Hearing - 6:38 PM

Discussion/Decision of Variance Request

Pierson noted that according to the Ganges Township Ordinance section 3.19.c.1. township laws supersede condominium bylaws.

Hutchins noted that there are two objections tonight, the height of the fence and the placement.

Josefowicz added that the electric fence is also an issue. **Smalley** added that the type of fence is also not compliant.

Smalley noted that the wrought iron fence is in the Right of Way. Also, the mesh fence is not an acceptable fence material.

Pierson asked how the fence ON THE NORTH SIDE was installed. **Karaus** responded that there is concrete in the ground and aluminum fence is on pegs, so the fence is moveable.

Pierson noted that the electric fence is inside the mesh fence. **Hattan** replied that the deer tend to push into the plastic fence, touching the electric fence. **Pierson** asked if two strands were necessary. **Hattan** and **Karaus** replied yes, they tried just one strand and it was not successful.

Finding of Facts

For a variance to be granted, all of the following standards must be met.

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same zoning district. Exceptional or extraordinary circumstances or conditions include any of the following: a) exceptional narrowness, shallowness or shape of a specific property on the effective date of the Ordinance; b) exceptional topographic conditions or other extraordinary situation on the land, building or structure; or c) any other physical situation on the land building or structure deemed by the ZBA to be extraordinary.

Met.

2. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not itself be deemed sufficient to warrant a variance.

Met.

3. The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood.

Met.

4. The variance will not impair the intent and purpose of the Ordinance.

Met.

5. The immediate practical difficulty causing the need for the variance request was not created by any affirmative action of the applicant.

Met.

6. The reasons set forth in the application justify the granting of the variance and the variance is the minimum variance necessary.

Met.

Pierson made a motion to accept the variance for parcel #0307-220-012-00 with the following conditions:

1. The north side fence/gate must be set back at least 6 ft from the Right of Way and the fence may be 6 ft high. The gate height may remain as is. The current aluminum may be used.
2. All fencing on the west, south and east may be 6 ft in height. It may be mesh, plastic in black only. The fence may be on a zero foot set back or more if they wish.
3. No electrical fencing is allowed and the current electrical fencing must be removed.

Hutchins seconded the motion. Motion passed (3-0).

Pierson amended the motion to add a compliance deadline:

4. All changes must be completed by December 31, 2025.

Hutchins seconded the amended motion.

Public Hearing

Owner: Iris Boettcher

Subject Property: 1339 Fabun Rd - 0307-204-009-00

The public hearing for Iris Boettcher was cancelled because the applicant was not present.

Any business that may come before the ZBA - None

Public Comments – None

Approval of Meeting Minutes

A motion was made by **Josefowicz** to approve the April 24, 2025 regular meeting minutes with corrections. **Hutchins** seconded the motion. Motion passed (3-0).

Adjournment

Josefowicz made a motion to adjourn the meeting **Pierson** seconded the motion. Motion passed (3-0). Meeting adjourned at 7:50 PM.

Respectfully Submitted,

Katelynn Wolfe

Ganges Township, Zoning Board of Appeals