

PIN #/Turbine Location	Turbine Location Owner	Section	Turbine Number	Turbine Tip Height (feet)	Turbine Distance from Property Line (less than req'd tip height setback)	Variance Request in Feet	Number of Variances Requested	Strict compliance would unreasonably prevent the landowner from using the property for a permitted use.
17-12-1-01-2001-000	WIETFELDT, RICHARD	1	83	499	0 feet to east property line (shared with Wirtz)	499 feet from east property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-01-1001-000	WIRTZ, JOHN	1	83	499	0 feet to west property line (shared with Wietfeldt)	499 feet from west property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-01-2001-000	WIETFELDT, RICHARD	1	84	499	0 feet to south property line (shared with Clapp) and 171 feet from east property line	499 feet from south property line and 328 feet from east property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.

17-12-1-01-2004-000	CLAPP, DWIGHT A	1	84	499	0 feet to north property line (shared with Wietfeldt) and 171 feet from east property line	499 feet from north property line and 328 feet from east property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-02-1004-000	BEOUGHER, GARY R & KAREN M	2	79	499	75 feet to south property line and 247 feet from west property line and 257 feet from southwest property corner	424 feet from south property line and 252 feet from west property line and 242 feet from southwest property corner	3	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-02-1002-001	FORDOS, DEREK J	2	80	499	408 feet to east property line and 482 feet to southwest property corner (Sherman)	91 feet from east property and 17 feet from southwest property corner	2	The buildable area of this parcel is almost completely precluded from construction of a WTG Tower because of a microwave transmission corridor. Strict compliance with the ordinance would effectively prevent construction of a WTG Tower at this site or otherwise cause transmission disruptions.

17-12-1-03-2001-000	FROLLO, WILLIAM J & ALICE	3	71	499	72 feet to south property line and 293 feet from west property line	427 feet from south property line and 206 feet from west property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-03-1002-000	FORDOS, DEREK J	3	72	499	0 feet to west property line (shared with Fleming) and 74 feet from south property line	499 feet from west property line and 425 feet from south property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-03-1001-000	FLEMING, S J	3	72	499	0 feet to east property line (shared with Fordos) and 74 feet from south property line	499 feet from east property line and 425 feet from south property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.

17-12-1-03-4001-000	THOM, DALE D	3	73	499	0 feet to north property line (shared with Willman)	499 feet from north property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-03-1004-000	WILLMAN, ELMER & BARB	3	73	499	0 feet to south property line (shared with Thom)	499 feet from south property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-03-4001-000	THOM, DALE D	3	74	499	69 feet to north property line	430 feet from north property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-04-2001-000	BREASBOIS, DAVID J & PATRICIA	4	62	499	0 feet to south property line (shared with same owner)	499 feet from south property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.

17-12-1-04-2002-000	BREASBOIS, DAVID J & PATRICIA	4	62	499	0 feet to north property line (shared with same owner)	499 feet from north property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-04-2002-000	BREASBOIS, DAVID J & PATRICIA	4	63	499	0 feet to east property line (shared with same owner) and 350 feet from south property line (same owner)	499 feet from east property line and 149 feet from south property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-04-1001-001	BREASBOIS, DAVID J & PATRICIA	4	63	499	0 feet to west property line (shared with same owner) and 350 feet from south property line	499 feet from west property line and 149 feet from south property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.

17-12-1-04-1003-001	COPPENS, KENNETH R	4	65	499	0 feet to west property line (shared with Breasbois)	499 feet from west property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-04-1001-001	BREASBOIS, DAVID J & PATRICIA	4	65	499	0 feet to east property line (shared with Coppens)	499 feet from east property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-09-1002-000	KENNEDY, PATRICK M	9	66	499	0 feet to south property line (shared with Butcher)	499 feet from south property line	1	This parcel meets the five-acre minimum parcel size for construction of a WTG Tower. The dimensions of the parcel, however, are such that there is no buildable area on this parcel unless the Applicant receives a variance.
17-12-1-09-1003-002	BUTCHER, KALEB K	9	66	499	0 feet to north property (shared with Kennedy)	499 feet from north property line	1	This parcel meets the five-acre minimum parcel size for construction of a WTG Tower. The dimensions of the parcel, however, are such that there is no buildable area on this parcel unless the Applicant receives a variance.

17-12-1-09-4002-000	BLUEMER, R J & S A	9	67	499	0 feet to north property line (shared with Butcher)	499 feet from north property line	1	This parcel meets the five-acre minimum parcel size for construction of a WTG Tower. The dimensions of the parcel, however, are such that there is no buildable area on this parcel unless the Applicant receives a variance.
17-12-1-09-4001-000	BUTCHER, KALEB K	9	67	499	0 feet to south property line (shared with Bluemer)	499 feet from south property line	1	This parcel meets the five-acre minimum parcel size for construction of a WTG Tower. The dimensions of the parcel, however, are such that there is no buildable area on this parcel unless the Applicant receives a variance.
17-12-1-10-3003-002	BLUEMER, R J & S A	10	75	499	0 feet to north property line (shared with Fleming)	499 feet from north property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-10-3001-003	FLEMING, LARRY & DIANNE	10	75	499	0 feet to south property line (shared with Bluemer)	499 feet from south property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.

17-12-1-10-2001-000	LAURENZ, JAMES L & HELEN	10	76	499	108 feet to east property line (shared with same owner)	391 feet from east property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-11-3001-002	NAESSENS, W & C M	11	81	492	0 feet to south property line (shared with Clapp) and 345 feet from east property line	492 feet from south property line and 147 feet from east property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-11-3002-000	CLAPP, RONALD L	11	81	492	0 feet to north property line (shared with Naessens) and 345 feet from east property line	492 feet from south property line and 147 feet from east property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.

17-12-1-13-1002-000	BOHN, JAMES	13	86	492	0 feet to south property line (shared with Coppens) and 327 feet from east property line	492 feet from south property line and 165 from east property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-13-4001-001	COPPENS, KENNETH R	13	86	492	0 feet to north property line (shared with Bohn) and 327 feet from east property line	492 feet from north property line and 165 feet east property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-14-2001-000	FORDOS, JAMES D & KENNA M	14	82	492	413 feet to west property line	79 feet from west property line	1	The Applicant sited the WTG Tower outside of the buildable area of the parcel and requests a 79 foot variance. The reason Applicant offers for siting the turbine outside of the buildable area is drain tiling. There is no reason provided to the ZBA, however, that the tower could not be relocated 79 feet and conform with the requirements of the ordinance.
17-12-1-16-2002-000	THON, TIMOTHY W	16	68	492	69 feet to south property line (shared with same owner)	423 feet from south property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement. This tower is offset from the property line only to the extent that it avoids impacting a drainage system.

17-12-1-16-1001-002	FLEMING, LARRY & DIANNE	16	69	499	68 feet to south property line (shared with same owner)	431 feet from south property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement. This tower is offset from the property line only to the extent that it avoids impacting a drainage system.
17-12-1-22-2001-000	ZEITLER, LLOYD C & L ALICE	22	77	492	0 feet to west property line (shared with Clapp) and 469 feet from south property line	492 feet from west property line and 23 feet from south property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-22-2002-001	CLAPP, DWIGHT A	22	77	492	0 feet to east property line (shared with Zeitler) and 469 feet from south property line	492 feet from east property line and 23 feet from south property line	2	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.

17-12-1-22-3002-002	COPPENS, KENNETH R	22	78	492	127 feet to east property line and 429 feet from north property line and 448 feet from northeast property corner	365 feet from east property line and 63 feet from north property line and 44 feet from northeast property corner	3	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-24-2001-001	WENZEL, LEE E & LINDA	24	87	492	159 feet to south property line	333 feet from south property line	1	Strict compliance with the ordinance would require the Applicant to site towers in the middle of farmland that would disrupt drain tile and efficient agricultural operations (activities encouraged in Chapter 6 of the Township Master Plan). The disruption would unreasonably interfere with landowner's use of the land and create difficulties for the Applicant in reaching mutual agreements about WTG Tower placement.
17-12-1-24-3002-000	FRAKER FARMS LLC	24	88	492	472 feet to north property line (shared with same owner)	20 feet from north property line	1	The Applicant sited the WTG Tower outside of the buildable area of the parcel and requests a 20 foot variance. The reason Applicant offers for siting the turbine outside of the buildable area is drain tiling. There is no reason provided to the ZBA, however, that the tower could not be relocated 20 feet and conform with the requirements of the ordinance.

The particular request, or a lesser relaxation of ordinance standard, would provide substantial justice to the landowner and neighbors.	Setback compliance is impacted by unique circumstances of the property.	Applicant did not create the practical difficulty.	A variance would observe the spirit of the zoning ordinance.
<p>Placing the tower on a property line serves substantial justice by reducing the impact on farming operations and preserving the existing agricultural uses within the Township. Moving the tower off the property line would have a potential to increase the impact on the agricultural use of the land than the benefit conferred by complying with the ordinance. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses) and Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).</p>	<p>The Applicant has submitted materials attesting to poorly drained soil requiring drain tiling to use the land for agricultural purposes. Complying with the ordinance setback requirements would require WTG Tower placement in the middle of farmed parcels. As referenced in the Township Master Plan, soil composition creates a necessity for drain tiling to accommodate agricultural uses, complying with the setback requirements for WTG Towers would negatively impact the effectiveness of drainage and quality of agricultural uses. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses); see also Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).</p>	<p>The Applicant has not contributed to impacts on the land relating to drainage, parcel size, electromagnetic transmissions, or soil composition that contribute to the practical difficulty. Rather, the ZBA finds that the Applicant has worked diligently with landowners to site proposed WTG Towers in places that increase the effectiveness of the land use for the landowner and adjacent properties.</p>	<p>The basic objectives of the Jonesfield Township Zoning Ordinance are to enhance the social and economic stability of the Township and guide the use and development of the community's lands and natural resources in accordance with their character, adaptability, and suitability for particular uses. Section 103(1). The Applicant's attention to the the needs of farmers in the community and the preservation of agricultural land uses (a development goal in Chapter 5.2 of the Master Plan and the stated purposes of ordinance sections 504.1 and 504.2), in addition to economic boost from development, serve the spirit of the ordinance by protecting those uses and ensuring that the essential character of the community will be unchanged.</p>
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<p>Placing the tower on a property line serves substantial justice by reducing the impact on farming operations and preserving the existing agricultural uses within the Township. Moving the tower off the property line would have a potential to increase the impact on the agricultural use of the land than the benefit conferred by complying with the ordinance. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses) and Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).</p>	<p>The Applicant has submitted materials attesting to poorly drained soil requiring drain tiling to use the land for agricultural purposes. Complying with the ordinance setback requirements would require WTG Tower placement in the middle of farmed parcels. As referenced in the Township Master Plan, soil composition creates a necessity for drain tiling to accommodate agricultural uses, complying with the setback requirements for WTG Towers would negatively impact the effectiveness of drainage and quality of agricultural uses. The parcel is also close to a wooded area that requires additional setbacks for a WTG Tower to reduce impact on wildlife. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses); see also Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).</p>	<p>The Applicant has not contributed to impacts on the land relating to drainage, parcel size, electromagnetic transmissions, or soil composition that contribute to the practical difficulty. Rather, the ZBA finds that the Applicant has worked diligently with landowners to site proposed WTG Towers in places that increase the effectiveness of the land use for the landowner and adjacent properties.</p>	<p>The basic objectives of the Jonesfield Township Zoning Ordinance are to enhance the social and economic stability of the Township and guide the use and development of the community's lands and natural resources in accordance with their character, adaptability, and suitability for particular uses. Section 103(1). The Applicant's attention to the the needs of farmers in the community and the preservation of agricultural land uses (a development goal in Chapter 5.2 of the Master Plan and the stated purposes of ordinance sections 504.1 and 504.2), in addition to economic boost from development, serve the spirit of the ordinance by protecting those uses and ensuring that the essential character of the community will be unchanged.</p>

Placing the tower on a property line serves substantial justice by reducing the impact on farming operations and preserving the existing agricultural uses within the Township. Moving the tower off the property line would have a potential to increase the impact on the agricultural use of the land than the benefit conferred by complying with the ordinance. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses) and Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).

Moving the tower further from the property line would have a greater impact on farming operations than the benefit conferred from a lesser standard in the zoning ordinance. Substantial justice is achieved by avoiding negative impacts on drain operations and avoiding further negative impacts to agricultural operations. Additionally, the landowner and neighbor to the south have reached an agreement with the Applicant to construct offset from the property line. The proposed site for the WTG Tower also provides further distance from non-participating parcels than the ordinance requires. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses) and Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).

The Applicant has demonstrated that it cannot comply with the setback requirement to the east property line due to a microwave transmission corridor. However, the setback requirement from the southwest property could be reached by relocating the tower 20 feet to the south and removing the necessity to receive that variance.

The Applicant has submitted materials attesting to poorly drained soil requiring drain tiling to use the land for agricultural purposes. Complying with the ordinance setback requirements would require WTG Tower placement in the middle of farmed parcels. As referenced in the Township Master Plan, soil composition creates a necessity for drain tiling to accommodate agricultural uses, complying with the setback requirements for WTG Towers would negatively impact the effectiveness of drainage and quality of agricultural uses. The parcel is also close to a wooded area that requires additional setbacks for a WTG Tower to reduce impact on wildlife. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses); see also Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).

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The Applicant has not contributed to impacts on the land relating to drainage, parcel size, electromagnetic transmissions, or soil composition that contribute to the practical difficulty. Rather, the ZBA finds that the Applicant has worked diligently with landowners to site proposed WTG Towers in places that increase the effectiveness of the land use for the landowner and adjacent properties.

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Moving the tower further from the property line would have a greater impact on farming operations than the benefit conferred from a lesser standard in the zoning ordinance. Substantial justice is achieved by avoiding negative impacts on drain operations and avoiding further negative impacts to agricultural operations. Additionally, the landowner and neighbor to the south have consented to the proposed site of the tower. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses) and Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).

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The Applicant has submitted materials attesting to poorly drained soil requiring drain tiling to use the land for agricultural purposes. Complying with the ordinance setback requirements would require WTG Tower placement in the middle of farmed parcels. As referenced in the Township Master Plan, soil composition creates a necessity for drain tiling to accommodate agricultural uses, complying with the setback requirements for WTG Towers would negatively impact the effectiveness of drainage and quality of agricultural uses. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses); see also Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).

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The Applicant has demonstrated that it has negotiated with landowners to find proposed WTG Tower sites to the satisfaction of the landowner and neighbors. Granting this variance achieves substantial justice by respecting the nature of agreements reached between the Applicant and nearby landowners who are most impacted by the development.

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The Applicant has proposed this tower site on a property line, and requests an additional setback from a property line to the south. Moving the tower off of the property line negatively impacts the farmland by disrupting drain tile and agricultural operations. Moving the tower further from the south property line would require siting WTG Towers closer to residences in a way that risks potential impacts associated with sound and shadow flicker upon Township residents. Substantial justice is thereby served by granting the variances. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses) and Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).

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The Applicant has submitted materials attesting to poorly drained soil requiring drain tiling to use the land for agricultural purposes. Additionally, even though this parcel meets the five-acre minimum parcel size requirement in Section 612(l), there is no buildable area in this parcel based on setback requirements. As referenced in the Master Plan, soil composition creates a necessity for drain tiling to accommodate agricultural uses, complying with the setback requirements for WTG Towers would completely prohibit development on this parcel. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses); see also Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).

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The Applicant has submitted materials attesting to poorly drained soil requiring drain tiling to use the land for agricultural purposes. Complying with the ordinance setback requirements would require WTG Tower placement in the middle of farmed parcels. As referenced in the Township Master Plan, soil composition creates a necessity for drain tiling to accommodate agricultural uses, complying with the setback requirements for WTG Towers would negatively impact the effectiveness of drainage and quality of agricultural uses. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses); see also Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).

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The Applicant has not contributed to impacts on the land relating to drainage, parcel size, electromagnetic transmissions, or soil composition that contribute to the practical difficulty. Rather, the ZBA finds that the Applicant has worked diligently with landowners to site proposed WTG Towers in places that increase the effectiveness of the land use for the landowner and adjacent properties.

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A lesser variance or relocation of the tower to the buildable area of the parcel would not create a significantly greater impact than the current proposed site for the WTG Tower. The Applicant sited WTG Tower close to the middle of the field such that the negative impacts on drain tile will not significantly change based on relocating the tower at least 79 feet.

Moving the tower further from the property line would have a greater impact on farming operations than the benefit conferred from a lesser standard in the zoning ordinance. Substantial justice is achieved by avoiding negative impacts on drain operations and avoiding further negative impacts to agricultural operations. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses) and Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).

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A lesser variance or relocation of the tower to the buildable area of the parcel would not create a significantly greater impact than the current proposed site for the WTG Tower. The Applicant sited the WTG Tower close to the middle of the field such that the negative impacts on drain tile will not significantly change based on relocating the tower at least 20 feet. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses) and Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).

“Substantial Justice”

The Applicant has submitted materials attesting to poorly drained soil requiring drain tiling to use the land for agricultural purposes. Complying with the ordinance setback requirements would require WTG Tower placement in the middle of farmed parcels. As referenced in the Township Master Plan, soil composition creates a necessity for drain tiling to accommodate agricultural uses, complying with the setback requirements for WTG Towers would negatively impact the effectiveness of drainage and quality of agricultural uses. The Applicant also interviewed landowners and setback the property from an existing private drain that services the parcel. See Master Plan Chapter 6 (encouraging agricultural uses and compatibility of agricultural uses with non agricultural uses); see also Zoning Ordinance, Sections 103 and 504 (purpose to protect character of community and keep agricultural operations in Agricultural Zoning Districts).

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"Spirit of the Ordinance"

Try to avoid causing a substantial adverse effect on property values in area and prevention of economic loss shall not be the sole basis for granting a variance.	Applicant has consent that owner concurs with the request for ZBA action.	All criteria satisfied without condition, with condition, or not satisfied
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<p>In addition to preventing economic loss from farming efficiency and disruption to farming activities, WTG Tower placement follows Applicant's commitment to distance WTG Towers from non-participating properties in excess of what is required by the ordinance to reduce the economic, physical, and psychological impacts of WTG Towers. Applicant's concern for the residents' well-being and protection from sounds, shadow-flicker, and construction operations is conducive to the general health, safety, and welfare of the Township. Specifically, Section 103(1) of the Zoning Ordinance encourages suitable development of land within the Township.</p>	<p>The Applicant and landowners have reached utility easement agreements and sited towers based on mutual agreement.</p>	<p>Grant</p>
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Granted the 91 feet to the East; Denied the 17 Feet to the southwest

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Denied the variance for 79 feet West.

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Denied.