

CHEBOYGAN COUNTY ZONING BOARD OF APPEALS MEETING & PUBLIC HEARING
WEDNESDAY, JULY 24, 2013 AT 7:00 P.M.
ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

Members Present: Charles Freese, Ralph Hemmer, John Moore, Mary Street

Members Absent: Chris Brown

Others Present: Scott McNeil, Tony Matelski, Russ Crawford, Cheryl Crawford

The meeting was called to order by Chairperson Freese at 7:00pm.

APPROVAL OF AGENDA

The agenda was presented. **Motion** by Mr. Moore, seconded by Mr. Hemmer, to accept the agenda as presented. Motion carried. 4 Ayes (Freese, Hemmer, Moore, Street), 0 Nays, 1 Absent (Brown)

APPROVAL OF MINUTES

Minutes from the June 26, 2013 Zoning Board of Appeals meeting were presented. **Motion** by Ms. Street, seconded by Mr. Hemmer, to approve the minutes as presented. Motion carried. 4 Ayes (Freese, Hemmer, Moore, Street), 0 Nays, 1 Absent (Brown)

PUBLIC HEARING & ACTION ON REQUESTS

MARK MATUS - Requests a 9ft. rear setback variance and a 16ft. front setback variance to construct a private storage building (12ft x 24ft.). The property is located at 1382 Topinabee Shore Drive, Mullett Township, Section 30, parcel #130-P15-001-007-02 and is zoned Lake and Stream Protection (P-LS). A 12ft rear setback and a 50ft. front setback are required in this zoning district for private storage buildings.

Mr. McNeil explained the request for a 9ft. rear setback variance and a 16ft. front setback variance for a private storage building on Topinabee Shore Drive. Mr. McNeil stated this is the same variance request that the Zoning Board of Appeals reviewed and approved in April 2012. Mr. McNeil stated request is before the Zoning Board of Appeals as the building was not constructed in the one year time frame. Mr. McNeil stated the only difference in the request is that the applicant is now requesting a 12ft. x 24ft. instead of 12ft. x 16ft. Mr. McNeil stated the side setbacks will be met.

There was no correspondence to be read.

Mrs. Matus stated the reason for the delay in constructing the private storage building is due to difficulties in securing a contractor. Mrs. Matus explained there were two separate contractors that were hired and did not show up. Mr. Matus explained that the approval expired.

Mr. Freese asked for public comments. There were no public comments. Public comment closed.

Board held discussion. Mr. Moore noted that the building is a little bit wider but the side setbacks will be met. Mr. Freese stated the site plan shows 3ft. from the west edge of the wall (trail side) to the slab. Mr. Freese stated this is actually more than 3ft. Mr. Freese explained that Mr. Matus should be aware that the front of the existing slab may be closer to the lake than what is approved by the Zoning Board of Appeals. Mr. Matus stated he will do whatever is required.

The Zoning Board of Appeals reviewed the General Findings and added the following as 9 “The concrete slab has already been poured and is in place and does not lie in accordance with the diagram provided with the application.” The Zoning Board of Appeals reviewed and approved the Specific Findings of Fact under Section 23.5.4. **Motion** by Mr. Moore, seconded by Mr. Hemmer, to approve the variance request based on the General Findings and the Specific Findings of Fact under Section 23.5.4. Motion carried. 4 Ayes (Freese, Hemmer, Moore, Street), 0 Nays, 1 Absent (Brown)

UNFINISHED BUSINESS

Mr. McNeil distributed proposed language regarding an applicant requesting to adjourn a hearing. Mr. McNeil stated there are conflicts with the Rules of Procedure and the Zoning Ordinance and the Zoning Enabling Act. Mr. McNeil stated

the Rules of Procedure were adopted prior to the Zoning Enabling Act was put in place. Mr. McNeil stated the proposed language has been provided for the Zoning Board of Appeals to review.

NEW BUSINESS

No comments.

ZBA COMMENTS

No comments.

PUBLIC COMMENTS

No comments.

ADIURN

Motion by Mr. Hemmer, to adjourn. Motion carried. Meeting adjourned at 7:13pm.

Mary Street

Mary Street, Secretary