

**CHEBOYGAN COUNTY ZONING BOARD OF APPEALS MEETING & PUBLIC HEARING**  
**WEDNESDAY, OCTOBER 26, 2016 AT 7:00PM**  
**ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING**

**Members Present:** Charles Freese, Ralph Hemmer, John Moore, John Thompson, Nini Sherwood

**Members Absent:** Tony Matelski, Debbie Willey, Carl Muscott,

**Others Present:** Scott McNeil

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

**PLEDGE OF ALLEGIANCE**

Chairperson Freese led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

The agenda was presented. **Motion** by Mr. Moore, seconded by Ms. Sherwood, to accept the agenda as presented. Motion carried unanimously.

**APPROVAL OF MINUTES**

Minutes from the September 28, 2016 Zoning Board of Appeals meeting were presented. **Motion** by Mr. Hemmer, seconded by Mr. Moore, to approve the minutes as presented. Motion carried unanimously.

**PUBLIC HEARING & ACTION ON REQUESTS**

**Debra Willey** - Requests a 19 ft. front setback variance for construction of a garage and an addition to single family dwelling in a Commercial Development (D-CM) zoning district. The property is located at 6053 Prospect St., Tuscarora Township, Section 24, parcel #161-131-006-005-00. A 25 ft. front setback is required for in this zoning district.

Mr. McNeil stated that the applicant is requesting a 19ft. front setback variance. Mr. McNeil stated that the property is zoned Commercial Development and there a front setback of 25ft. is required in this zoning district. Mr. McNeil stated that the applicant is proposing to place a structure addition onto the existing dwelling that would serve as a garage and additional dwelling space. Mr. McNeil stated that the structure would be placed 6ft. from the road right of way.

Ms. Willey stated that if the variance is approved, she would still be further back from the road than the neighbor. Ms. Willey stated this is the only location on the property where she is able to build.

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

Mr. Freese stated that every other property owner in the area is closer to the road that what the applicant is proposing in this request.

The Zoning Board of Appeals reviewed the General Findings and added “Adjacent properties have great encroachments on the front setback than what has been requested by the applicant.” as 5 and “The next door neighbor was granted a variance in 2015.” as 6.

The Zoning Board of Appeals reviewed and approved the Findings of Fact and 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 unanimously.

**UNFINISHED BUSINESS**

No comments.

**NEW BUSINESS**

No comments.

**ZBA COMMENTS**

No comments.

**PUBLIC COMMENTS**

Mr. Muscott stated that he owns a platted lot in Topinabee that is 65ft. x 110ft. Mr. Muscott stated this is smaller than the

minimum requirement for a residential lot. Mr. Muscott stated that a 1000sf dwelling could be built along with a septic. Mr. Muscott asked the board if this would be seen as a buildable lot with a variance. Mr. Moore noted that it would be a buildable lot if the parcel was created prior to zoning. Mr. McNeil stated that if it is a platted lot it is non-conforming, but it is a buildable lot. Discussion was held regarding meeting Health Department requirements.

**ADJOURN**

**Motion** by Mr. Hemmer to adjourn. Motion carried. Meeting adjourned at 7:08pm.



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John Thompson, Secretary