

CHEBOYGAN COUNTY ZONING BOARD OF APPEALS MEETING & PUBLIC HEARING
WEDNESDAY, JUNE 27, 2018 AT 7:00PM
ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

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

Members Absent: John Moore

Others Present: Michael Turisk, Carl Muscott Russell Crawford, Cheryl Crawford, Gary Friske

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. Hemmer, seconded by Ms. Sherwood, to accept the agenda as presented. Motion carried. 4 Ayes (Freese, Hemmer, Thompson, Sherwood), 0 Nays, 1 Absent (Moore)

APPROVAL OF MINUTES

Minutes from the May 29, 2018 Zoning Board of Appeals meeting were presented. **Motion** by Mr. Hemmer seconded by Mr. Thompson to approve the minutes as presented. Motion carried. 4 Ayes (Freese, Hemmer, Thompson, Sherwood), 0 Nays, 1 Absent (Moore)

PUBLIC HEARING & ACTION ON REQUESTS

Gary Friske - Requests a 22ft. rear setback variance from the rear property line to construct a 1,200 sq.-ft. (30ft. x 40ft.) pole barn in an Agriculture and Forestry Management (M-AF) zoning district. The property is located at 910 Wintree Drive, Tuscarora Township, Section 1; parcel #161-W86-000-020-00. A minimum 30ft. rear setback from the rear property line is required in the M-AF zoning district.

Mr. Tursisk reviewed information included in the staff report.

Mr. Freese explained that there were front, rear and side setbacks due to the 12 foot small side on the northeast corner establishes this as a side setback and therefore the northwest property line is the rear property line requiring a setback of 30 feet. Mr. Freese had a scaled drawing which he presented to the other board members with cut outs of the proposed storage building and house and showed where these two items could easily located within the setback boundaries on the parcel. Mr. Friske explained that there were two mature white pines located in the center of the property which he wished to preserve. Mr. Friske indicated that the property has a drop off the north west side. Mr. Freese stated that there were mature oaks which had been cut in the locations that Mr. Friske proposed to build the dwelling and storage building. Mr. Freese indicated that this did preclude building in such a way that the setback could be met even if requiring removal of the white pines.

Mr. Freese asked for public comments. Mr. Muscott stated that mature pines were more likely to be blown over and that preservation of the trees might cause a problem. Public comment closed.

The Zoning Board of Appeals reviewed the Findings of Fact and the Specific Findings of Fact under Section 23.5.4. **Motion** by Mr. Hemmer seconded by Mr. Thompson, to deny 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, Thompson, Sherwood), 0 Nays, 1 Absent (Moore)

Morris Stevens - Requests a variance from the 600 sq.-ft. maximum square footage standard for a guesthouse to permit a 748 sq. ft. guesthouse. The subject property is zoned Lake and Stream Protection (P-LS), and located at 1643 Resort Rd., Tuscarora Township; Section 8; parcel #161-P63-000-006-00.

Mr. Tursisk reviewed information included in the staff report. Mr. Turisk indicated that Mr. Stevens wished to be in communication by phone for this hearing. Problems were encountered in contacting Mr. Stevens by telephone but contact was eventually made.

In view of the fact that Mr. Stevens was not able to see the material being presented, Mr. Freese explained that the variance requested, could be eliminated by blocking a portion of the existing dwelling off and opening a door into the existing garage which would make the blocked off portion a portion of the garage. Mr. Freese stated that the bedroom

and two closets if blocked from the rest of the house and a door cut from this area into the garage the 600sf for a guesthouse would be met and eliminate the need for a variance. Mr. Freese asked Mr. Stevens if he wished to agree to these changes and withdraw his request for the variance or whether he wished to proceed with the hearing on the variance request. Mr. Stevens stated he wished to proceed with the variance request and if the variance was denied he could always go ahead with the changes to the existing building and eliminate the need for the variance.

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

The Zoning Board of Appeals reviewed the Findings of Fact and the Specific Findings of Fact under Section 23.5.4. **Motion** by Mr. Freese seconded by Mr. Thompson, to deny 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, Thompson, Sherwood), 0 Nays, 1 Absent (Moore)

UNFINISHED BUSINESS

No comments.

NEW BUSINESS

No comments.

ZBA COMMENTS

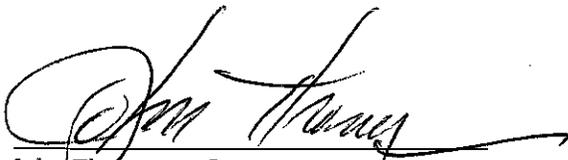
No comments.

PUBLIC COMMENTS

Mr. Muscott stated he was in the audience when Mr. Graham (legal counsel) gave a tutorial on how the Zoning Board of Appeals should function and approximately 2 out of every 100 applications could be approved. Mr. Muscott stated that he is not sure why these two applications even came to the Zoning Board of Appeals to review. Mr. Freese stated that the applicants could not be talked out of applying. Mr. Turisk explained that the applicants have to be provided due process. Discussion was held.

ADJOURN

Motion by Ms. Sherwood to adjourn. Motion carried. Meeting adjourned at 7:46 pm.



John Thompson, Secretary