

**CHEBOYGAN COUNTY ZONING BOARD OF APPEALS MEETING & PUBLIC HEARING**  
**MONDAY, NOVEMBER 27, 2017 AT 10:00AM**  
**ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING**

**Members Present:** Charles Freese, Ralph Hemmer, John Moore, John Thompson, Nini Sherwood  
**Members Absent:** None  
**Others Present:** Scott McNeil, Janice Cooper, Gregory Cooper, Leslie Taylor, Russel Crawford, Karen Johnson, Tom Taylor, Bonnie Vance, Barb Rolinski, Cal Gouine

The meeting was called to order by Chairperson Freese at 10:00am.

**PLEDGE OF ALLEGIANCE**

Chairperson Freese led the Pledge of Allegiance.

**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 (Moore, Hemmer, Freese, Thompson), 0 Nays, 1 Absent (Sherwood)

**APPROVAL OF MINUTES**

Minutes from the October 25, 2017 Zoning Board of Appeals meeting were presented. **Motion** by Mr. Hemmer, seconded by Mr. Moore, to accept the minutes as presented. Motion carried. 4 Ayes (Moore, Hemmer, Freese, Thompson), 0 Nays, 1 Absent (Sherwood)

**PUBLIC HEARING & ACTION ON REQUESTS**

**Greg and Janice Cooper** - Requests a waiver from a greenbelt or fence requirement under Section 17.18.6. for construction of a Private Storage Building within 30 feet of a side lot line in a Lake and Stream Protection (P-LS) zoning district. The property is located at 11981 Van Road, Munro Township, Section 19, parcel #080-P14-000-001-00. Under Section 17.23.1.d., if within thirty (30) feet of a side property line, all such private storage buildings must be screened from view of the side property lines with a solid evergreen hedge with a minimum height of six (6) feet or privacy fence with a minimum height of six (6) feet.

Mr. McNeil stated that the applicant is seeking relief from a greenbelt or fence requirement for a private storage building. Mr. McNeil stated that the subject property is in a Lake and Stream Protection Zoning District. Mr. McNeil explained that a 6ft. solid screen fence or hedge is required to screen the private storage building if it is placed within 30ft. of a side lot line. Mr. McNeil referred to section 17.18.6 and read "The Board of Appeals may waive or modify greenbelt, wall or fence requirement where in its determination no good or practical purpose would be served, including such reasons as large site area, natural isolation, land ownership patterns and natural barriers and screens."

***Ms. Sherwood entered the meeting.***

Ms. Cooper stated that they plan to build the storage building within 8ft. of the lot line which borders a Cheboygan County easement which is located next to an Emmet County easement. Ms. Cooper stated the topography of the property is heavily wooded and putting up a 6ft. hedge would detract from the property. Ms. Cooper stated her concerns about fences starting to deteriorate after 5 years. Ms. Cooper stated that they will become full-time residents after she retires in 2018. Ms. Cooper stated that the storage building will be maintained just as well as their home, which is located on Silver Strand Road. Mr. Freese asked if the easement is 30ft. wide. Mr. Cooper stated that there are two easements (totaling 60ft.) to the west of his property.

Mr. Moore stated that the proposed building will be similar to the storage building across the road.

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

Mr. Freese stated that a variance from the screening requirement was requested for the pole barn across the road from this parcel. Mr. Freese stated that the situation is the same on the south side of Van Road as it is in on the north side of Van Road. Mr. Freese stated that he does not believe that the location of the wetlands as depicted on the site plan is correct. Mr. Freese recommended that Mr. and Mrs. Cooper check with the DEQ before proceeding with this project.

The Zoning Board of Appeals added the following to the General Findings:

5. The Zoning Board of Appeals approved a variance for screening on a parcel to the north of Van Road, which is in

similar circumstances to the parcel in question.

6. There is a 30ft. easement to the west along the Cheboygan County line and the applicant indicates there is another 30ft. easement to the west on the Emmet County side of the county line.

Mr. Moore noted that this request is identical to the request for the parcel to the north. Mr. Moore stated that a fence would deteriorate quickly and trees would die quickly. Discussion was held.

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 waive the greenbelt based on the General Findings, Specific Findings of Fact under Section 23.5.4 and due to wetlands and the easement to the west. Motion carried unanimously.

**Leslie Taylor and Ronald and Bonnie Vance** - Requests a use variance for a dog grooming use in the Village Center Indian River (VC-IR) zoning district. The property is located at 3589 South Straits Highway, Tuscarora Township, Section 24, parcel #161-M55-033-002-00. Dog grooming is not an allowed use in the Village Center Indian River (VC-IR) zoning district.

Mr. McNeil stated this request is for a use variance for a dog grooming business in the Village Center Indian River zoning district. Mr. McNeil stated that dog grooming is not an allowed use in the Village Center Indian River zoning district.

Ms. Taylor stated that she received a use variance from the Zoning Board of Appeals for the building across the street. Ms. Taylor stated that due to rain there was a tremendous amount of damage to the back wall of the building and this is why she had to seek a second location for her dog grooming business.

Mr. Freese asked for public comments. Ms. Vance stated that she is very happy to have Ms. Taylor use the building as it has been empty since the physical therapy business moved to Gaylord. Ms. Vance stated that there are many bathrooms and great water supply. Ms. Vance stated that Ms. Taylor plans to convert one bath to a washing area for the dogs. Ms. Vance stated that Ms. Taylor will use a portion of the building and she hopes that there will be other tenants so business activity will increase in downtown Indian River. Public comment closed.

The Zoning Board of Appeals added the following to the General Findings:

6. A use variance for dog grooming was recently approved for a parcel in the Village Center Indian River zoning district, but was found unsuitable due to water damage.
7. This use will be allowed under a change in definitions proposed by the Planning Commission if approved by the Cheboygan County Board of Commissioners.
8. This use has been recommended to be approved by the Tuscarora Township Planning Commission (exhibit 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 use 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**

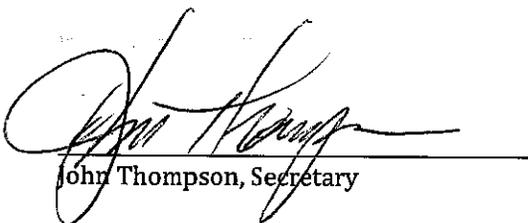
No comments.

#### **PUBLIC COMMENTS**

No comments.

#### **ADIJOURN**

**Motion** by Mr. Hemmer to adjourn. Motion carried. Meeting adjourned at 10:18am.

  
John Thompson, Secretary