

CHEBOYGAN COUNTY ZONING BOARD OF APPEALS MEETING & PUBLIC HEARING
WEDNESDAY, AUGUST 22, 2018 AT 7:00PM
ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

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

Members Absent: John Thompson

Others Present: Michael Turisk, Cal Gouine, Carl Muscott, Dian Praither, Ruth Wolf, Russell Crawford, Cheryl Crawford, Brenda Archambo, Art Archambo, Mark E. Markiewicz, Patricia Markiewicz

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. 4 Ayes (Freese, Moore, Hemmer, Sherwood), 0 Nays, 1 Absent (Thompson)

APPROVAL OF MINUTES

Minutes from the July 25, 2018 Zoning Board of Appeals meeting were presented. **Motion** by Mr. Moore, seconded by Mr. Hemmer, to approve the minutes as presented. Motion carried. 4 Ayes (Freese, Moore, Hemmer, Sherwood), 0 Nays, 1 Absent (Thompson)

PUBLIC HEARING & ACTION ON REQUESTS

Gil Archambo - Requests an approximately 3ft. front setback (at its closest) to construct a deck and lean-to in the Lake and Stream Protection (P-LS) zoning district. A 40ft. front setback is required in the Lake and Stream Protection zoning districts, per Section 17.1 of the Zoning Ordinance. The property is located at 6325 Arthur St., Tuscarora Township, Section 24, Parcel #161-024-200-007-00.

Mr. Turisk reviewed the information included in the staff report.

Mr. Archambo explained that the area in which he proposes for the construction previously was occupied by two large cedar trees which he had removed and the resulting depressions filled with sand and covered by indoor/outdoor carpet. He wished to place a covered deck over this area 9' x 22'.

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

Mr. Freese explained that this is a situation with a legal nonconforming structure on a legal nonconforming lot and the applicant is requesting a variance to the 40ft. front setback from the water. Mr. Freese stated that with the water on three sides and a neighbor's dwelling on the remaining side, if no variance were granted, the total buildable area on the parcel would be approximately 95sf. The present building is approximately 525sf and allowing the variance for the addition would result in the dwelling meeting the 720sf minimum. Mr. Freese stated that most parcels in the area have structures built close to or at the ordinary high water mark.

Mr. Freese added the following to the General Findings: 6. The addition of the lean to would bring the present dwelling of 595sf into compliance with the 720sf minimum for a dwelling. The Zoning Board of Appeals approved the Specific Findings of Fact under Section 23.5.4. **Motion** by Mr. Moore, seconded by Mr. Hemmer, to grant the variance request based on the General Findings and the Specific Findings of Fact under Section 23.5.4. Motion carried. 4 Ayes (Freese, Moore, Hemmer, Sherwood), 0 Nays, 1 Absent (Thompson)

Ruth Wolf – Requests a variance from the minimum lot width (150ft.) and lot size (1 acre) standards for properties zoned Agriculture and Forestry Management (M-AF), per Section 17.1 of the Zoning Ordinance. The applicant seeks to create a parcel with reduced a reduced lot width and lot size. The property is zoned Agriculture and Forestry Management and is located at 4359 Wilson Rd., Tuscarora Township, Section 25, Parcel #161-025-200-050-04.

Mr. Turisk reviewed the information included in the staff report.

Ms. Praither explained how the original parcel owned by her mother and father had three parcels split from the original parcel. Her father subsequently had one of the parcels closest to the original dwelling recombined into the original parcel and that it was now desired to reestablish this third parcel.

Mr. Freese asked if other lot configurations had been considered to avoid the need for the variance. He explained how a lot could be configured which would have allowed one acre, allow the dwelling to remain on the parcel and have the necessary 150ft of frontage by splitting 50ft off the frontage from the main parcel or by establishing a rear lot of one acre with only a driveway easement to the road.

Ms. Praither asked whether the lot could be rezoned to Residential to eliminate the need for a variance. Ms. Praither stated she had talked of this possibility with Mr. Ridley, Tuscarora Township Supervisor, who had suggested this possibility. She indicated she would also like to consider a division of her parcel, which is adjacent to the main parcel in question in the future.

Mr. Freese stated that rezoning all the parcels involved could be considered if it were agreeable to all the property owners and formally requested. He asked if Ms. Praither would like to have the variance request tabled or whether she would rather have the variance request to be considered at this time. Ms. Praither conferred with Ms. Wolf and indicated she would like to have the variance request tabled until such time as action on possible rezoning could be taken.

Motion by Mr. Freese seconded by Mr. Moore, to table the variance request. Motion carried. 4 Ayes (Freese, Moore, Hemmer, Sherwood), 0 Nays, 1 Absent (Thompson)

United Auto Workers Education Center – Requests a variance from the maximum 18 sq.-ft. free-standing sign surface area standard in the Agriculture and Forestry Management (M-AF) zoning districts, per Section 17.19.8. of the Zoning Ordinance. The applicant requests an approximately 45 sq.-ft. free-standing sign surface area. The property is located at the northeast corner of Maxon Rd. and N. Allis Hwy., (addressed as 2000 Maxon Rd.), Waverly Township, Section 13, Parcel #182-013-100-001-01.

Mr. Turisk reviewed the information included in the staff report.

No representative was present from the United Auto Workers Education Center.

Mr. Freese asked for public comments. Mr. Muscott stated that setback requirements for signage at road intersections to prevent interference with visibility were not addressed. Public comment closed.

Mr. Moore stated he would like to know what the sign actually looks like since the overall size may not all be considered as part of the 18sf allowed but rather be part of the frame or support structure. Mr. Turisk stated that a picture of the actual sign had been requested but not received.

Mr. Freese stated that in view of the fact that no representative of the UAW had elected to attend the meeting and no picture or diagram of the proposed sign had been furnished, the requested variance of 27sf would be considered as requested.

Mr. Freese added the following to the General Findings: 4. The location of the sign is at the northeast corner of a four way stop intersection. The Zoning Board of Appeals reviewed the Findings of Fact and the Specific Findings of Fact under Section 23.5.4. **Motion** by Mr. Moore, seconded by Mr. Hemmer, to deny the variance request based on the General Findings and the Specific Findings of Fact under Section 23.5.4 with the requirement that a letter be sent to the applicant clearly explaining that the 18sf limitation refers to the actual sign board message area and not the area which includes the sign's supporting structure. Motion carried. 4 Ayes (Freese, Moore, Hemmer, Sherwood), 0 Nays, 1 Absent (Thompson)

UNFINISHED BUSINESS

No comments.

NEW BUSINESS

Ms. Gardner presented information on Citizen Planner training session open to Zoning Board of Appeals members.

ZBA COMMENTS

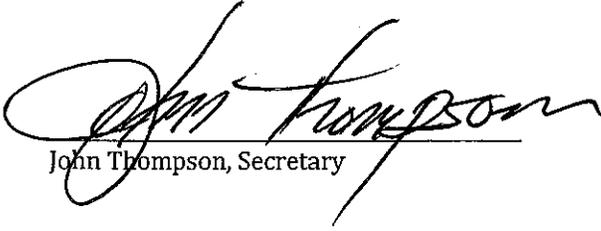
No comments.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Ms. Moore to adjourn. Motion carried. Meeting adjourned at 7:49 pm.

A handwritten signature in cursive script, appearing to read "John Thompson", written over a horizontal line. The signature is fluid and somewhat stylized, with the first letter 'J' being particularly large and looping.

John Thompson, Secretary