

CHEBOYGAN COUNTY ZONING BOARD OF APPEALS MEETING & PUBLIC HEARING
WEDNESDAY, MARCH 25, 2015
ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

Members Present: Charles Freese, John Moore, Chris Brown, Mary Street

Members Absent: Ralph Hemmer

Others Present: Scott McNeil, Tony Matelski, Bruce Gauthier, Ann Chastain, Steve Crusoe

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. Mr. Freese noted that the request from Burdco has been withdrawn and the request for Panagopoulos/Foster must be advertised again and will be on the next agenda. **Motion** by Mr. Moore, seconded by Mr. Brown, to accept the agenda as amended. Motion carried. 4 Ayes (Freese, Moore, Brown Street), 0 Nays, 1 Absent (Hemmer)

APPROVAL OF MINUTES

Minutes from the February 25, 2015 Zoning Board of Appeals meeting were presented. **Motion** by Ms. Street, seconded by Mr. Brown, to approve the minutes as presented. Motion carried. 4 Ayes (Freese, Moore, Brown Street), 0 Nays, 1 Absent (Hemmer)

PUBLIC HEARING & ACTION ON REQUESTS

Tom Chastain

Requests a 22ft. front setback variance and a 2ft. rear setback variance to construct a dwelling (24ft. x 32ft.) in a Lake and Stream Protection (P-LS) zoning district. The property is located at 1351 Michigami Drive, Beaugrand Township, Section 23, parcel #041-023-100-013-00 and #041-B02-100-047-01. A 40 ft. front setback and a 12 ft. rear setback are required in this zoning district.

Mr. McNeil stated the applicant is request two setback variances. Mr. McNeil stated the parcel is located in a Lake and Stream Protection zoning district. Mr. McNeil noted that a 40ft. front setback and a 12ft. rear setback are required in this zoning district. Mr. McNeil noted that the front property line is Dynamite Creek and the opposite property line is the rear property line. Mr. McNeil stated the applicant is requesting a 22ft. front setback variance and a 2ft. rear setback variance. Ms. Chastain presented a picture of the proposed cabin.

There was no correspondence to be read. Mr. Freese asked for public comments. Mr. Matelski asked if Dynamite Creek is an intermittent stream. Mr. McNeil stated this is a perennial stream. Ms. Rocheleau stated that this creek has water in it all of the time. Public comment closed.

Mr. Freese stated the applicant is proposing to construct a 768 cabin on this parcel. Mr. Freese noted that even the minimum size requirement of 720sf for a dwelling would require a variance. Mr. Freese asked what is the minimum distance requirement between a septic field and a building. Mr. McNeil stated 10ft. is the minimum.

The Zoning Board of Appeals added “The applicant is proposing a 768sf dwelling and a minimum size building of 720sf could not be constructed on the lot without a variance being granted.” to the General Findings. 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. Brown, to approve the variance requests based on the General Findings and the Specific Findings of Fact under Section 23.5.4. Motion carried. 4 Ayes (Freese, Moore, Brown Street), 0 Nays, 1 Absent (Hemmer)

UNFINISHED BUSINESS

No comments.

NEW BUSINESS

Mr. Freese stated that Mr. Brown submitted a letter of resignation. Mr. Freese thanked Mr. Brown for his service on the

Zoning Board of Appeals and noted that Mr. Brown served on the Zoning Board of Appeals for 14 years. Mr. Brown stated this has been a great board to work with and is one of the best boards he has served on.

Mr. Freese stated there are six applicants that are being considered for the position that is open on the Zoning Board of Appeals. Mr. Freese stated Mr. Brown discussed the possibility of being an alternate Zoning Board of Appeals member since he is a Commissioner and will be attending the Zoning Board of Appeals meetings. Mr. Freese stated he has not been in favor of increasing the number of members on the board in the past but noted it would be convenient to have an alternate member that could step in when a member is absent. Mr. Freese stated Mr. Brown has the background and could be an alternate member if this can be worked out. Mr. Gauthier stated there is a pending legal opinion on whether a Commissioner can also serve on the Zoning Board of Appeals. Discussion was held.

ZBA COMMENTS

Mr. Moore stated that Dynamite Creek is not the front of the property other than by definition. Mr. Moore stated that this is something that the Planning Commission should consider as they are reviewing lake and stream issues. Mr. McNeil stated that when you look at the way waterfront property is used, Dynamite Creek should be considered the front. Discussion was held.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Mr. Moore, to adjourn. Motion carried. Meeting adjourned at 7:20pm.

Mary Street, Secretary