

CHEBOYGAN COUNTY ZONING BOARD OF APPEALS MEETING & PUBLIC HEARING
WEDNESDAY, MAY 24, 2017 AT 7:00 PM
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, Carl Muscott, Virgil Smith, Russell Crawford, Cheryl Crawford, C. Maziasz

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

PLEDGE OF ALLEGIANCE

Chairperson Freese led the Pledge of Allegiance.

APPROVAL OF AGENDA

The agenda was presented. Mr. Freese noted that the request for Andy Stempky will be on the June 28, 2017 Zoning Board of Appeals agenda. **Motion** by Mr. Moore, seconded by Ms. Sherwood, to accept the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

Minutes from the April 26, 2017 Zoning Board of Appeals meeting were presented. **Motion** by Mr. Moore, seconded by Mr. Hemmer, to approve the minutes as presented. Motion carried unanimously.

PUBLIC HEARING & ACTION ON REQUESTS

Don Kade - Requests a 19.5 ft. front setback variance to construct a dwelling addition and deck in a Lake and Stream Protection (P-LS) zoning district. The property is located at 11710 Braidwoods Trail, Grant Township, Section 24, parcel #151-024-400-005-00. A 40 foot front setback from the high water mark is required in this zoning district.

Mr. McNeil stated that Mr. Kade is requesting a 19.5ft. front setback variance for an addition to an existing dwelling in the Lake and Stream Protection Zoning District. Mr. McNeil stated that the existing dwelling is 20.5ft. from the high water mark. Mr. McNeil stated that Mr. Kade would like to build an addition and deck and keep it in line with the front of the existing structure. Mr. McNeil stated that this will require a 19.5ft. setback variance.

Mr. Smith stated that the dwelling was constructed prior to 1960 and the Kade's acquired it in 1967. Mr. Smith stated that the home is constructed of 3" x 5" tongue and groove log that is vertically positioned inside and outside. Mr. Smith stated that the dwelling is on a foundation except for the front screened in porch. Mr. Smith stated that there is a large fireplace in the middle. Mr. Smith stated that there are two bedrooms, utility room, small kitchen and a small bathroom. Mr. Smith stated that Mr. Kade's desire is to achieve more space. Mr. Smith stated that the construction of the dwelling makes it impossible to build a second floor. Mr. Smith stated that Mr. Kade has considered various layouts, but prefers the addition aligned with the house for an easy transition. Mr. Smith stated the sunroom is on piers and they would like to align the footing for the new addition with the footings for the house and then build an 8ft. deck in front of the new addition. Mr. Smith stated the new addition will consist of a dining area, living room, bedroom, bath and utility room. Mr. Smith stated that Mr. Kade would also like to build a garage at the back of the dwelling. Mr. Smith stated that they have not had any issues with ice or water. Mr. Smith stated that ice has come up and hit the steel seawall. Mr. Smith stated that ice has accumulated, but it has never come over the seawall. Mr. Smith stated that some water has come over the seawall this year and some of it was compromised.

Mr. Freese asked where the septic field is located. Mr. Smith stated that Mr. Kade has a new septic permit. Mr. Freese noted that the addition is being put in the same location as the existing septic. Mr. McNeil stated that it is in the same location. Mr. McNeil and Mr. Smith stated that the septic will be moved. Mr. Smith stated that the septic will be located by the garage.

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

Mr. Freese stated that the seawall is angling away from the proposed building and the closest the new construction will be 20.5ft.. Mr. Freese stated that existing deck setback is approximately 18ft. on the east corner. Mr. Freese stated that the new structure will be no closer than the corner of the existing building. Discussion was held regarding decks with no railings that are 30 inches or less off of the ground being allowed within 25ft. of the lake.

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

5. The proposed addition will not extend into the front setback any further than the existing structure.
6. The proposed structure is heavily screened by vegetation on both the east and the west sides.
7. The property is adequately protected by a seawall.

The Zoning Board of Appeals reviewed and approved the General Findings 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

No comments.

ADJOURN

Motion by Mr. Hemmer to adjourn. Motion carried. Meeting adjourned at 7:14 pm.

John Thompson, Secretary