

DRAFT

Village of Lake Isabella
Zoning Board of Appeals Minutes
Regular Meeting: September 8, 2008

1010 Clubhouse Drive
Lake Isabella, MI, 48893

The Meeting was called to order at 5:00 PM by King.

Members Present: Hiither, King, Kuhn and Shannon

Members Absent: Colby, Dunham, and Nurski

The minutes from the August 11, 2008 meeting were accepted and approved as presented without objection or modification.

Business:

1. Public Hearing for Variance Application 2008-02

King re-opened the public hearing from the August 11th meeting at 5:02 PM.

Public Comments:

Jan Sanderson of Clubhouse Drive: Stated that her views on this subject has nothing to do with the personalities involved. She then stated that Dave Shoemaker misrepresented his ownership of the adjacent lot at the August meeting. She further went on to object to the taller antenna next to the garage and also the flagpole along the waterfront. She shared several pictures with the board from her property and adjoining properties showing both the large and small antenna.

Dave Shoemaker of Isabella Vista: Stated that he owns the adjoining property via a mortgage foreclosure, and will take full possession of the property in once the redemption period is closed. He re-stated his position from the August meeting that the antenna is not offensive to him.

Richard Pollion of Clubhouse Drive: Stated that to the best of his recollection, the flagpole has never displayed a flag until after the August meeting.

With no further public comments, King closed the public hearing at 5:13 PM.

2. Variance Application 2008-02

Hiither commented that the question and request before the board involved only the small antenna next to the lake. *Wolff responded reading the variance request involved only the small antenna next to the lake.*

A motion was made by Kuhn, which was seconded by Hiither, to grant a variance to John & Linda Spiris of 1072 Clubhouse Drive (Lake Isabella Golf Estates 1 lot 172) to allow the placement of an antenna within 3 feet of the ordinary high watermark, which is a variance from section 1220.01 which prohibits accessory structures from being placed within 35 of the ordinary high water mark of Lake Isabella; as the applicant has demonstrated a physical hardship in strict application of the zoning code due to the topography of the parcel in sending and receiving radio transmission, and the applicant demonstrated unique circumstances due to the antenna's role in the civil defense network and Homeland Security.

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ROLL CALL VOTE; YEAS: Shannon, Hiither, Kuhn, and King; NAYS: None. MOTION TO GRANT A VARIANCE FROM SECTION 1220.01 APPROVED UNANIMOUSLY

Dunham arrived at 5:19 PM

Public Comments:

Jane Pollion of Clubhouse Drive: Asked what the status of the antenna next to the garage is, and what type precedence does this set for Mr. Spiris for putting up additional antennas. *Wolff responded that under the provisions of the zoning code a person may bring an appeal to the Zoning Board of Appeals within 30 days of any action. Since the antenna next to the garage was approved in 2005, that period of time has elapsed. King responded by stating Mr. Spiris can place any additional antennas in the yard without approval from the Village.*

With no further business before the ZBA, the meeting was adjourned at 5:24 PM.

Jeffrey P. Grey
Village Clerk

Timothy R. Wolff
Zoning Administrator