

Village of Lake Isabella
Zoning Board of Appeals Minutes
Regular Meeting: December 14, 2009

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

Members Present: Dunham, Colby, Nurski, and McGrath

Members Absent: Shannon, Hiither, and King

A motion was made by Dunham, which was seconded by McGrath, to approve the minutes of the November 19, 2009 meeting as presented.

Business:

1. Election of Officers

A motion was made by Dunham, seconded by McGrath, to retain the current slate of officers. VOICE VOTE: MOTION CARRIED 3-0-1 (Colby abstained).

2. Variance Application 2009-07: 1038 Cantabrian Drive

Wolff presented a staff report to the board.

Xiaoming Hou, the applicant was present, but did not make a presentation.

Colby opened the public hearing at 5:10 PM.

Public Comments:

- Garl Perelberg of 1031 Cantabrian: Stated that in his opinion he feels Mr. Hou has had to overcome a lot of obstacles with the site, he stated that he feels all of the improvements to the lot have been to the benefit of the neighbors. He stated he did not see a reason why the variance should not be re-granted.
- Ken Mientkiewicz of 1036 Cantabrian: Submitted via email: stated his objection to granting a variance.

With no further public comments, Colby closed the public hearing at 5:12 PM.

3. Variance Application 2009-07: 1038 Cantabrian Drive

Dunham stated that he felt the Zoning Administrator acted properly in denying the permit application in November, however based on the legal opinion of the Village's attorney, the 90 day time frame in the old ordinance was unreasonable.

McGrath stated that he agrees with Dunham.

Dunham also noted that the Planning Commission when reviewing this matter at their December 8, 2009 meeting requested that an ordinance be drafted setting the expiration time frame at 1 year with a 6 month extension.

A motion was made by Dunham, seconded by McGrath, to reverse the action of the Zoning Administrator as the expiration period previously contained in the ordinance was unreasonable, and to give the applicant 1 year from today's date to complete his home

with the previously granted variance. ROLL CALL VOTE: YEAS: Dunham, Nurski, Colby, and McGrath: NAYS: None. MOTION CARRIED UNANIMOUSLY 4-0-0.

Public Comments:

- None

With no further business before the ZBA, the meeting was adjourned at 5:16 PM.

Jeffrey P. Grey
Village Clerk

Timothy R. Wolff
Zoning Administrator