

**Village of Lake Isabella
Zoning Board of Appeals
January 13, 2003 at 7:00 p.m.
Minutes**

The Zoning Board of Appeals meeting was called to order at 7:00 p.m. by Chair Howard Slasor.

Members Present: Howard Slasor, ZBA Chair; George Colby, ZBA Vice-Chair; ZBA Members Arnold Griffin, Harry Kuhn, and Doug Sutton.

Members Absent: None.

Others Present: Sherry L. Chalker, Village Manager

Motion to approve the November 11, 2002 Meeting Minutes.

Motion by Colby, seconded by Kuhn to approve the minutes of the November 11, 2002 Meeting.
Carried Unanimously

Discuss zoning issues. Review Zoning Ordinance Book.

Manager Chalker asked the ZBA members if they had any questions regarding Chapter 1 and Chapter 2 of the Zoning Ordinance Book.

The ZBA members pointed out items that they needed clarification on. They were:

- 1) Typo in ZA 2000-01: Section 1 regarding Article 2 should state rear yard, not side yard.
- 2) Decks should be part of the structure and adhere to the setback requirements.
- 3) Section 3.07 dumpsters: it should strike out residential and insert commercial; then only temporary dumpsters for residential districts.
- 4) Colby asked about a blockade fence requirement.
- 5) Asked about a show cause hearing to the Village Council for the Cueny case. Manager Chalker stated that should would inquire into the violation.

Manager Chalker passed out a draft copy of the Blight Ordinance for the ZBA review and a draft copy of Rules and Regulations. She asked that the ZBA members review them along with Chapters 3 and 4 of the Zoning Ordinance Book for next month's meeting.

Sutton asked if the meeting times can be changed to 5:00 instead of 7:00. The ZBA agreed and changed the time of the meeting.

Public Comments: Public Comments will be limited to 3 Minutes per person and ZBA Members will not respond at this time.

There were no public comments.

Rebuttal to Public Comments.

Adjournment

Motion by Griffin, seconded by Sutton to adjourn at 8:12 p.m.

Carried Unanimously

Respectfully Submitted,

A handwritten signature in cursive script that reads "Sherry L. Chalker".

Sherry L. Chalker
Village Manager

**Village of Lake Isabella
Zoning Board of Appeals
February 10, 2003 at 5:00 p.m.
Minutes**

The Zoning Board of Appeals meeting was called to order at 5:05 p.m. by Chair Howard Slasor.

Members Present: Howard Slasor, ZBA Chair; George Colby, ZBA Vice-Chair; ZBA Members Harry Kuhn, and Doug Sutton.

Members Absent: Arnold Griffin.

Others Present: Sherry L. Chalker, Village Manager

Motion to approve the January 13, 2003 Meeting Minutes.

Motion by Colby, seconded by Sutton to approve the minutes of the January 13, 2003 Meeting as read.
Carried Unanimously

Discuss zoning issues. Review Zoning Ordinance Book Chapters 3 through 4.

Manager Chalker asked the ZBA members if they had any questions regarding Chapter 3 and Chapter 4 of the Zoning Ordinance Book.

The ZBA members pointed out items that they needed clarification on. They were:

- 1) Colby stated that ZA 2000-01 III (1) needs to be two (2) feet from the side yard setback in addition to two (2) feet from the rear yard setback.
- 2) Colby asked about electric fences in the Village. Section 3.11 (3)
- 3) Sutton asked about the regulations for swimming pools. Section 3.17
- 4) Colby asked about 3.22 (2). He stated that "two or more" should be deleted and replaced with any.

The ZBA agreed with the ZBA rules and procedures. Manager Chalker stated it would be presented to the Village Council for their review and adoption.

The ZBA agreed to review Chapters 5 through 10 for next month's meeting.

Public Comments: Public Comments will be limited to 3 Minutes per person and ZBA Members will not respond at this time.

There were no public comments.

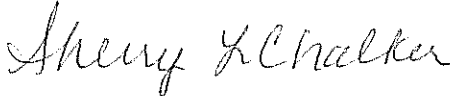
Rebuttal to Public Comments.

Adjournment

Motion by Kuhn, seconded by Colby to adjourn at 6:00 p.m.

Carried Unanimously

Respectfully Submitted,

A handwritten signature in cursive script that reads "Sherry L. Chalker". The signature is written in black ink and is positioned above the printed name.

Sherry L. Chalker
Village Manager

**Village of Lake Isabella
Zoning Board of Appeals
May 12, 2003 at 5:00 p.m.
Minutes**

The Zoning Board of Appeals meeting was called to order at 5:05 p.m. by Chair Howard Slasor.

Members Present: Howard Slasor, ZBA Chair; George Colby, ZBA Vice-Chair; ZBA Members Harry Kuhn, Arnold Griffin and Doug Sutton.

Members Absent: None.

Others Present: Sherry L. Chalker, Village Manager

Motion to approve the February 10, 2003 Meeting Minutes.

Colby made the correction on ZA 2000-01 to state eight (8) feet from the side yard setback instead of two (2).

Motion by Sutton, seconded by Griffin to approve the minutes of the February 10, 2003 Meeting as corrected.

Carried Unanimously

Discuss zoning issues. Review Zoning Ordinance Book Chapters 5 through 10.

Manager Chalker asked the ZBA members if they had any questions regarding Chapter 5 and Chapter 10 of the Zoning Ordinance Book.

The ZBA members pointed out items that they needed clarification on. They were:

- 1) Sutton asked about Section 10.2 (9). He expressed his concern on the proximity to residential homes.
- 2) The ZBA asked about adult entertainment.
- 3) Sutton asked about Section 10.5 (1). The ZBA agreed to change completely screened to "the type of screening and material will be dependent upon site plan approval".

The ZBA also reviewed Chapter 11.

The ZBA agreed to review Chapters 12 through 15 for next month's meeting.

Public Comments: Public Comments will be limited to 3 Minutes per person and ZBA Members will not respond at this time.

There were no public comments.

Rebuttal to Public Comments.

Adjournment

Motion by Colby, seconded by Sutton to adjourn at 5:52 p.m.

Carried Unanimously

Respectfully Submitted,

Sherry L. Chalker
Village Manager

**Village of Lake Isabella
Zoning Board of Appeals
June 9, 2003 at 5:00 p.m.
Minutes**

The Zoning Board of Appeals meeting was called to order at 5:00 p.m. by Chair Howard Slasor.

Members Present: Howard Slasor, ZBA Chair; George Colby, ZBA Vice-Chair; ZBA Members Harry Kuhn, Arnold Griffin and Doug Sutton.

Members Absent: None.

Others Present: Sherry L. Chalker, Village Manager

Motion to approve the May 12, 2003 Meeting Minutes.

The ZBA agreed that the word "asked" in Discussion paragraph #1 be stricken from the minutes.

Motion by Kuhn, seconded by Griffin to approve the minutes of the May 12, 2003 Meeting as corrected.

Carried Unanimously

Discuss zoning issues. Review Zoning Ordinance Book Chapters 12 through 15.

Manager Chalker asked the ZBA members if they had any questions regarding Chapter 12 and Chapter 15 of the Zoning Ordinance Book.

The ZBA members pointed out items that they needed clarification on. They were:

- 1) Section 12.03 (3) to state 35 feet not 25 feet.
- 2) The ZBA agreed to remove Section 12.02 from the Zoning Ordinance. They stated that all the regulations would fall under Federal and State Standards. The ZBA members stated that they would like clarification before it is removed.
- 3) The ZBA clarified Section 15.02 (4) for the Village Manager. They agreed that the Special Use Permit is reviewed, then is reviewed and approved/denied by the Village Council. After the review by the Village Council, the Planning Commission would review the site plan. They stated that the site plan is not valid until the Special Use Permit is approved.

The ZBA agreed to review Chapters 16 through 18 for next month's meeting.

Public Comments: Public Comments will be limited to 3 Minutes per person and ZBA Members will not respond at this time.

There were no public comments.

Rebuttal to Public Comments.

Adjournment

Motion by Sutton, seconded by Griffin to adjourn at 6:35 p.m.

Carried Unanimously

Respectfully Submitted,

Sherry L. Chalker
Village Manager

Village of Lake Isabella
1096 Queens Way Drive
Lake Isabella, MI 48893
(989) 644-8654

Minutes
Zoning Board of Appeals Special Meeting
June 23, 2003 at 5:00 p.m.

The Zoning Board of Appeals meeting was called to order at 5:17 p.m. by Vice – Chair George Colby.

Members Present: George Colby, Harry Kuhn, and Doug Sutton

Members Absent: Howard Slasor, Chairman; and Arnold Griffin

Others Present: Sherry L. Chalker, Village; and Ed Nurski, Code Enforcement Officer;

A. Public Hearing – Eric Klemish – 1085 Bundy Drive, Platinus Pointe # 4.

1. Public Hearing opened at 5:17 pm.
2. Notice Requirements – Public Notice was placed in the June 13, 2003 edition of the *Morning Sun* and notices were mailed to the property owners that live within 300 ft of the property on Tuesday, June 10, 2003.
3. Presentation from Eric Klemish.
4. Comments from the Public.

Ed Nurski issued the original zoning permit # 2002-73 in October of 2002 with a side yard setback of 15 sq feet which now is being asked to change to 5 sq ft.

Frank Cooley is the adjoining property owner and states he does not have a problem with the ZBA approving the variance. He stated that he would provide a deed restriction that stated there would be no structures closer than 18 ft.

5. Close Public Hearing at 5:23 pm.

6. Discussion among ZBA Members.

Harry Kuhn stated that there should be no over hang from deck posts or columns.

George Colby agrees with Mr. Cooley's deed restriction stipulation.

7. Motion to:

- i. Grant 3ft variance of the side yard setback requirements.
- ii. Deny a 3 ft variance of the side yard setback requirements.

Motion by Sutton, 2nd by Kuhn to grant a 3ft variance of the side yard setback requirements with the stipulation that a deed restriction that restricts 18 ft between structures is obtained.

Carried Unanimously

Public Comments: Public Comments will be limited to 3 minutes per person and ZBA Members will not respond at this time.

Ed Nurski stated there was no DEQ permit for the deck Mr. Klemish built. He also noted that the deck does not comply with the footage on decks. Mr. Nurski also asked if Mr. Klemish ever obtained a Soil Erosion Permit.

Mr. Klemish agreed to obtain a permit for the deck.

Adjournment

Motion by Kuhn, 2nd by Sutton to adjourn the Zoning Board of Appeals Meeting at 5:30 pm.

Carried Unanimously

Respectfully Submitted,

George Colby
Vice-Chair

Notes Compiled by Sherry Chalker
Prepared by Jessica Bundy

Village of Lake Isabella
Zoning Board of Appeals
July 14, 2003 at 5:00 p.m.
Minutes

The Zoning Board of Appeals meeting was called to order at 5:00 p.m. by Chair Howard Slasor.

Members Present: Howard Slasor, ZBA Chair; George Colby, ZBA Vice-Chair; ZBA Members Harry Kuhn, and Doug Sutton.

Members Absent: Arnold Griffin.

Others Present: Sherry L. Chalker, Village Manager

Motion to approve the June 9, 2003 and June 23, 2003 Meeting Minutes.

Motion by Kuhn, seconded by Sutton to approve the minutes of the June 9, 2003 and June 23, 2003 Meeting.

Carried Unanimously

Discuss zoning issues. Review Zoning Ordinance Book Chapters 16 through 18.

Manager Chalker asked the ZBA members if they had any questions regarding Chapter 16 and Chapter 18 of the Zoning Ordinance Book.

The ZBA members did not need clarification on Chapters 16 through 18.

The ZBA agreed to review Chapters 19 through 22 for next month's meeting.

Public Comments: Public Comments will be limited to 3 Minutes per person and ZBA Members will not respond at this time.

There were no public comments.


Rebuttal to Public Comments.

Adjournment

Motion by Colby, seconded by Kuhn to adjourn at 5:30 p.m.

Carried Unanimously

Respectfully Submitted,



Sherry L. Chalker
Village Manager

**Village of Lake Isabella
Zoning Board of Appeals
August 11, 2003 at 5:00 p.m.
Minutes**

The Zoning Board of Appeals meeting was called to order at 5:05 p.m. by Vice-Chair George Colby.

Members Present: George Colby, ZBA Vice-Chair; ZBA Members Harry Kuhn, Arnold Griffin, and Doug Sutton.

Members Absent: Howard Slasor, Chair.

Others Present: Sherry L. Chalker, Village Manager

Motion to approve the July 14, 2003.

Motion by Kuhn, seconded by Sutton to approve the minutes of the July 14, 2003.
Carried Unanimously

Discuss zoning issues. Review Zoning Ordinance Book Chapters 19 through 22.

Manager Chalker asked the ZBA members if they had any questions regarding Chapter 19 and Chapter 22 of the Zoning Ordinance Book.

The ZBA members asked a few questions on Chapter 19.

- 1) Section 19.02 needs to be changed to conform to ZB 2000-01.
- 2) Section 19.07 (2) states that the ZBA rules the show cause hearings but Section 19.08 states that the Village Council does. Which is it?

The ZBA did not need any clarification on Chapters 20, 21, and 22. The ZBA agreed to review all the changes to the Zoning Ordinance Book at the October meeting..

Public Comments: Public Comments will be limited to 3 Minutes per person and ZBA Members will not respond at this time.

There were no public comments.

Rebuttal to Public Comments.

Adjournment

Motion by Sutton, seconded by Kuhn to adjourn at 5:53 p.m.

Carried Unanimously

Respectfully Submitted,

Sherry L. Chalker

Sherry L. Chalker
Village Manager

**Village of Lake Isabella
Zoning Board of Appeals
October 13, 2003 at 5:00 p.m.
Minutes**

The Zoning Board of Appeals meeting was called to order at 5:05 p.m. by Vice-Chair George Colby.

Members Present: George Colby, ZBA Vice-Chair; ZBA Members Harry Kuhn, and Arnold Griffin.

Members Absent: Howard Slasor, Chair and ZBA Member Doug Sutton.

Others Present: Sherry L. Yens, Village Manager

Motion to approve the August 11, 2003.

Motion by Griffin, seconded by Kuhn to approve the minutes of the August 11, 2003.

Carried Unanimously

Public Hearing

Mike Fiorillo – Requesting a variance in Section 3.02(1)(b) of the Zoning Ordinance. General Provisions of Accessory Buildings.

The Public Hearing was opened at 5:06 p.m. Public Notices were mailed on Friday, October 3, 2003 and was published in the Morning Sun on October 6, 2003.

Mike Fiorillo stated that he wished to add an additional to existing Woodworking shop connecting the shop to the storage area. He is presently at the 80% capacity for accessory buildings and he is requesting to increase it. Currently his accessory building is 1820 square feet and he would like to increase it by 2724 square feet. The addition would barely be visible to Coldwater Road.

The Public Hearing closed at 5:17 p.m.

The ZBA discussed a possible increase in traffic flow due to the increase in the size of the building. Fiorillo stated that the addition would not increase any traffic volume. He stated that in the future he would like to have a larger display room and gift shop.

Motion by Kuhn, seconded by Griffin to grant a variance in Section 3.02(1)(b) of the Zoning Ordinance for the size of an accessory building on the parcel owned by Mike Fiorillo located at 565 N. Coldwater Road.

Carried Unanimously

Review Zoning Ordinance Book Changes – Chapter 1 through Chapter 22.

The ZBA members reviewed all the suggestions and changes that they discovered in the Zoning Ordinance Book.

The ZBA decided that:

1. Chapter's 1 and 2 (4) to clarify blockade fence requirements for commercial use.
2. Chapters's 3 and 4 (4) be deleted.

All the other suggestions the ZBA members agreed with.

Nomination of ZBA Chairman

Kuhn nominated, seconded by Griffin, to nominate Slasor as Chairman.

Nomination of ZBA Vice-Chairman

Griffin nominated, seconded by Kuhn to nominate Colby as Vice-Chairman.

Nomination of ZBA Secretary

Colby nominated, seconded by Kuhn to nominate Sutton as Secretary.

Public Comments.

There were no public comments.

Adjournment

Motion by Kuhn, seconded by Griffin to adjourn at 5:36 p.m.

Respectfully Submitted,

Sherry L. Yens
Village Manager/Zoning Administrator