

Village of Lake Isabella  
Zoning Board of Appeal  
Minutes  
March 21<sup>st</sup>, 2005

A regular meeting of the ZBA was called to order at 5:31 PM by Chairman Slasor.

Members Present: Colby, Kuhn, Case, Nurski and Slasor  
Members Absent: Sutton

Motion made by Colby, seconded by Kuhn, to approve the minutes of the October 11<sup>th</sup>, 2004 ZBA meeting. MOTION CARRIED UNANIMOUSLY

Chairman Slasor opened a Public Hearing on a variance request from Wayne and Jan Pelmear of 1234 Clubhouse Drive at 5:31 PM. Mr. and Mrs. Pelmear presented their request to the ZBA and answered questions regarding the plan and stated that they would need a variance in relation to section 3.02 of the Zoning Ordinance.

Public Comments were received from Carlton and Susan Bennett in opposition to the request. Letters of objection were also submitted in advance by Peter and Sue Stromik and Edward and Linda Brenner; both letters were in objection to the request.

There was discussion among the ZBA members regarding whether the building should be attached or separate from the primary structure. Chairman Slasor indicated that he felt the Zoning Ordinance was weak in that the same structure could be built as an addition to the house, but not as a separate building.

There were no further discussion and Chairman Slasor closed the Public Hearing at 6:04 PM.

Motion made by Colby, seconded by Case, to deny the variance request: ROLL CALL VOTE: YEAS: Colby, Nurski, and Case; NAYS: Kuhn and Slasor. MOTION TO DENY CARRIED

The ZBA elected officers for the 2005 calendar year.

Motion made by Slasor, seconded by Colby, to nominate Sutton to be the Chairman for 2005. VOICE VOTE: NOMINATION CARRIED.

Motion made by Slasor, seconded by Colby, to nominate Case to serve as Vice-Chair, nomination declined.

Motion made by Kuhn, seconded by Slasor, to nominate Colby to serve as Vice-Char. VOICE VOTE: NOMINATION CARRIED.

The ZBA received a draft of a rental property inspection ordinance that Colby, Nurski and Kuhn had worked on with Manager Wolff. There was a brief discussion and review of the ordinance. It was agreed to allow the ZBA a month to review this and to address it at the April meeting.

Public Comments:

Josh Outman commented on variance request and some possibilities for building on the location.

With there being no further business before the ZBA a motion was made by Case, seconded by Kuhn to adjourn at 6:38 PM.

Respectfully Submitted,

Timothy R. Wolff  
Village Manager

Village of Lake Isabella  
Zoning Board of Appeal  
Minutes  
April 11<sup>th</sup>, 2005

A regular meeting of the ZBA was called to order at 5:31 PM by Chairman Sutton

Members Present: Colby, Kuhn, Case, and Sutton  
Members Absent: Slasor and Nurski

Motion made by Case, seconded by Kuhn, to approve the minutes of the March 21<sup>st</sup>, 2005  
ZBA meeting. MOTION CARRIED UNANIMOUSLY

The ZBA reviewed the draft of a rental property inspection ordinance. There was  
discussion outlets, fire extinguishers and smoke alarms. The ZBA asked the  
Manager to look into these issues and come back to them for their May meeting.

Public Comments:  
None

With there being no further business before the ZBA a motion was made by Case,  
seconded by Kuhn to adjourn at 6:03 PM.

Respectfully Submitted,

Timothy R. Wolff  
Village Manager

**Village of Lake Isabella**  
**Zoning Board of Appeals Minutes**  
Regular Meeting: July 11<sup>th</sup>, 2005

1096 Queens Way  
Lake Isabella, MI, 48893

The Meeting was called to order at 5:30 pm by Chairman Sutton.

**Members Present:** Slasor, Kuhn, Case, Colby and Sutton

**Members Absent:** None

**Business:**

1. There was a public hearing for a variance request from Jeff Grey to construct a 100 foot tall high-speed internet tower north of the LIPOA office at 1096 Queens way. Mr. Grey was in the process of acquiring an easement from the LIPOA for the construction of the tower. The Board had questions for Mr. Grey on the location of the tower, type of material that would be used and cost of service. Slasor asked about the proximity of the tower to the wells. Grey informed the Board that the tower was 4 25' parts all made of aluminum and will be sunk in 4 feet of solid cement. There was public comment in support of the request.
2. Motion made by Case, seconded by Kuhn, to grant the variance to construct the tower based on the physical uniqueness of the parcel and use, along with the future zoning per the Master Plan of a recreation district. ROLL CALL VOTE: YEAS: Slasor, Kuhn, Case, Colby and Sutton; NAYS: None; MOTION CARRIED.
3. Motion made by Colby, seconded by Kuhn, to recommend to the Village Council the adoption of the residential rental property inspection ordinance. ROLL CALL VOTE: YEAS: Slasor, Kuhn, Case, Colby and Sutton; NAYS: None; MOTION CARRIED

**Public Comments:**

None

With no further business before the ~~Council~~ Zoning Board of Appeals, the meeting was adjourned at 6:07 pm.

**Village of Lake Isabella**  
**Zoning Board of Appeals Minutes**  
Regular Meeting: October 10<sup>th</sup>, 2005

1096 Queens Way  
Lake Isabella, MI, 48893

The Meeting was called to order at 5:33 pm by Chairman Sutton.

**Members Present:** Case, Colby, Nurski, and Sutton  
**Members Absent:** Slasor and Kuhn

Motion made by Colby, seconded by Case, to approve the minutes of the July 11<sup>th</sup>, 2005 meeting. MOTION CARRIED

**Business:**

1. There was a public hearing for a variance request from Angel Salazar. No public was present to comment for or against the request. A letter from Ron Korfel was read in objection to the request.

The Board questioned Mr. Salazar on why he desired the request. Mr. Salazar indicated he was attempting to save trees on the property, and that it would look better from the road with the garage in the back of the lot than the front.

Case questioned on whether this would set precedence on dealing with rear yard setbacks. Wolff replied by stating the Board approved a request last year to grant a 30 foot variance on Queens Way on a lot that abutted a park. Colby commented that it has been the general practice to grant reasonable requests when the request abuts a non-waterfront park as almost 100% of the lots in the LR2 district are non-conforming and make any reasonable attempt to build and use property impossible.

Motion made by Colby, seconded by Case, to grant a 20 foot variance on the rear yard setback for lot 374 of Forest II as requested by Angel Salazar. ROLL CALL VOTE: YEAS; Case, Colby, Nurski, and Sutton, NAYS; None. VARIANCE GRANTED

**Public Comments:**

None

With no further business before the Council the meeting was adjourned at 5:47 pm.

**Village of Lake Isabella**  
**Zoning Board of Appeals Minutes**  
Regular Meeting: November 11<sup>th</sup>, 2005

1096 Queens Way  
Lake Isabella, MI, 48893

The Meeting was called to order at 5:33 pm by Chairman Sutton.

**Members Present:** Case, Colby, Kuhn, and Sutton

**Members Absent:** Slasor

Motion made by Colby, seconded by Case, to approve the minutes of the October 10<sup>th</sup>, 2005 meeting. MOTION CARRIED

**Business:**

1. There ZBA discussed the contents of the letters and e-mails sent by Ron Korfel regarding the Variance approval at the October meeting. No action was taken.

**Public Comments:**

None

With no further business before the Council the meeting was adjourned at 5:41 pm.

**Village of Lake Isabella**  
**Zoning Board of Appeals Minutes**  
Regular Meeting: December 19<sup>th</sup>, 2005

1096 Queens Way  
Lake Isabella, MI, 48893

The Meeting was called to order at 5:53 pm by Vice-Chair Colby.

**Members Present:** Slasor, Colby, and Kuhn  
**Members Absent:** Case and Sutton

Motion made by Slasor, seconded by Kuhn, to approve the minutes of the November 11<sup>th</sup>, 2005 meeting. MOTION CARRIED UNANIMOUSLY

**Business:**

1. Public Hearing for Jeff Grey and Power-Net to construct a 180' tower in a residential district north of address 1096 Queens Way was opened at 5:56 pm.

Mr. Grey presented his proposal and outlined the project and the need for the tower of the height of 180'. He stated it is the hope of Power-Net to be able to cover up to 30 miles with the tower and have a mutual backup with their tower in Remus.

Public Comments/Questions: (Response)

Arvil King – Is this “high speed internet?” (Yes)

Dennis McMichael – Where will the tower be located? (North of the Village/LIPOA Office), How did Mr. Grey get a list of potential customers? (Contacting people in the community and inquiring as to their interest) Will there be guidewires for the tower? (No) Will this be converted into a cell phone tower later? (No, tower is not tall enough or strong enough to support cell phone equipment)

Brian Roberts – How many T1 lines will be used to service the tower? (1 at first) Will it be a line of sight connection? (Yes) How long until a final set of plans and a timeline is done with solid pricing numbers? (Shortly after the tower is installed)

Al Apsitis – When is construction scheduled to begin? (Hopefully within 2 months, but this may change based on the weather)

Elmer Ledbetter – Suggested the tower have a red light on top and a white blinking light half way up to help pilots see it who use the airport.

Dave Ochander – What is the speed of the service on the Remus tower? (400kbs to 800kbs)

Debra Stanton – What is the install fee and how will troubleshooting be handled? (Install price is yet to be set; Power-Net will handle the troubleshooting for its customers)

Monica Roethlisberger – If the service needs to be upgraded due to a high number of users, how long will that take? (There will be a limit on how many users will have the service based on the number of T1 lines)

Ardeith Glouden – Will the billing be the same as for dial up service with Power-Net? (Yes)

Comments/Questions from the Zoning Board of Appeals

Slasor – Are the County Wells located in the fall zone of the tower? (yes)

Colby – Will Power-Net or their contractors repair any damage done to roads during the construction process? (Yes)

Slasor – What is the wind load on the tower? (80 mph)

Kuhn – Has the LIPOA approved this yet? (In the process of working the deal out)

Colby – Is the tower grounded and protected from lightning? (Yes)

With no further questions the Public Hearing was closed at 6:51 pm.

2. Motion made by Kuhn, seconded by Slasor to grant the variance based on uniqueness of the parcel size and use by the LIPOA, and the forthcoming rezoning as a recreation district per the Village's Master Plan, to construct a communication tower to a height of 180' at the property with the street address of 1096 Queens Way. YEAS: Colby, Kuhn, and Slasor; NAYS: None. MOTION TO GRANT CARRIED

**Public Comments:**

None

With no further business before the Council the meeting was adjourned at 6:53 pm.