

Village of Lake Isabella
Zoning Board of Appeals Minutes
Regular Meeting: March 28, 2011

1010 Clubhouse Drive
Lake Isabella, MI, 48893

The Meeting was called to order at 5:30 PM. by King.

Members Present: King, Hiither, and Nurski

Members Absent: McGrath and Griffin

The minutes of the March 29, 2011 meeting were accepted as presented.

Business:

1. Variance Application 2011-01: 1067 Crown Point

Wolff presented a staff report to the board and detailed the nature of the request.

The applicant was present and briefly discussed their plans for an addition to the house. The applicant's builder also was present and shared several drawing with the ZBA as to what the final product would look like once finished.

King opened the public hearing at 5:37 PM.

Public Comments: None

King closed the public hearing at 5:38 PM.

2. Variance Application 2011-01: 1067 Crown Point

A motion was made by Hiither, seconded by Nurski, to grant the request of applicant. Specifically a reduction in the required street yard setback of 10 feet for a new setback of 25 feet, and a 1 foot reduction in the minimum single-side yard setback for a new minimum single-side yard of 7 feet as the applicant demonstrated practical difficulty in conforming to the zoning code due to the odd shape and size of the parcel, and that the request and resulting development would make the parcel more in harmony with the neighborhood with the following conditions:

1. An updated septic permit is submitted.
2. If the existing accessory structure cannot meet the required setbacks with the addition it be removed.
3. The sides of the attached garage facing either a public right-of-way or adjoining lot with a residential use have at least two windows or other architectural features.

VOICE VOTE: MOTION CARRIED 3-0-0

3. Regular Meeting Date Change

The ZBA changed the regular meeting date to the 4th Tuesday of the month at 5:30 PM. The ZBA also discussed the first training session with Tony Kulick. Several dates were discussed. King and Nurski each stated there

were dates in late April and early May that would be problematic for them due to scheduled trips.

Public Comments: None

With no further business before the ZBA, the meeting was adjourned at 5:44 PM.

Jeffrey P. Grey
Village Clerk

Arvil King
ZBA Chairman

Village of Lake Isabella
Zoning Board of Appeals Minutes
Regular Meeting: July 26, 2011

1010 Clubhouse Drive
Lake Isabella, MI, 48893

The Meeting was called to order at 5:30 PM. by King.

Members Present: King, Hiither, and Griffin

Members Absent: McGrath and Nurski

The minutes of the June 28, 2011 meeting were approved with one correction.

Business:

1. Training Session

Present was Tony Kulick retired planner for the City of Mount Pleasant. Mr. Kulick prepared three mock cases for the ZBA and covered the basics of ZBA requirements under the MZEA and Village ordinance.

Public Comments: A letter was shared with the ZBA that was submitted by Carol Niemi in response to the June 28, 2011 meeting.

With no further business before the ZBA, the meeting was adjourned at 6:38 PM.

Jeffrey P. Grey
Village Clerk

Arvil King
ZBA Chairman

The Meeting was called to order at 5:32 PM. by Hiither

Members Present: Hiither, McGrath and Griffin

Members Absent: King and Nurski

A motion was made by McGrath, seconded by Griffin, to approve the minutes of the September 27, 2011 meeting as presented. ROLL CALL VOTE: YEAS; Hiither, McGrath, and Griffin: NAYS; None. MOTION CARRIED 3-0-0.

Business:

1. Public Hearing: Case 2011-04

Wolff gave a staff report on the application. In summary, two requests are being made to the ZBA. The first would be a variance that would allow the applicant to place an accessory structure that is greater in size than 200 square feet, but less than 400 square feet on his property without placing it on a foundation or slab. The second variance would allow the applicant to place an accessory structure on his lot that does not conform to the Village's established width-to-length ratio of 1:1.5 for all accessory structures over 200 square feet.

Lou Constantini (applicant) was present and briefly explained to the ZBA why he wanted the shed. He stated it was a pre-manufactured shed designed to be on rails and did not need a slab or foundation. He stated he needed the storage space, and would likely take the shed with him when he moves from his property on Marietta Lane. He discussed having a limited income as a 100% disabled veteran and that a slab or foundation would be too costly.

Griffin asked the applicant about keeping animals from burrowing under the shed. Mr. Constantini stated he would likely put bricks around the bottom to keep animals out.

Hiither asked the applicant about the size issue. He noted that a 14' x 20' would have the same general footage and comply with the with-to-length ratio. Mr. Constantini stated that the place he wants to buy the shed from did not have one in that size.

Hiither opened the public hearing at 5:50 PM.

Public Comments: None

Hiither closed the public hearing at 5:51 PM.

2. Case 2011-04

McGrath voiced concern over granting a variance on the width-to-length ratio and feared it may set a precedence for future applications.

Hiither stated that he was fine with the shed being on gravel, but also was concerned about the width-to-length ratio.

A motion was made by McGrath, seconded by Griffin, to grant a variance from section 1220.07(2) of the zoning code, thereby allowing the applicant to place an accessory structure greater than 200 square feet, but less than 400 square feet on his property without a slab or foundation underneath the accessory structure as the applicant had successfully demonstrated that the action would be in conformity with the neighborhood, and that by requiring the applicant to meet this standard would be a hardship when compared to other properties in his neighborhood. ROLL CALL VOTE: YEAS; Hiither, McGrath, and Griffin: NAYS; None. MOTION CARRIED 3-0-0.

A motion was made by McGrath, seconded by Griffin, to deny the request for a variance from the width-to-length ratio as the applicant had not demonstrated a practical difficulty with complying to the zoning code, and that no hardship exists which warrant a variance from the zoning code. ROLL CALL VOTE: YEAS; Hiither, McGrath, and Griffin: NAYS; None. MOTION CARRIED 3-0-0.

Public Comments: None

With no further business before the ZBA, the meeting was adjourned at 6:15 PM.

Jeffrey P. Grey
Village Clerk

Arvil King
ZBA Chairman