

Village of Lake Isabella  
**Zoning Board of Appeals Minutes**  
Regular Meeting: September 24, 2013

**1010 Clubhouse Drive**  
**Lake Isabella, MI, 48893**

Due to the lack of a quorum, this meeting was not held, and was rescheduled for Tuesday, October 29, 2013.

Village of Lake Isabella  
Zoning Board of Appeals Minutes  
Regular Meeting: October 29, 2013

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

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

**Members Present:** Griffin, Prince, Dauffenbach, McGrath, and King

**Members Absent:** None

A motion was made by McGrath, seconded by Prince, to approve the minutes of the December 29, 2011 meeting as presented. ROLL CALL VOTE: YEAS; Prince, McGrath, Dauffenbach, Griffin, and King: NAYS; None. MOTION CARRIED 5-0-0.

**Business:**

1. Public Hearing: Case 2013-01

King opened a public hearing for requested variance 2013-01 at 5:33 PM.

Wolff gave a report detailing the request for a variance from Walt Kravens for a second accessory structure on his waterfront lot at 1019 Carmen Drive.

Dauffenbach asked if there had been any variances granted by the Village for additional accessory structures. Wolff replied that he was not entirely certain, but could not recall any that had been granted during his time with the Village.

Dauffenbach also questioned if a permit was not required by the Village, then how it could be in violation of the zoning code. Wolff replied that the ordinance exempted a permit requirement due to the size of the structure, but still has applicable regulations.

Griffin discussed the concerns voiced during the Village Council meeting regarding allowing two sheds, but that in this case consideration should be given towards allowing a garage and shed.

Dauffenbach discussed the Michigan Residential Code and how it would classify this type of structure and the detached garage at the property.

McGrath stated that his take from the Council meeting was that the concerns over the proposed change in the ordinance was more over verbiage and not over situations such as this. He also stated that those issues are really not relevant to the hearing being held at this meeting, and the ZBA needed to act based on the contents of the ordinance as it is currently written.

Walt Kravens gave a brief history of how he came to place a shed on his property. He stated that he called the Village office and was told by "Jennifer" that it was OK to have a shed. He stated that they have spent over two thousand dollars on the shed and need it for storage. He also discussed problems with vandalism in his neighborhood which requires him

to park inside his garage which makes that space unusable for other storage needs.

Griffin asked the Kravens if they were certain that they called the Village office and not the LIPOA office.

Dauffenbach discussed the storage situation with the Kravens.

**Public Comments:**

- An email of support was submitted by Carmelo Padro.
- A letter of objection was submitted by Bruce and Lisa Bachman.
- Gary Fosemon spoke in opposition to the variance. He said he didn't have a problem with the Kravens having a shed and detached garage, but would like it moved as its placement is devaluing his property. He discussed the poor quality of the neighborhood and homes in that area of the village and stated that in his opinion the only thing of value were the views of the waterfront.

McGrath stated that the view issue really is a moot point; the thing that truly matters is what the ordinance says.

Griffin stated that he agreed with McGrath.

Prince asked what the state of the ordinance was currently with respect to the number of accessory structures allowed on waterfront lots.

King closed the public hearing at 6:18 PM.

2. Case 2013-01

McGrath stated that in his opinion the ordinance is clear and a variance is not appropriate.

Dauffenbach stated that in his opinion the need for storage could be considered a hardship.

King discussed concerns he has over property crime in the neighborhood.

A motion was made by McGrath, seconded by Griffin, to deny the request for a variance as the applicant failed to prove that a hardship exists or that there is practical difficulty in comply with the zoning code. ROLL CALL VOTE: YEAS; Prince, McGrath, Griffin, and King; NAYS; Dauffenbach. MOTION CARRIED 4-1-0.

**Public Comments:**

- The Kravens discussed their situation with the ZBA and asked what else they could do to further their case to keep their shed. They also discussed their concerns over the past rental history at the property next to them and what they feel are the real issue between the buyer and seller which is the condition of the lake and not their shed.
- McGrath asked Wolff what the timeframe would be for the Kravens to bring their property into compliance with the zoning code. Wolff replied that he

would ask the Village's attorney for direction on setting a reasonable timeframe for compliance.

With no further business before the ZBA, the meeting was adjourned at 6:35 PM.

(Approved 2014-04-22)

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Jeffrey P. Grey  
Village Clerk

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ZBA Chairman