

Village of Lake Isabella  
Zoning Board of Appeals Minutes  
Regular Meeting: October 25, 2016

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

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

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

**Members Absent:** King

A motion was made by Prince, seconded by Dauffenbach, to approve the minutes of the September 29, 2015 meeting as presented. ROLL CALL VOTE: YEAS; Griffin, Prince, Dauffenbach, and McGrath: NAYS; None. MOTION CARRIED 4-0-0.

**Business:**

1. Public Hearing for Variance Application 2016-01

McGrath opened a public hearing for Variance Application 2016-01 at 5:31 PM.

Wolff presented an overview of the application and the conditions in the ordinance which are used to guide decision making on variance requests.

The applicant was not present, and has requested that they be allowed to present at the next meeting of the ZBA.

Discussion:

- McGrath asked how long the applicant has owned the property in question. Wolff stated that they have since at least 2009.
- Prince asked if they stopped construction once they were informed that they had to have a variance for the fence. Wolff replied that the applicant asked to continue construction until the ZBA acted on the case, and he advised them that anything they construct outside of the ordinance will need to be removed without a variance.
- Members discussed the need of the fence in relationship to their pool. It was noted that no documentation has been provided which supports the applicant's claim of needing the fence for insurance purposes.
- Dauffenbach noted that it is difficult to tell the applicant "no" when there are so many privacy fences existing near their location.
- McGrath noted that it is difficult to get a full understanding of the situation without the applicant present.
- Griffin stated that in his view the applicant has not demonstrated a need yet which warrants a variance.
- McGrath stated that if a variance were to be granted, there should be conditions attached to the approval. He suggested that the fence be allowed only for as long as the pool is in existence, and also that the fence is maintained.

- Members also discussed the use of the dog fence along the back of the fence, and stated that this was not appropriate material for the fence, and if approved it all needs to be of the same material.

Public Comment:

- Terry Smith of Duquesa Drive spoke in favor of granting the variance.

McGrath closed the public hearing at 6:14 PM.

**Public Comments:** The Smiths of Duquesa Drive spoke about fences and what they would be permitted to do under the ordinance at their home.

A motion was made by Dauffenbach, seconded by Prince, to postpone action on Variance request 2016-01 until the next regular meeting date of November 22<sup>nd</sup> at 5:30 PM to allow the applicant to present their case before the board. VOICE VOTE: MOTION CARRIED 4-0-0.

With no further business before the ZBA, the meeting was adjourned at 6:19 PM.

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Jeffrey P. Grey  
Village Clerk

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Arvil King  
ZBA Chairman