

CHEBOYGAN COUNTY ZONING BOARD OF APPEALS MEETING & PUBLIC HEARING
WEDNESDAY, APRIL 22, 2009 AT 7:00 P.M.
ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

Members Present: Charles Freese, Ralph Hemmer, Chris Brown, John Moore, Mary Street

Members Absent: None

Others Present: Tom Kellogg, Roseann Campbell, Bill Morgan, John Brown, Russell Crawford

The meeting was called to order by Chairperson Freese at 7:00pm.

APPROVAL OF AGENDA

The agenda was presented. **Motion** by Mr. Brown, seconded by Mr. Moore, to accept the agenda as presented. Motion carried unanimously.

APPROVAL OF MINUTES

Minutes from the March 25, 2009 Zoning Board of Appeals meeting were presented. **Motion** by Mr. Hemmer, seconded by Mr. Brown, to approve the minutes as presented. Motion carried unanimously.

PUBLIC HEARING & ACTION ON REQUESTS

Campbell, Roseann & Marvin

Requests an 18' dimensional variance to allow a garage front setback of 12' from the road right-of-way. The property is zoned Residential Development District (D-RS) which requires a front setback of 30'. The property is located at 4963 Eastway Drive, Tuscarora Township, section 25, parcel #161-I39-000-073-00.

Mr. Kellogg explained the history of the parcel. Mr. Kellogg stated that there is an enforcement record from January of 2009. Mr. Kellogg stated that a garage was built 12ft. from the property line and noted that the required setback is 30ft. Mr. Kellogg stated that the applicant filed a request for a dimensional variance. Mr. Kellogg stated that the property owner does not want to build the garage over the existing septic system to the north or over the well to the south. Mr. Kellogg stated he verified with the Health Department that there is a 16ft. distance between the septic system and the house.

Mr. Kellogg stated an e-mail was received from Jeff Taylor requesting that the variance be denied because the situation is not a result of any unique circumstances or physical conditions of the property.

Mr. Kellogg presented an aerial photo showing parcel 161-I39-00-073-00 and other parcels in the area. Mr. Kellogg noted there are two garages in the area that are closer to the property line than what Mrs. Campbell is requesting. Mr. Kellogg stated the remaining garages in the area meet the setback requirements. Discussion was held.

Mr. Freese asked for public comment. There were no public comments. Public comment closed.

Mrs. Campbell stated that she is only aware of one person in the neighborhood who is not in support of her request. Mrs. Campbell explained that the contractor put in the septic without discussing the location with her or her husband. Mr. Freese asked Mrs. Campbell when was the septic installed. Mrs. Campbell stated approximately two years ago. Mr. Freese asked when the garage was constructed. Mrs. Campbell stated the garage was started this year. Mr. Brown asked when the house was built. Mrs. Campbell stated construction for the house was started approximately three years ago. Discussion was held. Mr. Freese asked if a building permit was obtained for the garage through Construction Code. Mr. Kellogg stated no. Mr. Brown asked if the garage foundation was constructed at the same time the house foundation was constructed. Ms. Campbell stated yes. Discussion was held regarding the well and septic. Mr. Freese stated he would like to know whether the garage foundation was included on the building permit for the residence. The Zoning Board of Appeals members agreed with Mr. Freese. Mr. Kellogg stated he will research what permits were issued for this parcel. **Motion** by Mr. Moore, seconded by Ms. Street, to table this request until the May 27, 2009 Zoning Board of Appeals meeting. Motion carried unanimously. Discussion was held.

UNFINISHED BUSINESS

No comments.

NEW BUSINESS

No comments.

ZBA COMMENTS

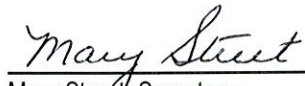
Discussion was held regarding setback inspections.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Mr. Hemmer to adjourn. Motion carried. Meeting adjourned at 7:29pm.

A handwritten signature in cursive script that reads "Mary Street". The signature is written in black ink and is positioned above a horizontal line.

Mary Street, Secretary