

CHIKAMING TOWNSHIP ZONING BOARD OF APPEALS  
Minutes of the March 15, 2016, Regular Meeting  
**APPROVED AS PRESENTED**

The March 15, 2016, regular meeting was called to order by Chairman Lee Strohl at 1:00 p.m. with the following regular members present: Lee Strohl, Liz Rettig, Mario Zarantenello, and Carol Sizer. Absent: Kathy Sellers.

Also in attendance were the following: Zoning and Building Administrator Theresa Priest (ZA) and Attorney Sally Taylor (representing applicant).

The first order of business was to approve minutes from the February 16, 2016, Zoning Board of Appeals meeting. Sizer motions to make the following corrections:

[bracketed area removed]    underlined area added

“Matt Kopp, member/manager of Jude and Reed, [and] the applicant, speaks. . . . Small cottage will be [with the] in harmony with the spirit and intent of neighboring parcels and will not change character.”

Strohl seconds. All Ayes. Motion carried and minutes are approved – Zarantenello abstains.

**Case 1115 at 1:00 p.m.: Sally Taylor of Passaro, Kahne & Taylor, P.L.L.C. applicant, representing property owner John Buck, 13316 Pine Drive, Harbert MI 49115 Property Code No.: 11-07-4670-0002-01-0**

*A variance is being requested from Section 15.03 B of the Chikaming Township Zoning Ordinance No. 87, as amended, which states that in all zoning districts except the AG and R-2 districts, an accessory building or structure shall not be located in any portion of a front yard. This is a thru-lot with two (2) front yards, the Pine Drive yard and the Lake Michigan yard. This property is also located within a Critical Dune Regulated Area which further limits placement. If granted, the variance would allow construction of a new 8' W X 18' L in ground resistance pool with deck to be located in the Pine Drive front yard. All other requirements will be met.*

Chairman Strohl opens the floor and Attorney Sally Taylor speaks on behalf of applicant on this case and goes over the application. She states that the proposed accessory structure will meet all setback requirements, is unique because of the restrictive size and shape of the parcel and because it has critical dune and high risk erosion restrictions, can only be placed in the location requested. The pool will not be visible from Pine Drive, is a permitted use under Section 5.03 and meets the spirit and intent of the ordinance.

Chairman Strohl asks if this will require State approval. Attorney Taylor advises that it does, however, the first step for the sake of financial purposes is to request approval from Chikaming Township. State approval will be a condition of issuance of the permit.

Mario asks whether or not it exceeds lot coverage. ZA answers it will not exceed.

Strohl reads correspondence from Shirley Anderson, the adjoining neighbor, who has no problem with the pool.

There are no other people present, so no comments from the public.

The Board members discuss.

Zarantenello makes a motion that this variance be granted with the conditions that the MEDQ give its approval before the permit is issued and that all current zoning requirements are met including fencing or hard cover for the pool as the case may be; that this is a minimum requested, the hardship is that it is severely restricted because of the size and shape of the lot and that it is encumbered by critical dune and high risk erosion as to the placement; there are no health or safety issues. Rettig seconds. All ayes.

APPLICATION FOR VARIANCE IS APPROVED.

Rettig motions for adjournment at 1:17 p.m. Zarantenello seconds. All ayes. Motion carried.

Respectfully submitted,

Elizabeth A. Rettig  
Recording Secretary