

CHIKAMING TOWNSHIP ZONING BOARD OF APPEALS

Minutes of the May 17th, 2011 Regular Meeting

APPROVED

The May 17th, 2011, meeting was called to order at 1:00 p.m. by Chairman Lee Strohl with members Jeanne Dudeck, Carol Sizer and Kathy Sellers present. Mario Zarantenello and Zoning Administrator Betsy Bohac were not present.

Dudeck moved, Sellers supported to approve the minutes, as proposed, for the April 19th, 2011 meeting. Motion carried

Case No. 1003 Property Code No 11-07-0900-0023-01-3 13248 Creekwood Rd, Harbert, MI. 49115

Bill McCullum, owner of McCullum Architects and agent for property owners Ann Goodman and Don Smith who were also in attendance, presented their request for a variance from Section 15.03 B of Chikaming Township Zoning Ordinance No. 87, as amended, which does not allow for an accessory building or structure to be located in any portion of a front yard in an R-1 Single Family Residential District.

If granted, the variance would allow an existing garage to be demolished and replaced with a 2 story 20' x 24' accessory building with attached 12' x 16' carport which may be converted into a screen porch. The proposed accessory building will not contain a kitchen but will allow for 2 bedrooms, 2 baths and additional living space and will meet all required setbacks.

One (1) letter of correspondence was received in support of the variance and Lawrence Chapman was in attendance of the meeting to make a statement, also in support of the variance.

Mr. McCollum presented the board with drawings of the proposed project. He explained that this is a large parcel, 84,000 sq ft. The existing home sits far back off the road as will the new structure. The new structure will have its own septic system and a septic permit has been obtained. It will have underground electric service and will be built to closely match the character and style of the existing home. The dwelling will only contain a refrigerator and sink, no cooking appliances. Ann Goodman, 4th generation owner of the property then stated that the reason the variance is being requested is the family is growing and there is a need to accommodate more than one family at a time to enjoy the property. The existing garage is in great need of repair and it is time for it to be demolished.

In discussion, Chairman Strohl stated his concern for the use of the accessory structure if the property were sold in the future. He felt food preparation could be completed with the use of a microwave along with the refrigerator and sink which were being proposed in the construction plan. He felt the township character and zoning should be protected from any possible violations of the requirements.

Dudeck stated the zoning ordinance requirements regarding this issue were drafted to prevent more than one dwelling unit per parcel in a R1 Zoning District for density and safety issues. An accessory structure without an independent cooking facility would not be considered a dwelling unit.

Dudeck moved to approve the variance as requested to allow the accessory building as designed in the front yard on the finding of fact that there was ample space on the property, the current location of the main home at the rear of the property, the structure meeting all setback requirements, being a reasonable request with no safety issues with the condition that the structure remain a guest house and not be used as rental property. Strohl asked to amend the motion to be more specific in the approval and have it state that there would be no food preparation of any kind, no storage of food or a microwave. Dudeck disagreed stating that it would be impossible to enforce such requirements and the family had stated that the food preparation would be done in the main house. Sellers supported the motion. Member Dudeck, Sellers and Sizer voted to approve the motion, Chairman Strohl voted to not approve. Motion carried.

Case No. 1004 Property Code 11-07-0011-0031-06-5 5794 Sawyer Road Sawyer MI 49125

Marion J. Edgerton, property owner, presented her request for a variance from Section 15.08 B of Chikaming Township Zoning Ordinance No. 87, as amended, which does not allow for an accessory building or structure to be built in any portion of a front yard in a C-Commercial District. The above mentioned property is a corner lot which requires 2 (two) front yards.

If granted, the variance request would allow for a new 24' x 26' detached 1 (one) story garage to be built in the front yard of the Peck Avenue side. It will meet the 30 ft. front yard setback, but will still be located in the front of the existing building.

Ms. Edgerton stated that she had not even realized that she had 2 (front) yards until she originally applied for the building permit. She said she considers the front of her home to face Sawyer Road, and she thought that being able to have the garage would keep the neighborhood and her yard looking attractive by allowing her to park her vehicles inside.

Sizer moved, Dudeck supported, to approve the variance as requested on the finding of fact the home is on a corner lot with 2 front yards, that it is a reasonable request and created no potential safety hazards to the public..

Motion carried.

Meeting was adjourned at 1:24 p.m.

Theresa Priest
Zoning Board of Appeals
Recording Secretary
May 17th, 2011