

CHIKAMING TOWNSHIP ZONING BOARD OF APPEALS

Minutes of the October 16, 2007 Meeting

The October 16, 2007 meeting was called to order at 4:00 p.m. by Chairman Carl Anderson with members Jeanne Dudeck, Lee Strohl and Kathy Sellers present. Mike Livengood was absent.

Also present were Zoning Administrator Betsy Bohac and Recording Secretary Marisue Hojnacki.

Strohl moved, supported by Dudeck to approve the minutes of the September 18, 2007 meeting. Motion carried.

CASE 922 – Property Code No. 11-07-0830-0009-00-8, 518 Lakeshore Drive, Shorewood Hills, Sawyer, MI 49125. John Allegretti, architect for Evan and Stephanie Geiselhart, along with Evan Geiselhart were present to request a variance from Section 15.03.B of Chikaming Township Zoning Ordinance No. 87, which does not allow an accessory building or structure in any portion of the front yard in an R-1 Single Family Residential District. If granted, the variance would allow construction of a 1 story, 22' x 22' detached garage located in the front yard. The front yard setback will be 16 feet 2 inches from Lakeshore Drive and the side yard setbacks will be 7 feet 4 ¾ inches from the south east corner and 11 feet 4 5/8 inches from the south west corner. Allegretti said that the garage would be at the bottom of an existing driveway. Due to the area being critical dunes and the contours of the land it is the only place for the garage to be located. He added that they are renovating the existing home and that there is a bridge that goes across to the existing home. Anderson commented that he had trouble turning around on the existing pad and Geiselhart responded that they have become experts at backing up. Dudeck said that this situation really shows why they go out and do field work because the physical situation clarifies the need for the variance.

Barbara Cohen of 12370 Tower Hill Road said that her main concern was guests parking in the roadway, which would not allow room for an ambulance or fire truck to get by. She said that when Rodney applied for the variance for his garage, they asked that it be 15 feet from the lot line. She wanted a guarantee that there would be no parking in the roadway. Geiselhart said that the garage would provide parking for the cars already there and that the neighbors allow them to park guests on their pad. Sellers asked if there would be some sort of flat space or apron in front of the garage and Allegretti said there would be six to eight feet in front. Anderson read two letters. John and Barbara Guinness opposed the variance as they opposed a similar request for property at 526 Lakeshore Drive. Clyde Rode wrote that the Shorewood Hills Building committee had reviewed the request and approved the garage with a note that it would need DEQ approval.

Anderson said that he found no safety problems with the request. Dudeck said that it is very clear that it is a situation where it is the only location for the garage, even with DEQ requirements. Anderson added that it is a serious practical difficulty. Dudeck said that she

appreciated the public safety concerns and similar situations exist in Bethany Beach and other areas developed before zoning. That is why they now require 66 feet of road right-of-way. Dudeck moved to grant the variance to allow the construction of a one story, 22' by 22' detached garage located in the front yard with a front yard setback of 16 feet 2 inches from Lakeshore Drive and side yard setbacks of 7 feet 4 ¾ inches from the south east corner and 11 feet 4 5/8 inches from the south west corner with the findings of fact that it is the only practical location on the property for garage construction due to DEQ slope issues on the remainder of the property. Sellers supported the motion. Anderson added that they get the proper DEQ permits. All members voted aye. Motion carried.

Anderson adjourned the meeting at 4:16 p.m.

Marisue Hojnacki
Recording Secretary