

BOYNE VALLEY TOWNSHIP
ZBA Minutes
AUGUST 3, 2015

Meeting called to order 6:00 by Mike Skop.

Roll Call: Lenore Senter, Mike Skop, Ryan Fiel

Also Present : Supervisor Sue Hobbs and Marie Kelenske, Secretary

Minutes approved as written from July 27, 2015.

Call of the Meeting:

Discussion on Mary Klekotka property on Brown Rd parcel number 002-021-028-35 for front yard setback variance to construct a carport. Mike Skop and Pat Harmon, County Road Commission Manager, went to view and measure the property and from the road to the concrete pad is 60 ½ feet.

BOYNE VALLEY TOWNSHIP ZONING BOARD OF APPEALS
ARTICLE XIII, SECTION 13.4, ITEM D
THE ZONING BOARD OF APPEAL SHALL FIND THAT ANY VARIANCE
GRANTED:

1. Will not be contrary to the public interest or to the spirit and intent of this Ordinance.
Development on Brown Road will not be for a number of years to affect the construction of a carport.
2. Shall not permit the establishment within a zoning district of any use, which is not permitted by right with the district.
Ok
3. Relates only to property that is under control of the applicant
Yes , Only on her property
4. Will not cause any adverse effect to property in the vicinity or in the zoning district or the Township.
Will not affect anyone's view.
5. Affects only property subject to exceptional or extraordinary circumstances or conditions that do not generally apply to other property or uses in the vicinity, and have not resulted from any act of the applicant.
The extraordinary circumstances will be because of a handicapped person living in the house.

ALSO:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or buildings involved and which are not applicable to other lands, structures or building in the same vicinity.

Other buildings on property are non-conforming.

2. That literal interpretations of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same vicinity under terms of this ordinance.

Lenore concerned with non-conforming buildings but they were built years before there was any zoning laws.

3. That the special conditions and circumstances do not result from the actions of the applicant, notwithstanding other provisions of the ordinance.

Applicant had no control over the steep drop off on property surrounding buildings

4. That granting the variance will not confer on the applicant any special privilege that is denied by the ordinance on other lands, structures, or building in the same vicinity.

N/A

THE APPLICANT MUST DEMONSTRATE TO THE ZONING BOARD OF APPEALS THAT THEY SATISFY ONE OR MORE OF THESE CRITERIA IN ORDER TO BE GRANTED A VARIANCE FROM THE BOYNE VALLEY TOWNSHIP ZONING ORDINANCE.

It is recommended that she be allowed to construct the carport with some restrictions.

The restrictions are as follows:

The cement pad has to be extended closer to the home.

Motion by Mike Skop the carport can be constructed but needs to be built 6 feet closer to the house and to be constructed with no sides. The sides would not be allowed even in the future. Motion second by Ryan Fiel. Motion carried.

Motion by Skop to adjourn seconded by Senter. Motion carried.

Meeting adjourned at 7:00 p.m.

Submitted by Marie Kelenske

ZBA Commission Secretary