

Keweenaw County
Zoning Board of Appeals
January 10, 2019

The meeting was called to order at 4:08 p.m.

Roll Call: Mark Ahlborn, Vice-Chair,
Mel Jones, Member
Lesley DuTemple, Member via phone 906-281-1692
Steve Siira, Planning Commission Member
Marty Faassen, member
Kelly Treganowan absent
John Wilhelm absent
Ann Gasperich, Zoning Administrator

Each member introduced them selves as we welcomed Marty Faassen to the ZBA.

Nominations for Chair and vice-chair were accepted. A **M/S Mel/Lesley** for Mark Ahlborn as Chair was presented and passed unanimously. A **M/S Steve/Mark** for Mel Jones as Vice-Chair was presented and pass unanimously.

M/S Mel/Steve to accept the agenda, passed.

M/S Mel/Lesley to approve the Minutes – October 11, 2018, regular meeting, passed

Public Comment none

New Business

M/S Mel/Marty to establish meeting dates for 2019 – as quarterly on the second Thursday at 4:00 PM. Dates are set as April 11, July 11, and October 10 at the County Courthouse.

Old Business:

An update from the Planning Commission -
In preparation of presentation to the Board of Commissioners, a public hearing will be scheduled for the following three items to take comment on for inclusion into the Zoning Ordinance: 7.9.3 subsection 5. Sauna, one sauna, less than 200 square feet will be allowed in the waterfront yard of an inland waterway, not Lake Superior, complying with the following setbacks: 35' to the Ordinary High-Water Mark, 5' to the sideline and 12' high to the roof line mid-point. No toilet facilities are allowed without health department approval for safe handling of sewage, passed. Section 7.13 – In Residential Districts, and In Agriculture, Extraction, and Timber Resource Districts On parcels ten (10) acres or larger a recreational vehicle may remain longer without a special use permit. Section 16.5 A5b - b. Non-dwelling use signs. A non-dwelling use in a residential area, such as a school, a religious facility, an institutional use, a club house, etc., is permitted to have one ground sign and one wall sign, neither of which shall exceed twenty (20) square feet in area. Total sign area is permitted to increase one (1) percent for each additional foot signs are set back behind the building line. The height of a ground sign may not exceed eight (8) feet above uniform finished grade in R-1, unless the placement of the sign is below the grade of the road from which access is taken, in

which case it shall not be more than eight (8) feet above the grade of the road in R-1 and Mobile Home Parks, and fifteen (15) feet in other permitted districts/developments.

Zoning Administrators Report – Ann continues to receive complaints regarding the solar array in Ahmeek. The ordinance does not have a special section on green energy. The Ahmeek configuration does meet the setbacks and other requirements for an accessory structure. The County Road Commission was consulted as well as the Department of Transportation before a building permit was issued.

Training – A short training session was conducted from an excerpt of the Michigan Association of Planning. Property owner has a home and desires to build a garage. The proposed garage will violate the required side yard setbacks by five feet. The property owner claims a practical difficulty exists due to the limited width of the lot. Other homes in the same block, with the same lot width, have requested and received setback variances to build. There was much discussion on the narrative. The exercise concluded with the following statement, “Based on the findings of fact this this case, I move to approve the request for the five-foot side yard setback variance as requested by the home owner, with the determination that the limited lot width constitutes a practical difficulty that make strict compliance unnecessarily burdensome. Further, we find that the resulting setback will be consistent with other development in the area and that substantial justice will be done for the neighborhood and surrounding property owners by approval of the variance request. The circumstances of limited lot width are unique to the lots in the neighborhood of the property and the difficulty is not self-created.”

Additional training may be scheduled in addition to the regular meetings.

Public Comment none

Around the table – Green Energy and 5G technology were discussed. Lesley will look for ordinance framework regarding Green Energy. Marty will review the 5G information to see if the “Historic” component may be used in our communities. Mark is going to make contact with the State regarding a Trust Fund grant. Mel reminded everyone to take a few minutes and document, ie video or photograph your home, every room, open cabinets and closet doors. The photographs/video will be helpful if you are to ever experience a house fire and the insurance company requires documentation of your belongings.

Next Meeting April 11, 2019 at 4:00 PM

M/S Mel/everyone to Adjourn at 5:28