

Correspondence - none

Public Comment - none

Commission Final Comments - none

Tentative Schedule Next Regular Meeting -Thursday July 13th 2017, 4:00 p.m.

M/S Mel/Mark to Adjourn at 5:45

KEWEENAW COUNTY

ZONING DEPARTMENT
5095 4TH STREET
EAGLE RIVER, MI 49950

PHONE: (906) 337-3471 ~~~ FAX: (906) 337-2795

ZBA FINAL DECISION ORDER

FINAL DECISION OF THE KEWEENAW COUNTY ZONING BOARD OF APPEALS

For an appeal by right of this decision to be timely, it must be made to the court of proper jurisdiction within 30 days of the date of this order.

1. Appeal Number: **ZBA 2017 VAR 01 V**
2. Hearing Date: **June 1, 2017**
3. Applicant: Georgia Benney
4. Address: **12853 US 41 Lake Medora, Grant Township**
5. Phone: **906-630-2742**
6. Purpose of request: (variance, interpretation of zoning map, administrative appeal, other – please specify): **Article 9, Section 9.2 subsection D, 9.4 Subsection A, and Section 9.9 Hardship Cases due to location of highway, lake, and septic.**

7. ZBA Findings of Fact:

A. The Board of Appeals shall grant no variance or make any determination on an appeal, Ordinance interpretation or other issue requested of it unless the Board records specific findings of fact based directly on the particular evidence presented to it. These findings of fact must support conclusions that the standards imposed by the requirements of this Ordinance have been met.

B. Said findings of fact shall include, but are not limited to the following information:

A. Strict compliance with the ordinance would unreasonable prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome

Yes --- No Recite the facts which support the yes or no conclusion

no shower + proper faulting would be corrective and allow year round use -

B. The problem is due to a unique circumstance of the property.

Yes --- No Recite the facts which support the yes or no conclusion. Describe the presence or lack of physical circumstances or conditions or exceptional topography not common to all property owners.

built prior to Z.O., - unique - due Lake, Septic + U.S. 41

C. The specific conditions relating to the property are not so general or recurrent in nature in the zoning district so as to require an amendment to the zoning ordinance instead of a variance.

Yes --- No Recite the facts which support the yes or no conclusion

this is a case by case basis -

D. The problem was not created by the applicant

Yes --- No Recite the facts which support the yes or no conclusion

family cabin built in 60's - prior to ordinance

E. Granting of the variance will not cause a substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.

Yes _____ --- No X Recite the facts which support the yes or no conclusion

no, if may increase value to make
microhomes. would not affect
neighbors -

F. The requested variance will relate only to the property under the control of the applicant.

Yes X --- No _____ Recite the facts which support the yes or no conclusion

Lot specific Question -

J. The variance would do substantial justice to the applicant as well as to other property owners in the district.

Yes X --- No _____ Recite the facts which support the yes or no conclusion

creating a year round dwelling -

H. The variance is the minimum variance that will make possible the reasonable use of the land, building or structure in the zoning district in which it is located.

Yes X --- No _____ Recite the facts which support the yes or no conclusion

12'x18' it is a minimum variance request

Granting of the variance will ensure that the spirit of the ordinance is observed, public safety secured and substantial justice applied

Yes --- No **Recite the facts which support the yes or no conclusion**

Small cottage can be converted to a year round dwelling -

8. ZBA Discussion: **Regarding Article 9, Section 9.2 subsection D, 9.4 Subsection A, and Section 9.9 Hardship Cases due to location of septic, highway and lake.**

9. Reason(s) for Decision:

A motion by MARK Ahlborn, seconded by Peter Mace
Regarding Article 9, Section 9.2 subsection D, 9.4 Subsection A, and Section 9.9
Hardship Case due to location of Lake and US 41, to add 216 sq footprint of living
space for Georgia Benney.

10. Vote and Signatures of ZBA Members:

Frank Kastelic	<input checked="" type="radio"/> (Yes) <input type="radio"/> (No)	<u>[Signature]</u>
Steve Siira	<input checked="" type="radio"/> (Yes) <input type="radio"/> (No)	<u>[Signature]</u>
Mark Ahlborn	<input checked="" type="radio"/> (Yes) <input type="radio"/> (No)	<u>[Signature]</u>
Mel Jones	<input checked="" type="radio"/> (Yes) <input type="radio"/> (No)	<u>[Signature]</u>
Peter Mace	<input type="radio"/> (Yes) <input checked="" type="radio"/> (No)	<u>Peter R Mace</u>

I, Ann Gasperich, Secretary of the Keweenaw County Zoning Board of Appeals, certify that on this date, June 1, 2017, I witnessed the signatures set forth above and attest to the accuracy of this report.

Ann Gasperich

KEWEENAW COUNTY

ZONING DEPARTMENT
5095 4TH STREET
EAGLE RIVER, MI 49950

PHONE: (906) 337-3471 ~~~ FAX: (906) 337-2795

ZBA FINAL DECISION ORDER

FINAL DECISION OF THE KEWEENAW COUNTY ZONING BOARD OF APPEALS

For an appeal by right of this decision to be timely, it must be made to the court of proper jurisdiction within 30 days of the date of this order.

1. Appeal Number: **ZBA 2017 VAR 02 V**
2. Hearing Date: **June 1, 2017**
3. Applicant: Rustic Manor
4. Address: **14203 M-26, Grant Township**
5. Phone: **906-289-4919**
6. Purpose of request: (variance, interpretation of zoning map, administrative appeal, other – please specify): **Article 16, Section 5 subsection A.** A residential neighborhood identification sign is permitted to have one residential neighborhood identification sign for each entrance street. Such signs shall not extend into any public right-of-way. The face of the sign shall not exceed twenty (20) square feet. The height of the sign may not exceed eight (8) feet above the uniform finished grade, 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..

7. ZBA Findings of Fact:

A. The Board of Appeals shall grant no variance or make any determination on an appeal, Ordinance interpretation or other issue requested of it unless the Board records specific findings of fact based directly on the particular evidence presented to it. These findings of fact must support conclusions that the standards imposed by the requirements of this Ordinance have been met.

B. Said findings of fact shall include, but are not limited to the following information:

A. Strict compliance with the ordinance would unreasonable prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome

Yes --- No _____ Recite the facts which support the yes or no conclusion

B. The problem is due to a unique circumstance of the property.

Yes --- No _____ Recite the facts which support the yes or no conclusion. Describe the presence or lack of physical circumstances or conditions or exceptional topography not common to all property owners.

Highway desing of area - Swale

C. The specific conditions relating to the property are not so general or recurrent in nature in the zoning district so as to require an amendment to the zoning ordinance instead of a variance.

Yes _____ --- No Recite the facts which support the yes or no conclusion

not require ~~an~~ amendment - site by site review - maybe required

D. The problem was not created by the applicant

Yes _____ --- No Recite the facts which support the yes or no conclusion

Land being lower than the road - driveway preexisting -

E. Granting of the variance will not cause a substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.

Yes ___ --- No X **Recite the facts which support the yes or no conclusion**

Much effort has been included in the details - not much impact on adjoining land or owner

F. The requested variance will relate only to the property under the control of the applicant.

Yes X --- No ___ **Recite the facts which support the yes or no conclusion**

it will be for the campground only

J. The variance would do substantial justice to the applicant as well as to other property owners in the district.

Yes X --- No ___ **Recite the facts which support the yes or no conclusion**

enables him to make a sign that is visible during summer & winter -

H. The variance is the minimum variance that will make possible the reasonable use of the land, building or structure in the zoning district in which it is located.

Yes X --- No ___ **Recite the facts which support the yes or no conclusion**

He is not proposing a huge amount above what the ordinance recites

Granting of the variance will ensure that the spirit of the ordinance is observed, public safety secured and substantial justice applied

Yes X --- No _____ **Recite the facts which support the yes or no conclusion**

this is a unique location and requires an individual review -

8. ZBA Discussion: **Article 16, Section 5 subsection A, variance of 8' height request by Rustic Manor.**

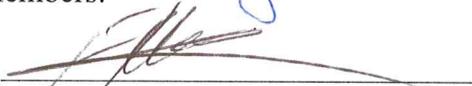
9. Reason(s) for Decision:

See above -

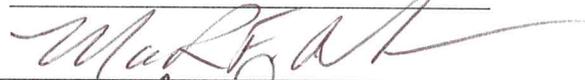
A motion by *mark Ahlborn -*, seconded by *Peter mace -*
Regarding Article 16, Section 5 subsection A variance of 8' height request by Rustic Manor.

to be 13' off of road grade to top of sign face - not including the mounting.

10. Vote and Signatures of ZBA Members:

Frank Kastelic (Yes) (No) 

~~Steve Siira~~ (Yes) (No) _____

Mark Ahlborn (Yes) (No) 

Mel Jones (Yes) (No) 

Peter Mace (Yes) (No) 

I, Ann Gasperich, Secretary of the Keweenaw County Zoning Board of Appeals, certify that on this date, June 1, 2017, I witnessed the signatures set forth above and attest to the accuracy of this report.