

March 29, 2017, Minutes
Huron County Zoning Board of Appeals
Minutes of Meeting
Case No.: ZBA 2017-01, 2017-02, 2017-03

A regular meeting of the Huron County Zoning Board of Appeals was held on March 29, 2017, in the Huron County Board of Commissioners Chambers, Room 305, Bad Axe, MI 48413.

1. Call Meeting to Order

The meeting was called to order by Chairman Larry Schnettler at 7:00 p.m. Mickayla Bischer called the roll of members: Roll call - Members present: Wanda Eichler, Joel Weber, Bill Goretski and Larry Schnettler. Members absent/excused: Leroy Boesch, Ken Griessel, and Lisa McCain. Others present: There were approximately six (6) other people in attendance, including Jeff Smith, Planning/Building & Zoning Office Director and Mickayla Bischer, Recording Secretary.

Member Wanda Eichler made a motion to amend "Robert Garrett" to "Ron Garrett." Motion was seconded by member Bill Goretski. Motion carried.

Member Joel Weber made a motion, seconded by Wanda Eichler, to move item 4A: ZBA 2017-01 to the last appeals case for review. Motion carried.

2. Approval of Minutes

A motion was made by Joel Weber and seconded by Bill Goretski to approve the October 26, 2016, special meeting minutes. Motion carried.

3. Public Comment

None.

4. Public Hearings

ZBA 2017-02: Bruce & Dianna Middel, owners of 5674 Lakeview Drive, Gore Township, Port Hope, Michigan, 48468, requesting zoning approval to construct a 12ft x 23ft breezeway addition, connecting their existing home to their existing detached garage. Parcel number 3209-028-003-00 is zoned R-1 (RES) and contains approximately 0.25 acres. The existing home (14 ft. side yard setback; 10ft minimum required) and detached garage (5ft side yard setback; 5ft minimum required) comply with zoning regulations. The Huron County Zoning Ordinance, Section 9.01, Schedule of Regulations, requires a main building side yard setback of 10ft. minimum. The proposed breezeway addition would reduce the main building side yard setback to 5 ft.; therefore the property owner is requesting a variance to reduce the side yard setback to 5 ft. Pursuant to the Huron County Zoning Ordinance, Section 19.05(c), the Board of Appeals shall have the power to authorize, upon an appeal, specific variances from such requirements as lot area and width regulations, building height and bulk regulations, yard and depth regulations, and off-street parking and loading space requirements.

- This case was introduced by Chairman Larry Schnettler and reviewed by Building & Zoning Director, Jeff Smith. Applicant was in attendance to answer questions.
- Jeff Smith advised of details of application. Jeff Smith stated that mailings were made to neighboring property owners, published in the Huron Daily Tribune, and on the county website.
- Email from Patricia MacPherson dated March 29, 2017, stating she has no objection to proposed plans.
- No public comment received.

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ZBA Discussion and Finding of Fact:

- Existing setbacks to remain the same.
- Neighboring property owners have no objections.
- Improvements to property have no adverse conditions.
- With no further questions, a motion was made by Wanda Eichler and seconded by Joel Weber to approve the zoning request to construct a 12ft x 23ft breezeway addition.

On a roll call vote, the motion carried.

Roll Call Vote: ZBA 2017-02 Bruce & Dianna Middel

LeRoy D. Boesch	Excused	Joel Weber	Yea
Wanda H. Eichler	Yea	Lisa McCain	Excused
Ken Griessel	Excused	Bill Goretski	Yea
Larry Schnettler	Yea	4-Yea 0-Nay 3-Absent/Excused	

ZBA 2017-03: Ronald Garrett, owner of 1276 Valley Island Drive, Fairhaven Township, Sebawaing, Michigan, 48759 requesting zoning approval to construct a 36ft. x 50ft. storage building with 12 ft. sidewalls, along with an 8ft x 50ft attached lean. Existing pole building is to be removed. Parcel number 3208-021-027-00 is zoned R-1 Residential (RES) and contains approximately 0.74 acres. The Huron County Zoning Ordinance, Section 14.04(3)(a), states “R-1 & R-2 Districts (plat of subdivision): The size of any accessory building shall not exceed 960 s.f. of ground floor area or exceed the ground floor area of the dwelling, nor have a wall height exceeding 10ft. above grade or an overall height exceeding 15feet to the midline of the roof (from original grade). Total ground coverage for all buildings on the parcel shall not exceed 25% of the parcel.” The proposed storage building exceeds the allowable square footage and height restrictions. Pursuant to the Huron County Zoning Ordinance, Section 19.05(c), the Board of Appeals shall have the power to authorize, upon an appeal, specific variances from such requirements as lot area and width regulations, building height and bulk regulations, yard and depth regulations, and off-street parking and loading space requirements.

- This case was introduced by Chairman Larry Schnettler and reviewed by Building & Zoning Director, Jeff Smith. Applicant was in attendance to answer questions.
- Jeff Smith advised of details of application. Jeff Smith stated that mailings were made to neighboring property owners, published in the Huron Daily Tribune, and on the county website.
- Email from Stephanie Staley dated March 22, 2017, supporting Ron Garrett’s request.
- No public comment received.

ZBA Discussion and Finding of Fact:

- Member Wanda Eichler addresses concerns with persons using these sorts of structures as a dwelling in the future.
- Consistent with neighboring structures in the area.
- Improves non-conforming setback of existing barn which is to be demolished.
- Compliant with lot coverage.
- Eliminates outdoor storage of recreational vehicles.

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- With no further questions, a motion was made by Bill Goretski and seconded by Wanda Eichler to approve the zoning request to construct a 36ft x 50ft storage building with 12ft sidewalls, along with an 8ft x 50ft attached lean.

On a roll call vote, the motion carried.

Roll Call Vote: ZBA 2017-03 Ronald Garrett

LeRoy D. Boesch	Excused	Joel Weber	Yea
Wanda H. Eichler	Yea	Lisa McCain	Excused
Ken Griessel	Excused	Bill Goretski	Yea
Larry Schnettler	Yea	4-Yea 0-Nay 3-Absent/Excused	

ZBA 2017-01: Michael McGee, agent for property owner Daniel Wisenbaugh, Weale Lane (Intersection of Weale Lane and Kul Road), Fairhaven Township, Bay Port, Michigan 48720, requesting zoning approval to allow a 40ft x 50ft accessory storage building to remain on a parcel of land in the residential zoning district. Parcel number 3208-015-011-60 is zoned Residential R-1 (RES) and contains approximately 1.05 acres. The Huron County Zoning Ordinance, Section 14.04(11), Accessory Buildings, states “In all residential districts, no accessory building (garage, utility shed, storage building, etc.) shall be constructed until the principal building is occupied, except that construction of an unattached garage or storage area may proceed at the same time as the construction of the principal dwelling.” The existing 40ft x 50ft storage building was built in 2002 under building permit 02-002784, as an accessory structure adjacent to a principal dwelling located at 615 Shore Drive. Sometime thereafter for tax year 2003, the parcel of land containing the principal dwelling (615 Shore Drive) and storage building was split into two parcels of land, one containing the principal dwelling, and the other parcel containing the storage building. The storage building was then sold to Mr. Wisenbaugh. The storage building also encroaches upon and beyond the current property line. The applicant is requesting a lot line adjustment to correct the storage building encroachment in addition to a variance to allow the storage building to remain on the parcel of land with no principal dwelling.

- This case was introduced by Chairman Larry Schnettler and reviewed by Building & Zoning Director, Jeff Smith. Applicant was in attendance to answer questions.
- Jeff Smith advised of details of application. Jeff Smith stated that mailings were made to neighboring property owners, published in the Huron Daily Tribune, and on the county website.
- No public comment received.

ZBA Discussion and Finding of Fact:

- Property line adjustment eliminates encroachments.
- The storage building will now be compliant with setbacks requirements
- No objections from neighboring property owners.
- With no further questions, a motion was made by Wanda Eichler and seconded by Joel Weber to approve the zoning request to allow a 40ft x 50ft accessory storage building to remain on a parcel of land in residential zoning district.

On a roll call vote, the motion carried.

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Roll Call Vote: ZBA 2017-01 Michael McGee

LeRoy D. Boesch	Excused	Joel Weber	Yea
Wanda H. Eichler	Yea	Lisa McCain	Excused
Ken Griessel	Excused	Bill Goretski	Yea
Larry Schnettler	Yea	4-Yea 0-Nay 3-Absent/Excused	

5. Unfinished Business None.

Wanda Eichler addresses the board with concerns regarding blight throughout the county.

6. New Business: None.

7. Final Zoning Board of Appeals Comment

Wanda Eichler recognizes and commends Joel Weber for his years of service on the Zoning Board of Appeals.

8. Adjournment

With no further business to come before the Board, it was moved on a motion by Joel Weber, to adjourn the meeting and seconded by Bill Goretski. Motion carried. Adjournment was at 8:35 p.m.

Lawrence Schnettler, Chairman

Jeff Smith, Acting Secretary

Date: _____

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