

ALPENA TOWNSHIP ZONING BOARD OF APPEALS

MINUTES- Meeting- Tuesday, May 15, 2018

MEETING COMMENCED: 7:00 PM

PLEDGE OF ALLEGIANCE

THOSE PRESENT

Matt Dunckel, Sue Skibbe- Secretary, Tammy Thomson- Chair, Tom Hilberg-Liaison, and John Kohart

ABSENT

Steve Dean

OTHERS PRESENT

Robert Collins, Applicant

ADOPTION OF AGENDA

M Dunckel made a **motion** to accept the agenda, **supported** by T Hilberg.. *Motion passed.*

APPROVAL OF MINUTES

M. Dunckel made a **motion** to accept the minutes as presented of the April 17, 2018 meeting, T. Thomson **supported.** *Motion passed.*

PUBLIC MEETING PARTICIPATION RULES

CORRESPONDENCE

S. Skibbe, secretary passed copies of the letter received from Alpena Township Building Official Kirk Malcomson. M. Dunckel made a motion to receive and file the correspondence, with the stipulation noted that the accessory structure is for storage only and not to be used as a habitable or commercial usage, supported by S. Skibbe.

CASE

1. Case #Z02-18, Robert & Nancy Collins request a variance to erect an accessory building in the front yard. Property is located at 8571 Maple Street, Parcel No. 018-365-000-090-00 in a Waterfront Residential (WR) zone district.

PUBLIC COMMENT

Robert Collins, the applicant, presented a new drawing of the proposed building with notations of elevations, and a new position of the accessory building. R. Collins stated that since the April 17th

hearing he had met with 3 Building Inspectors, 2 excavators, and 3 builders, concerning his proposed new building. They had advised him of issues concerning his property, and R. Collins had an elevation survey completed for his property. The survey results show a 4' drop from the roadbed to his house, and to position the new garage in front of his house would require an extensive amount of fill to make the concrete floor in his new building level, thus creating drainage and possible flooding issues for his house. He was also advised to change the location of the new building further away from the bank on the Pine Street side, because that incline would require a block foundation to alleviate water runoff and flooding potential. The ground under the incline is believed to be all rock and shale, and excavating would be very difficult. The new proposed location for the garage would be flatter, and also provide for more footage between the building and the shoreline, estimated between 70-80 feet, well beyond the 50' requirement. Mr. Collins provided photographs to help illustrate how the new building would be positioned and not create any visual obstruction for his neighbors. There is one tree that will require removal for the new position of the building. He assured the Zoning Board that the new building would conform to the height restriction, and not require any variance. He is allowing for more footage on the Pine St. side than the 5 feet required to help allow for an excavator to level out the ground. With this new position of the building it is possible that no variance is actually required, but he wants to be certain that there are no issues before securing a permit and starting construction. R. Collins had talked with some of his neighbors about the new position of his garage and did not receive any objections, nor had the ZBA received any written objections.

DISCUSSION

T. Thomson questioned Mr. Collins if the new proposed location of the garage would be more conforming to the standards allowed in WR districts, he said yes. Her concern was that if there were issues the Building Official could require construction to be removed, and she did not want that to happen.

T. Hilberg had been to the property and agreed that the proposed new location was the most logical for the building. He had reviewed the drawings with Mr. Collins, and agreed that to place the building in back of the house would create an extraordinary circumstance that would destroy his yard and require too much fill to correct the 4' drop from the roadway.

M. Dunckel stated that his main concern was to be sure that the building was not too close to the lake and not obstruct the view of the lake for any of the neighbors. M. Dunckel studied the new drawing of the building as it would be positioned on the property and he felt that if the new building followed the contour of the shoreline that would make the edge of the garage anywhere from 70.2' to 85' from the waters edge, well within the township zoning setbacks. M. Dunckel also questioned if the exterior of the new garage would be similar materials to the house, Mr. Collins answered yes. It was agreed that this would be much better for property values and aesthetics for the neighborhood.

S.Skibbe restated the concern of Steve Dean that the building height not exceed the allowed 17 feet. Mr. Collins stated that it would not.

M. Dunckel made a **motion to grant** the variance , **supported** by T. Hilberg. Vote was all in favor.

Reasons are:

- a. The new proposed location of the building is not in front of the home according to the drawings provided, and conforming to the guidelines for accessory buildings in a WR district, and adhering to the required setbacks.
- b. To locate the building closer to the road would require too much fill to level the lot for the garage floor and possibly create a flooding issue for the home, causing an extraordinary circumstance.
- c. The average distance from the edge of the garage to the lake is farther than the required 50' setback, possibly not requiring a variance at all.
- d. The height of the building will not exceed the 17 feet allowable, and is used for storage.

Mr. Collins provided an updated mailing address :

PO Box 33

West Branch, MI 48661

NEXT MEETING: June 19, 2018 (tentatively)

ADJOURNMENT

T. Thomson made a **motion** to adjourn at 7:45 pm

Respectfully submitted,

Susan Skibbe, Secretary