

CHARTER TOWNSHIP OF ALPENA

ZONING BOARD OF APPEALS

MINUTES- Regular Meeting- Tuesday, October 19, 2021

MEETING COMMENCED: 7:00 pm

PLEDGED OF ALLEGIANCE

MEMBERS PRESENT: Steve Dean, Chair, Tom Hilberg, Vice-Chair, Andrea Dutcher, Russ Rhynard, Liaison, Susan Skibbe, Secretary

ABSENT: None

OTHERS PRESENT:

Jon Broers, Contractor

Doris Timm, Applicant

Gloria Andres, 110 Webster, Alpena, MI

Kevin Pauley, Building Official, Charter Township of Alpena

Nathan Skibbe, Supervisor Charter Township of Alpena

ADOPTION OF AGENDA:

R. Rhynard made a motion to adopt the agenda as presented, **supported** by T. Hilberg. *Motion passed.*

APPROVAL OF MINUTES:

T. Hilberg made a **motion to approve** the minutes of the June 15, 2021, meeting as presented, **supported** by A. Dutcher. *Motion carried.*

PUBLIC MEETING PARTICIPATION RULES were reviewed for those present.

PUBLIC COMMENT:

Jon Broers, clarified for the ZBA how the problem with the setback dimensions were created. He was initially hired to install new siding on the D. Timm residence, as the project quickly progressed, the homeowner wanted improvements made to her front porch and felt this would be the ideal time to add an access ramp. J. Broers did a quick measurement with a 30-foot measuring tape and instructed his work crew to frame in the ramp, however, he misjudged the accurate measurement required for the road easement and the township required front setback. When he returned to the site with a larger tape measure, he discovered he was approximately 18 inches short of meeting both requirements, so he contacted the Township building department. Both the Building Official and the Zoning Administrator advised him that a variance was necessary to make the ramp legally compliant with the Township zoning ordinance. Both the homeowner and the contractor felt it was important to complete whatever steps necessary to keep the project in compliance.

Gloria Andres, next door neighbor to the applicant questioned why 18 inches should create a problem for the applicant who was only trying to be forward thinking. She felt the setback requirement should be ignored for this project.

Nathan Skibbe, Zoning Administrator and Township Supervisor clarified why zoning requirements are important and should never just be ignored. The Charter Township of Alpena had just spent 2-years reviewing and updating the Township Zoning Ordinance, this effort and the resources expended would only create chaos if they were not applied uniformly to all property owners.

Doris Timm, informed the Board that she had moved here one-year ago to be close to her family. Her elderly parents need her care and oversight, if either of them deteriorates further she is planning to move them into her home. Without an access ramp she would have a very difficult time getting them into the house. While having improvements made to her home, she felt this was the ideal time to improve the access.

Kevin Pauley, stated that when he did a site visit to the property, he instructed J. Broers to leave the framing in place until the issue was resolved through the variance appeal process.

CORRESPONDENCE:

A letter of support was received from Gary Stark, 112 Webster Road, Alpena. A **motion** to receive and file the correspondence was made by S. Skibbe, supported by S. Dean. **Motion passed.**

PUBLIC HEARING

1. Case #Z-03-21, Doris Timm is requesting a variance to Article 8, Section 803, Subsection B, Paragraph 2, for a two (2) foot variance to the front yard setback for an access ramp. Property is located at 111 Webster Road, Alpena, parcel No. 018-125-000-004-00 in a Residential (R1) zone district. S. Dean made a **motion** to **OPEN** the Public Hearing, supported by S. Skibbe, **motion passed.**

Discussion began with T. Hilberg asking how the project developed into an access ramp. He observed from the site visit that the location for the ramp is in the most logical location. J. Broers explained how the project began, and also how it expanded.

R. Rhynard noted that in reviewing all the information contained within the case file, and the fact that there were no objections received from any of the neighbors, he felt all of the criteria listed when granting a dimensional variance were satisfactorily met.

S. Skibbe asked about the height of the railing, since the drawings provided were very confusing, was it prudent to adhere to ADA railing height standards. J. Broers answered that in fact the railing height will be 34 inches, which is within ADA standards.

There were no additional questions from ZBA members. R. Rhynard made a **motion** to **CLOSE** the Public Hearing, supported by A. Dutcher. **Motion passed.**

R. Rhynard made a **motion** to **grant** the variance request for Case #Z-03-21, supported by A. Dutcher. No additional conditions were applied to the case. Roll call vote: *Steve Dean- yes, Tom Hilberg- yes, Andrea Dutcher- yes, Russ Rhynard- yes, Susan Skibbe- yes.*

DISCUSSION:

S. Dean made note of the fact that there was an error in citing the Article, and the zoning district for the case. N. Skibbe assured him the necessary corrective measures have been addressed.

NEXT MEETING- November 16, 2021 (tentatively).

MEETING ADJOURNED by Chairperson Dean at 7:19 pm.

Respectfully submitted, Susan Skibbe, Secretary

