

**PRESQUE ISLE TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING
Held January 3, 2018**

Call to order: The meeting was called to order at 7:00 pm. by the Chairman: C. Winters.

The Pledge of Allegiance was recited.

Roll Call: Members present: C. Winters, B. Fay, F. Walker and B. Hellmuth. Absent Member: J. Bidwell. The alternate, S. Lang, was not present as well.

Approval of Agenda: B. Hellmuth moved to approve the agenda as written. Seconded by; F. Walker. All ayes; motion carried.

Approval of Minutes (September 6, 2017): B. Hellmuth moved to approve the minutes as written. Seconded by; F. Walker. All ayes; motion carried.

Comments from Audience: L. Fields commented regarding the requirement of an alternate. He advised that it is not necessary to have an alternate with a 5 member board.

Correspondence: B. Hellmuth advised that he had spoken with S. Lang regarding his resignation as the alternate to the ZBA. He also advised that J. Bidwell had passed along her thoughts and suggested to the revision of the current Bylaws. C. Winters advised that he had received an email from the Planning Commission chairman regarding the questions that were asked relating to the sign ordinance. He advised that the questions were not answered.

Reports

- **TWP Board (B. Hellmuth):** A written report was provided. B. Hellmuth gave a brief synopsis of his report. *(Please see report attached).*
- **Zoning Administrator (P. Budnik):** A written report was provided. P. Budnik gave a brief synopsis of his report. *(Please see report attached).*
- **Planning Commission (F. Walker):** A written report was provided. F. Walker gave a brief synopsis of her report. *(Please see attached).*

Unfinished Business

- **Bylaws (Review):** Board members went over several pages of the current bylaws. Members agreed to revisit the remaining pages at the next ZBA meeting.

New Business

- **Election of 2018 Officers & Expiring Term – C. Winters – 12/31/2017:** C. Winters advised that he would like to stay on the board for another 3 years with his term renewal expiring 12/31/2020. C. Winters asked for nominations for the Chair position. F. Walker nominated J. Bidwell as the Chair. C. Winters asked 3 times for anymore nominations. B. Hellmuth moved that nominations be closed and a unanimous ballot be cast for J. Bidwell as the Chair. Seconded by: B. Fay. A roll call vote was taken. All ayes; motion carried. Nominations were then opened for Vice Chair. B. Hellmuth nominated B. Fay. F. Walker nominated C. Winters. B. Fay nominated F. Walker. F. Walker declined the nomination. C. Winters closed nominations after asking 3 times for anymore nominations. Votes were taken for B. Fay and C. Winters; that ended in a tie vote for each member. B. Hellmuth moved to table the voting of vice chair and secretary until the next ZBA meeting.

- **2018 ZBA Meeting Dates:** Tuesday, May 1, 2018 @ 7 pm., Tuesday, July 3, 2018 @ 7 pm and Wednesday, September 5, 2018 @ 7 pm.

Additional Information: The first item on the May agenda will be the elections of vice chair and secretary.

Adjournment: With no further business to discuss; the meeting was adjourned at 9:12 pm.

Meeting Reminder: The ZBA will meet again on Tuesday, May 1, 2018 at 7:00 pm for their regular scheduled meeting.

Respectfully submitted; Kimberly S. Bedard, Administrative Assistant

Board Liason Report to ZBA January 2018

B. Hellmuth

- Sept. - Flu clinic to be set up at Twp. Hall for late Oct.
- Zoning Adm. dealing with fencing definition. Problem on whether trees/shrubs constitute a fence. Refer to Planning Commission.
 - Gift shops are profitable (\$1000's).
 - Note re: bike path vs. motor vehicles to be put in winter tax info.
 - Waived fees for E. Gr. Lake Fire Dept. & Friends of the Library to use Twp. Facilities.
 - Cemetery – ATV problem.
 - PI Fire Dept. – purchase, tanker repairs & handrails.
 - Twp. Leaders to meet with supervisor in late Sept.
- Oct. -Audit report: all good, small surplus, gift shops profitable.
- Parks & Rec. continue to work on development of Twp park across the street. U.S. Dept of Fish & Wildlife to present at late Nov. meeting. Also early Dec. to sponsor country Christmas Craft Show at Twp. Hall.
 - PI Fire Dept volunteers up to approx. 20 volunteers. Continuing to purchase equipment for new volunteers. Open House 10/14. MDOT will not allow warning signs on 23 (new policy).
 - Recycle area graveled.
 - Snow removal accepted, lower bid of \$65/hr.
 - Cemetery solar lights continual problem. Already sent to Planning Comm. , so continue enforcement by removal.
 - Special mtg. to discuss PI Fire Dept.
- Nov. -Special assessment dist. proposed on Parallel Ave.
- Replace windows at Old Lighthouse tower.

-Christmas Craft Show & Christmas at New Lighthouse 12/2.

-Fire Dept. operation continues successfully.

-Considering new message boards outside front door.

-Deferred last 2 fire dept. payments until 2020.

-Final audit questions tabled.

-Change Bd. of Review date.

-Report on speed limits rec'd & accepted.

-Cemetery solar lights remain a problem.

Dec. -Change in cemetery ordinance referred back to Planning Comm. For review, publishing, & Hearing for proposed changes.

-Planning Commission officers approved.

-\$5000 approved from Parks fund for engineering study on new park across the street.

-R. Beuter & B. Andrezejewski re-appointed to Fire Board.

-Approve Fire Board expenditure for equipment repairs.

-Bd. agreed not to collect Alpena school summer taxes.

-Bd. Exercised 2nd right of refusal on 22 parcels in PI Association.

-Final audit revised sheet reviewed. Still questions on \$20,000 difference and extra fee charged.

Hellmuth charged with contacting auditor to resolve questions.

-Memorial bench at Foghorn pavilion discussed.

-PIFD workman's comp. report following discussion with insurance agent.

Jan. -Regular mtg. Mon, 1/11/18.

Zoning Commission Report

Sign Ordinance

Received questions about sign ordinance. Members agreed that we have the confidence in the zoning administrator to enforce the law of the ordinances.

Solar Lighting – Cemetery

Members voted to recommend approval to the Board of Trustees to allow 1 (1 watt=20 lumens) per cemetery lot. It would change 7.11 of the cemetery ordinance.

Election of Officers

Howard Welsh – Chairman

Eric Szymanski – Vice Chair

Tom Guyer – Secretary

Respectfully Submitted,

Faye Walker

**PRESQUE ISLE TOWNSHIP
ZONING BOARD OF APPEALS
PUBLIC HEARING
Held March 29, 2018**

Call to order: The meeting was called to order at 7:00 pm. by the Chairman: J. Bidwell.

The Pledge of Allegiance was recited.

Roll Call: Members present: J. Bidwell, E. Szymanski, B. Fay and B. Hellmuth. Absent Member: C. Winters

Approval of Agenda: B. Hellmuth moved to approve the agenda as written. Seconded by; B. Fay. All ayes; motion carried.

Comments from Audience: None

****PUBLIC HEARING OPEN @ 7:02 PM.**

Variance – Leow: J. Bidwell read an email from Walter Dawson a concerned neighbor. P. Budnik explained that the applicant has requested 2 variances. The first variance would allow a 45 foot front setback from a 42 foot existing setback. Thus being, less non-conforming. The requested addition would be 12'x21.4' for a total of 256.8 square feet. The second part of the variance request is to build a 20'x20' garage in the rear of the property. The rear setback is required to be 20 feet and the applicant is requesting the setback to be 10 feet. The applicant gave his presentation to the commission members at this time.

****PUBLIC HEARING CLOSED @ 7:50 PM.**

Variance Decision: Commission members discussed the request to determine a decision based on practical difficulty. B. Hellmuth moved to approve the requested 45 foot from the 50 foot front setback for the addition to the north side of the existing home. Seconded by; B. Fay. A roll call vote was taken. All ayes; motion passed. Discussion was made regarding the 10 ft. variance request for the garage at Grand Lake Blvd. Commission members determined that P. Budnik can approve a 14 ft. variance without ZBA approval. B. Fay moved to deny the 10 ft. variance request for the garage to Grand Lake Blvd. a practical difficulty could not be shown. Seconded by; E. Szymanski. The board members discussed various options for the garage that would not require a variance. A roll call vote was taken. All ayes; motion passed. Commission members advised the applicant to work with P. Budnik to come up with a 14 ft. setback.

Adjournment: With no further business to discuss; the meeting was adjourned at 7:58 pm.

Meeting Reminder: The ZBA will meet again on Tuesday, May 1, 2018 at 7:00 pm for their regular scheduled meeting.

Respectfully submitted; Kimberly S. Bedard, Administrative Assistant

**PRESQUE ISLE TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING & VARIANCE HEARING
Held May 1, 2018**

Call to order: The meeting was called to order at 7:00 pm. by the Chairman: J. Bidwell.

The Pledge of Allegiance was recited.

Roll Call: Members present: J. Bidwell, B. Fay, E. Szymanski, C. Winters and B. Hellmuth.

Approval of Agenda: J. Bidwell requested the addition of “**Parliamentary Procedures**” to **New Business**. B. Hellmuth moved to approve the agenda with the requested addition. Seconded by; E. Szymanski. All ayes; motion passed.

****Public Hearing Open @ 7:01 pm.**

Klimczak – Variance: P. Budnik explained that the applicant has requested to build a 30’ x 40’ accessory building (garage) and to reduce the front setback from 50’ to 34’ and the rear setback from 20’ to 11’ due to an irregular lot size. The applicant provided the site plan to all board members and explained his request. There was discussion regarding practical difficulty as well as a hardship. P. Budnik advised that he did see a practical difficulty with the irregular lot size, therefore making it hard for the applicant to build an accessory building on his lot that currently has only 1 structure. J. Bidwell read a letter from a neighboring resident that is against the variance request.

****Public Hearing Closed @ 7:40 pm. Board Discussion and Decision:** Board members discussed the request at length to provide the best solution of the variance request. Several suggestions were made to encourage alternatives to minimize the variance request. B. Hellmuth moved to approve a 7.5’ variance on the road side and a 14’ variance on the lake side to build a 24’x 40’ accessory building with a 12 ½ foot setback from the road and a 36 foot setback to the lake. Seconded by; B. Fay. A roll call vote was taken. All ayes; motion passed.

****Election of Remaining Officers (Vice Chair & Secretary):** J. Bidwell asked for nominations for the vice chair. B. Hellmuth nominated B. Fay for the vice chair position. J. Bidwell asked three times for any other nominations. B. Hellmuth moved to close the nominations and cast a unanimous vote for B. Fay as vice chair. Seconded by; C. Winters. All ayes; motion passed. J. Bidwell asked for nominations for secretary. E. Szymanski nominated C. Winters as secretary. J. Bidwell asked three times for any other nominations. B. Hellmuth moved to close the nominations and cast a unanimous vote for C. Winters as secretary. Seconded by; B. Fay. All ayes; motion passed.

Approval of Minutes (January 3, 2018): B. Hellmuth moved to approve the minutes as written. Seconded by; B. Fay. All ayes; motion passed.

Approval of Special Meeting Minutes (March 29, 2018): E. Szymanski moved to approve the minutes as written. Seconded by; B. Fay. All ayes; motion passed.

Comments from Audience: None

Correspondence: None

Reports

- **TWP Board (B. Hellmuth):** A written report was provided. B. Hellmuth gave a brief synopsis of his report. *(Please see report attached).*
- **Zoning Administrator (P. Budnik):** A written report was provided. *(Please see report attached).*

- **Planning Commission (E. Szymanski):** A written report was provided. E. Szymanski gave a brief synopsis of his report. *(Please see report attached).*

Unfinished Business

- **Bylaws Follow-up (Revision):** J. Bidwell suggested postponing the review until the July 3rd meeting.

New Business

- **MTA Training Report (B. Fay, J. Bidwell & E. Szymanski):** Members discussed the information that was given at the training. B. Fay advised that he had learned the difference between a use variance and non-use variance and that 99% of variance requests were for non-use and that 8 out of 10 variance requests were denied. They also reviewed some factors for determining a practical difficulty that was included in the materials and decided to review our ordinance for possible changes.
- **Parliamentary Procedures:** J. Bidwell advised that she had researched motions under Roberts Rule of Order and advised that you do not make a negative motion. Discussion was made regarding a negative motion. J. Bidwell advised that there is either no motion made or you make a motion to approve and deny the motion through a roll call vote. She advised that the maker of the motion can vote against the motion, but cannot take a position against it in the discussion.

Adjournment: With no further business to discuss; the meeting was adjourned at 9:25 pm.

Meeting Reminder: The ZBA will meet again on Tuesday, July 3, 2018 at 7:00 pm for their regular scheduled meeting.

Respectfully submitted; Kimberly S. Bedard, Administrative Assistant

ZBA Liason Report for May meeting

B. Hellmuth

- Jan:
- Possibility of getting a VA memorial (a rock from LaFarge & a plaque from a man from E. Tawas)
 - Dec. tax collections were up due to new tax cut for '18
 - Re-appointments made for different boards
 - Possible memorial bench at Lighthouse park
 - Petty cash procedures approved for PIFD
 - Final audit question was found to be an auditor's typing error
 - Discussion on lighthouse banners, cost to replace vs. seasonal removal
- Feb:
- Wolverine fireworks given approval for 2018 display
 - Cemetery-bronze medal markers ordered
 - PIFD purchase of fire truck equipment approved. Also repairs approved for fire rescue truck
 - BS & A accounting software change approved
 - Resolution approved for grant for voting equipment for country
- Mar:
- Assessor to be paid as twp. employee not independent contractor beginning April '18
 - PIFD examining grant writing
 - Supervisor would like a grant writer for twp. funded in next budget
 - Hellmuth to explore road millage possibilities with road commission to hasten our road repairs
 - Approved routing charter franchise agreement
 - Scheduled budget mtgs for Saturday mornings
 - First payment for BS & A accounting software is due
 - Board agreed not to put auditor out for bids because of consistency needed during needed during change over to BS & A
- April:
- Two special budget mtgs 4/7 & 4/23

- Regular mtg 4/9
- Fire dept. expenditures to equip trucks
- Planning Commission report on cemetery lighting sent back to *planning* commission; pet ordinance accepted & sent to county for review
- Twp. donation to fireworks fund \$500 to each (Long Lk & PI harbor)
- Parks & Rec-scheduled 4 summer concerts 7/1 – 8/1. Community donations supporting this program
- Road millage discussion also signed (9) discussion on PI Twp
- Report from PI Quarry Community Advisory Group (10 of 12 members present)
- Next mtg Mon 5/14. Les Nichols comm. Service award on agenda

Board of Trustees Report

April 9, 2018

From Zoning Administrator

Permits issued in April 2018- 4 Permits issued YTD - 15

Permits issued 1st Quarter of 2018 - 11

Permits issued 1st Quarter of 2017 – 2

Permits issued 1st Quarter of 2016 - 6

March 1, 2018

- 1) Issued LUP for new construction & accessory building on Garrity Lane on Grand Lake.
- 2) Issued LUP for a 30'x 80' pole barn on Bell Bay Road that was approved last year by the PC.
- 3) Received inquiry from concerned resident regarding a lack of a Dog Ordinance—put on agenda for March 5th .2018 PC meeting.
- 4) Notified ZBA chair of a Special Variance Request and need to coordinate a meeting. (March 29th at 7PM)
- 5) Drafted Public Report for Special ZBA meeting.
- 6) Created notification report to public within 300' for Special Variance Request on Grand Lake Blvd.

March 2, 2018

- 1) Drafted Planning Commission Report
- 2) Drafted Special Variance Report for March 29th meeting

March 5, 2018

- 1) Attended PC meeting and issued LUP to resident who's Site Plan Review for a 40'x 60' accessory building was approved

March 9, 2018

- 1) Drafted BOT report.

March 15, 2018

- 1) Issued LUP for 2,400 sq. ft house on Long Lake in Big Graveley Sub.
- 2) Issued LUP for 16'x22' deck on existing house on White Birch St
- 3) Returned several call to builders for future construction LUP.

March 22, 2018

- 1) Issued LUP for 314 sq. ft. deck at Albany Point Subdivision.

March 29, 2018

- 1) Received an application for a Site Plan Review for May 7th PC Meeting.

April 5, 2018

- 1) Reviewed Leow's revised Land Use Permit post ZBA approval , verified conditions of approval met.
- 2) Drafted BOT report.
- 3) Assisted caller with LUP application for construction of garage on Pine St.

April 12, 2018

- 1) Prepared publication to public for a variance request for a 30' x 40" garage on Grand Lake off US23.

April 19, 2018

- 1) Prepared letter to property owners within 300 feet of variance requestor's home.
- 2) Drafted list of property owners to be notified of upcoming variance request.
- 3) Issued LUP for construction of a new house and garage on Grand Lake off E. Grand Lake Rd.
- 4) Issued LUP for 30' x 40' accessory building on Pine St.

5) Met with resident regarding several complaints with neighbor.

April 26, 2018

- 1) Issued LUP for 28' x 12'7" accessory building on E. Grand Lake Road.
- 2) Issued LUP for 12' x 18' enclosed porch & 12' x 26' deck on Grand Lake Blvd.
- 3) Responded to email of complaints from resident regarding neighbor.
- 4) Contacted Propane Plus regarding protocol and requirements for propane tank location determinations.
- 5) Reviewed Ordinance regarding definition of "structures" as it applies to setbacks.

Report by : Philip R. Budnik /s/

Planning Commission Update

- **January - No Meeting**
- **February - No Meeting**
- **March - 1 site plan review. Also, scheduled public hearings for Dog/ Pet Ordinance and Solar Lighting in the Cemetery.**
- **April – Developed Dog/ Pet Ordinance. Along with Solar Lighting in the Cemetery.**
 - **Dog/ Pet Ordinance**
 - “It shall be unlawful for any person who owns a dog to allow any dog to stray unless held properly in leash. The only exception to this leash requirement is working dogs such as leader dogs, farm dogs, hunting dogs and other such dogs when accompanied by the owner or his/her authorized agent and while actively engaged in activities for which such dogs are trained. The Township Zoning Administrator shall have the authority to enforce this dog leash ordinance and may issue a citation, summons or appearance ticket for a violation of this ordinance.”
- **Solar Lighting**
 - “Solar Lighting will be allowed with the following regulations: (1 watt – 20 lumens only) one per cemetery plot not being any taller than 3ft in height.”
- **Expectation for May – continue to review Cemetery Ordinance, also have two site plan reviews. Any questions or suggestions?**

**PRESQUE ISLE TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING & APPEAL HEARING
Held July 3, 2018**

Call to order: The meeting was called to order at 7:00 pm. by the Chairman: J. Bidwell.

The Pledge of Allegiance was recited.

Roll Call: Members present: J. Bidwell, B. Fay, E. Szymanski, C. Winters and B. Hellmuth.

Approval of Agenda: B. Hellmuth moved to approve the agenda as written. Seconded by; B. Fay. All ayes; motion passed.

****Public Hearing Open @ 7:01 pm. - Pardieke – Appeal (Site Plan Review):** E. Szymanski excused himself from the hearing at this time, due to conflict of interest. J. Bidwell advised that there is a request of an appeal of a site plan that was approved by the Planning Commission on May 7, 2018. She advised that the site plan approval was for a 40' x 60' accessory building and the ZBA members will have to decide if the Planning Commission failed to follow proper procedure in granting the approval. R. Steiger, Attorney representing the Pardieke's and the Kropp's, explained that the Pardieke's were not notified via mail of the site plan request. Therefore Article 4, Section 4.6 F was not followed. B. Szymanski responded to the board with several objections. She advised that the Pardieke's may not have been notified via mail, but they did attend the meeting on May 7, 2018 and spoke their opposition.

****Public Hearing Closed @ 7:16 pm. Board Discussion and Decision:** Board members discussed the appeal at this time. Several points were made regarding the zoning ordinance and the procedures that need to be adhered to. J. Bidwell suggested that the site plan review should go back to the Planning Commission for proper notification. C. Winters moved to refer the site plan back to the Planning Commission with input that has been brought forward, regarding the size of the building and to allow proper notification. Seconded by; B. Hellmuth. Discussion was made regarding proper notification. A roll call vote was made. All ayes; motion passed.

Approval of Minutes (May 1, 2018): B. Hellmuth moved to approve the minutes as written. Seconded by; B. Fay. All ayes; motion passed.

Comments from Audience: None

Correspondence: None

Reports

- **TWP Board (B. Hellmuth):** A written report was provided. B. Hellmuth gave a brief synopsis of his report. *(Please see report attached).*
- **Zoning Administrator (P. Budnik):** A written report was provided. *(Please see report attached).*
- **Planning Commission (E. Szymanski):** E. Szymanski advised that they had approved a 30'x48' accessory building with a 10'x48' lean to (roof overhang). He also advised that he had suggested that the ordinance be reviewed and defined regarding a practical difficulty and hardship for variances.

Unfinished Business

- **Bylaws Follow-up (Revision):** J. Bidwell suggested postponing the review of the bylaws until the September 5, 2018 meeting.

New Business

- **Review Section 28.10 of Zoning Ordinance:** The board members discussed briefly the criteria for granting a variance. Board members agreed to discuss the section further at the September 5, 2018 meeting.

Adjournment: With no further business to discuss; the meeting was adjourned at 8:54 pm.

Meeting Reminder: The ZBA will meet again on Wednesday, September 5, 2018 at 7:00 pm for their regular scheduled meeting.

Respectfully submitted; Kimberly S. Bedard, Administrative Assistant

BHA.

May 14, 2018

- Steve Lange receives Les Nicols Citizen of the Year Award.
- Broad band committee report.
- Planning Commission to review entire cemetery ordinance.
- Fireworks to be shot off at Crystal Point again.
- Gift shop restocking and will increase open hours.
- Cemetery veterans' memorial in the works.
- Fire Board large expenditures on equipment.
- DNR boat launch on Grand Lake being rebuilt.

June 11, 2018

- Final budget hearing and adoption.
- Final PIFD budget adopted (will use some of reserve to purchase more equipment.)
- Twp. border signs to go up soon. (Green and white, 12 x 18)
- Fireworks 7/7 to be shot off at Crystal Point again due to high water. (Approved by PIHA).
- Summer concerts at lighthouse (7/11, 7/18, 7/25, 8/1). Numerous local sponsors to cover costs.
- Jenny Matuzak reported on maritime trail signage, grants, and exhibits.
- Lighthouse roads were graveled, graded, and brined.
- New information sign to be placed by recycle dumpsters to assist in communication to residents.
- Old lighthouse restoration estimated at \$140k. Grant being pursued.
- Gift shop to be open 7 days a week 10-5 till Labor Day, thereafter only Fri-Mon 10-5.

Planning Commission and ZBA Report

May 7, 2018

From Zoning Administrator

Permits issued in May 2018 - 5 Permits issued YTD – 27

June 5, 2018

- 1) Performed Liquor Inspection at Portage Restaurant.
- 2) Received call regarding Appeal to the ZBA.
- 3) Reviewed Section 28.8 Appeals
- 4) Emailed ZBA Chair regarding Appeal
- 5) Conferred with Supervisor on Appeal Prepped report for ZBA
- 6) Reviewed Appeal letters

June 7, 2018

- 1) Assisted several walk in residents with zoning inquiries.
- 2) Performed Liquor Inspection on Portage Store

June 12, 2018

- 1) Issued Land Use Permit (LUP) for a new foundation for a cottage raisin and placement.
- 2) Drafted letter to owner's within 300 feet of resident for which the appeal has been filed.
- 3) Sent letter to Appellants via certified mail of appeal.
- 4) Sent letter & stay order via certified mail to owner of proposed pole barn appeal.
- 5) Issued LUP for construction of a 50' x 28' house on Lake Huron-N. Bay Shores Subdivision.

June 14, 2018

- 1) Assisted architect with setbacks on Parallel Ave for new construction plans.
- 2) Performed Liquor Inspection on Birch Hill Store.

June 19, 2018

- 1) Issued LUP for 24' x 30' detached accessory building on Blue Horizon Sub
- 2) Issued LUP for 68' x 30' house and 24' x 31' attached garage in Limberlost Subdivision on Grand Lake.
- 3) Assisted caller on process for a Special Use permit on south side of Warren Creek Road (zoned – Environmental Conservation)

June 26 & 29, 2018

- 1) Assisted callers with zoning questions
- 2) Drafted PC report

Report by : Philip R. Budnik /s/

**PRESQUE ISLE TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING & PUBLIC HEARINGS
Held September 5, 2018**

Call to order: The meeting was called to order at 7:00 pm. by the Chairman: J. Bidwell.

The Pledge of Allegiance was recited.

Roll Call: Members present: J. Bidwell, B. Fay, E. Szymanski, C. Winters and B. Hellmuth.

Approval of Agenda: B. Hellmuth moved to approve the agenda as written. Seconded by; E. Szymanski. All ayes; motion passed.

****Public Hearing Open @ 7:01 pm – Variance - Conrad:** The applicant requested a variance to reduce the rear setback from 20 feet to 9 feet on one side and 11 feet of the other side to construct a 24'x32' accessory building on his lot. The applicant stated that he would like to have 25 feet between his home and the accessory building to minimize fire damage. The applicant provided photos of neighboring properties that have accessory buildings with reduced setbacks.

****Public Hearing Closed @ 7:14 pm – Board Discussion & Decision:** The board members discussed the request and asked S. Lang if there was a requirement in the zoning ordinance that stated that buildings needed to be a certain amount of feet from each other. S. Lang advised that there are no requirements. Discussion was made regarding a practical difficulty. B. Fay moved to approve the variance request. Seconded by; C. Winters. Upon a roll call vote of 2 ayes and 3 nays the motion was denied based upon a finding that no practical difficulty had been determined.

****Public Hearing Open @ 7:24 pm – Appeal (Pardieke & Kropp):** Due to a conflict of interest; E. Szymanski excused himself at this time. At this time J. Bidwell asked if the application fee had been submitted and discovered that it had not and the board members agreed that they would not be able to proceed with the hearing. Appellants then stated that, pursuant to Section 28.8 B of the zoning ordinance, they have 30 days after approval of the Planning Commission's (PC) minutes, which were approved on September 4, 2018 and will have until October 5, 2018 to file their appeal. J. Bidwell advised the appellants that they had in fact filed for an appeal on August 7, 2018, with a document that stated "Please consider this a formal notice of appeal". J. Bidwell advised the appellants that if they pay the \$150.00 application fee, they can proceed with the appeal. The appellant's attorney stated that the document that was filed on August 7, 2018 was not the filing of an appeal. After much discussion regarding the appeal process, it was decided that the appellants will have until October 5, 2018 to file a formal appeal and pay the required application fee of \$800.00 for a special meeting (public hearing) that will be determined by the ZBA Chair.

****Public Hearing Closed @ 8:00 pm:** E. Szymanski rejoined the regular meeting at this time. B. Hellmuth moved to not hear the appeal hearing at this time because the formal appeal that was filed did not include the application fee, as per Section 28.8 D of the zoning ordinance and the appellants will have 30 days after the approved August 2018 PC minutes to file a formal appeal and pay the application fee of \$800.00 and a special meeting will be scheduled by the ZBA chair. Seconded by; J. Bidwell. Upon a roll call vote 4 ayes and 1 abstention. Motion passed. B. Fay moved to approve lifting the stay on the Szymanski site plan until a formal appeal and fees are made. Seconded by; B. Hellmuth. Upon a roll call vote 4 ayes and 1 abstention. Motion passed.

Approval of Minutes (July 3, 2018): B. Fay moved to approve the minutes as written. Seconded by; J. Bidwell. All ayes; motion passed.

Comments from Audience: None

Correspondence: None

Reports

- **TWP Board (B. Hellmuth):** A written report was provided. B. Hellmuth gave a brief synopsis of his report. *(Please see report attached)*.
- **Zoning Administrator (S. Lang):** A written report was not provided at this time. S. Lang advised that he has been busy with various issues brought to his attention by residents and that he has been reviewing the zoning ordinance regarding the appeal process and site plan reviews.
- **Planning Commission (E. Szymanski):** A written report was provided and a brief synopsis was given. *(Please see report attached)*.

Unfinished Business

- **Bylaws Follow-up (Revision):** J. Bidwell provided a copy of the Sample Zoning Board of Appeals Bylaws from the Michigan Zoning Enabling Act and suggested that board members review the sample and discuss at the January 2, 2019 meeting.
- **Review Section 28.10 of Zoning Ordinance:** The members agreed to postpone until the January 2, 2019 meeting.

New Business

- **Review of Expiring Terms (Board Members):** J. Bidwell's term ends on December 31, 2018. She advised that she would like to stay on as the chair. B. Hellmuth moved to recommend approval of term renewal for J. Bidwell by the Board of Trustees. Seconded by; E. Szymanski. All ayes; motion passed.

Adjournment: With no further business to discuss; the meeting was adjourned at 8:45pm.

Meeting Reminder: The ZBA will meet again on Wednesday, January 2, 2019 at 7:00 pm for their regular scheduled meeting.

Respectfully submitted; Kimberly S. Bedard, Administrative Assistant

ZBA Liaison Report – September 2018

Hellmuth

7/9/18 - Discussion and ideas on recycling program (millage, cameras, dumping, emptying).

- Success of the 4th of July celebration noted.
- 3 Probate judge candidates were introduced.
- Gift shop success noted.
- Dog leash ordinance approved.
- Steve Lang recommendation approved as Zoning Administrator.
- Veterans' plaque at cemetery planning.
- FEMA reviewing flood insurance on Great Lakes homes.
- More PIFD purchases.
- LaFarge/PITwp. CAG reported.
- Ins. Reductions for PIFD residents come in September.
- Committee protocol approved.
- Broadband hearings set for 8/15 and 8/22.
- Discussion and *APPROVAL* of one office chair.

8/13/18 - Lot split approved on Long Lake.

- BS & A software conversion having a few glitches. More money approved for BS & A and audit conversion and training.
- Lake Huron view across from 1905 museum being discussed for maintenance.
- Report on 638 bridge and Grand Lake level per Jerry Smigelski's report to Men's Club.
- 3 display boards approved for Twp. communication (Garritty Hall, Twp. Hall entrance, and recycle bins).
- Sportsmen's Club seeking matching grant money for north end of Grand Lake boat launch facility.
- Special project fund for donations approved.
- Special broadband meeting 8/22/18 with Twp. Board and residents.
- Next meeting 9/10/18 @ 7 p.m.

Planning Commission Update

- **May – Site Plan Review for a 40'X60' accessory building zone R-2 which was approved with stipulations that vinyl siding be put on the front of the building. Along with further discussion of the cemetery ordinance's.**
- **June – Site Plan Review for a 30'x48' accessory building with an attached 10'x48' Lean to was approved. The Planning Commission stating that there was plenty of greenspace, that it is built of similar quality materials that match the neighborhood. The Planning Commission further discussed of the cemetery ordinance's.**
- **July – The Planning Commission members gave their input and suggestions on changes to Cemetery Ordinance's along with scheduling a Public Hearing for August's meeting. Tom Guyer invited Lafarge to give an annual report for the meeting in August.**
- **August- A public hearing was held for Cemetery Ordinance's. Planning Commission members gave their input and suggestions. Along with changes the passing of solar lighting in the cemetery was approved upon the following 1 light per grave site 1 watt (20 lumens) next to the head stone no more than 36 inches in height. Along with any lighting for veterans & military memorial purpose to follow flag educate. A special use permit for a 40'x60'x15' accessory building, zone FR, was approved with the stipulations that it not be used for commercial and no living space within the accessory building. Additionally, a site plan review for a 40'x60' accessory building was re-approved with the stipulation that vinyl siding be put on the front of the building. Alan Idalski from Lafarge gave a presentation on future development in the Presque Isle Lafarge Quarry. Along with stating that if you have any question or concerns to contact him.**

Signed /EJS

**PRESQUE ISLE TOWNSHIP
ZONING BOARD OF APPEALS
PUBLIC HEARING
Held September 27, 2018**

Call to order: The meeting was called to order at 7:00 pm. by the Chairman: J. Bidwell.

The Pledge of Allegiance was recited.

Roll Call: Members present: J. Bidwell, B. Fay, E. Szymanski, C. Winters and B. Hellmuth.

Approval of Agenda: B. Hellmuth moved to approve the agenda as written. Seconded by; B. Fay. All ayes; motion passed.

****Public Hearing Open @ 7:00 pm – Appeal (Pardieke & Kropp):** Due to a conflict of interest; E. Szymanski excused himself at this time. J. Bidwell asked R. Steiger (Attorney representing the Appellants) to present the appellants case regarding the appeal of an approved site plan to build a 40' x 60' accessory building by the Planning Commission (PC). The Kropp's and Pardieke's (appellants) all spoke regarding their opposition to the site plan approval. B. Szymanski (Site Plan Applicant) spoke in defense of their site plan approval by the PC. ZBA members asked if there could be any harmonious solutions that could be made between the appellants and the site plan applicant. R. Steiger asked if he could have 5 minutes to convene with his clients. The ZBA members agreed to allow a 5 minute recess. The meeting was paused at 8:30 pm and resumed at 8:35 pm. R. Steiger advised that the appellants agreed that they will not challenge the building on Lot 27 and will challenge the building on Lot 25 (current lot request of construction).

****Public Hearing Closed @ 8:41 pm (Discussion & Decision):** The ZBA members discussed the appeal at this time. B. Fay moved to uphold the planning commission's decision to allow the Szymanski's site plan of the pole barn and to deny the appeal. Seconded by; B. Hellmuth. Discussion was then made by the ZBA members. A roll call vote was taken; 2 ayes and 2 nays. With a tied vote, the motion failed. The ZBA members continued discussion to determine if there could be a compromise. C. Winters moved to approve the recommendation of the planning commission with the condition that the applicant will plant evergreens the height of the eaves on the rear and fence side of the accessory building, to help conceal the structure. Seconded by; B. Hellmuth. A roll call vote was taken. All ayes; motion carried.

Adjournment: With no further business to discuss; the meeting was adjourned at 9:26 pm.

Meeting Reminder: The ZBA will meet again on Wednesday, January 2, 2019 at 7:00 pm for their regular scheduled meeting.

Respectfully submitted; Kimberly S. Bedard, Administrative Assistant