

**PRESQUE ISLE TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING
Held January 14, 2020**

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, B. Hellmuth, E. Szymanski, C. Winters and C. Smith, Alternate.

Guests: 10

Approval of Agenda: B. Hellmuth moved to approve agenda as submitted. B. Fay seconded. All ayes; motion passed.

Approval of Minutes (September 4, 2019): B. Hellmuth moved to approve the minutes as written. E. Szymanski seconded the motion. Roll call vote. All ayes; motion passed.

Comments from Audience: No comments.

Correspondence: J. Bidwell received correspondence regarding this Zoning Board of Appeals meeting. (*Please see attached*).

Public Hearing on request for variance for 1824 Schwartz Street:

- Tom Evashevski, attorney for the Malone family of 1824 Schwartz Street, explained the reasons for the request and stated that a practical difficulty had been established. He also stated that the fact that there was a 20 foot easement on that side of the house provided an additional reason to approve the request.
- Neighbors of said property were present and had the opportunity to voice their concerns in regard to the property line infringement.
- After hearing all sides of the issue and comments including the owner of the construction company, it was determined the problem could be resolved by reducing the overhang from the house. C. Winters asked by reconstructing the overhang, if that would resolve the issue. S. Lang indicated that it would.
- C. Winters motioned the variance request be denied since it can be resolved by readjusting the eaves. J. Bidwell seconded. Roll call vote. All Ayes; motion passed.
- The Public Hearing concluded at 7:50 p.m.

Reports

- **TWP Board (B. Hellmuth):** B. Hellmuth submitted his written report. (*Please see attached report.*)
- **Zoning Administrator (S. Lang):** A synopsis of the Malone property and structure was given. If the structure was placed on the lot according to the site plan, the owner would not have this problem of the house infringing on neighboring properties. S. Lang was prepared to discuss zoning implications and answer any pertinent questions required to resolve this issue.
- **Planning Commission (E. Szymanski):** A brief synopsis was given. The Planning Commission has been focused on reviewing all Township ordinances with Denise Cline from NEMCOG. The commission's goal is to clearly define ordinances and update them.
- **Unfinished Business None**

New Business

- Eric Szymanski's resignation from the Planning Commission was accepted. The board was advised that Eric Szymanski has a new job and will be resigning from the Planning Commission. The board wished him well and agreed that Eric was an excellent liaison to the ZBA and will be missed.
- A review of NEMCOG'S amendment presentation of Township Zoning Ordinance Article I. was conducted.
- Planning for ZBA representation at future Planning Commission meetings for NEMCOG presentations was discussed. Definitions within ordinances will be changed in the final ordinance, which will eliminate extra language and less confusion. Very beneficial for ZBA members to attend Planning Commission Meetings. B. Fay will represent the ZBA at the next Planning Commission Meeting on March 2, 2020.

Adjournment: With no further business to discuss; the meeting was adjourned at 8:35 pm.

Meeting Reminder: The ZBA will meet again on Tuesday, May 5, 2020, at 7:00 pm for their regular scheduled meeting.

Respectfully submitted: Beverly J. Huard, Administrative Assistant

To All Presque Isle Township Residents and Property Owners

This notice is to inform you of a Presque Isle Township Zoning Board of Appeals hearing. The review has been requested by and for the following;

Applicant: Karen L. Malone

Property under review; 18264 Schwartz Street Presque Isle MI 439777

Parcel Code: 120-033-000-051-00

Purpose: The applicant is requesting a variance from the Southeast corner of the new dwelling approximately 29 feet Northeast along the Easterly lot line from 19 inches to 5 feet 2 inches. The normal set back could be a little as 5 feet on the side lot line on this non-conforming lot of record.

The Zoning Board of Appeals meeting will be held on Tuesday, January 14, 2020 during the regular Zoning Board of Appeals meeting. The meeting begins at 7:00pm. Questions or comments may be directed to:

Jennifer Bidwell, Chairman, 12653 East Grand Lake Rd., Presque Isle MI 49777

Stephen R. Lang
Zoning Administrator

From: Jennifer Bidwell
Sent: Thursday, January 9, 2020 4:09 PM
To: Jennifer Bidwell
Subject: Fwd: parcel code 120-033-000-051-00

Begin forwarded message:

From: Celia Taylor <lewncelia@gmail.com>
Date: January 2, 2020 at 3:30:34 PM EST
To: Jennifer Bidwell <bidwellguyer@gmail.com>
Subject: parcel code 120-033-000-051-00

Thank you for your response.

On Thu, Jan 2, 2020 at 3:28 PM Jennifer Bidwell <bidwellguyer@gmail.com> wrote:
Mr. and Ms. Taylor,

Thank you for your input in this matter. I will include the contents of your letter when the request is heard on the 14th.

Jennifer Bidwell

On Dec 30, 2019, at 4:18 PM, Celia Taylor <lewncelia@gmail.com> wrote:

Ms. Bidwell,

My name is Leland Taylor and I received a note from Presque Isle Township about a variance request by Karen Malone. The meeting is scheduled for January 14, 2020 in reference to this matter. I do not live in the area as this is a seasonal residence for us. I am unsure as to the effect of this matter regarding my property but **do not want any infringement on my parcel**. Please feel free to contact me in reference to this matter at 810-360-8448. Our seasonal residence is 18265 Schwartz.

Thank you,

Leland & Celia Taylor

From: Jennifer Bidwell
Sent: Friday, January 10, 2020 12:30 PM
To: Ken Long
Subject: Re: Zoning Board Meeting - Karen L Malone

Mr. Long,

Thank you for your comments on the variance request. I will read them into the record at the hearing on the 14th.

Jennifer Bidwell

On Jan 10, 2020, at 8:26 AM, Ken Long <klong513@gmail.com> wrote:

Property owners Kenneth J & Linda L Long (Trustee: Adam Long) live out of state and cannot attend your meeting of January 14, 2020. At this meeting you will discuss a property line variance request for Karen L Malone (Parcel Code: 120-033-000-051-00). We support granting the requested variance to Mrs. Malone. The variance request is adjacent to a right of way and no building is allowed on the right of way which makes the normal building clearance concerns unimportant. Furthermore, we have seen the newly constructed building and it is an attractive addition to the area that can positively effect property values.

--

Ken Long

From: Thomas Clapp
Sent: Thursday, January 2, 2020 7:55 PM
To: bidwellguyer@gmail.com
Subject: 18264 Schwartz St. Presque Isle. Mi .

We approve of the variance! The cottage will be beautiful and a great addition to the neighborhood!

Sent from my iPhone

From: Jennifer Bidwell
Sent: Thursday, January 9, 2020 4:04 PM
To: Jennifer Bidwell
Subject: Fwd: Support for granting variance for 18264 Schwartz Street, Presque Isle, MI

Begin forwarded message:

From: Jennifer Bidwell <bidwellguyer@gmail.com>
Date: January 9, 2020 at 4:02:27 PM EST
To: marlene11clapp@gmail.com
Subject: Re: Support for granting variance for 18264 Schwartz Street, Presque Isle, MI

Ms. Clapp,

Thank you for your comments. I will read your letter into the record at the meeting on Tuesday.

Jennifer Bidwell

On Jan 8, 2020, at 7:16 PM, marlene11clapp@gmail.com wrote:

Dear Ms. Bidwell,

I have received your letter regarding the variance application for 18264 Schwartz Street, Presque Isle, MI. I cannot attend the meeting on January 14th but am writing to say that I am in full support of granting a variance to this property. My property is right next door.

I have lived here for 28 years, and all of the cottages along this part of the lake were built to face the lake. The new structure was built to be parallel to the existing cottages and fits nicely with the area. The problem is that the lot lines here are at a sharp angle to the lake, making the corners of the cottages close to the lot lines. The cottages on both sides of this property were granted variances which allowed them to be right on the lot line. Keep in mind that the adjacent property is an easement which all the cottages have a right to use. The easement cannot be built upon. The location of this new structure in no way impedes the use of this easement.

This is a beautiful cottage and it fits nicely with the neighborhood. Therefore, I support granting the variance.

Respectfully,

Marlene Clapp

18247 Timrick Lane

Presque Isle, MI 49777

Sent from my iPhone

Liaison Report - B. Hellmuth

9/9/19

- Former dump property (Yakitam) cannot be sold without boring tests.
- No road millage unless volunteer citizens group is started.
- Long range planning meeting 10/5
- Request for cemetery rule exemption denied unless cremated and put in parents' plot.
- NEMOG ordinance review to begin with Planning Comm. (up to 9 mtgs.)
- New signs at lighthouses.
- Old Lighthouse temporary repairs 1 by Matt B. and summer help.
- PIFD open house 10/6/19
- 150th anniversary of new lighthouse being planned.

10/14/19

- PIFD Chief Forbush made presentation
- PIFD purchased more turnout gear
- Zoning Adm. changing hours and working on directional signs
- Twp. Historian reports grant from MBank received
- BOT approved 47K for New Lighthouse painting
- PITWP CAG studying special assessment district for Lake Esau
- Purchase of new mtg. recorder and printer approved
- Renew snow plowing contract with Ravitz at same cost
- Employee continuity files required by 1/1/20

11/11/19

- Lighthouse painting completed and paid.
- Transferred ~ 45k from road fund to rec. long range fund. Road fund to be kept at 500k.
- Directional signs project being by Cynthia and Steve.
- Join Chamber of Commerce in Alpena and Rogers City.
- PIFD rescue ice training approved.
- Cherry Capital got ok to proceed with temporary towers provided all approvals are obtained.

12/9/19

- New Admin. Assistant, Bev introduced
- Cherry Capital gave update including how it is working with Planning Commission on ordinance (sec. 3.1 & 20.13) revisions regarding communication towers. (had special meeting in Dec.)
- Reviewed Twp. Audit
- To hire Paychex for payroll at no increase over the amount paid previously to Kim.
- Cemetery costs to be reviewed at next meeting.

**PRESQUE ISLE TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR MEETING
Held July 7, 2020**

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, B. Hellmuth, C. Winters and C. Smith

Guests: 8

Approval of Agenda: B. Hellmuth moved to approve agenda by moving Reports after New Business. B. Fay seconded. All ayes; motion passed.

Approval of Minutes (January 14, 2020): B. Hellmuth moved to approve the minutes as written. B Fay seconded the motion. Roll call vote. All ayes; motion passed.

Comments from Audience:

Correspondence: J. Bidwell received correspondence regarding this Zoning Board of Appeals meeting. *(Please see attached).*

Public Hearing: St. Charles Request for Variance

- J. Bidwell opened the public hearing. This is a non-conforming structure with a front setback of 40'. Mr. St. Charles is requesting to build a sunroom with front setback of 25.5'.
- Mr. St. Charles explained the necessity to build a larger home for his family and the need for the for the site plan variance
- J. Bidwell read the letter from Amy Liakos,
- J. Bidwell closed the public hearing. Following comments from the commission members, the ZBA Commission began deliberations on the proposed site plan to build a sunroom with a front setback of 25.5'.
- C. Winters moved to deny the variance request due to increased nonconformance of a nonconforming structure. B. Fay seconded the motion. Roll call vote. All Ayes; motion passed.
- The St. Charles Public Hearing concluded at 7:30 p.m.

Public Hearing: Kamysiak Request for Variance

- R. Kamysiak described the need for his side yard setback to be reduced to 5'. He proposed building a 24' x 48' detached structure on his lot and wants to move it to 5' of the side property to enter and exit his garage.
- ZBA commission members and Mr. Kamysiak discussed alternative building plans to be within the 10' ordinance guidelines.

- J. Bidwell closed the public hearing. Following comments from commission members, the ZBA Commission began deliberations on the proposed site plan to build a 24' x 48' detached structure with a 5' setback.
- C. Winters moved the variance be denied based on no showing a practical difficulty. Bill Fay seconded the motion. Roll call: All Ayes; motion passed.
- The Kamysiak Public Hearing concluded at 7:55 pm.

Public Hearing: Lamb Request for Variance

- J. Bidwell opened the public hearing. Mr. Lamb requested to build an accessory structure in the front yard, with a 36' set back.
- A lengthy discussion with Mr. Lamb and the ZBA commission members to place the accessory structure elsewhere on his property was not acceptable to Mr. Lamb.
- J. Bidwell closed the public hearing. Following comments with commission members, the ZBA members began deliberations on the proposed site plan to build an accessory structure in the front yard of an existing dwelling, with a reduction of the front yard set back to 36'.
- J. Bidwell moved to deny variance, as a practical difficulty had not been established. C. Winters seconded the motion. Roll call vote: All Ayes; motion passed.
- The Lamb hearing concluded at 8:55 p.m.

Public Hearing: Mr. Bugenske Variance Request

- J. Bidwell opened the public hearing. B. Hellmuth excused himself from the matter, as he is a friend of Mr. Bugenske. Mr. Bugenske requested to have a permanent 24 square foot sign built on the corner of Highway 638 and Grand Lake Road, on behalf of the Wooden Boat Show.
- Mr. Bugenske pointed out the existing temporary sign is in poor condition and should be replaced with a newer, permanent sign. He felt this would be a great update to the neighboring Presque Isle Harbor area, as that is where the Wooden Boat Show is held. Much discussion was held as to the necessity of the sign what the sign would look like, etc.
- J. Bidwell read two letters of neighbors within 300 feet of proposed sign. Both were not in favor of a permanent sign.
 - a. Mr. John Costin
 - b. Ms. Shari Weber
- J. Bidwell closed the public hearing. Following comments from commission members, the ZBA commission began deliberations on the proposed new sign for the boat show.
- C. Winters moved that this variance be denied for the Wooden Boat Show sign based on its size. J. Bidwell seconded the motion. Roll call: All ayes; motion passed.

Reports

- **TWP Board (B. Hellmuth):** B. Hellmuth submitted his written report. (*Please see attached report.*)
- **Zoning Administrator (S. Lang):** S. Lang submitted his written report. (Please see attached report.)
- **Unfinished Business None**

New Business

Adjournment: With no further business to discuss; the meeting was adjourned at 8:35 pm.

Meeting Reminder: The ZBA will meet again on Tuesday, September 1, 2020 at 7:00 pm for the regular scheduled meeting.

Respectfully submitted: Bev Huard, Administrative Assistant

**PRESQUE ISLE TOWNSHIP
ZONING BOARD OF APPEALS
PUBLIC HEARING
SEPTEMBER 1, 2020**

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, B. Hellmuth, C. Winters and C. Smith

Guests: 10

Approval of Agenda: B. Hellmuth moved to approve agenda as prepared. B. Fay seconded. Roll call; All ayes; agenda approved.

Approval of Minutes (July 7, 2020): B. Hellmuth commented there was a motion in the Lamb garage variance request that was withdrawn.
C. Winters moved to approve the minutes with the addition of withdrawn motion. B Hellmuth seconded the motion. Roll call vote. All ayes; motion passed.

Comments from Audience: None

Correspondence: None

Public Hearing: Kubik Request for Variance

- J. Bidwell opened the public hearing for a 16 'X 32' garage with a four foot side yard setback.
- Mr. Kubik explained the necessity to build the garage where drawn on the plans and that he cannot move the garage toward the lake due to well and septic system placement. There is a drain field in the back. He brought updated drawings showing utilities and also passed out drawings of the yard lot lines.
- A discussion was held with ZBA commission members and Mr. Kubik regarding his garage placement and size to comply with 10' setback ordinance.
- J. Bidwell closed the public hearing. Following comments from the commission members, the ZBA Commission began deliberations on the proposed site plan. To satisfy setback regulations, members discussed options to reduce the width of the garage, move garage toward the well and build the garage parallel to the house.
- J. Bidwell moved to deny the variance for reasons stated on record. Bill Fay seconded the motion. Roll call vote; All Ayes. Motion passed.
- The Kubik Public Hearing concluded at 7:30 p.m.

Public Hearing: Wilson Request for Variance

- Mr. Wilson built a deck near the water without knowing the setback regulations. He built the deck so he could sit there and enjoy the lake. He stated he will remove the deck when he moves.

- ZBA commission members and Mr. Wilson discussed available options. If his variance is approved, the approval is setting a precedent for other lake owners to build decks in violation of the 50' setback.
- J. Bidwell closed the public hearing. Following comments from commission members, the ZBA Commission began deliberations on the nonconforming deck. Ordinances are in place to make a general plan to see what our community will look like.
- C. Winters moved the variance request be denied due to the deck can be moved closer to the house. J. Bidwell seconded the motion. Roll call: All Ayes; motion passed.
- The Wilson Public Hearing concluded at 7:50 pm.

Reports

- **TWP Board (B. Hellmuth):** B. Hellmuth submitted his written report. (*Please see attached report.*)
- **Zoning Administrator (S. Lang):** S. Lang submitted his written report. (Please see attached report.)
- **Unfinished Business: None**
- **New Business:** Article #3 reviewed by ZBA Commission members. Bart Hellmuth's last ZBA meeting was recognized and J. Bidwell thanked him for his service.

Adjournment: With no further business to discuss; the meeting was adjourned at 8:20 pm.

Meeting Reminder: The ZBA will meet again on Monday, January 5, 2021 at 7:00 pm for the regular scheduled meeting.

Respectfully submitted: Bev Huard, Administrative Assistant