



PRESQUE ISLE TOWNSHIP
ZBA Special Meeting Minutes - Draft
November 13, 2024 - 7:00 p.m.

Call to Order

The meeting was called to order at 7:00 PM

Pledge of Allegiance

Pledge was recited.

Roll Call

Present: Chair Charles Smith, Planning Commission Liaison Tom Guyer, Board of Trustees Liaison Mary O'Neill, and member Larry Fields. Zoning Administrator Steve Lang was also in attendance.

Absent: Vice Chair David Larkin and Secretary Dennis Cleary.

Approval of Agenda

A motion was made by Fields, supported by Guyer, to approve the agenda. All ayes. Motion carried.

Approval of Minutes

The board determined that the minutes of the July 2nd meeting will be considered at the regular meeting on January 7th, 2025.

Audience Comments: (3-minute limit)

None.

Correspondence:

None.

Public Hearing:

a. Donajkowski Accessory Structure (Gazebo)

Smith called to order a public hearing to consider a petition for a nonuse variance submitted by Jeff Donajkowski of 9620 Lake Street, Presque Isle, Michigan, 49777, parcel no. 122-185-000-013-00. The petitioner was requesting a variance to build a 20'x16' gazebo with a 34' setback from the original high-water mark. The subject property is a vacant residential lot zoned in the R2 district.

Zoning Administrator Steve Lang began the hearing by presenting a summary of the project. He indicated that the proposed gazebo would be in violation of the Presque Isle Township Zoning Ordinance in two ways:



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1. The accessory structure would be built on a vacant residential lot.
2. The setback of the structure would be 16 feet short of the 50-foot requirement.

Lang said one solution for the petitioner would be to combine the vacant lot with his adjoining improved lot and create one building site. Lang stated that he had not received confirmation from Assessor Laurie Spencer that this had been done. Lang also informed the board that a dimensional variance requires a practical difficulty of the lot. He added that he had visited the property and saw that the gazebo had already been erected.

Petitioner Jeff Donajkowski was then introduced and took questions from the board. He indicated that he had only put up the framing of the gazebo temporarily and could easily take it down. He also stated that his reasoning for the proposed gazebo's placement was to allow enough room for a home addition in the future.

Guyer asked if he had already combined the parcels. Donajkowski stated that he and his wife had sent the paperwork to the assessor but hadn't heard back.

Guyer next asked if the house was already there when he bought his property and if he bought it from the original owner. Donajkowski answered affirmatively to both questions.

Fields asked about the accuracy of the parcel number on the application. Donajkowski was unclear if it was correct. Lang later confirmed that it was.

Lang questioned why Donajkowski couldn't build an addition to the front of his house. After a brief discussion, it was determined not to be possible.



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Smith inquired about the location of the septic field which Donajkowski clarified.

When there were no further questions from the board, Smith asked if any members had received correspondence. Smith noted that Lang had been contacted by two of Donajkowski's neighbors who had no objection to the construction of the gazebo.

Smith then closed the public hearing and the board entered deliberations.

Fields stated that given the two violations of the zoning ordinance, he couldn't approve the structure.

Guyer referenced parts E and F of Section 8.6 of the zoning ordinance which states that variances must comply with the following:

- That the need for the requested variance is due to unique circumstances or physical conditions of the property involved such as narrowness, shallowness, shape, water or topography.
- That the need for the requested variance is not the result of actions of the property owner or previous property owners.

Guyer indicated that neither criterion had been met and for those reasons, he would be opposed to granting the variance.

O'Neill said she would like to wait until the board is sure that the lots have been combined and it's shown that there aren't any other possible options to building an addition.

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Guyer noted that Donajkowski would need to combine the parcels and submit a site plan that's drawn to scale and meets all the requirements.

When there were no more comments, Guyer made a motion, supported by O'Neill, that the board reserve a decision until presented with proof that the lots have been combined and have been presented with a site plan that conforms to the ordinance. All ayes. Motion carried.

Adjournment:

The meeting was adjourned at 7:37pm.

Meeting Reminder: The next ZBA meeting is scheduled for Tuesday, January 7th, 2025, at 6pm.