

ALPENA TOWNSHIP ZONING BOARD OF APPEALS

MINUTES - Regular Meeting - Tuesday, September 18, 2007

MEETING COMMENCED: 7:00 PM

PLEDGE OF ALLEGIANCE

THOSE PRESENT

Jim Milstein, Stan Mischley, Ed Robin - Chair, Irma Schuelke and Lori Werda

ABSENT

None

OTHERS PRESENT

Bobby Adkins - 1 Peebles Street, South Hill VA

Nancy Smithem - Applicant

John Borisow - 9547 W Long Lake Rd

June Borisow - 9547 W Long Lake Rd

ADOPTION OF AGENDA

APPROVAL OF MINUTES

Under Section A, Case #Z-04-07, change FFA to FAA. With these changes, S. Mischley made a **motion** to **approve** the minutes of August 2, 2007, J. Milstein **supported**. **Motion passed unanimously by all members.**

PUBLIC MEETING PARTICIPATION RULES

CORRESPONDENCE

CASES

A. Case # Z-05-07

Heritage Neon (for Peebles Store), requests a sign variance. Property is located at 2676 US 23 South, Parcel No. 018-103-000-199-00, in a B-3 Zone District.

All ZBA members visited the site.

Discussion

Bobby Adkins explained that a 6 ft sign is standard for Peebles and the company mass produces them. Stan Mischley pointed out that in new times, we need the township board to address signage and increase the allowable size of signs in the township ordinance.

J. Milstein made a **motion** to **approve** Case #Z-05-07, **supported** by S. Mischley.

Reasons for approval are:

- a. Not a traffic hazard;
- b. Past practice to allow larger signs; and
- c. Changing ordinance is under consideration by Planning & Zoning Commission.

Roll Call:

J. Milstein-aye; S. Mischley-aye; E. Robin-aye; I. Schuelke-aye; L. Werda-aye. **Motion passed unanimously by all members.**

B. Case # Z-06-07

Jim & Nancy Smithem, request setback variances to the front and side yards. Property is located at 9539 W. Long Lake Road, Parcel No. 018-195-000-171-00, in a WR Zone District.

All ZBA members visited the site.

Discussion

Nancy Smithem explained that the lot is only 50 ft and not enough room to enjoy the lake. Mrs. Smithem offered no explanation as to why a permit was not pulled. John Borisow has two 6 ft fences that get bombarded with snow because the Smithem home is so close to the lake and extra snow blows over. The Borisows have had 14 inches of water in their crawl space in 2007 and 4-5 inches in 2006.

The board discussed that this problem was brought to the building inspector's attention by the assessing department. The water is low, about 19 inches down, and being that close to the OHWM is not safe, is not allowed and shouldn't be done at the expense of the neighbor's view. The non-conforming railing on the deck blocks the neighbor's view. It was pointed out that Mr. Smithem is in the construction business and the he should have known a permit was needed.

E. Robin made a **motion to deny** Case #Z-06-07, **supported** by S. Mischley.

Reasons for denial are:

- a. Both setbacks are in violation of the ordinance;
- b. Remedial condition could have been discussed with L. Klimaszewski, the building inspector;
- c. Concern for safety and health issues.

Roll Call:

J. Milstein-aye; S. Mischley-aye; E. Robin-aye; I. Schuelke-aye; L. Werda-aye. **Motion passed unanimously by all members.**

DISCUSSION

J. Milstein questioned why this board did not attend the Alpena Township Vision Session which was held on September 17, 2007.

NEXT MEETING will be held on October 16, 2007

MEETING ADJOURNED: 8:15 p.m.

Respectfully submitted,

Lori Werda
Secretary

LW/ldt