

**CITY OF KEEGO HARBOR
ZONING BOARD OF APPEALS (ZBA)
MEETING MINUTES
TUESDAY, SEPTEMBER 24, 2019**

CALL TO ORDER: Chairman Balutowicz called the meeting to order at 7:00 pm

ROLL CALL:

Present: Chairman Balutowicz, Vice Chairman Emerling, Commissioners Trzos, Svaluto and Michael

Absent: Commissioner Reising

Chairperson Balutowicz; Steven Bernstein resigned from this board after 12 years of service. We would like to thank him for his dedicated service.

Motion by Commission Emerling to seat Svaluto and Michael as voting members of the ZBA Board for tonight's meeting, support by Commissioner Trzos.

Ayes: 3 Nays: 0 Motion carried

STAFF PRESENT: Clerk Tammy Neeb and City Planner Jason Smith

APPROVAL OF MINUTES

Motion to approve the August 28, 2019 Meeting Minutes by Commissioner Trzos; support by Commissioner Svaluto.

Ayes: 5 Nays: 0 Motion carried

Motion by Vice Chairman Emerling to move the Oath of Office to after the variances have been heard, support by Chairman Trzos.

Ayes: 5 Nays: 0 Motion carried

NEW BUSINESS

1798 Cass Lake Front Street (Lots 4 and 5):

Planner Smith indicated that the applicants request is for a Dimensional (Non-Use) Variance 1798 Cass Lake Front: NR Neighborhood Residential District, Section 15.26(d)(1) Site Grading, Slope Away from Building, and Finished First Floor Elevation. 1790 Cass Lake Front Street and 1800 Cass Lake Front Street, Lots 4 and 5, No Easements and Restrictions (Formerly known as 1798 Cass Lake Front Street)

Tax ID #, 18-02-276-048 (Lot 5) and 18-02-276-049 (Lot 4)

The applicant proposes to increase the maximum finished floor height from 2.5 feet to 6.50 feet above the center line elevation of the fronting street on Lot 4 and; Section 15.26(d)(1) the applicant proposes to increase the maximum finished floor height from 2.5 feet to 10 feet above

the center line elevation of the fronting street on Lot 5. The proposal is to construct two new homes, one on each of the two vacant lots. The properties are located on lake frontage lots. A variance of 4 feet and 7.5 feet of finished first floor height is requested, respectively.

Motion by Chairman Balutowicz to approve the dimensional variance request for ZBA-19-002, 1798 Cass Lake Front (Lot 4, Tax ID# 18-02-276-049) for Section 15.26(d)(1) Site Grading; to increase the maximum finished floor height from 2.50 feet to 6.50 feet above the center line elevation of the fronting street. A variance of 4.00 feet of finished first floor height is granted; as the request meets all the specific standards for practical difficulty from Section 17.03(c) of the Zoning Ordinance based on the existing site topography, support by Vice Chairman Emerling.

Ayes: 5

Nays: 0

Motion carried

Motion by Chairman Balutowicz to approve the dimensional variance request for ZBA-19-002, 1798 Cass Lake Front (Lot 5, Tax ID# 18-02-276-048) for Section 15.26(d)(1) Site Grading; to increase the maximum finished floor height from 2.5 feet to 10 feet above the center line elevation of the fronting street. A variance of 7.50 feet of finished first floor height is granted; as the request meets all the specific standards for practical difficulty from Section 17.03(c) of the Zoning Ordinance based on the existing site topography, support by Commissioner Svaluto.

Ayes: 5

Nays: 0

Motion carried

2251 Willow Beach Street:

Planner Smith indicated that the applicants request is to reduce the front yard setback from the required 47.5 feet to 41 feet. This deviates from the ordinance requirement by 6.5 feet.

Section 4.08(4)(a) the applicant proposes to reduce the minimum side yard setback from 30% to 20% (12 feet required/8 feet proposed). The proposed variance is 4 feet on the south side of the property.

Section 4.08(8)(a) the applicant proposed to reduce the waterfront yard setback to exceed ordinance allowance by 5.5 feet. The required waterfront setback is 29.5 and 24 feet is being proposed

Section 4.08(10)(a) the applicant proposes to enlarge the permitted lot coverage of 30% to a total lot coverage of 30.9%. The proposed variance is .9%

Public comment:

Jeff 2243 Willow Beach has a 40' wide lot, we have a 2-car garage. I welcome this new home to the neighborhood.

Motion by Vice Chairman Emerling to approve the dimensional variance request for, 2251 Willow Beach Street for a dimensional variance for Section 4.08(3)(a) Front Yard Setback to exceed ordinance allowance but principal structure shall not project any further to the property line than the neighboring home to the north; Section 4.08(8) (a) Waterfront Yard Setback to exceed ordinance allowance but principal structure shall not project any further to the lakefront than the neighboring home to the south; Section 4.08(4)(a) Side Yard Setback to exceed ordinance allowance by 4 feet on one side (south side) and ; Section 4.08(10)(a) to enlarge the permitted lot coverage of 30% to a total lot coverage of 30.9%. The dimensional variance is 0.9%, as the requests

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meet the specific standards for practical difficulty from Section 17.03(c) of the Zoning Ordinance based on the existing lot dimensions and existing conditions on neighboring properties along Willow Beach Street. Additionally, the applicant shall provide a licensed survey to the City of Keego Harbor showing that all setbacks are met before permits are issued. Support by Commissioner Svaluto.

Roll Call: Michael yes, Emerling yes, Trozs yes, Svaluto yes, and Balutowicz yes. Motion carried

COMMUNICATIONS

ADJOURNMENT:

Chairman Balutowicz adjourned the meeting at 8:00pm

Scott Balutowicz
Chairman, Zoning Board of Appeals

Tammy Neeb
Keego Harbor, City Clerk