

**CITY OF KEEGO HARBOR  
ZONING BOARD OF APPEALS (ZBA)  
VIRTUAL MEETING MINUTES  
WEDNESDAY, SEPTEMBER 23, 2020**

**CALL TO ORDER:** Chairman Balutowicz called the meeting to order at 6:00pm

**Roll call:** Chairman Balutowicz, Vice Chairman Emerling, Board Members Marilyn Svaluto, Phil Trzos, and Corine Streng.

**Staff Present:** Planner Jason Smith, Council Member Theresa Shimansky and Clerk/Acting City Manager Tammy Neeb.

Absent: Nick Michael

Motion by Vice Chairman Emerling, support by Member Svaluto to excuse Member Michael.

Roll call: Balutowicz yes, Emerling yes, Trzos yes, Svaluto yes and Streng yes. Motion carried

**APPROVAL OF MINUTES**

Motion by Vice Chairman David Emerling, support by Marilyn Svaluto to approve the September 24, 2019 meeting minutes.

Roll call: Balutowicz yes, Emerling yes, Trzos yes, Svaluto yes and Streng yes. Motion carried

**New Business**

- 1) Request for Amendment to Zoning Dimensional Variance request NR Neighborhood Residential District, Section 15.26(d)(1) Site Grading, Slope away from building and finished first floor elevation.

Discussion: Corine Streng questioned how to resolve this issues with the first floor elevation. Planner Jason Smith explained that this issue it going to be addressed. Vice Chairman wanted to clarify that 1800 Cass Lake Front is the only property that is need of the variance.

Applicant: Derik Babi explained the originally granted would be difficult to meet. HRC's opinion that the approved variance does not seem to fit the topography and aesthetic of the adjacent homes on the roadway. It is recommended that the ZBA consider amending the variance provided for 1800 Cass Lake Front from 4 feet to 5.75 feet.

**No Public comment**

Motion by Emerling support by Streng to approve to approve the amendment to the dimensional variance request for ZBA-20-002, 1800 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 8.25 feet above the center line elevation of the fronting street. A variance of 5.75 feet of finished first floor height is granted; as the request meets all of the specific standards for practical difficulty from Section 17.03(c) of the Zoning Ordinance based on the existing site topography and based on the engineer recommendation.

Roll call: Balutowicz yes, Emerling yes, Svaluto yes, Trzos yes and Streng yes. Motion carried

- 2) Zoning dimensional (non-use) Variance request, NR Neighborhood Residential District, Section 15.13(b), Section 15.13(c), and Section 15.13(e) Accessory Building, to allow an accessory building within the front yard within the NR District.

Applicant: Linda Cassavoy explained the existing shed was damaged and in need of replacement. The shed has been at this location for 20 years. The shed is Linda's only means of storage on her property.

Discussion: Great information was provided to ZBA by the applicant, no further discussion is needed.

**No Public comment**

Motion by Member Svaluto, support by Member Trzos to approve the dimensional variance request for ZBA 20-001, 2066 Willow Beach Street for Section 15.13(b) and (c) to allow the replacement of the existing driveway within the existing footprint and the replacement of the detached accessory building in the front yard within the Neighborhood Residential (NR) District which will include an accessory building/shed that is eight (8) feet in height and 80 sq/ft in area (8 feet by 10 feet) and Section 15.13(e) to allow an accessory structure to be 3 feet 3 inches from the main building and a distance to be determined by the ZBA from the south side property line as the request meets the specific standards for practical difficulty from Section 17.03(c) of the Zoning Ordinance based on the existing lot dimensions, existing site limitations, location, and limited rear yard area.

Roll call: Balutowicz yes, Emerling yes, Svaluto yes, Trzos yes and Streng yes. Motion carried

**Appointment of Officers**

Vice Chairman Emerling nominate Scott Balutowicz, no other nominations came before this board.

Scott Balutowicz accepts the nomination.

Motion by Vice Chairman, support by Member Svaluto to appoint Scott Balutowicz as Chairman of the ZBA.

Roll call: Balutowicz yes, Emerling yes, Svaluto yes, Trzos yes and Streng yes. Motion carried

Member Svaluto nominates David Emerling to Vice Chairman, no other nominations came before this board.

David Emerling accepts the nomination.

Motion by Member Svaluto, support by Member Streng to appoint David Emerling as Vice Chairman of the ZBA.

Roll call: Balutowicz yes, Emerling yes, Svaluto yes, Trzos yes and Streng yes. Motion carried

**Adjournment**

Meeting Adjourned at 6:53 pm

  
Scott Balutowicz  
Chairman, Zoning Board of Appeals

  
Tammy Neeb  
Keego Harbor, City Clerk