

**HAYES TOWNSHIP  
ZONING BOARD OF APPEALS MINUTES  
SZEWEZUK HEARING  
April 27, 2005**

The Zoning Board of Appeals meeting was called to order by acting chair Joni Hosler at 7:30 p.m.

Members present were Fred Parsons, Joni Hosler, Brad Kessler, Scott Parker, and Marlene Golovich. Also present were Lisa Zipp, secretary and Ethel Knepp, zoning administrator. Audience members present were Martin Nemec (builder for owner), Jim McMahon, and Diane McMahon.

The purpose of this hearing was to re-visit some issues from the Stephen Szewezuk hearing held on March 9, 2005 regarding property tax number 15-07-400-014-00 located at 7049 Nine Mile Point Drive.

At that time the Board adopted two Resolutions:

(A) to grant a thirty-five (35) foot lakefront variance from Section 5.13 of the zoning ordinance conditional on:

1. The stairs do not extend out further than the edge of the deck, going further into the setback. The stairs will have to be built off to the side;
2. The roof overhang of the portion of the deck/sunroom to be enclosed cannot extend beyond the variance granted for the edge of the deck;
3. The shoreline protection strip to be replanted with native trees and shrubs with the purpose of such being to protect the shoreline and lake; The ZBA is to see a landscaping plan/drawings for approval; The landscaping plan may be presented to the ZBA at their next meeting (not scheduled yet); The actual planting is to be completed by the end of summer 2005;
4. If the above conditions are not met, the deck will have to be torn down.

(B) To table the rear and side yard variances requested to build a garage until the next ZBA meeting due to needing more information on relocation of the garage.

Martin Nemec, builder for the owner, was present to represent the owner and speak about these requests. The first matter addressed was the landscaping plan for replanting the shoreline protection strip. The Zoning Board of Appeals reviewed the landscaping plan. Marlene Golovich asked about the height of the arborvitae going in. Martin Nemec responded that according to our ordinance, the trees had to be at least 5 feet tall, and said they would probably be 6 or 7 feet going in. Marlene also voiced her concern with the maintenance of the trees and shrubs so they would not be planted and then neglected to die. Martin Nemec stated it was their intent to install a drip irrigation system on a timer, as the property owner is only here on some weekends and vacations. He further stated the landscaping will be done by Wood and Water Designs out of Central Lake. Ethel Knepp stated that only organic material should be used to aid in the planting and not to

bring in a bunch of fill.

Marlene Golovich made a motion, supported by Fred Parsons, to approved the landscaping plan for the replanting of the shoreline protection strip of the Stephen Szewezuk property, tax i.d. number 15-07-400-014-00 located at 7049 Nine Mile Point Drive, with the following provisions:

1. The trees will be a height of at least five (5) feet tall when planted;
2. Only organic material shall be brought in to aid in the planting;
3. Any existing trees within the shoreline protection strip that are dying are to be maintained or replaced;
4. The re-planting of the shoreline protection strip is to be completed by the last day of August 2005.

ROLL CALL VOTE:

|                  |     |
|------------------|-----|
| Brad Kessler     | Yes |
| Scott Parker     | Yes |
| Joni Hosler      | Yes |
| Fred Parsons     | Yes |
| Marlene Golovich | Yes |

MOTION CARRIED.

The second issue discussed was the variances requested to build a two car garage. Martin Nemec stated they are dropping this request. Martin stated that do not have room to build a two car garage anywhere on this property. Possibly in the future, they may build a one car garage and be able to meet setbacks.

Fred Parsons made a motion, supported by Marlene Golovich, to deny the request for a ten (10) foot rear (road-side) and side yard variance from Section 4.13 of the Zoning Ordinance for construction of a garage.

ROLL CALL VOTE:

|                  |         |
|------------------|---------|
| Brad Kessler     | Abstain |
| Scott Parker     | Yes     |
| Joni Hosler      | Yes     |
| Fred Parsons     | Yes     |
| Marlene Golovich | Yes     |

MOTION CARRIED. The request for a ten (10) foot rear (road-side) and side yard variance from Section 4.13 of the Zoning Ordinance is DENIED.

This hearing was concluded.

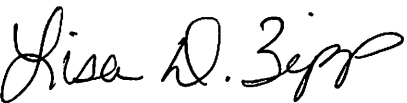
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**Note:** There was to be a hearing scheduled for Daniel Keyes, property tax number 15-07-400-103-00 located at 07203 Nine Mile Point Drive, but was cancelled. The owner inadvertently presented a survey for the wrong piece of property. Once the survey for the actual property in question was reviewed, it was obvious the owner could clearly meet setbacks without needing a variance.

In regular business, the Zoning Board of Appeals reviewed the minutes from the Szewezuk hearing held on March 9, 2005. Fred Parsons made a motion, supported by Marlene Golovich, to approve the minutes as written. Motion carried unanimously.

Joni Hosler made a motion, supported by Fred Parsons to adjourn the meeting. Without objection, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

  
Lisa D. Zipp, secretary

Minutes Approved AS written October 5, 2005

Mark Ch

Marlene Golovich, Secretary

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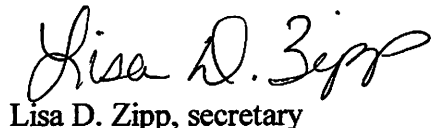
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