

MINUTES
HAYES TOWNSHIP
ZONING BOARD OF APPEALS
January 13, 1988

The meeting was called to order by Chairman, Fred Parsons at 7:30 p.m.

Zoning Board of Appeals members present: James Waier, Bill Henne, Richard Rathke, Betty Straw, Fred Parsons.

Appellant: Marvin VanderVeen

The purpose of the hearing: Appeal for a variance from Section 5.13A, Shoreland Protection Strip, 100' setback from normal high water mark.

Mr. VanderVeen presented the Board with the plans for his new home on Lake Charlevoix, and said that because he did not want to disturb the wetlands, the trees or the bank, he was applying for a variance so that he might build closer to the lake.

Bill Henne asked if the Ordinance could be met if the size or shape or location of the garage were changed.

Mr. VanderVeen, "Yes".

Mr. VanderVeen said that the plans had been altered to meet an 85' setback.

Fred Parsons, observed that the back portion of the lot was much higher, and a house built on this upper level would be clear of the wetlands.

Bill Henne asked "Could a house be built that would meet the ordinance requirements?"

Mr. VanderVeen, "By moving or eliminating the garage, yes."

Ron Graybiel asked if there was an alternate site on the backlot area.

Answer, "Yes."

Bill Henne reviewed the criteria 1 through 5 Section 7.05, of the Ordinance, and felt that criteria 1, 3, and 5 could not be met.

Bill Henne moved that the Variance request be denied, because it did not meet Criteria in Section 7.05, 1, 3, and 5, and because alternate building sites and plans are available to the property owner. James Waier seconded the motion.

Roll call vote: Ayes; James Waier, Bill Henne, Betty Straw, Richard Rathke. Nays; none.

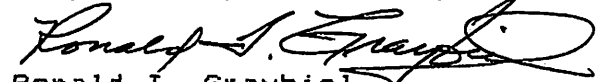
Motion carried.

Applicant requested a ruling on the deck "is it part of structure?"

Board - "Yes, considered part of the structure."

Adjourned at 8:12 p.m.

Respectfully Submitted,



Ronald I. Graybiel,
Hayes Township Clerk