

HAYES TOWNSHIP  
ZONING BOARD OF APPEALS  
HEARING  
AUGUST 14, 1996

The Zoning Board of Appeals Hearing was called to order at 7:37 P.M. by Vice-Chair Robert Alexander at the Hayes Township Hall, 09195 Old 31, Charlevoix.

Zoning Board of Appeals Members present were Doug Kuebler, LeRoy Brooks, and Robert Alexander.

Also present were Zoning Administrator Ethel Knepp, Kevin J. Whitley, and George Case.

The purpose of this hearing is to hear a request for a variance from Zoning Ordinance Section 4.13B setbacks. George Case is requesting a 15 foot side yard variance to construct an addition to his home located on parcel tax number 15-007-121-003-00 located at 08380 Shrigley Road in the A-1 zone.

George Case was present to explain his request. He would like to build a addition on the North Side of his home. He does not want to add on to the back because of the floor plan inside and because the home would be too long and narrow. George explained that he can't add on to the South side because of the existing drain field.

Ethel Knepp stated that the property is adjacent to R-2 on the South which only requires 15 foot side yard setbacks.

No one from the public spoke for or against this proposal.

George explained that the property directly to the North is a narrow access which is not wide enough to build on.

Doug Kuebler guessed that there would be 140 feet of open space before a building could be built to the North based on current setbacks.

Robert Alexander read the 5 criteria required to grant a variance:

1. Will not be contrary to the public interest or to the spirit and intent of this Ordinance. The parcel is adjacent to R-2.
2. Shall not permit the establishment within a zoning district of any use which is not permitted by right within that district.
3. Will not cause any adverse effect to property in the vicinity or in the zoning district or the Township.
4. Relates only to property that is under control of the applicant.
5. Affects only property subject to exceptional or extraordinary circumstances or conditions that do not generally apply to other property or uses in the vicinity, and have not resulted from any act of the applicant.

The location of the septic system, well and the existing floor plan and design of the home makes this location the best place for an addition. There could not be another home built within 140 feet of the North side of this addition.

Robert Alexander recommended a 17 foot variance to leave room for the overhang.

MOTION BY LEROY BROOKS TO APPROVE A 17 FOOT VARIANCE TO GEORGE CASE FOR PARCEL NUMBER 15-007-121-003-00 FOR THE PURPOSE OF CONSTRUCTING AN ADDITION TO THE EXISTING HOME BECAUSE THE REQUEST MEETS THE 5 CRITERIA AND THERE ARE CIRCUMSTANCES THAT DO NOT APPLY TO OTHER PROPERTIES. MOTION SECONDED BY DOUG KUEBLER.

ROLL CALL VOTE:

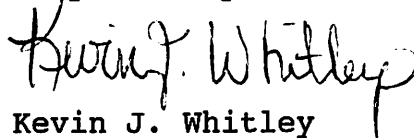
DOUG KUEBLER YES

LEROY BROOKS YES

ROBERT ALEXANDER YES MOTION APPROVED BY A 3 TO 0 VOTE.

HEARING ADJOURNED BY VICE-CHAIR ROBERT ALEXANDER AT 7:55 P.M.

Respectfully Submitted,

  
Kevin J. Whitley