

Zoning Board of Appeals

Unapproved Minutes of September 22, 2014

Variance request of Mr. & Mrs. Leonard Hintz III

3771 Old Coach Rd, Kinde, MI 48445

#3213-014-008-50

Meeting called to order by Chairman Jeanne Henry at 7:00.

Pledge of allegiance was recited.

Roll Call: Mike Manenti, Rich Ehrlich, Jeanne Henry, Arnie Russell, and Dick McIlhargie all present. Approximately 5 guests.

Approval of May 20, 2014 minutes: Russell made a motion to approve May 20, 2014 minutes, seconded by Ehrlich. All ayes- motion passed.

Chairman Jeanne Henry explained rules, procedures and standards for Zoning Board of Appeals decision.

Notice of hearing and two correspondence were read.

Mrs. Hintz stated that they wanted to put second story on cottage for more space. They have two children and need more room now. Eventually they want this to be retirement home. Don Vandenberg of D&R Builders,(who is going to be building the addition if approved) stated that due to the placement of the well and septic they have to build up to make home larger. He also stated that if the second story addition is approved the Hintz' will have a new septic put in to accommodate extra rooms. Dufty's Excavating has already given Mr. and Mrs. Hintz a price for a 1250 gallon tank. Russell asked if the ground had a perk test? Vandenberg replied yes and that he is leaving all that stuff with Dufty's Excavating and the Health Department. Manenti asked Mrs. Hintz if they had a survey done recently? Mrs. Hintz replied yes this past summer. Henry stated that she should've had a copy of the survey with the variance application. Vandenberg explained why they used the neighbor's survey. He stated the neighbors just had survey done and the monument is on the side of house in question for variance. Henry replied that Mr. and Mrs. Hintz should still had their own. Mrs. Hintz replied that she can get a copy to the Township Hall. There was discussion about the cottage holding a second story. Vandenberg stated that Tory Geilhart, Lake Township Building Inspector had already looked into the structure of cottage. He also stated that by allowing the variance the cottage would be up to all codes and a safer place to live.

Henry asked the ZBA members if the 80% rule applies for the 4'8" overhang. There was discussion between the ZBA members on the 6' setback and 80% rule.

Manenti stated that if Mr. and Mrs. Hintz get a septic permit, a copy of their survey, and something in writing from the Building Inspector on the foundation and structure of cottage he would be fine approving the variance.

Henry asked if the ZBA should table this until they receive all the documentation. Colletta stated the Hintz' can't do anything until the ZBA says yes or no to the variance anyway. Vandenberg stated he can't start any building job without all the documents anyway.

Henry then stated that the ZBA would need a copy of the survey, paperwork from the Health Department on septic, and something validated from the Building Inspector on the structure and foundation of the cottage as a contingency to granting the variance.

Public Comments:

Victor Rohner stated he thought the Hintz' were doing everything right with the new septic, leaving the footprint the same, everything will be up to code and safer. There were no neighbors against the approval of the variance. Mr. Rohner stated he thought the board should allow the variance.

Motion made by Russell to accept the variance with the contingency of the health department permit for septic, the survey on the property, and the structural verification from the building inspector Tory Geilhart. Seconded by Ehrlich.

Roll Call Vote:

Manenti: Aye Approving the variance with the restrictions in the motion.

Ehrlich: Aye #1 Practical Difficulties with the contingency in motion.

Henry: Aye #1 Practical Difficulties with the contingency in motion.

Russell: Aye #1 Practical Difficulties with the contingency in motion.

McIlhargie: Aye # 1 Practical Difficulties with the contingency in motion.

All ayes- motion passed.

Motion made by Russell to adjourn, seconded by Manenti.

All ayes-motion passed.

Meeting adjourned at 8:05 PM

Next meeting TBA

Jeanne Henry wanted it noted that Mr. & Mrs. Hintz should look into the amount of accessory structures on their property. Property owners are only allowed two.