

**ZONING BOARD OF APPEALS
PUBLIC HEARING/REGULAR MEETING
OCTOBER 2, 2019 4:00 P.M.**

Roll Call: Mike Molascon, June Kretzschmer, Ken Rathje, Teresa Calkins, Jo Anne Vander Meulen.

Others Present: Zoning Administrator Terry Kelly, Secretary Laura Horkey.

Chairman Molascon read the variance request, File #2019-03, Kevin Vaughn.

Date application filed:	09-04-2019 (revised 09-19-2019)
Date Notice of Hearing mailed to petitioner:	09-19-2019
Notice of Hearing in Newspaper: Tribune	09-16-2019
Notice of Hearing to Utility Companies:	09-19-2019
Notice of Hearing to residents within 300':	09-19-2019
Distributed to Board Members:	09-25-2019

Reading of variance request – Petition of Kevin Vaughn, to request a 2 ft. setback variance for an addition. Located at 6315 Woodbine Street. Parcel #3253-826-156-00. Zoned Residential.

Presentation by Petitioner.

Kevin Vaughn, owner of the property, explained the request and answered questions from the board member.

Public Comments – None

Correspondence – None

Chairman Molascon read the request of appeal, Warren Kappen submitted a petition to appeal the Zoning Administrators issued building permit for 6651 Harbor Street.

Presentation for Appeal.

Frank Keating, the attorney for Warren Kappen, explained the reason for the appeal in length with ordinance codes and verbiage.

Zoning Administrator.

Terry Kelly, Caseville City Zoning Administrator, advised he followed the ordinances to approve the building and site permits for the Withey's at 6651 Harbor Street.

Public Comments:

Jan Prill spoke against the project and advised there was errors in the building permit.

Warren Kappen spoke against the project and advised he has cleaned up the area.

Jim Zyrowski advised he spent time in the resort, bought a home because of the view and with the project the view will be gone, against the project.

Todd Talaski spoke against the project, non-conforming and does not fit in the area.

Jim Quinn spoke against the project and advised 25' is too tall, does not fit in the neighborhood and questioned the foundation.

Neil Jefferson advised he does not think it fits in the neighborhood.

Connie Curtis advised she moved from Caseville Township and she feels the project will block her view.

Jackie McIlhargie advised she is against the project and it will block the view.

Linda Balaze advised the project will hurt Kappen' resort business and is not for the project.

Dave Turnbull advised he is happy with the work done at Pt. Park and the sunsets, it would be wrong to block the view.

Mayor Des Jardins advised the sunset sets in a different spot every night.

Walter Tripp advised he lives on Harbor Street and he has no problem with the project.

John Tait advised when he built his home he had to meet all the set backs

Jan Prill advised of code and should research master plan.

Ken Bess advised he has a problem with the ordinances, if one person has to follow, all should follow.

Bob Gilling spoke in length of codes, what the building will be used for and regulations. He also wanted to know if permit was granted because of friendship. (Submitted his notes)

Terry Kelly stated the project was being used for and Antique restoration business and to store equipment for another business. He stated people losing the view is unfortunate although the Withey's should be able to use their property.

Bob Gilling inquired on an engineered stamped site application.

Terry Kelly advised the application did not have to go to the planning board.

Jim Quinn advised that Frankenmuth sticks to a theme, asked if the board is going to let people do whatever they want to do. Breakwall project is very nice and the requested project will ruin the view.

Warren Kappen advised all the people in the resort pay toward the taxes.

Rich Hildinger advised he bought in the resort and does not want the view blocked.

Pat Withey spoke of the conversation with Warren Kappen to buy the property. He advised what would happen if he decided to build a house and block all the view.

Jim Zyrowski spoke of being confused with residence or commercial. Is the project ADA compliant and advised it should be stamped by the state.

Terry Kelly advised the project is not stamped, self-built project. Using all engineered materials and following all codes.

Jim Quinn questioned structure.

Jim Zyrowski advised of stamp, advised board to look at it for a self-built stamped project.

Board Comments:

June Kretzschmer questioned Jan Prill on if the ordinances are up to date. Jan Prill advised she copied them from on line.

Ken Rathje advised he does not see a problem and he has been down in the area several times.

Teresa Calkins advised that if a view is wanted, a person should buy water front property.

Correspondence:

Letter from Roberta Wiegand against the Withey project due to taking away the view.

Molascon closed the Public Hearing at 5:10 p.m.

Molascon called regular meeting to order.

Motion, Carried, by Ken Rathje, second by June Kretzschmer to approve the minutes of the April 25, 2019 meeting. 5 -0 Approved.

Old Business: None

New Business:

Molascon read the four points to be met for the variance to be granted.

Motion, Carried, by Ken Rathje, second by June Kretzschmer to approve the variance request by Kevin Vaughn for up to 2' setback variance for an addition at 6315 Woodbine Street. 5-0 Approved

Motion, Carried, by Ken Rathje, second by Teresa Calkins to deny the petition to appeal the Zoning Administrators issued building permit for 6651 Harbor Street. 5 – 0 Approved

Other Business: None

Motion, Carried by Ken Rathje, second by Teresa Calkins to adjourn the meeting at 5:14 p.m. 5-0 Approved.

Submitted by:

Laura Horkey, Acting Secretary