

Denton Township Zoning Board of Appeals
Denton Township
August 10, 2018

Case #2018-004-Variance
Dean & Carol Marineau
Property #72-003-750-128-0000

Case #2018-005-Variance
Gordon Harvey
Property #72-003-210-032-0000

Case #2018-006-Variance
James Munger & Karen Johnson
Property #72-003-690-067-0500

Case #2018-007-Variance
Frank & Bettie Pirochta
Property# 72-003-670-058-0000

Case #2018-002-Revisit
David & Ashley Goodman
Property #72-003-320-002-0000

A legally advertised meeting was called to order in the Denton Township Hall by Chairman Lloyd Bonzo at 9:30 a.m.

Members Present: Chairman Lloyd Bonzo, Lynn Baese, Carl Seils, Morry McLain and Gail Kukuk.

Members Absent: None.

Others Present: Previous Zoning Administrator Kim Akin, Zoning Administrator Rachael Barnes, James Munger, Frank Pirochta, Bettie Pirochta, Dean Marineau, Matt Esch, Lynn Esch, Darin Snow, Gordon Harvey, Lou Hansen, Brad Marineau, Tom Miller and Sally Miller.

Motion by Baese supported by Kukuk to approve the minutes of the last Zoning Board of Appeals meeting held July 13, 2018. All ayes, motion approved.

Case #2018-004

Chairperson Bonzo introduced case #2018-004, parcel number: 72-003-750-128-0000, 146 Hazelwood, for a proposed side lot line variance request of 2' to build a new attached garage.

Zoning Administrator Akin stated that Marineau is looking to build a new attached garage. She stated his existing attached garage was built back when Lake James had setbacks of 5' and 10'. Now, Lake James mirrors the Denton Township setback requirements. She stated he was 2' short of meeting the setback requirement and that he could build a detached accessory building with no issue at all. Marineau wants to build it attached though, because aesthetically it would look better and he wants to keep it in line with the existing garage and house.

Meeting opened to the floor at 9:31am.

Marineau stated that he had talked with his neighbors and had all of them within 300ft sign a document stating that they are all in acceptance of him building this proposed new garage.

Bonzo asked if there was any correspondence, Akin stated, no other than the letter that was presented today by Marineau signed by his neighbors in favor of the request.

Meeting closed to the floor at 9:35am.

ZBA members deliberated. Baese stated that he reviewed the property and Marineau does not encroach near a lake or close to the lot line and has distance in between neighbors. He stated he would be in favor of the request. McClain and Seils agreed with his statement. Kukuk stated that she feels it would be a nice addition and that she doesn't think he is asking too much. Bonzo stated that it will improve the availability for the 1 car garage and that he has no problem with it whatsoever.

Motion by Seils, second by Baese to approve, parcel number: 72-003-750-128-0000, 146 Hazelwood Drive, for a 5'6" setback variance from the east side lot line to build an attached garage. All ayes, no nays. Motion approved.

Case #2018-005

Chairperson Bonzo introduced case #2018-005, parcel number: 72-003-210-032-0000, vacant parcel on Ottawa Lane, to build a new single family dwelling with a variance request of 14'.

Zoning Administrator Akin stated that the distance on the plat map shows 52' but that he actually has 62' on the water from the transient line. This lessens the requested 14' variance to only be a 9' variance request. Akin stated that he is a prime candidate for a variance because he has three influencing sides, he does not block anyone's view and he is not on the main water. Akin stated she sees no problem.

Meeting opened to the floor at 9:39am.

Esch the builder for the proposed project stated that they are not trying to build a large single family dwelling, just looking to utilize the lot. He stated it will be a 2 story home.

Bonzo asked if there was any correspondence, Akin stated no.

Meeting closed to the floor at 9:43am.

ZBA members deliberated. Kukuk stated that the home sits rough because he has 4 influencing sides. Kukuk stated she does not see a problem with the house, but did have concerns with the shed. There was discussion amongst the members regarding the location of the proposed shed.

Esch stated that he would move the shed to meet the required setbacks so that a variance would not need to be requested.

Seils stated that he feels he meets all the requirements for a dimensional variance and that he qualifies as an extraordinary circumstance due to the shape of his property. He stated he was good with it. McClain also stated he was good with it. Baese stated that he is a little hesitant on a brand new build because of the substantial variance request but that he does have three influencing sides so he would be in favor of the request. Bonzo stated that he does not see an issue with the request at this time.

Motion by Seils, second by Kukuk to approve parcel number: 72-003-210-032-0000, vacant parcel on Ottawa Lane, a 16' setback variance on the water side, south lot line, for Lot 33 Cherokee Village. Also, the proposed shed must be positioned on the property to meet the required setbacks. All ayes, no nays. Motion approved.

Case #2018-006

Chairperson Bonzo introduced case #2018-006, parcel number: 72-003-690-067-0500, 118 Jefferson Ave, to replace the existing sunroom on the front of the home in the same footprint. This would require a variance request of 10'.

Zoning Administrator Akin stated that the applicant is requesting to remove the existing sunroom and replace it in the same location. They are proposing 4' addition in width but the new sunroom will not be closer to the road than existing.

Meeting opened to the floor at 9:48pm.

Bonzo asked if there was any correspondence. Akin stated, yes and read neighbors letters that were in favor of the request and the Roscommon County Road Commission's letter who was in opposition of the request.

Munger stated that the existing sunroom was built in the 60's added over concrete. He stated it is all on the same grade which is an issue, room floods and it is not energy efficient. What he desires to do is put a new sunroom in the same footprint of the existing and move it over to center it with the house. He stated he is not creating anymore of a non-conformity just putting it in the same footprint.

Meeting closed to the floor at 9:58am.

ZBA members deliberated. Baese stated that it is not going out any further than the existing and it will make it look nicer. He stated that the snow plow travels slow, and that he is in favor. McClain stated that the members should pay attention to the letter from the Road Commission because it is close to the road. He stated he would be in opposition. Bonzo stated that nothing has changed from what he has now.

Munger stated that he is further back from the road than his neighbors.

Seils stated neighbors are either closer or the same. McClain stated that he had changed his mind. Seils stated based off of what he seen with adjacent neighbors that he is good with it. Kukuk asked about the slope of the landscaping and stated she has no problem because he is not asking for a side variance. Bonzo stated he had no problem with the request.

Motion by Baese, second by Seils to approve parcel number; 72-003-690-067-0500, 118 Jefferson Ave., a 15' front setback variance off of Jefferson to remove the existing sunroom and rebuild it in the exact same footprint. All ayes, no nays. Motion approved.

Case #2018-007

Chairperson Bonzo introduced case #2018-007, parcel number: 72-003-670-058-0000, 333 Old Trail Drive, to replace the existing kitchen and add 8x16 1 story in line with the existing bump out.

Zoning Administrator Akin stated that they are proposing to remove the kitchen and build an addition in the same location. In one spot it is 3'2" and in another spot 2'2" due to the angle of the addition.

Meeting opened to the floor at 10:00am.

Bonzo asked if there was any correspondence. Akin stated yes, and read the letter that was in favor of the request.

Pirochta stated that they own the house next door at 331 Old Trail Drive, and that they purchased this very small cottage in February. She stated that the kitchen is in disrepair, roof is sagging and the footings are bad. She stated she wanted to remove the kitchen and add a 1 story addition so that the home could be used as a space for family or company to stay in.

Pirochta stated that he wanted to give this home a second life.

Akin stated that this addition would make this home meet the size requirement that is required by the zoning ordinance.

Miller and Hansen, neighbors of the Pirochta's both stated that they had no issues with the request and that it will only increase the looks.

Meeting closed to the floor at 10:13am.

ZBA members deliberated. Kukuk stated that it would be an improvement and would be a nice addition to the neighborhood. Seils and McClain stated that they would be good with the request. Baese stated that he does not have a problem with this, however future owners have to be taken into consideration. He discussed moving the new addition back to meet current zoning requirements.

Motion by Kukuk, second by Seils to approve parcel number: 72-003-670-058-0000, 333 Old Trail Drive, a 4'2" & 5'2" side setback to remove the existing kitchen and replace with a 1 story addition. All ayes, no nays. Motion approved.

Revisit Case #2018-002

Akin stated that the motion for the last meeting regarding parcel number: 72-003-320-002-0000 & 72-003-320-003-0000 needed to be rescinded and new motion made due to an error. She stated that basically the variances approved at the last meeting needed to be flipped.

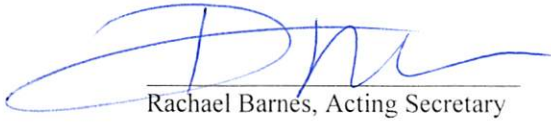
Motion by Seils, second by Baese to rescind the motion for parcel numbers: 72-003-320-002-0000 & 72-003-320-003-0000, after a fire loss to rebuild a new home, approving a 14' setback variance off of the alley and 12' setback variance off of Devonshire. All ayes, no nays. Motion approved.

No public comment.

There being no further business,

Motion by Seils, second by McClain to adjourn the regularly scheduled Zoning Board of Appeals Meeting at 10:32am. All ayes, no nays. Motion approved.

Respectfully submitted,



A handwritten signature in blue ink, appearing to read 'Rachael Barnes', is written over a horizontal line.

Rachael Barnes, Acting Secretary