

**Courtland Township
Zoning Board of Appeals
Wed., November 8, 2017 @ 7 PM
Courtland Township Hall**

The regular meeting of the Courtland Township Zoning Board of Appeals was called to order by Chairman Toby Koenig @ 7:00 p.m. Members present were Bassett, Bergeron, McIntyre, Koenig, and Nelson. Attendance of others is attached.

Approval of Agenda: The agenda was approved by a motion made by McIntyre, supported by Nelson, as presented. All members voting yes. Motion carried.

Minutes – September 13, 2017 Motion made by McIntyre, supported by Nelson, to approve the Sept. 13, 2017 meeting minutes as presented. All members voting yes, Motion carried.

Public Comment: None

Variance Request – Kirk & Carly McKay, 7115 Peninsula Dr., Sec. 28, Release from 5.04 District Regulations, Front Yard Setbacks, Lot Coverage and Sec. 2.01 Existing Lots of Record

Applicants, Kirk & Carly McKay were present to note their request. He stated he started a year ago to secure the rock wall and new proposed the deck/patio to extend over the rock wall area by 3 ft. The portion of the new patio area is still below the 8" ground level requirement is in compliance, but the new part that extends over the rock wall needs a variance for being too close to the lake (front yard). He feels they are not asking for anything out of the ordinary. They are just trying to take advantage of the hill and trying not to go too far out though. They will have a glass rail so as not to bother the vision of the lake for the neighbors.

Public hearing was opened by Chairman Koenig at 7:08 p.m. Neighbor, Michelle Mojzuk, 7165 Peninsula Dr. in attendance stated she was in favor of granting the variance. ZA, Brown stated that the Township had two phone calls from neighbors, Sally Klokkert, 7127 Peninsula Dr., and Dan & Susan Adams, 7160 Peninsula Dr. both in favor of the variance as well.

Hearing no further public comment, public hearing was closed by Chairman Koenig.

Board members reviewed the request. Nelson felt that they were within their limits to request the variance and seem to be the same distance to the lake from what the neighbors set backs were. Chairman Koenig agreed. Also in consideration of the large drop down to the lake, it is a good plan. Bergeron stated they do not seem to be encroaching on anyone else's view. McIntyre agreed especially with the glass rail.

Chairman Koenig read the five standards of review summary for consideration. He feels are standards have been met. McIntyre stated the response to the five standards from the McKay's was also helpful.

Member Bassett stated that with being a new member, his first reaction is that the site is not unique in shape or size. He did not see that exceptional narrowness or unique shape applied, all other lake lots are very similar in the area. He was concerned the application did not meet standard #1 and #4. All other standards seemed to be met.

Chairman Koenig stated he felt the request is the minimum necessary to achieve the goal of more deck area for the family and to utilize the hill area and still keep in line with the view area.

Motion was made by Koenig, supported by McIntyre, to approve the application for a 20 ft. front yard variance request as presented and to grant relief from Section 5.04, District Regulations, and Section 2.01 Existing Lots of Record. All standards of review were met. No side yard setbacks variances were necessary. All member voting yes. Motion carried.

Member McIntyre also suggested for Mr. McKay to contact the DEQ to be sure they are in compliance with the rock wall improvements and no permits are required for that work.

Planning Commission Report – Member Nelson noted the commission reapproved Squires Corner Subdivision that had expired. Tabled discussion for Airbnb rentals.

Township Board Report – McIntyre reported the Township appointed the two new ZBA members, Brandon Bassett and Chris Bergeron at their last meeting. An update in general was given about the Wolverine Water Contamination issue by Supervisor Krygier.

Adjournment – Meeting adjourned @ 7:30 pm by a motion made by Koenig, supported by Nelson. Motion carried.

Respectfully submitted,

Colleen Brown

Colleen Brown, Recording Secretary
& Zoning Administrator