

APPROVED 7/11/18

**Courtland Township
Zoning Board of Appeals
Wed., June 13, 2018 @ 7 PM
Courtland Township Hall**

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

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

Minutes – March 14, 2018 Motion made by McIntyre, supported by Brown, to approve the March. 14, 2018 meeting minutes as presented. All members voting yes, Motion carried.

Public Comment: None

Variance Request – Damon, 8580 Brower Lake Dr., Sec. 34, New Residence, Release from 5.04 District Regulations, Front, Side & Rear Yard Setback, Lot Coverage and Sec. 2.01 Existing Lots of Record

Applicant, Mr. & Mrs. Paul Damon, were present to note they are asking for a variance to explore their options. They currently have all three parcels they own for sale. They would like the option to build on the lake lot that is currently vacant and used their access to the lake. Their current home is a back lot across the street @ 8585 Brower Lake Dr. The lot is very small, but nothing to different from other parcels currently surrounding the lake, and does not meet the requirements for setback without a variance. The compensating factor is the road way actually runs more to the North on their current residence parcel and not where the designated easement area is identified on the map, which allows them to have an increased setback to the edge of the road as compared to the setback to their lot line. If they build on 8580 Brower Lake, the 8585 Brower Lake Res., will lose the access to the lake. They are planning to have the same setback to the lake in line with the neighbors to the East & West.

Public hearing was opened by Vice Chairman Nelson @ 7:10 pm

Comments were heard from the audience: Bill Dykstra, 8618 Brower Lake Dr., questioned if he would be able to build that close to the lake with a new deck if Mr. Damon is approved? The answer is that every application is considered on its own merit and does not set a precedent for others to capitalize on. Trish Castiglione, 8582 Brower Lake Dr., is concerned with overcrowding on the lake and to preserve the value of homes around the lake. The setback to their home being only 2'2" from the side lot line is also a concern. Also the view of the lake and being closer to the lake then their home would be something they are not in favor of. She feels their privacy will be effected by being so close. She feels they are trying to build too big

of a home on a small lot. The request seems to be to the extreme. She just wants to keep the area safe. Bill Cutler, 8530 Brower Lake Dr., questioned the options of selling the three lots as one. Mr. Damon, said that they were just exploring their options, they are not sure, if the current home sells with the lake lot, they would not need the variance. Trish Cutler, 8530 Brower Lake Dr., stated she is very familiar with the area and the process and feels maybe they are requesting to over build for the lot and should maybe scale down the house size a little more for that size of a parcel. Kelly Dixon, 8566 Brower Lake Dr., is also concerned with the domino effect if this variance would be approved. She wants to have gutters on her house, which she was told is not a part of the measurement to the setbacks and she would be able to have them. Setbacks are measured to the overhang, not the gutters. She does not want to destroy the beauty of living on the lake by having more new homes too close to the lot lines.

Members' further discussion was held on actual setback requirements without a variance and the proposed square footage of the living area. A house would not be buildable on the lot without some variance consideration. The height restriction was a concern. The setback from the road is also a concern for parking issues.

Public hearing was closed at 8 pm.

Mr. & Mrs. Damon felt it would be best if they request to have the board table a decision and they will go back to the drawing board and take into consideration comments made and see what new plan they can come up with to help compromise the matter rather than make a decision tonight. They will also have a surveyor come out to verify exact measurements to the lake and roadside.

Motion was made by McIntyre, supported by Brown, to table action for variance request @ 8580 Brower Lake Dr. until next month to allow time for the applicant to revisit the proposed site plan and modify it to try to make the situation better for all. All members voting yes. Motion carried.

Planning Commission Report – Nelson stated Golden Life Adult Foster Care Facility was given PC Approval for rezoning to R-1 and Special Land Use recommended approval to the Twp. Board.

Township Board Report – McIntyre reported the Township heard about a controversial issue with the Short Term Rentals and the new gate @ Brower Lake. The next Twp. bd. Mtg. will be July 3, 2018.

Adjournment – Meeting adjourned @ 8:14 pm by a motion made by McIntyre, supported by Nelson. Motion carried.

Respectfully submitted,
Colleen Brown, Recording Secretary
& Zoning Administrator