

BLAIR TOWNSHIP ZONING BOARD OF APPEALS
Regular Meeting - July 9, 2008

- A. The regular meeting of the Blair Township Zoning Board of Appeals was called to by Chairman Sanford at 6:00 pm at the Blair Township Hall.
- B. The Pledge of Allegiance was recited.
- C. Present at the meeting were Philo-Rice, Zeits, Lombard, Sanford, McGee and Fitzpatrick. There is currently one vacancy on the Zoning Board of Appeals. Chairman Sanford announced two new members to the ZBA, Mike Mapes and Dave Hamlin.
- D. There was no public input.
- E. Motion by Fitzpatrick supported by Zeits to approve the agenda as presented. Motion passed unanimously.
- F. Motion by Zeits supported by Fitzpatrick to re-elect officers to same offices. Motion passed unanimously.
- G. There was no conflict of interest stated.
- H. Motion by Lombard supported by Zeits to approve the minutes with the following changes:
 - Item J#1. Fitzpatrick, McGee and Sanford stated the same reason as Zeits.
 - Item J#1. Add “future” to acceptance of authority
 - Motion passed unanimously.
- I. Members Sanford, Fitzpatrick and Zeits all received phone calls regarding tonight’s Case #08-07.
- J. There was no unfinished business.
- K. 1.) CASE #08-07 REQUEST BY ELAINE SUMMERS FOR A RIVER SETBACK VARIANCE AT 1572 RIVER DR., PARCEL #28-02-011-017-00. REQUEST TO ALLOW A 16 FOOT SETBACK FROM THE BOARDMAN RIVER FOR A COVERED DECK IN THE BOARDMAN VALLEY ZONING DISTRICT. SECTION 13.04 OF THE ZONING ORDINANCE REQUIRES A 100 FOOT SETBACK FROM THE ORDINARY HIGH WATER MARK AND 50 FEET FROM THE CREST OF A BLUFF.

Elaine Summers presented her request for the variance, stating that she was not aware of the Natural River District, or that she had to apply for soil erosion and land use permits prior to cutting down trees and constructing the roof over the deck. Ms. Summers read a letter from her neighbor Justin Blake, in favor of the variance. Lynn Ebinger, 1400 River Drive spoke in favor of the variance.

Chairman Sanford explained what the ZBA's jurisdiction is in this case.

There was discussion regarding why the applicant did not apply for any permits before starting the project and what she did after Steve Largent from the Conservation District contacted her. There was discussion regarding non-conforming structures, prior variances granted, run off and soil erosion.

Motion by Lombard supported by Fitzpatrick to deny the variance because it increases the visual non-conformity. RCV: Fitzpatrick, yea, Section 13.08 1 & 4b, McGee, nay, visual conformity is not a standard, Lombard, yea, 13.08 #1, Zeits, nay, footprint has not changed, Philo-Rice, nay, same reason as Zeits, Sanford, nay, 13.08 #1. Motion failed.

Motion by McGee supported by Philo-Rice to grant variance in accordance with Section 13.08 paragraph 1, within confines of existing footprint, non-conformity is not being increased, with the condition that roof run off must be controlled in a manner acceptable to Grand Traverse County Soil Erosion. RCV: Philo-Rice, yea, Section 13.08 #1, Zeits, yea, Section 13.08 #1, Lombard, nay, interpretation of Section 13.08 #1, McGee, yea, Section 13.08 #1 and 24.03 #3, Fitzpatrick, nay, interpretation of Section 13.08 #1, Sanford, yea, interpretation of Section 13.08 #1. Motion passed.

- L. There were no reports.
- M. Board member McGee asked for discussion regarding what is considered part of the foundation in Section 13.08.
- N. Adjourned at 7:32 pm.

Respectfully submitted,

Lynette Ferman
Recording Secretary