

# Alpena Township Zoning Board of Appeals Minutes -Tuesday, June 19<sup>th</sup> 2007

**MEETING COMMENCED:** 7:00 p.m.

## **PLEDGE OF ALLEGIANCE**

**PRESENT:** Ed Robin, Chair                      Stan Mischley                      Lori Werda, Secretary  
                 Irma Schuelke                                      Jim Milstein

## **ADOPTION OF AGENDA**

## **APPROVAL OF MINUTES**

The minutes of the April 17, 2007 meeting were approved as amended by unanimous vote. Delete a,b, under reason 1. Delete a,b, under reason 2. Motion to approve made by Irma Schuelke, 2<sup>nd</sup> by Stan Mischley.

**Ed Robin explained the rules and how the meeting would be conducted.**

**OLD BUSINESS - Case #Z-03-03 Donovan** Stan Mischley will contact Les.

**NEW BUSINESS - Case #Z-02-07 Waterman** requesting a 13 ft variance front and back to build a home and garage at 158 Bear point Road parcel No. 018-055-000-010-00, in an R-1 zone district.

## **Persons in Attendance for Case #Z-02-07**

Jere Johnston 163 Bear Point Rd, Alpena, MI  
Mr. & Mrs. Fran Rozinski 146 Bear Point Rd, Alpena, MI  
Bill Waterman 3023 Hinckley Blvd, Alpena, MI  
Patricia Melville 193 Lawn, Alpena, MI  
Mr. & Mrs. Bill Freese 183 Bear Point Rd, Alpena, MI

## **Exhibits**

1. Public notice
2. Signed petition with permission to visit site
3. Plat showing property
4. Property description from township
5. List of adjacent Property Owners
6. Sketch of proposed home
7. DR MacNeill drawing of proposed home 2005
8. State of MI Court of Appeals report – May 2007
9. DEQ permit expired August 2006
10. Aerial photos-erosion
11. Letter from Bill Waterman
12. Letter from Alpena County Road Commission
13. Letter from Jere Johnston-summary of exhibits
14. Letter from Erv Lewandowski

15. Letter from Frank Rozinski
16. Letter from Bob & Sue Eller
17. Property description of lot at 901 Golf Course Rd

**All members visited the site.**

Chair **Ed Robin** read the documents received.

**Public Discussion:**

**Bill Waterman** explained the need for his variances. **Frank Rozinski** stated the OHWM cannot be changed, the property lines cannot be changed, this is the 7<sup>th</sup> time Mr. Waterman has been before the ZBA. Rozinski states it costs him money to be here and questioned if Mr. Waterman has paid every time he came to the board. **Ed Robin** - we are not trying to change anything. Mr. Waterman has every right to request a variance. **Bill Freese** stated we have all lost property due to erosion. You cannot go back and claim it after it erodes, only protect it with rip rap. Mr. Waterman picked up this piece of property on the lake for a song. He should have known and checked it out before he bought it to build on. Jere Johnston stated that the erosion problem is not unique and showed the board an aerial view of the lake from 1998 and points out the erosion on Thunder Bay Avenue as well as Bear Point. **Bill Freese** stated that when he delivered mail the cul-de-sac was often under 6 inches of water. **Stan Westrope** stated that he has lived on the lake on Bear Point since 1983 and agrees that the cul-de-sac has been under water several times. He also questioned the drainage system that is to be maintained on the Waterman property. **Mr. Waterman** says the actual drainage is on Pettinger property.

**Meeting closed for Public Discussion.**

**Jim Milstein** stated that when he walked the Waterman property it is wet and spongy. **Irma Schuelke** stated that Waterman should get the variance, other variances have been granted. **Bill Waterman** stated that a 10 ft variance in the front and a 15 ft on the waterside would work. **Stan Mischley** said that would still put the house only 10 ft. from the OHWM. **Ed Robin** stated that Mr. Waterman is asking for more than half of the 25 ft setback in his variance. It is just too much house for the size of the lot. The 25 ft off the OHWM is there for a reason. **Jim Milstein** stated the water is at the lowest it has ever been and no doubt it will come back. **Motion to Deny made by Stan Mischley, 2<sup>nd</sup> by Jim Milstein.**

**Reasons:**

1. **Variances are in excess.**
2. **Proposed home too large for the property.**
3. **House too close to the existing road set back.**

A. Letter from Alpena County Road Commission

<b>Vote to deny Z-02-07</b>	Ed Robin Y	Lori Werda Y	Irma Schuelke N
	Stan Mischley Y	Jim Milstein Y	

**DISCUSSION**

The ZBA discussed having a workshop with the zoning and planning commission.

**NEXT MEETING DATE:** July 17, 2007 (tentatively)

**Ed Robin called for Adjournment of meeting 8:40 P.M.**

**Respectively submitted,**

**Lori Werda, secretary ZBA**

cc: Zoning Board of Appeals; Alpena Twp. Board of Trustees; Les Klimaszewski; Lynn Talaska