I. Call the Meeting to Order
Chairman Zuehlke called the meeting to order at 3:58 p.m.

II. Roll Call
Present:  
David Zuehlke, Chairman  
Stan Moore, Vice Chairman  
Karen Joliat, Secretary  
Todd Hoffman, Board Member  
Todd Bonnivier, Board Member  
Steve Reno, Board Member  
Colleen Murphy, Board Member

General Public:  
Approximately 15

Also Present:  
Stacy St. James, Environ. and Housing Rehab Coordinator  
Amy Williams, Administrative Specialist  
Brent Gibson, Superintendent/Building  
Rob Merinsky, Director/Engineering

III. Approve the Minutes of the July 16, 2019, regular meeting of the Zoning Board of Appeals as printed.

MOTION AND VOTE
Moved by Moore  
Supported by Reno; RESOLVED to APPROVE the Minutes of the July 16, 2019 meeting as printed.  
MOTION CARRIED UNANIMOUSLY  
(7-0)

IV. Approve the Agenda of the August 20, 2019, regular meeting of the Zoning Board of Appeals as printed.

MOTION AND VOTE
Moved by Moore  
Supported by Reno; RESOLVED to APPROVE the Agenda of the August 20, 2019 meeting as printed.  
MOTION CARRIED UNANIMOUSLY  
(7-0)
V. Old Business

Case No. PZBA19-018

Sidwell No. 13-16-478-003, Section 16, T3N, R9E, Waterford Township, Oakland County, Michigan

Requesting

1. A variance from Section 2-508 to allow the proposed non-accessory freestanding post pylon sign (electronic billboard) to be located at the subject property. (All freestanding signs shall be ground signs)
2. A 30 ft. variance from Section 2-508 to allow the proposed non-accessory freestanding post pylon sign (electronic billboard) to have a maximum height of 38 ft. (8 ft. maximum allowed for subject property)
3. A 287.85 sq. ft. variance from Section 2-508.C to allow the proposed non-accessory freestanding post pylon sign (electronic billboard) to have a maximum sign facing area of 381.6 sq. ft. (93.75 sq. ft. maximum allowed for subject property)
4. A 10.0 ft. variance from Section 2-508.A to allow the proposed non-accessory freestanding post pylon sign (electronic billboard) to come to within 5.0 ft. of the south right-of-way line. (15 ft. minimum required)
5. An 11.0 ft. variance from Section 2-508.A to allow the proposed non-accessory freestanding post pylon sign (electronic billboard) to come to within 14.0 ft. of the west side property line. (25 ft. minimum required)
6. A variance from Section 2-508 to allow for the existing freestanding sign and proposed non-accessory freestanding post pylon sign (electronic billboard) to be located at the subject property. (One freestanding sign allowed for subject property)
7. A 358.85 sq. ft. variance from Section 2-508.C to allow the existing 146 sq. ft. freestanding sign and proposed 381.6 sq. ft. non-accessory freestanding post pylon sign (electronic billboard) to have a total combined sign facing area of 527.6 sq. ft. (168.75 sq. ft. maximum allowed for subject property)

Variances have not been requested from Sections 3-201, 3-701, and 2-501.9.H, which prohibit the use of the property for a non-accessory (billboard) sign that is not related to the principal use of the property.

Property Location: 5010 Highland Rd
Property Zoned: C-3, General Business
Applicant: International Outdoor Inc.

MOTION AND VOTE
Moved by Hoffman
Supported by Reno; RESOLVED to POSTPONE Case No. PZBA19-018 to the September 17, 2019 regular meeting.
MOTION CARRIED UNANIMOUSLY  
(7-0)

Case No. PZBA19-019

Sidwell No.13-26-429-027, Section 26, Part of Lot 18 and all of Lot 19, “Supervisor’s Plat No 35”, T3N, R9E, Waterford Township, Oakland County, Michigan

Requesting

1. A variance from Section 2-508 to allow the proposed non-accessory freestanding post pylon sign (electronic billboard) to be located at the subject property. (All freestanding signs shall be ground signs)
2. A 39 ft. variance from Section 2-508 to allow the proposed non-accessory freestanding post pylon sign (electronic billboard) to have a maximum height of 45 ft. (6 ft. maximum allowed for subject property)
3. A 319.1 sq. ft. variance from Section 2-508 to allow the proposed non-accessory freestanding post pylon sign (electronic billboard) to have a maximum sign facing area of 381.6 sq. ft. (62.5 sq. ft. maximum allowed for subject property)
4. A 15 ft. variance from Section 2-508.A to allow the proposed non-accessory freestanding post pylon sign (electronic billboard) to come to within 0 ft. of the northeast right-of-way line. (15 ft. minimum required)
5. A 25 ft. variance from Section 2-508.A to allow the proposed non-accessory freestanding post pylon sign (electronic billboard) to come to within 0 ft. of the southeast side property line. (25 ft. minimum required)

Variances have not been requested from Sections 3-201, 3-701, and 2-501.9.H, which prohibit the use of the property for a non-accessory (billboard) sign that is not related to the principal use of the property.

Property Location: Vacant W Huron St (between 3081 & 3101)  
Property Zoned: C-2, Small Business  
Applicant: International Outdoor Inc.

MOTION AND VOTE
Moved by Hoffman  
Supported by Reno; RESOLVED to POSTPONE Case No. PZBA19-019 to the September 17, 2019 regular meeting.
MOTION CARRIED UNANIMOUSLY  
(7-0)

VI. New Business

Case No. PZBA19-020
Sidwell No. 13-33-226-040, Section 33, Lots 16 & 17, “Chetolah Shores Sub”, T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting** a variance from Section 3-302.3.A(7) to allow the proposed detached accessory building to be located within a side yard. (Detached accessory buildings shall not be erected in any yard except a rear yard)

**Property Location:** 5116 Durnham Dr  
**Property Zoned:** R-1C, Single-Family Residential  
**Applicant:** Robert Scarlet

Applicant or representative present: Robert Scarlet

Mr. Scarlet wishes to remove the existing play structure and build a new shed in the side yard of property. However, the ordinance does not allow a shed except for a rear yard. The house is located close to the rear yard, which does not allow for the construction of a shed in the required location. He indicated the shed to be constructed at a similar setback as the shed at the neighboring property.

During the public portion of the meeting, the following spoke regarding this request.

Alana Glass, 5131 Durnham Drive, expressed concerns regarding the placement of the shed and its possible obstruction of her view of the lake. She further commented that she was supportive of his request to have a shed, but wanted to know the size and look of the shed. She presented photos to the Board and explained how the proposed request relates to her property. She references her letter to the Board and the case law stated within the letter.

Board Member Hoffman questioned the size of the shed.

Mr. Scarlet indicated it would not be larger than 200 sq. ft. He has not yet decided on the exact plan for his shed, but he plans to meet all other building codes.

Chairperson Zuehlke indicated some view may be blocked.

Ms. Glass expressed her understanding, but still felt her view should be taken into consideration.

Mr. Scarlet indicated the shed could be moved to within 5 ft. of the side yard fence, but he did not have a rear yard to place the shed within.

Board Members discussed the placement, size and look of the proposed shed.

Claire Pryor, 5128 Durnham Drive, expressed her support of the request, but would like to know what it would look like.
Board Members and applicant continued discussing the placement, size and look of the proposed shed.

**MOTION AND VOTE**

*Moved by Reno
Supported by Moore; RESOLVED to find that practical difficulties exist and to APPROVE the variance requested in ZBA Case No. PZBA19-020 based upon the information presented by the Applicant and for this hearing demonstrating each of the following review standards in Section 6-100.5 of the Zoning Ordinance have been met:

A. Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.

B. The variance will do substantial justice to the applicant and other property owners.

C. A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners.

D. The variance is needed due to unique circumstances of the property.

E. The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.

F. The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.

Board member Joliat added to the motion that the shed does not exceed 200sq.ft.

With the STIPULATION that the shed cannot exceed 200 sq. ft.

**MOTION CARRIED UNANIMOUSLY**

(7-0)

**Case No. PZBA19-021**


Requesting

1. A 9.4 ft. variance from Section 3-900 to allow the proposed attached garage to come to within 25.6 ft. of the east front property line. (35 ft. minimum required)

2. A 7.4 ft. variance from Section 2-104.2 to allow the proposed roof eave and gutter to come to within 24.6 ft. of the east front property line. (32 ft. minimum required)

**Property Location:** 458 Manning Dr.
**Property Zoned:** R-1C, Single-Family Residential
**Applicant:** Jason Aiello

The applicant was not present for the meeting.

During the public portion of the meeting, no one spoke regarding this request.
Chairperson Zuehlke indicated the lot was large.

Board Member Murphy indicated the lot was at the end of a dead end street.

**MOTION AND VOTE**

Moved by Murphy
Supported by Reno; RESOLVED to **find that practical difficulties exist and to APPROVE the variances requested in ZBA Case No. PZBA19-021** based upon the information presented by the Applicant and for this hearing demonstrating each of the following review standards in Section 6-100.5 of the Zoning Ordinance have been met.

**MOTION CARRIED UNANIMOUSLY**

(7-0)

**Case No. PZAB19-022**


**Requesting**

1. A 15.0 ft. variance from Section 3-900 to allow the proposed attached garage to come to within 20.0 ft. of the southeast lake rear property line. (35 ft. minimum required)
2. A 12.25 ft. variance from Section 2-104.2 to allow the proposed roof eave and gutter to come to within 19.75 ft. of the southeast lake rear property line. (32 ft. minimum required)

**Property Location:** 1478 Otter Ave.

**Property Zoned:** R-1C, Single-Family Residential

**Applicant:** Ashley Thompson

Applicant or representative present: Ashley Thompson

Ms. Thompson wishes to expand her home and create more storage.

During the public portion of the meeting, no one spoke regarding this request.

Chairperson Zuehlke indicated the property was small.

Board Member Joliat commented on the yard space and questioned if the existing shed was to be taken down.

Ms. Thompson stated that it could be removed if needed.

**MOTION AND VOTE**
Moved by Bonnivier
Supported by Hoffman; RESOLVED to find that practical difficulties exist and to APPROVE the variances requested in ZBA Case No. PZBA19-022 based upon the information presented by the Applicant and for this hearing demonstrating each of the following review standards in Section 6-100.5 of the Zoning Ordinance have been met. MOTION CARRIED UNANIMOUSLY (7-0)

Case No. PZBA19-023

Sidwell No. 13-19-453-007, Section 19, Lot 102, “Pleasant Lake Shores No 5”, T3N, R9E, Waterford Township, Oakland County, Michigan

Requesting a 2.25 ft. variance from Section 2-305.A to allow the proposed air conditioning unit to remain within 7.75 ft. of the south side property line. (10 ft. minimum required)

Property Location: 147 Garland Way
Property Zoned: R-1A, Single-Family Residential
Applicant: Sharman Cross

Applicant or representative present: Sharman Cross

Chairperson Zuehlke asked in the air conditioner was already installed.

Ms. Cross said that the air conditioner has already been installed. She indicated contacting the Township for placement information. She believes she was misinformed, in that the unit could be placed in the current location. At the inspection, the inspector who told her that it did not meet setback requirements. She said that it was a replacement, but the first one was under her deck and this location was safer. She would have requested a variance to be located in this location anyway.

Chairperson Zuehlke referenced a letter of support.

Board Member Murphy felt the current location was better than the previous location.

During the public portion of the meeting, no one spoke regarding this request.

MOTION AND VOTE
Moved by Joliat
Supported by Hoffman; RESOLVED to find that practical difficulties exist and to APPROVE the variance requested in ZBA Case No. PZBA19-023 based upon the information presented by the Applicant and for this hearing demonstrating each of the following review standards in Section 6-100.5 of the Zoning Ordinance have been met. A lesser variance than requested would not give substantial relief to the applicant and
be consistent with justice to other property owners. Additionally, the current code does not allow for the air conditioning unit to be placed in the previous location.

**MOTION CARRIED UNANIMOUSLY**
(7-0)

**Case No. PZBA19-024**

**Sidwell No. 13-33-452-003**, Section 33, T3N, R9E, Waterford Township, Oakland County, Michigan

**Requesting**

1. A variance from Section 3-302.5 to allow the existing house to remain at the subject property while the proposed house is being constructed. (Only one principal building shall be placed on a zoning lot)
2. A 976 sq. ft. variance from Section 3-302.3.A(10) to allow the proposed 558 sq. ft. attached garage, proposed 418 sq. ft. attached garage and the proposed 2000 sq. ft. detached accessory building to have a combined total square footage of 2976 sq. ft. (2000 sq. ft. maximum allowed for subject property)
3. A variance from Section 3-302.3.A(7) to allow the proposed detached accessory building to be located within a front yard. (Detached accessory buildings shall not be erected in any yard except a rear yard)

**Property Location:** 1365 Murray Dr.
**Property Zoned:** R-1, Single-Family Residential
**Applicant:** Margaret Dobrowitsky

Applicant or representative present: Margaret Dobrowitsky

**Ms. Dobrowitsky** said that she has over 6+ acres, but a lot of it is wetland.

**Chairperson Zuehlke** questioned the need for the accessory building.

**Ms. Dobrowitsky** stated she has been talking to the Michigan Department of Environmental Quality (now the Environment, Great Lakes & Energy), regarding the impact of having a dock and pontoon boat. They suggested having a removable dock. She hopes to store the boat, the dock and miscellaneous equipment to maintain the property in this accessory building.

**Chairperson Zuehlke** pointed out the river is at the rear of the property.

**Ms. Dobrowitsky** further described the lot and the wetlands. She is planning to launch her boat at Cass Lake and dock it at her property.

During the public portion of the meeting, no one spoke regarding this request.
MOTION AND VOTE
Moved by Murphy
Supported by Reno; RESOLVED to find that practical difficulties exist and to APPROVE the variances requested in ZBA Case No. PZBA19-024 based upon the information presented by the Applicant and for this hearing, demonstrating each of the following review standards in Section 6-100.5 of the Zoning Ordinance have been met, with the following STIPULATIONS:

- A demolition permit for the existing house must be approved before a final Certification of Occupancy is issued for the new house.
- The demolition of the existing house must begin within 60 days of issuance of the demolition permit.
- The demolition of the existing house must be completed and a final inspection approved within 90 days of issuance of the demolition permit.

MOTION CARRIED UNANIMOUSLY
(7-0)

Case No. PZBA19-025

Sidwell No. 13-07-300-005, Section 7, T3N R9E, Waterford Township, Oakland County, Michigan

Requesting a 720 sq. ft. variance from Section 3-302.3.A(10) to allow the existing 720 sq. ft. attached garage and the proposed 2000 sq. ft. detached accessory building to have a combined total square footage of 2720 sq. ft. (2000 sq. ft. maximum allowed for subject property)

Property Location: 2497 N Williams Lake Rd
Property Zoned: R-1A, Single-Family Residential
Applicant: Laurel Bojanzyk

Applicant or representative present: Laurel Bojanzyk

Mr. Bojanzyk said this request was to help clean up the property. There are currently 7 outbuildings containing storage with two rental properties. He is planning to remove all of the outbuilding and only have the one proposed accessory building.

Chairperson Zuehlke questioned the use for the proposed building.

Mr. Bojanzyk indicated it would be used to house the equipment required to maintain the property and the rental buildings.

During the public portion of the meeting, no one spoke regarding this request.

Board Member Bonnivier received clarification regarding the location of the building. He stated that the existing buildings were in poor condition.
MOTION AND VOTE
Moved by Reno
Supported by Bonnivier; RESOLVED to find that practical difficulties exist and to APPROVE the variance requested in ZBA Case No. PZBA19-025 based upon the information presented by the Applicant and for this hearing demonstrating each of the following review standards in Section 6-100.5 of the Zoning Ordinance have been met. MOTION CARRIED UNANIMOUSLY (7-0)

VI. Discussions

VII. All Else

VIII. Public Comment

IX. Adjourn the Meeting

Chairman Zuehlke adjourned the meeting at 4:38p.m.

Case No. PZBA19-020
Property: 5116 Durnham Dr
Applicant: Robert Scarlet
Zoning: R-1C, Single-Family Residential
Site Use: Single Family Residential
Proposal: Detached Accessory Building

Analysis
The applicant is proposing to construct a detached accessory building on the subject property. Based upon the information provided, the building is show to be a garden shed. The applicant is proposing to construct the building within the side yard. Based upon the ordinance requirements, detached accessory buildings must be located in a rear yard. The subject property is lakefront, with the road side being the rear. The proposed building cannot be located in the rear yard as the house is approximately 5 ft. from the rear property line. A variance would be required to locate the building anywhere on the property. It does not appear as though the shed will create a visual obstruction. The applicant has also submitted letters of support from many neighbors, including those to the west, east and south of the subject property. All other ordinance requirements are shown to be met, including the minimum west side setback of 5 ft. If the shed is less than 200 sq. ft., a building permit is not required.

The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL
If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to approve the variance(s) requested in ZBA Case No. PZAB19-020 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.
(Evidence provided: __________________________________________________________________________
____________________________________________________________________________________)

DRAFT MOTION FOR DENIAL
If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to deny the variance(s) requested in ZBA Case No. PZBA19-020 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) **
- Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.
- The variance will do substantial justice to the applicant and other property owners.
- A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners.
- The variance is needed due to unique circumstances of the property.
- The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.
- The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.

(Evidence provided: ______________________________________________________________________________________)

Case No. PZBA19-021
Property: 458 Manning Dr
Applicant: Jason Aiello
Zoning: R-1C, Single-Family Residential
Site Use: Single Family Residential
Proposal: Addition and attached garage

Analysis
The applicant is proposing to construct an addition onto the existing house. The addition is shown as 720 sq. ft. of living space with a 400 sq. ft. attached garage. The applicant is requesting a variance to allow the proposed attached garage to come to within 25.6 ft. of the front property line, where a minimum setback of 35 ft. is required. Based upon the site plan provided by the applicant, a sanitary sewer easement runs from the front of the property towards the rear of the property, parallel to the proposed addition. The addition is shown to come to within approximately 6 ft. of the easement. This easement renders this area of the property unbuildable. It does not appear that the proposed addition would create a visual obstruction along Manning Dr. and the subject property is located at the end of the road.

The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL
If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to approve the variance(s) requested in ZBA Case No. PZBA19-021 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.
DRAFT MOTION FOR DENIAL

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to deny the variance(s) requested in ZBA Case No. PZBA19-021 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) **

  - Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.
  - The variance will do substantial justice to the applicant and other property owners.
  - A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners
  - The variance is needed due to unique circumstances of the property.
  - The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.
  - The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.

Case No. PZBA19-022

Property: 1478 Otter Ave
Applicant: Ashley Thompson
Zoning: R-1C, Single-Family Residential
Site Use: Single Family Residential
Proposal: Attached Garage

Analysis
The applicant is proposing to construct an attached garage at the subject property. Currently, there is an approximately 200 sq. ft. lean too/carport. Based upon the information provided, the applicant is proposing to remove approximately 40” of the lean too/carport and add a 280 sq. ft. attached garage (see site plan). The garage is shown to come to within 20 ft. of the lake rear (road) property line, where a minimum setback of 35 ft. is required. However, the applicant has indicated that the proposed attached garage would still be approximately 35 ft. from the improved portion of Otter Ave. The zoning ordinance does allow detached accessory buildings to come to within 20 ft. of the lake rear (road) property line. However, once attached, they must maintain the 35 ft. setback.
The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

**DRAFT MOTION FOR APPROVAL**
If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

**MOTION to find that practical difficulties exist and to approve the variance(s) requested in ZBA Case No. PZBA19-022 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.**

(Evidence provided: ____________________________________________________________________
____________________________________________________________________________________)

**DRAFT MOTION FOR DENIAL**
If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

**Motion to find that practical difficulties do not exist and to deny the variance(s) requested in ZBA Case No. PZBA19-022 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:**

** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) **

- Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.
- The variance will do substantial justice to the applicant and other property owners.
- A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners.
- The variance is needed due to unique circumstances of the property.
- The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.
- The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.

(Evidence provided: ____________________________________________________________________
____________________________________________________________________________________)

Case No. PZBA19-023

Property: 147 Garland Way
Applicant: Sharman Cross
Zoning: R-1A, Single-Family Residential
Site Use: Single Family Residential
Proposal: Air Conditioning Unit

Analysis
The applicant is requesting a variance to allow the existing air conditioning unit to remain within the required side yard setback. The ordinance requires air conditioning units to maintain the same setback as the principal building. For the R-1A zoning, this setback is 10 ft. The unit currently sits 7.75 ft. from the south side property line.

The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL
If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to approve the variance(s) requested in ZBA Case No. PZBA19-023 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

(Evidence provided: ________________________________________
____________________________________________________________________________________)

DRAFT MOTION FOR DENIAL
If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to deny the variance(s) requested in ZBA Case No. PZBA19-023 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) **

- Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.
- The variance will do substantial justice to the applicant and other property owners.
- A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners
- The variance is needed due to unique circumstances of the property.
- The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.
The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.

(Evidence provided: ____________________________________________________________
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The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

**DRAFT MOTION FOR APPROVAL**

If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

**MOTION to find that practical difficulties exist and to approve the variance(s) requested in ZBA Case No. PZBA19-024** based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met with the following STIPULATIONS:

A demolition permit for the existing house must be approve before a final Certification of Occupancy is issued for the new house. The demolition of the existing house must begin within 60 days of issuance of the demolition permit. The demolition of the existing house must be completed and a final inspection approved within 90 days of issuance of the demolition permit.

(Evidence provided: __________________________________________________________________________
____________________________________________________________________________________)

**DRAFT MOTION FOR DENIAL**

If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

**Motion to find that practical difficulties do not exist and to deny the variance(s) requested in ZBA Case No. PZBA19-024** based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) **

- Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.
- The variance will do substantial justice to the applicant and other property owners.
- A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners.
- The variance is needed due to unique circumstances of the property.
- The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.
- The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.

(Evidence provided: __________________________________________________________________________
____________________________________________________________________________________)
Case No. PZBA19-025

Property: 2497 N Williams Lake Rd
Applicant: Laurel Bojanzyk
Zoning: R-1A, Single-Family Residential
Site Use: Single Family Residential
Proposal: Detached accessory building

Analysis
The applicant is proposing to construct a detached accessory building at the subject property. The subject property is approximately 1.5 acres in size. The subject property is unique in that it is bordered on the north and west by park property, to the east by a church and to the south by County owned property. The applicant is proposing to construct a new 2000 sq. ft. detached accessory building at the subject property. The applicant is requesting that the existing 720 sq. ft. attached garage also remain. The total existing/proposed accessory area would be 2720 sq. ft., where a maximum total area of 2000 sq. ft. is allowed. Based upon the site plan submitted by the applicant, there are seven additional detached accessory building that will be removed. Many of these buildings are in disrepair. The total area of these buildings is approximately 800 sq. ft. The site plan does also indicated two residential buildings at the northwest corner of the property. These are existing non-conforming buildings that are registered as rental properties. They do not have baring or impact on the proposed variance request.

The applicant has provided information addressing the standards listed below on the “Supplemental Information” sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL
If the Zoning Board of Appeals chooses to approve the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

**MOTION to find that practical difficulties exist and to approve the variance(s) requested in ZBA Case No. PZBA19-025 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.**

(Evidence provided: __________________________________________________________________________
____________________________________________________________________________________)

DRAFT MOTION FOR DENIAL
If the Zoning Board of Appeals chooses to deny the applicant’s request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.
Motion to find that practical difficulties do not exist and to deny the variance(s) requested in ZBA Case No. PZBA19-025 based upon the applicant’s failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) **

- Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.
- The variance will do substantial justice to the applicant and other property owners.
- A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners
- The variance is needed due to unique circumstances of the property.
- The problem and resulting need for the variance was not self-created by the applicant or the applicant’s predecessors.
- The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.

(Evidence provided: __________________________________________________________)

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