

MINUTES

Zoning Board of Appeals Organizational Meeting August 10, 1998

Present: Jerry Bierschbach, George Colby, Ray Colville, and Howard Slasor.
Absent: None
Guest: Ed Spayd - Zoning Administrator

1. Meeting called to order at 11:10 A.M. by Jerry Bierschbach.
2. Self introductions were made. Both Howard and Ray have Zoning Board experience.
3. George Colby accepted the position of Vice Chairman and Jerry stated he would act as secretary for the time being.
4. Future meetings will be held on the second Monday of each month beginning at 11:00 A.M. in the LIPOA Office. Special meetings will be scheduled as needed.
5. A three (3) hour Training Session conducted by Rowe Incorporated will be held on Monday, August 17, 1998 beginning at 1:00 P.M. in the LIPOA Office unless otherwise notified.
6. We briefly reviewed Article XVIII in the Village of Lake Isabella Zoning Ordinance which addresses Zoning Board of Appeals (ZBA) procedures. The following comments were made:
 - a. The ordinance calls for five (5) members. Since we have Four (4), Ed Spayd will check with the Village Council President on making another appointment.
 - b. We discussed term limits. It appears Jerry and George are three (3) year with Ray and Howard being two (2) year. *(Members, please check your letter of notification and let me know if incorrect)*
 - c. Ed stated the Village Council has adopted the same fee schedule and forms used by Isabella County. (Ed distributed the Variance Request and Appeals Request forms for our review) There was some discussion on fees - we want them to be fair; not necessarily a deterrent; but must make sure they cover all costs associated with the variance and any appeal.
7. Our next meeting will be on September 14, 1998 at 11:00 A.M.
8. Meeting adjourned at noon.

Respectively,
Jerry Bierschbach - chairman

MINUTES

Zoning Board of Appeals
Regular Meeting
September 14, 1998

Present: Jerry Bierschbach, George Colby, and Ray Colville
Absent: Howard Slasor
Guest: Ed Spayd - Zoning Administrator

1. Meeting called to order at 11:15 A.M. by Jerry Bierschbach.
2. Minutes of August 10, 1998 meeting were reviewed and approved.
3. There were no public comments.
4. Jerry updated the group on:
 - a. Our fifth member will be Ken Devergilio. He will be sworn in at the next Council Meeting.
 - b. Meetings with Zoning Administrator over the past month to discuss:
 - i. Placement of new modular on lot #260. Footings were incorrect and 50% had to be relocated.
 - ii. Cul de sac abandonment on lots 332,333, and 334. Initially felt there would be a problem with lot widths, however since widths are measured at front setback line this was not a problem.
 - c. Letter notifying Mr. Phil Finch on setback violation for accessory building.
5. We discussed the current ZBA application fee of \$50.00. This will need to be raised if a ZBA Public Hearing must be published in addition to notifying all occupants and owners within 300 feet of the property in question. Ed will check this out.
6. We reviewed a question from Mr. Ed Fancon at 811 Duquesa regarding what size building he can build on his adjacent lot since he already has a dog shed and utility building. He was informed after the meeting that he must meet the 60% rule and we would allow a 20 x 20 if all buildings remained or a 30 x 24 if the two he now has are torn down. No variance would be granted.
7. Our next meeting will be on October 12, 1998 at 11:00 A.M.
8. Meeting adjourned at 12:25 P.M.

Respectfully,
Jerry Bierschbach - chairman

Note: After the meeting, Jerry & George accompanied Ed to the Pyrett residence at Clubhouse and Pueblo Pass to review their plans for a garage addition. There was an initial concern that the garage drive would be too short, however, after viewing the site, we did not feel this would be a problem.

MINUTES

Zoning Board of Appeals
Regular Meeting
October 12, 1998 ✓

Present: Jerry Bierschbach, George Colby, Ray Colville and Ken Devergilio
Absent: Howard Slasor
Guests: Ed Spayd - Zoning Administrator
John Bishop
Bruce ?
Jack Walker - Planning Chairman

1. Meeting called to order at 11:10 A.M. by Jerry Bierschbach.
2. Minutes of September 14, 1998 meeting were reviewed and approved.
3. There were no public comments.
4. Old Business:
 - a. Ken Devergilio has been sworn in. Welcome! ✓
 - b. Ed Spayd advised he had checked with our attorney and it is **NOT** necessary to publish a notice of appeals meeting in the paper. Only ones who have to be notified are property owners/residents within 300 feet of the property under appeal. Therefore there is no need to change our fees.
 - c. Last month we discussed the possible cul de sac abandonment on lots 331, 332, and 333. We initially felt there would be a problem with lot widths, however since widths are measured at front setback line this was not the case. John Bishop and his neighbor Bruce? (lot 330) attended today's meeting to obtain further clarification. The ZBA members reaffirmed our opinion with some minor driveway width changes. Ed Spayd advised them to make a final check with the Road Commission (meeting this Thursday) prior to proceeding with a new survey. *Ellis*
5. New Business:
 - a. We discussed at length a proposal from Ed Nurski that he be allowed to cover his "recreational" equipment with a tent instead of just a tarp. This does not appear to be specifically covered in the zoning ordinance. It was decided that Ed would issue a six month, temporary structure permit while the Planning Commission takes this under review. Issues included: does the 60% rule apply to temporary structures?; buildings versus structures?; establishing rigid time limits like October to April; lack of storage facilities for all residents; limiting the size and material of the structure; temporary structure would probably look better than just a cover; appearance?; et al.
 - b. Ed ask our opinion of what to charge for a temporary permit. We suggested \$20.00.
6. It was noted that our opinions are not binding until an official Appeal is filed and acted upon.. We are simply acting as a sounding board for the Zoning Administrator which will limit the number of appeals filed.
7. Our next meeting will be on November 9, 1998 at 11:00 A.M.
8. Meeting adjourned at 12:00 P.M.

Respectfully, Jerry Bierschbach - chairman

MINUTES

Zoning Board of Appeals
Regular Meeting
November 9, 1998

Present: Jerry Bierschbach, George Colby, Ray Colville and Ken Devergilio
Absent: Howard Slasor
Guests: Ed Spayd - Zoning Administrator

1. Meeting called to order at 11:00 A.M. by Jerry Bierschbach.
2. Minutes of October 12, 1998 meeting were reviewed and approved.
3. There were no public comments.
4. Old Business:
 - a. Ed reported that the Street Committee referred the Bishop/Ellis cul de sac abandonment question to the Village Council who in turn decided **NOT** to abandon the cul de sac. Concerns included setting a precedent since there are similar cul de sacs in other areas plus it was felt the village should not be abandoning property at this time..
 - b. Ed reported that Ed Nurski has not applied for the temporary permit.
5. New Business:
 - a. Ed Spayd reviewed with us the:
 - i. Zoning regulations pertaining to corner lots and the definition of dwelling area.
 - ii. Zoning Amendment ZA 98-2 which is scheduled for a public hearing on 11/10/98. *Passed*
 - b. Ray Colville questioned if it was necessary to meet every month since no appeals have been filed. Jerry felt we should continue to meet so Ed can keep us apprised of the types of concerns and questions he fields as Zoning Administrator and contemplated amendments.
6. Our next meeting will be on December 14, 1998 at 11:00 A.M.
7. Meeting adjourned at 11:40 P.M.

Respectfully, Jerry Bierschbach - chairman

MINUTES

Zoning Board of Appeals
Regular Meeting
December 14, 1998

Present: Jerry Bierschbach, Ray Colville and Ken Devergilio
Absent: George Colby (death in family) and Howard Slasor
Guests: Ed Spayd - Zoning Administrator and Ed Nurski

1. Meeting called to order at 11:00 A.M. by Jerry Bierschbach.
2. Minutes of the November 9, 1998 were approved as distributed.
3. Ed Spayd reported that an appeal has been filed by Ronald Wing. Ed has prepared and distributed the "Public Hearing Notice" under Jerry's signature a copy of which is attached. We reviewed a sketch of the requested variance and barring any negative public input, it appears we should be able to approved this variance at our next meeting.
4. Ed Nurski presented a sketch of his properties and wanted to know what his chances were of exceeding the 60% rule for accessory buildings to allow him to construct a 12 x 16 addition on his existing garage. We informed him we would probably turn down such an appeal and instead he may want to consider attaching his garage to the house.
5. Our next meeting will be held on January 11, 1999 at 11:00 A.M.
6. Please note that the meeting on 1/11/99 will include the Public Hearing on Variance Request 98-1. While we have 15 days after the last hearing to make our decision, I am hopeful we can vote and finalize our resolution on the 11th. *Therefore, please make every effort to attend this meeting and assure a quorum. Thank you.*
7. Meeting adjourned at 11:45 A.M.

Respectfully, Jerry Bierschbach - Chariman

(Zbam)