

**Regular Meeting
Of the
East Bay Charter Township Zoning Board of Appeals**

TUESDAY October 14, 2008 Township Hall 6:30 pm.

Board Members Present: Dave Houseman, Carl Studzinski, Dale McAllister, Ted Hentschel, Pete Hembrough

Also Present: Leslie Couturier, Staff

Two (2) guests in attendance.

1. Call Meeting to Order. Chair Houseman convened the meeting at 6:32pm.
2. **Roll Call.** Roll was called by the recording secretary and a quorum was present.
3. **Review for Conflict of Interest** – none presented
4. **Approval of the Agenda.** *McAllister moved to approve the agenda as presented. Studzinski seconded the motion and the motion carried unanimously.*
5. **Approval of the Minutes.** *A motion was made by Hentschel to approve the minutes of September 9, 2008 regular meeting. McAllister seconded the motion and the motion carried unanimously.*
6. **Public Input** (other than agenda items). None at this time.
7. **New Business.**

A. Appeal Request 6-08; Georgiana Hemming; Public Hearing & Action.

APPEAL REQUEST 6-08; by Gary L. Olson, Authorized Agent for Georgiana Hemming, owner, on a parcel of land commonly known as 2200 E. River Road, property identification number 28-03-116-013-00, in the Boardman River, BR Zoning District. The request is to construct a 24' x 28' x 16' one story attached residential garage with storage above. The variance request is from Section 505 Table 1 Yard Setbacks; a fourteen foot (14') rear yard variance from the Boardman River, which would yield an eighty-six foot (86') setback from the river. The minimum setback from the Boardman River in the BR zoning district is one-hundred feet (100').

On July 15, 2008 the house burned and received extensive damage. The applicant now has one year to rebuild on the same foot print of the damaged home, which in its current location is too close to the river. As they rebuild the structure, their desire is to add an attached garage.

Gary Olson described the request to the Board. He indicated that the hardship for building the attached garage is the physical conditions of the parcel. The applicant wishes to live here year around and desires an attached garage for access to the home while staying out of the elements.

Chairman Houseman offered time for public comment. Hearing none, Board discussion ensued, with questions to the applicants.

Hentschel expressed concern regarding the septic system and asked that the applicant have it checked prior to construction.

A motion was made by Hembrough/¹McAllister to approve Appeal Request 6-08 as proposed. All legal requirements had been met. All of the basic conditions have been met, with the special condition being number two (#2); where there are exceptional or extraordinary circumstances or physical conditions such as narrowness, shallowness, shape, or topography . . .²The motion passed unanimously.

9. Reports: McAllister gave a brief Township Board Report, and Hentschel gave a report on the latest actions of Planning Commission.

Chairman Houseman adjourned the meeting at 6:55p.m.

Leslie Couturier,
Recording Secretary

¹ As amended per the Planning Commission on 06/09/2009

² As amended per the Planning Commission on 06/09/2009