

Keweenaw County
Zoning Board of Appeals Staff Report

November 9, 2020
2020-VAR-03
42-307-09-000-022-002

Meeting Date: 12:45 December 1, 2020

Subject: 7.9.3.8.5

Attachments:

Application Package
Site Plan

GENERAL INFORMATION

Property Owner Petitioner

Michael & Susan Borlee

Requested Action and Purpose

To request a variance o to the setback of the OHWM of 35', to construct a 10' x 20' sauna.

Location and Existing Zoning

12419 Washington Mine Road, Grant Township, Lake Medora, property is zoned RRA. Location of the lot is on the south side of the lake.

Size and Existing Land Use

The 9.75 acre parcel is divided by Washington Mine Road

Surrounding Land Use and Zoning

North – Water
South – TR, Forest,
East – RRB
West – RRB

Applicable Regulations

7.9.3 A 5, Sauna, one sauna, less than 200 square feet will be allowed in the waterfront yard of an inland waterway, not Lake Superior, complying with the following setbacks: 35' to the Ordinary High-Water Mark, 5' to the side lot line and 12' high to the roof line mid-point. No toilet facilities are allowed without health department approval for safe handling of sewage. Zoning Ordinance modified from 75' to 35' in 2019.

Water Frontage

Approximately 400' feet on Lake Medora.

Physical Characteristics

Nice lot, with home constructed in 2007 and garage constructed in 2018.

Summary

The petitioner requests a variance from the 35' setback to construct a sauna nearer to the water.



KEWEENAW COUNTY ZONING BOARD OF APPEALS PUBLIC HEARING REQUEST

Fee: \$350.00 for a special meeting and public hearing
\$250.00 for a regular meeting and public hearing

Date 8/25/2020		Parcel ID Number 42-307-09-000-022-002		ALL INFORMATION IS REQUIRED			
Mike & Suzi Borlee				Same			
12419 Washington Mine rd. P.O. Box 49				Mailing Address Same			
Copper Harbor		MI.	49918	Same		MI	49918
920-621-5802		920-621-5802		Same		Same	

THIS APPLICATION MUST BE SIGNED BY THE PROPERTY OWNER(S) OR THE OWNER(S) MAY PROVIDE A LETTER AUTHORIZING THE APPLICANT TO ACT ON THEIR BEHALF.

Current Zoning of Property Residential	Property Address 12419 Washington Mine Rd.	Total Acreage single lot 4
Location of Property: 12419 Washington Mine Rd.	Road	Private road off Hwy 41 Lake Medora

<p style="text-align: center;"><u>Type of Request</u></p> <p><input checked="" type="checkbox"/> A variance of a requirement of the Zoning Ordinance</p> <p><input type="checkbox"/> A review of an administrative decision</p> <p><input type="checkbox"/> An appeal of a special approval denial</p> <p><input type="checkbox"/> An interpretation of the Zoning Ordinance text</p> <p><input type="checkbox"/> An interpretation of the Zoning Map</p>	<p>Article and/or Section of the Zoning Ordinance being appealed</p> <p>Article 7.9,3,A.5</p> <p>Section _____</p> <p>Subsection _____</p>
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Variance requested (The difference between what is required and what is proposed)
Asking to reduce setback from 35 feet to approx. 18 feet

In order for a variance to be granted, applicant must demonstrate a hardship or practical difficulty pursuant to the Keweenaw County Zoning Ordinance. Describe the reason(s) for seeking this variance.
Please see the attached documents.

A COMPLETE SITE PLAN CONTAINING ALL OF THE APPLICABLE DATA OUTLINED IN THE KEWEENAW COUNTY ZONING ORDINANCE MUST ACCOMPANY THIS APPLICATION.

I certify the information on and accompanying this application to be complete, true and correct under penalty of perjury by the laws of the State of Michigan. I also hereby grant permission for members of the Planning Commission, Zoning Board of Appeals and county staff to enter the above described property for the purpose of gathering information related to this application.

Authorized Signature(s) & Date (Letter of authorization required if other than property owner):

[Signature]

DO NOT WRITE BELOW THIS LINE - KEWEENAW COUNTY USE ONLY

Date Received 8-31-2020	Application Fee 350 ⁰⁰	Receipt Number 1308 250 ⁰⁰ 1309 100 ⁰⁰	Case Number 2020 VAR 03
Zoning Administrator Signature & Date			

Publication Date 10-12-2020 11-14-2020	Date Notices Mailed 10-5-2020 10-29-2020	Public Hearing Date 10-29-2020 12-1-2020	Other Site Visit 9-11-2020
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Supplemental Information
Zoning Board of Appeals Case No. _____

Please answer each of the following questions which correspond to the findings required for variance approval. The responses will be used by the Zoning Board of Appeals in its review of this case. The case will be heard whether or not the questions are completely answered. It is to **your advantage** to provide as detailed and complete a response to each question since it is your responsibility to provide information on each of the approval standards.

1. Why would strict compliance with the applicable Zoning Ordinance Standard(s) prevent the owner from using the property for a permitted purpose or be unnecessarily burdensome?

Location is the least destructive to forestry and is nonobtrusive to to any neighbor.

2. How will the requested variance ensure substantial justice (fairness) to **both** the applicant as well as other property owners?

Site is in the most efficient location and any other location would require extensive removal of trees, major excavation and fill. Conversation with neighbors did not produce any objections. See included letters,

3. Why would a lesser variance that would be fairer to other property owners **not** give substantial relief to the applicant?

_See question two

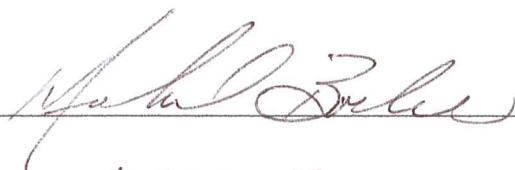
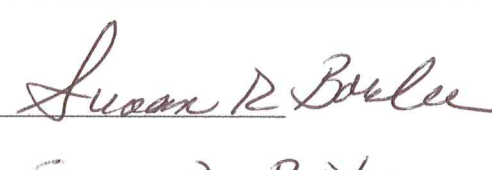
4. What is unique about the property that is different from other properties in the area or the same zoning district?

_Location of the beach blends well with the location and creates a natural setting that blends in well with the environment

5. Explain why the requested variance is not due to the actions of the applicant, owner, or their predecessors.

Request is by owner

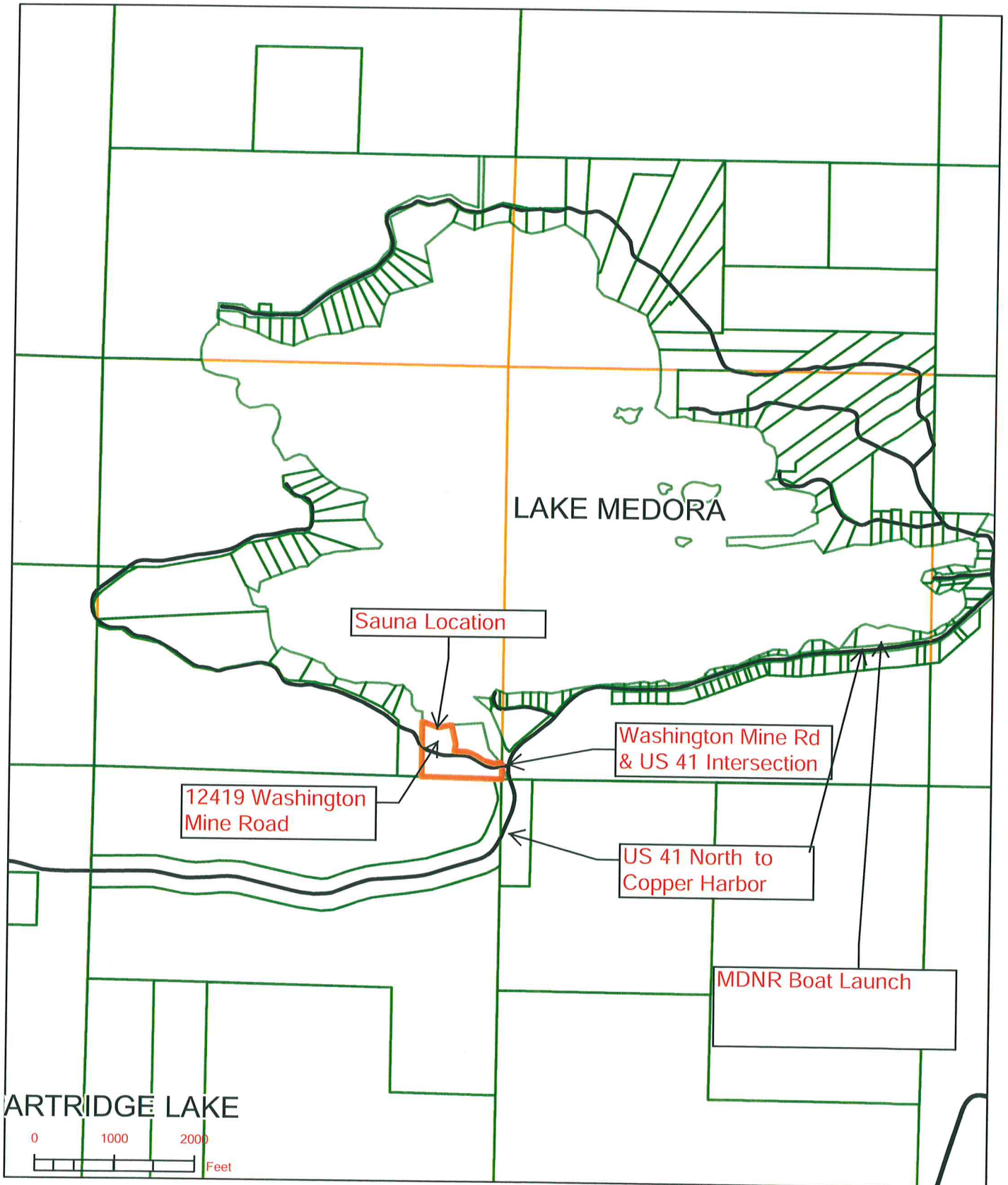
Signed:

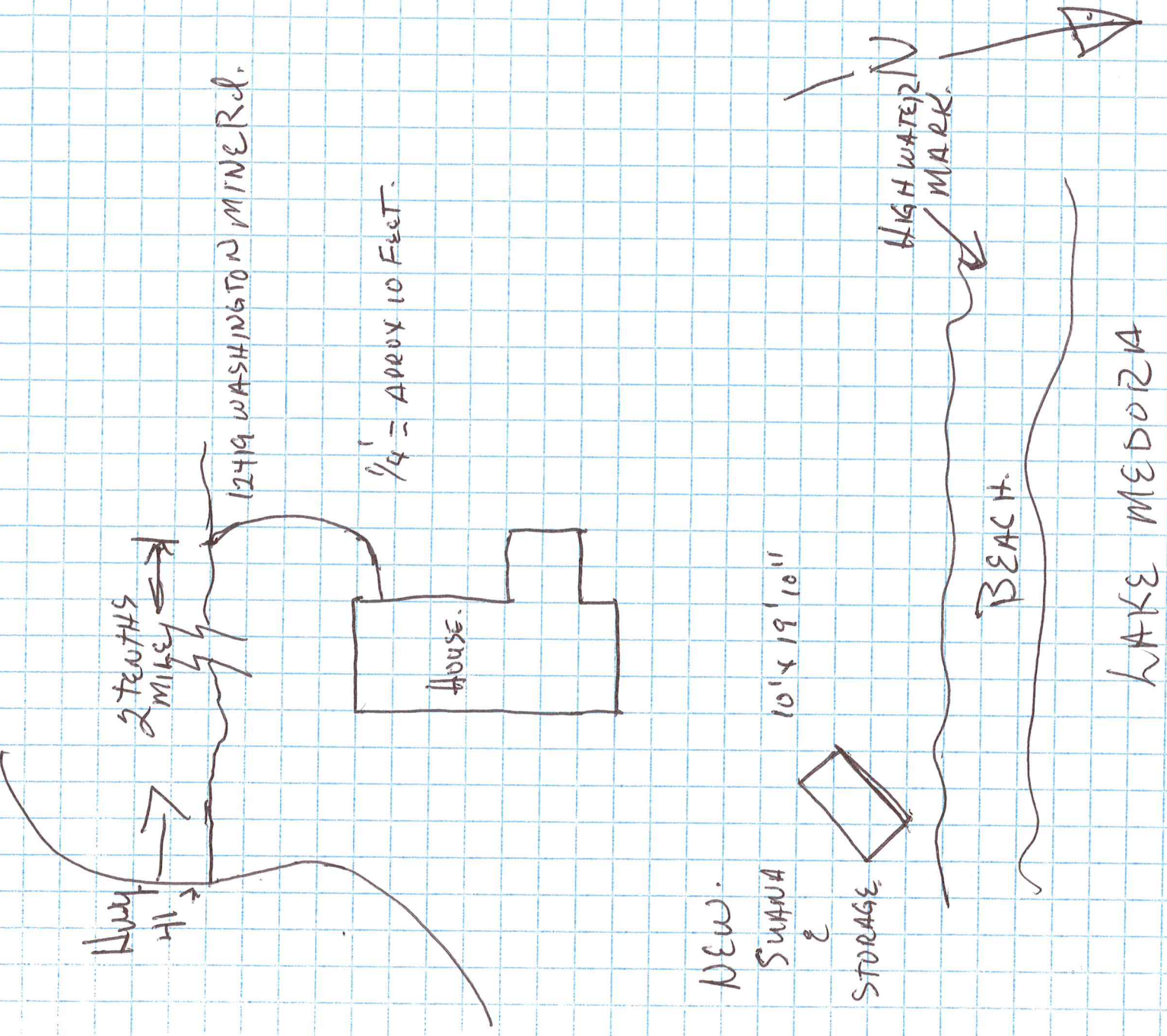
Printed Name:

MICHAEL BORLEE SUSAN R BORLEE

This form **must be submitted** along with the application form, plans, and fee. Applications which do not include this form will **not** be accepted.



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ATTACHMENT
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