

*Keweenaw County
Zoning Board of Appeals
June 18, 2008
Keweenaw County Court House*

Meeting called to order at 4:00 P.M. by Chairman, Jim Vivian.

Members Present: Kastelic-Johnson-Peters-Soper-Vivian
Others Present: Joan Nelson-Zoning Administrator
Darleen Huovinen-Alternate Member-Recording Secretary

Agenda approved by Board.

Minutes of the April 8, 2008: Approval held in abeyance.

Action Item: Approve April 8, 2008 minutes at the next ZBA meeting.

OLD BUSINESS:

New ZBA Board Member: Jon Soper, ZBA Representative from the Planning Commission in attendance.

Zoning Interpretation: Chairman Vivian reviewed request from Zoning Administrator, Joan Nelson, regarding ZBA interpretation of the Zoning Ordinance pursuant to a complaint filed by John Clarkson, 9920 M-26, Eagle Harbor, MI. Complaint states a 4 foot by 6 foot, seasonal, informative and directional sign for the Bete Grise Preserve, erected on Keweenaw County road-right-of-way by the Houghton Keweenaw County Conservation District, adjacent to property owned by Bill Haller, 13677 Bete Grise Road, violates the Zoning Ordinance. Complaint names Bill Haller as ..."person who you believe is in violation:"

- Vivian: In that the sign was not erected on property owned by Bill Haller, the complaint erroneously names Bill Haller as a party to the complaint.
- Nelson: Request for ZBA interpretation of ordinances related to signs was requested to facilitate resolution. A ZBA interpretation requires a public hearing. While this ZBA Planning Session meeting was officially posted, notice of a public hearing pursuant to this specific complaint was not. Requested decision from ZBA. ZBA unanimously agreed meeting/hearing should proceed.
- Soper: Complaint composed of two issues:
 - Violation Complaint
 - Interpretation of the Zoning Ordinance
- Nelson: Presented the following facts:
 - Original complaint filed 11-8-2007 by John Clarkson.
 - Gregg Patrick, Keweenaw County Road Commissioner, signed a notarized *Public Ownership Affidavit*, dated 12-05-2006, which allowed

- placement of the Bete Grise Preserve sign on Keweenaw County road-right-of way.
- Houghton-Keweenaw County Conservation District under the auspices of the Michigan Coastal Management Program erected the Bete Grise Preserve sign on May 1, 2007.
- Sign was erected after the adoption of the current Zoning Ordinance dated December 15, 2006, but permission/permit to erect the sign on road-right-of-way was previously sanctioned.
- Soper: Pursuant to §16.4 *Signs Allowed In Any District Without A Permit, subsection A (4) Governmental Signs. Governmental signs and signs identifying conservation areas owned and maintained by public or quasi-public entities like land trusts are permitted in all districts, but may not exceed the maximum sign area permitted in the district or fifty (50) square feet, whichever is larger.*
 - The sign is four feet by six feet and meeting the dimension requirements.
- Vivian: The consensus of the Zoning Board of Appeals is that the sign erected by the Houghton-Keweenaw County Conservation District is legal. Zoning Administrator directed to contact parties to this action informing them of the decision.

NEW BUSINESS: None

Motion to adjourn, Kastelic, support, Johnson.

Passed without objection.

Respectfully submitted:
Darleen M. Huovinen

ZBA Recording Secretary

Corrections/Additions:

Minutes Approved/Date: _____

Joan Nelson
Keweenaw County. Zoning Administrator