

Keweenaw County
Zoning Board of Appeals Staff Report
May 1, 2014
2014-VAR-03
42-101-28-404-001

Meeting Date: 7:00 PM May 15, 2014

Subject: Variance Application

Attachments:

Staff Report
Application Package
Site Plan

GENERAL INFORMATION

Property Owner (x) Petitioner (x)

Joseph & Sharon Rozich

Requested Action and Purpose

Variance from the setback requirements to construct a garage.

Location and Existing Zoning

Vacant lot Ahmeek Street, across from 1106 Ahmeek St
Zoned R1B.

Size and Existing Land Use

Approximately 0.331 acres, residential attached to 16.79 Acres

Surrounding Land Use and Zoning

North – Vacant zoned RRB
South – Single Family Dwelling, zoned R 1B
East – Single family dwelling, zoned R-1
West – Vacant zoned RRB

Applicable Regulations

Section 7.9 Accessory Structures and Uses – Section B.1. A permitted accessory structure may be erected on parcels of 10 acres or more without a principal structure provided the accessory structure is set back at least 100' from any road right of way or property line.

Frontage

Frontage 100 feet on Ahmeek Street, the last platted street in the plat of Mohawk

Physical Characteristics

One odd shaped polygon fronting on a residential street bisected by the recreation trail, then connecting to the large acreage parcel.

Summary

The petitioner requests a variance from the setback regulations to allow the construction of a garage. The petitioner has a total of 18 Acres in Section 28 with three lots as follows 101-28-404-001 the subject parcel of .3 acres, 101-28-400-002 of 16.79 with a shared rear property boundary of the subject parcel and 101-28-200-007 consisting of 1 acre. The petitioner desires to build the garage where it would be accessible during the winter to store equipment to use for snow removal. Proposed construction is 24x30 residential garage with siding, asphalt roof and eaves to fit in with neighboring buildings.



ZONING PERMIT APPLICATION

Keweenaw County Zoning Ordinance Sections 18.8.1 requires an approved Zoning Permit for all work. The permit is required prior to beginning any work. A zoning permit must be issued prior to application of a building permit. Zoning Permits are free and include one site visit. Additional site visits are \$50.00 each.

ALL INFORMATION IS REQUIRED

Date 4-2-14		Parcel ID (tax) Number 101-28-404-001	
Property Owner(s) Name Rozich Joseph F + Sharon		Applicant(s) Name Rozich Joseph F + Sharon	
Mailing Address PO Box 101		Mailing Address PO Box 101	
City Mohawk	State MI	Zip code 49950	City Mohawk
Day Phone 906 337 5452	Evening Phone 906 337 5452	Day Phone 906 337 5452	Evening Phone 906 337 5452
Current Zoning of Property R1B	Property Address Ahmeek Street	Location of Property north side of Ahmeek Street	
Lot Size and Total Existing Acreage 0.30		Between 5th and 7th Roads streets	
List below or attach legal description of property.			
Describe what this property will be used for and any structural work to be performed. Permit to construct a 24x30 Garage to store vehicles, tools + equipment inside denied - setbacks for 10A not met + no principal use - request ZBA Hearing -			

A SURVEY OR SCALE DRAWING SHOWING ALL DIMENSIONS, (adjacent roads, existing buildings, proposed work, proposed structures and setbacks) MUST ACCOMPANY THIS APPLICATION.

THIS APPLICATION MUST BE SIGNED BY THE PROPERTY OWNER OR THEIR AUTHORIZED AGENT

I hereby grant permission for members of the Planning Commission and Zoning Administrator to enter the above described property for the purpose of gathering information related to this application.

Signature and Date Applicant(s) Joseph Rozich Sharon Rozich 4-2-14
 Signature (if other than owner):

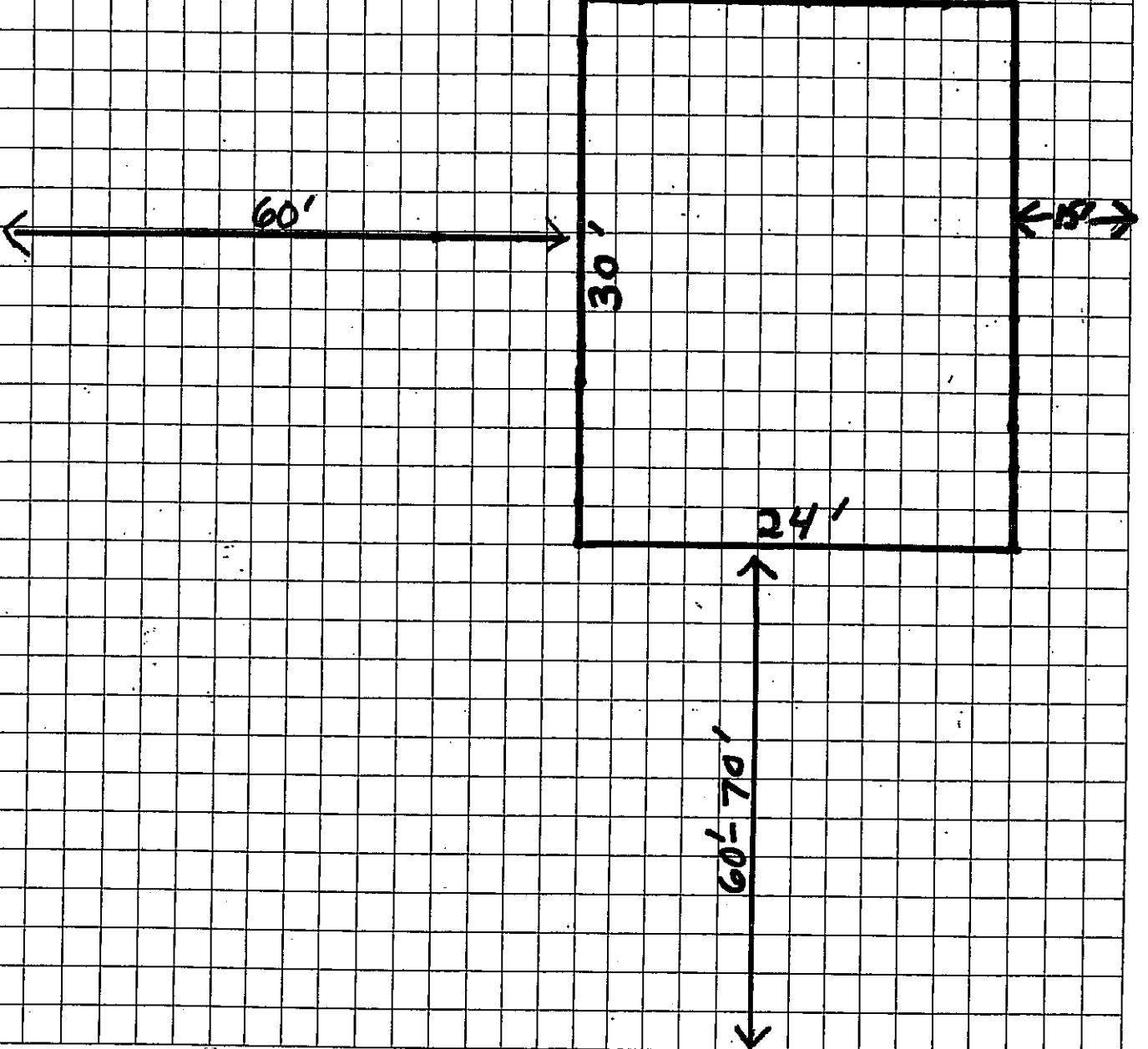
DO NOT WRITE BELOW THIS LINE - KEWEENAW COUNTY USE ONLY

Date Received 4/7/2014	Zoning Permit #	Scheduled Site Visit Date	911 Address Number
Septic Permit Number	Well Permit Number	Soil Erosion Permit Number	Culvert Permit Number
Critical Dune Permit Number	DEQ Permit Number	Addtl Site Survey Fees (\$50.00 Each)	Receipt #

APPROVED
 DENIED reason over Signed M. Ann Goppert Zoning Administrator Date 4/15/2014

Antilla

Allouez Township



INDICATE DIRECTION OF NORTH WITHIN THE CIRCLE:



Ahmeek

Street



**KEWEENAW COUNTY
ZONING BOARD OF APPEALS
ZONING VARIANCE REQUEST**

Application Fee is \$250.00

Date April 22, 2014	Parcel ID	ALL INFORMATION			
Property Owner(s) Name Joseph & Sharon Rozich	Applicant (s) Name				
Mailing Address PO Box 101	Mailing				
City Mohawk	State MI	Zip Code 49950	City	State	Zip Code
Day Phone 906-337-5452	Evening	Day Phone	Evening Phone		

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.

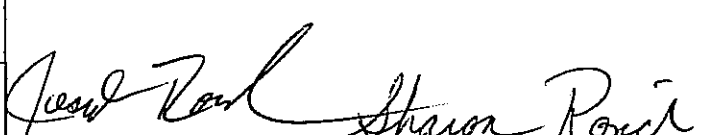
Current Zoning of Property RRB	Pro	Total Acreage single	
Location of Property: West side of Ahmeek St	Ro	Between 7 th and	and Alder Grove St Roa

<u>Type of Request</u>	Article and/or Section of the Zoning Ordinance being appealed
A variance of a requirement of the Zoning Ordinance	Article 7
A review of an administrative decision	Section 7.9
An appeal of a special approval denial	
An interpretation of the Zoning Ordinance text	

Variance requested (The difference between what is required and what is proposed) To allow setbacks of 65' from the street, 60' to the resident property owned by Antillas and 15' to the side yard owned by the township from the required 100' setbacks to build on 10 acres or more – or to allow a garage to be erected on a parcel without a principal dwelling.

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

DO NOT WRITE BELOW THIS LINE –KEWEENAW COUNTY USE ONLY

Date Received 4/24/14	Application Fee 250 ⁰⁰	Receipt Number 3502	Case Number 2014-VAR-03
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Zoning Administrator Signature & Date	<i>William Joppertel</i>	<i>April 28, 2014</i>
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Publication Date <i>5-1-2014</i>	Date Notices Mailed <i>5-1-2014</i>	Public Hearing Date <i>5-15-2014</i>	Other
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Supplemental Information
Zoning Board of Appeals Case No. 2014-VAR-03

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?

Property is also accessible from the backside via road and snowmobile trail across from the Wooden Spoon (old street car grade) making it prone to vandalism as it would not be very visible from the street.

It would be much harder for winter access as we would have to plow approximately 500' across the snowmobile trail. **VERY DANGEROUS!!**

Putting a garage closer to Ahmeek Street would make it much better for fire protection.

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

If variance was granted the garage would NOT be a steel pole barn. The garage would have siding, asphalt roof, and eaves so it would fit in with neighboring buildings. It would remove eyesores from other property owners. We would use the garage for storage of equipment and vehicles.

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

Not applicable

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

We live 1 1/2 blocks away from site. We currently have a beautiful home and garages. We strive to keep our home and yard meticulous.

We currently have a small area cleared on our 18 acres that looks like a little park. We have trails around the circumference of our property.

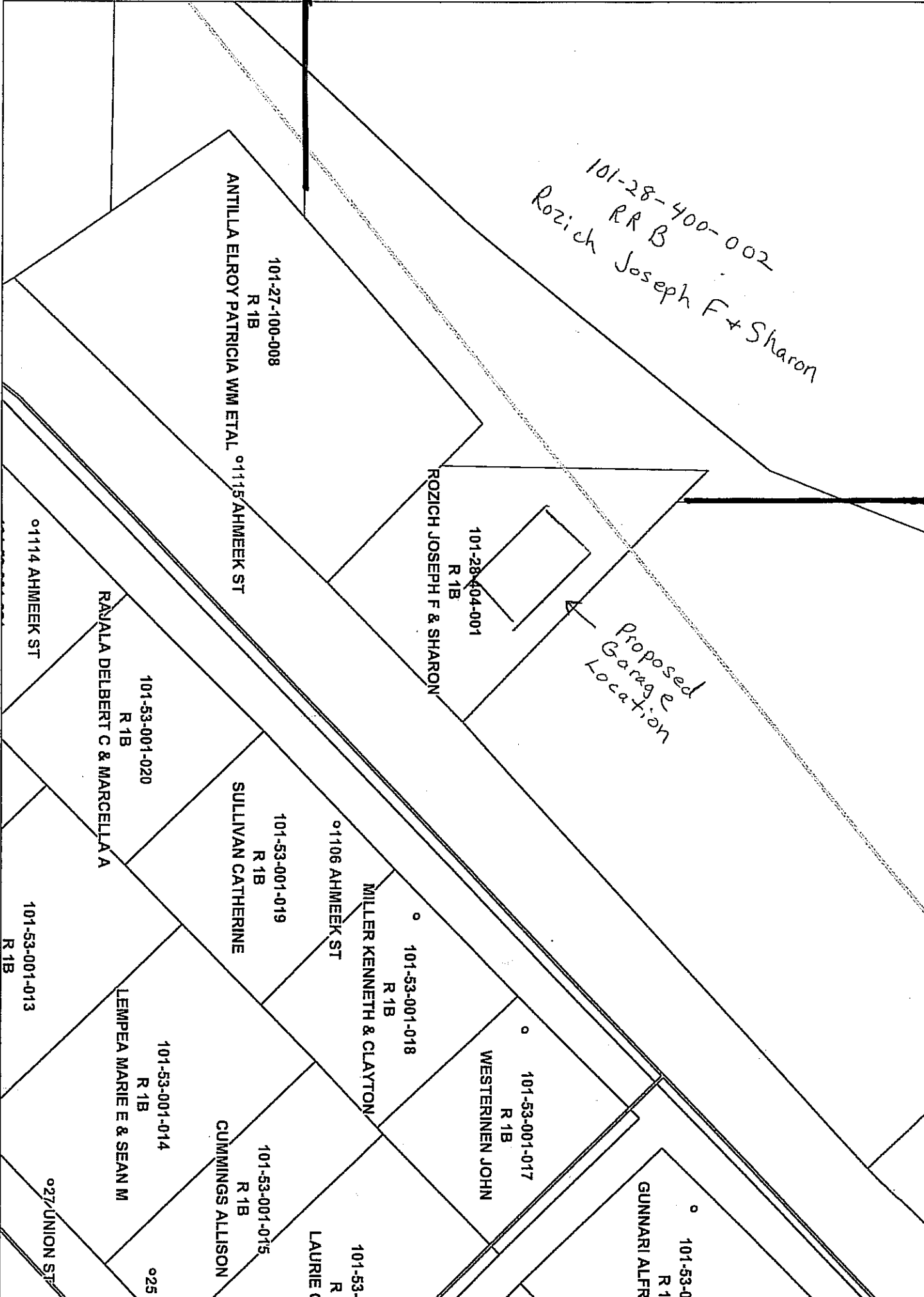
5. Explain why the requested variance is not due to the actions of the applicant, owner, or their predecessors.

Signed: Joseph Rozich Sharon L. Rozich

Printed Name: Joseph Rozich Sharon L. Rozich

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

101-28-400-002
RR B
Rozick Joseph F + Sharon



Buro Dev

116.79 A

916 A

subjed parcel

Alldoz Twp

ALDOEZ TWP

Carlson

RANTILA

33A

WIINAMAKI

GARJEPY

105A

*



5/12 TRUSSES

Trusses to meet all local
sno loads & codes spaced
& braced 24" oc with
Hurricane clips & 5/8" sheeting
with standard roofing & felt

2x Subfacia
with Dedge
and Aluminum
Soffit & fascia

Tie plate on top plate
on 2x6 studs 16" oc on
bottom plate with structural sheeting

24'x30' GARAGE

10' SPURED
WALLS

Treated sill plate on
sill seal on concrete block
cored with Anchor bolts 6' on center

3 ROWS 8" BLOCK

4" thick Concrete
slab with mesh on
compacted sub base

12" T x 16" W Thickened
edge with 2 #4 Bar
tied & overlaped

Dirtworks
Contracting

Complete
Construction
Services

Laurium Michigan

906-337-5334

SCALE

DATE