

REGULAR MEETING

AGENDA

DANBURY TOWNSHIP BOARD OF ZONING APPEALS

Wednesday, March 16, 2016

5:00 p.m.

MEMBERS

Carol Robertson - Chair

Loretta Grentzer – Vice Chair

Brad Bauer - Member

Sherry Roberts - Member

John William Smith - Secretary

Joseph Fetzer - Alternate

Sharon Michael - Alternate

STAFF

Kathryn A Dale, AICP, Zoning Inspector

Cheryl Harmsen, Recording Secretary

MEETING PROCEDURE: The Board of Zoning Appeals is a quasi-judicial Board. Our primary function is to hear testimony and issue decisions. Unlike other Township boards and commissions, we only hear relevant, sworn testimony from the Appellant, his/her duly appointed agent or attorney, and any other person with standing to testify in a particular matter. The Appellant has the right to cross-examine any testimony given. Our hearings are open to public attendance, but public comment, opinion and discussion are not considered testimony and will not be heard.

Please wait until you are recognized by the Chair, proceed to the podium, and state your name and address so that your comments may be properly recorded. Applicants are to limit their testimony to fifteen (15) minutes, including any information presented by his/her duly appointed agent or attorney. Other persons with standing to testify are to limit their remarks to three (3) minutes or less. These limitations may be extended if the Board requests or approves further testimony.

I. Call to Order.

II. Pledge of Allegiance.

III. Roll Call.

IV. Swearing-in of Members.

- a. Sharon Michael as Alternate Member.

V. Adjudication Hearings.

a. **Continuation from 02.17.16:**

BZA-2016-010 5831 E. Harbor. Request for a Conditional Use to allow for a 26 unit Condominium Development in accordance with Section 3.1.10.C.iii and Section 4.3. **Larry & Linda Beerman, Owner in Contract w/ Rospert Enterprises, Inc. William & Bree Brown, Agents.**

b. **Continuation from 02.17.16:**

BZA-2016-011 5401 Maritime Shoreway. Request for a Conditional Use to allow for a 32 unit Condominium Development in accordance with Section 3.1.10.C.iii and Section 4.3. **West Harbor Marina, LLC (William Brown), Owner, Bree Brown, Agent.**

- c. **BZA-2016-006 Lot 21, Plat II of Harbor Bay Estates (Roche Pointe Condominiums).** Request for a Major Modification to a previously approved Conditional Use (BZA-2007-217) to replace 4 structures/8 condo units with 2 detached garage buildings, each containing 6 garage bays/units for the owners of Roche Pointe Condo units. Also requesting an Area Variance from Section 5.1.1.C.i to allow 24'6" tall garage structures (20' required). **Dean Talip, Agent/Appellant, American Title Agency, Inc./ Owner.**

- d. **BZA-2016-023 216 Plum.** Request for Area Variance to Section 3.1.5.D to allow for a 2-story addition to be setback 1'8" from the south property line (3' required). **Terry & Patricia Tomlinson, Owners/ Dennis Feltner, Agent.**

- e. **BZA-2016-024 161 Laser.** Request for Area Variance to Section 3.5.7 to allow an awning addition to be setback 7'6" from the front property line (20' required). **Daniel Noll, Owner/ D.J. Swearingen, Agent.**
- f. **BZA-2016-025 1530 S. Danbury N./ SR 269.** Request for a Conditional Use to allow for a Temporary Use/Structure in accordance with Section 3.1.10.C.ix. and Section 6.2 for a petting zoo at Monsoon Lagoon. **First Bellevue Properties, Inc., Owner in Contract w/ William Colburn & Allan Jacoby, Michael Prosser, Agent.**

VI. Signing of Decision Sheets.

- a. **BZA-2016-002 8098 Rollie.** Request for Area Variance from Section 3.5.7 to allow a storage shed addition onto the existing house to encroach into the west, 5' required side-yard setback (10" proposed). **Peter & Linda Neura, Appellant/Owner.**
- b. **BZA-2016-007 518 Erie Beach.** Request for Area Variance from Section 5.8.1.B to allow a 12' x 25' inground pool in the side yard (3 sided front with no rear yard) to be 5' from the northern side property line (10' required). **Tom & Cathy Dearth, Appellant/Owner.**
- c. **BZA-2016-009 2109 Tecumseh.** Request for Area Variance from Section 3.5.7 to allow for the construction of a new home to encroach into the north, 20' required front-yard setback (11' proposed). **Don & Judy Kiser, Appellant/Owner.**

VII. Approval of February 17, 2016 Board of Zoning Appeals Meeting Minutes.

VIII. Old Business.

- a. Extension request for: **Approved w/ Conditions 03.18.15**
BZA-2015-009 Harbor Bay Estates Lot 52 (PIN # 0140469406735071) & Lot 53 (PIN #0140469406735011) (To be Replated to Lot 52A & 53A on Plat V of Harbor Bay Estates). Request for a Major Modification to a previously approved Conditional Use (BZA-2013-042) to allow for a Condominium development, in accordance with Section 3.1.10.C.iii, 4.3 & 6.2 with different boundaries. Request also for Area Variance from Section 4.3.2.A regarding density, 89 units allowed/122 proposed. **Michael Prosser, Prosser & Associates as Agent, Harbor Bay Estates, LTD, Appellant.**

X. New Business.

XI. Other Business.

XII. Reports & Communications from Members & Staff.

XIII. Adjournment.