

Approved 08-03-2021

CASCO TOWNSHIP
ZONING BOARD OF APEALS
Monday June 14, 2021; 7:00 PM

Present: Chairman Matt Hamlin, Vice Chair Paul Macyauski, Secretary Sam Craig, and Matt Super

Absent: Alex Overhiser

Also Present: Zoning Administrator Tasha Smalley and Recording Secretary Janet Chambers and applicants James & Cecilia Reynolds and 4 interested citizens.

1. **Call to Order, Roll Call:** The meeting was called to order by Chairman Hamlin at 7:15 PM.
2. **Approval of Agenda:** Motion by Super, supported by Macyauski, to approve agenda as presented. All in favor. MSC.
3. **Public comment** (non-agenda items): None
4. **New Business**
 - A. **Variance request James Reynolds, 880 Blue Star (02-062-009-10), side yard setback; north 15 ft. of relief and south 20 ft. of relief; from required 25 ft. (Public Notice Attachment 1)**

Open public hearing

1. **Applicants explain request and ZA staff report:** (ZA Report - Attachment 2) (Application Attachment 3) James Reynolds, thanked the ZBA for having the hearing and Smalley for educating himself and his wife. They have had 50' to 60' loss of property to erosion. They generally live in Casco from April to October. They would like to build a 30' wide home on their 45' lot, the existing house is 38' wide. The house was built by the Casey family (Grandparents of Cecilia Reynolds) 74 years ago. James and Cecilia Reynolds are the 3rd generation since 1947. Cecilia showed photos of when the house was built by her family in 1947.

Macyauski asked if they are moving the existing house, or rebuilding? Reynolds said they considered moving it but decided not to. Their existing house is 38' wide on a 45 ft. lot, which if they moved it, would be even closer to the lot line. In 2017 the stairs were still there, in 2018 stairs were lost to erosion. When they closed the cottage in October of 2020, they had 30' between the house and bluff. They returned in the spring to find only 10'.

Macyauski inquired about the reason for the shape of the lot (a bump out on the Northwest).

Reynolds explained 60 years after the Casey family bought the property, the neighbor came to them and said he is about to sell his property and part of the Casey home was on his property. He said the new owners may ask Casey to move his house off the property. They settled out of court by purchasing a 15' strip of property from the neighbor on the north property line at the west end. Reynolds said he plans to have the back of his house in front of the neighbor's house, so they do not sit as close to each other.

Macyauski said he was leaning toward Section 3.28 of the ordinance for this.

Smalley said it is not a platted lot. It is a meet and bounds type lot.

Macyauski said under 3.28 it would still not be conforming.

2. **Correspondence:** A letter was received in support of the variance from Julie Cowie and Wil Hart. A letter from Carolyn Slone was received, also in support of the Reynolds variance (two letters Attachment 4). Slone added in her correspondence that she would like to see the house closer to the lake to keep more distance between the houses because of fire hazard.

Macyauski asked if Reynolds would be agreeable to an approval contingent upon having his house a minimum of 15' closer to the lake than the lake side of home to the south.

Reynolds said he wants to move away from the lake as far as possible, but 15' was reasonable. To the south of Reynolds is Casey (cousin of Cecilia Reynolds). Another concern of Slone is that the variance not be a blanket variance.

Macyauski said it would not be a blanket variance. The decision reached on the variance would only apply to the applicant's property only.

Hamlin said there needs to be enough room for a fire truck between houses.

Craig asked if Reynolds plans to remove the existing home.

Reynolds said his plan is to remove the existing house before beginning construction of the new home.

Craig said he would like another condition of approval to be the removal of the existing house.

3. **Audience for / against comments:** None
4. **Any further discussion:** Macyauski said Reynolds had accurately answered all the Standards in 20.08. Commissioners all agreed standards had been met.

Close public hearing at 7:40 PM

- B. **Discussion / decision of variance request:** Because the standards have been met, a motion was made by Macyauski to grant the variance requests of 15' relief on the north side yard setback and 20' of relief on the south lot line, contingent upon a minimum of 15' between the west side of the new construction and the west face of the southern home; and contingent on the existing home being removed before construction of the new home begins. Motion was supported by Super. All in favor. MSC

5. **Old Business:**

A. Anything else that may come before the ZBA: A variance request will be coming for property on Pershing. It is on wetlands and EGLE said if they could get a variance from Casco to build in an area to the edge of the wetlands it would impact the wetlands less. The property is on a platted lot of record. They are requesting 20' in front and south side 5' from required 10'. Monday, July 26th was discussed as a possible date.

6. **Public Comment:**

7. **Approval of previous minutes -May 24, 2021:** A motion by Macyauski, supported by Super, to approve minutes of May 24, 2021. All in favor. Minutes approved as presented.

8. **Adjournment at 7:55**


Attachment 1: Public notice

Attachment 2: ZA Report

Attachment 3: Application & Drawing

Attachment 4: Correspondence, 2 letters in support

Minutes prepared by Janet Chambers, Recording Secretary


Matt Hamlin, ZBA Chairman
Paul macyauski vice chairman


Sam Craig, ZBA Secretary

8/2/21
Date

6/14/21
Date