

Charter Township of Filer
Zoning Board of Appeals Public Hearing
Filer Township Hall
2505 Filer City Rd., Manistee, MI 49660
March 28, 2022 Meeting Minutes

Present: Jennifer Williams, Ron Gutowski, Elizabeth Allen

Also Present: Larry Thompson, Zoning Administrator, Craig & Laura Prieskorn, Applicant

Meeting called to order and Pledge of Allegiance at 4:00 p.m.

Motion by Allen, seconded by Gutowski to approve the presented Public Hearing Meeting Minutes held on February 16, 2022. All in favor. M/C

Case #21622-1 Craig & Laura Prieskorn
 Lot 33 of the plat of Red Apple Beach Shores
 Parcel: 51-06-541-707-05

Applicant is requesting a setback variance to construct a dwelling in medium density residential district, 75' from the bluff instead of 100'. If granted, the dwelling setback will be 75' from the bluff.

The owner addressed the septic system. He presented pictures for the placement of the septic system.

Zoning Board of Appeals to allow dwelling structure to be at 75' from bluff line instead of 100' per ordinance. Reason for decision is based on the location of septic and drain field would be more costly because of the removal and replacement and the placement of septic system and drain field. Finding of fact to be attached to minutes.

Chairperson Williams called for Public Comment: None at this time

Motion by Gutowski, seconded by Allen for approval of setback variance. Roll Call Vote: Allen-yes, Gutowski-yes, Williams-yes. 3 Yeas, 0 Nays. M/C

One correspondence was received prior to the hearing.

No other business to come before the Board.

Motion by Gutowski, seconded by Williams to adjourn the hearing. All in favor. M/C

Hearing adjourned at 4:30 p.m.

Respectfully submitted,

Elizabeth Allen, Secretary
Zoning Board of Appeals

Finding of Facts

Craig & Lora Prieskorn

3/28/22

They are requesting a Variance for a Dwelling 75ft. from the bluff of Lake Michigan. Our Ordinance states; Property fronting Lake Michigan has a 100' setback from the and requires State High Risk Erosion and critical Dune Area Permits.

1. EGLE only requires 75 ft. from the Bluff
2. Attached Copies of our ordinance (A,B,C,D.)
3. Attached Copies of a summary from the Prieskorns
4. They are not in High, Risk Erosion Area (E.)
5. A unapproved Variance on a previous similar Variance.

Other information is included in the Packet.

Additions

6. when checking with EGLE again they are not in the critical Dune area or high Erosion District.
7. A permit was declined 2015 an approved Variance or a non-approved variance should not set a preference. All appeals should be based on current Facts.
8. Their application contains a great deal on reasons (hardships) why they are pursuing a 75ft setback.
9. They tried and I also tried to contact the health department on their opinion on the placement of the septic. He does not do anything till a permit is issued.
10. It shows where it would be more costly for tree removal and tree's are hard to replace.
11. The info they submitted with their application was very informational and showed some hardship and other reasons for his request.

Larry Thompson ZA