

Summit Township Zoning Board of Appeals
Thursday, June 11, 2015

PRESENT: Kevin Thomson, Chairman; Bob Dubois, Secretary and Township Trustee; Larry Dunn, Tony Hollow, Debby Kelly, Charles Neese, Alternate; and John Worden, Zoning Administrator.

ABSENT: Jack Shelby, Vice Chairman & Planning Commission Liaison; James Bogie

Chairman, K. Thomson, called the meeting to order on Thursday, June 11, 2015 at 7:00 p.m. in the Township Hall Meeting Room at 2121 Ferguson Road.

A motion was made by B. Dubois, supported by L. Dunn, to approve the minutes of the Thursday, March 12, 2015 as written. The motion carried unanimously.

Case# 15-06-0008 – Variance 1004 Echo Beach Drive – North Side Lot Line and East Lot Line (road side) setbacks – Addition to current attached garage – David Fugate and Kathy Landmark Applicants/Owners

A public hearing was held at the request of David Fugate and Kathy Landmark of 1004 Echo Beach. When the applicants purchased the property from Ron and Jo Ellen Hoppe in 2012, they also purchased the Hoppe's four (4) boats (pontoon, fishing, canoe and paddle). The Hoopes had stored the boats on the property at 1007 Echo Beach Drive, but this property was not included in the 2012 sale. The applicants expressed a desire to provide additional storage space on their property for the boats in the off season. The applicants are requesting a variance of 3.5 feet from the ten (10) feet minimum north side yard setback and 6.5 feet from the minimum front east yard (road side) for building an additional attached garage on the property of 1004 Echo Beach Drive. The property is an average of one hundred and four (104) feet by one hundred thirty five (135) feet and has fourteen thousand eight hundred and forty one (14,841) square feet in area. The home located at 1002 Echo Beach Drive is approximately 4.7 feet from the south property line. The home located at 1010 Echo Beach Drive is approximately 6.2 feet from their North property line. The road right-of-way is forty (40) feet and the existing garage is 30.2 feet from the east property line.

Neighbors, Al and Shirley Harmon, of 1002 Echo Beach Drive, and Darwin Watts, of 1038 Echo Beach Drive, attended the meeting in support of the application.

Applicant, David Fugate, addressed the board and spoke on the projected images of the property from the street, driveway, and the side yard.

Chairman, K. Thomson, inquired as to the purpose of the addition? Improved living space and/or garage area.

Applicant, David Fugate, responded storage that will be attached to the existing garage

C. Neese commented if the applicant were to place the addition flush with the back part of the garage there would be no need for a variance.

Applicant, David Fugate, responded that by placing the garage as suggested it would obstruct the neighbors and his view of the lake.

Chairman, K. Thomson, commented the applicant could go to the back at least 11.8 feet, but would still have an obstructed view of the lake.

Applicant, David Fugate, responded it would block the view of the lake and wanted to avoid that and it would cut off communication with his neighbor.

Neighbor Al Harmon, of 1002 Echo Beach Drive, spoke on behalf of the applicant and expressed support for the variance request and has no issues with the neighbor building the addition.

C. Neese commented a variance would not be required if the dimensions of the addition were smaller than what has been proposed by the applicant.

Applicant, David Fugate, supported C. Neese's statement, but the addition (attached to existing garage) will be used to store the applicants' wave runners, cars, paddle boat and other toys that require a larger storage space.

Neighbor, Darwin Watts, of 1038 Echo Beach Drive, addressed the board stating that he had received a variance years ago and was in support of the application. The area is filled with nice looking homes and neighbors that care for their property and the neighborhood. He also noted that a lot of homes in the area are right on the line, and this request is similar to a lot of the homes in the neighborhood.

Chairman, K. Thomson, read an anonymous letter that was dropped off at the township. The letter was not in support of the application stating it exceeded 30% property coverage, and the addition will look out of place in the neighborhood resembling a storage building not a residence nor RU1 zoning requirements.

A motion was made by B. Dubois, supported by L. Dunn, to grant the requested variance of 3.5 feet from the ten (10) feet minimum north side yard setback and 6.5 feet from the minimum front road side (east) setback of thirty five (35) feet for building an additional attached garage on the property located at 1004 Echo Beach Drive in accordance with Chapter 150.367 (B) (1) (a,b,c,d) and for this request only.

C. Neese remarked that the township has a zoning ordinance for a reason, and believes that granting variances need to be extenuating circumstances. The applicant could chose to construct a structure inside the required setbacks.

Ayes: L. Dunn, B. DuBois, Chairman, T. Hollow, D. Kelly

Nays: C. Neese

Motion carried.

The meeting was adjourned by chair at 7:15 pm

Respectfully Submitted,

B. Dubois, Secretary