

CALL TO ORDER: Chair Dechow called the public hearing and special meeting of the Cleveland Township Zoning Board of Appeals to order at 6:32 pm.

ROLL CALL: Members Present: Dean Manikas, Mark Fisher, Joseph Dechow, Jan Nowak, Tricia Denton. Also in attendance Timothy Figura, Katie Sabo, Tony and Kelley Zywicki, and five additional members of the public.

APPROVAL OF AGENDA & NOTED CONFLICTS: No conflicts of interest declared. **Motion by Fisher/2nd Manikas to accept agenda as presented./Passed 5-0**

PUBLIC COMMENT ON AGENDA: None

APPROVAL OF MINUTES: Minutes of the November 1, 2022 meeting were presented. **Motion by Denton /2nd Manikas to approve the minutes as presented. /Passed 5-0**

OLD BUSINESS: None

NEW BUSINESS:

CLOSE OF PUBLIC MEETING AND OPENING OF PUBLIC HEARING

PUBLIC HEARING-ZBA Case #22-02: Tax ID 45-003-024-020-10; Owner, Anthony and Kelley Zywicki have submitted a request for 3 variances to this residential parcel from Zoning Ordinance Article V, Section 5.08 Setback Restrictions and Section 5.09 Building Lot Width and Area specifically, “No building or structure shall be built closer than forty (40) feet to the nearest right-of-way line of any public street or thoroughfare, no closer than ten (10) feet for side yards, no closer than ten (10) feet for rear yards, and no closer than seventy-five (75) feet to the water’s edge”. And “The yard area free of all buildings and structures shall constitute at least seventy-five (75) percent of the lot”.

The applicant seeks the following: 33 ft. variance from the water’s edge; 8 ft. variance from the side lot on north property line; 5 ft. variance from the side lot on south property line; 7 sq. ft. variance on the yard area used for structures. The property is located at 5650 S Lime Lake Rd.

1. **ADDITIONAL DOCUMENTS FOR THE RECORD:** Exhibits A-K presented and submitted by Fisher, See attached.
2. **CORRESPONDENCE:** Letters attached hereto; Steve Olson, neighbor, opposed to variances. Rod Sturgeon supports variances. Mary Morton, supports variances. Kelsey Froelich, watershed biologist, opposed to variances. Ron Reimink opposed to variances. Seychelle Van Poole opposed lot width and waterfront setback variance.

3. **APPLICANT STATEMENT:** presented by attorney for applicant, Katie Sabo, see attached documents, including additional photos of property and previously received correspondence from Dennis Nisch supporting the variances, Scott and Deborah Brandenburg supporting the variances, Michael A. Deaton supporting the variances.

PUBLIC COMMENT: Katie Sabo, Anthony Zywicki, Kelley Zywicki

B. BOARD CONSIDERATION OF REQUEST: Discussion among board perused with questions coming up and directed to the applicant/owner.

Motion by Manikas/2nd Nowak to deny all requested variances per Section 14.09 as submitted by Anthony and Kelley Zywicki for the following:

1. A 33 ft. variance from the water's edge.
2. An 8 ft. variance from the side lot on the north property line.
3. A 5 ft. variance from the side lot on the south property line.
4. A 7 sq. ft. variance on the yard area used for structures.

Reasons for denial: See attached from Manikas

On a roll call vote; Dechow, yes; Denton, yes; Fisher, yes; Manikas, yes; Nowak, yes; Motion PASSED 5-0.

PUBLIC COMMENT: Katie Sabo, Timothy Figura

Motion by Nowak/2nd Manikas to adjourn meeting./Passed 5-0

Meeting adjourned at 7:22 pm.

Respectfully submitted,

Tricia Denton, Recording Secretary

DRAFT: These are the unapproved minutes and will be reviewed at the next Zoning Board Meeting.