

Watersmeet Zoning Board of Appeals
Tuesday, January 13, 2015
Watersmeet Township Offices
10:00am

PURPOSE: Variance requested for lot division of parcel 2706-31-601-800 on Big Lake, owner: Evelyn E. Simarski

Meeting called to order by Chairman Casey at 10:00am. Members present: Ed Casey, Bill Neumann, Pete Peterson, Joe LoMastro and Fred Duerkop.

Citizens present: David Sherrill, Tom Krautkramer, Linda Sauberlich, Kathy Krautkramer, Chuck Sauberlich, Julie Mathiesen, and Mike Rogers.

All correspondence mentioned in the minutes is attached and maintained in the files.

The letter requesting the variance on the property located at E18571 Big Lake Road was written and submitted by the owner, Evelyn E. Simarski. She is requesting a land division in order to hopefully sell her property quickly as it is no longer used by her family. When purchased in 1971 the intent was to divide the property so each of their children could have a lot. Due to reasons mentioned in the attached letter, that is no longer an option and she wants to sell and use some of the proceeds for assisted living and possible future nursing care. She does not want to be a hardship for her children.

Chuck and Linda Sauberlich submitted a letter and list of reasons why they object to granting a variance for the property. The main reason being that variances should be granted in only the rarest of situations where a hardship is shown.

Gary Pisoni of Iron River was hired to divide the original survey to show two lots. The zoning ordinance states that property size must be 300 feet frontage and side lines. The division would come up short with the rear of the lots being about 291.5 feet. The new survey also shows a bit more lake frontage than the original 300 feet due to a meandering survey. This is a moot point though, as it has always been at least 300 feet.

Tom Krautkramer stated that if the property was divided and a lot was sold, the owners may not get a clear title due to the Marathon Covenant, established in 1955. He also stated that there has been no attempt by Ms. Simarski to sell the entire lot and that she has only asked a couple of real estate agents what a general time line is to sell in this area. She was told as long as 6 years. There have been two pieces of property on Big Lake that recently sold in only a short time.

Joe LoMastro mentioned to the board that there are classes offered in Marquette at time for ZBA members from time to time and that some of the members attended 8 or 9 years ago and suggested that it be looked into again, in order to make better informed decisions.

A motion was made by Bill Neumann with support from Joe LoMastro to deny the variance request from Ms. Simarski. Roll Call Vote: Pete Peterson, No; Joe LoMastro, Yes; Bill Neumann, Yes; Fred Duerkop, Yes; Ed Casey, No. Motion carried, variance denied.

A motion was made by Bill Neumann with support from Fred Duerkop to adjourn the meeting. Motion carried. Meeting adjourned at 11: 10am.

Respectfully submitted,

Sandy Mansfield, Clerk
Watersmeet Township

DRAFT