

Bille appeal September 7, 2017

My name is John Bowen and I live at 5409 Greenwood Rd
Some of the things I will talk about are repeats, but, so is this variance a repeat.

Mr. Bille stated at the planning commissions hearing that the board overturned the May 25, 2017 variance request based on the Comprehensive plan of 2002 and not the rule of law of 2015. I don't know what the rule of law being referred to is, but, the ordinance states variances shall **ONLY** be permitted when the variances are consistent with the Comprehensive Plan. Page 14 of the Comprehensive Plan Policies 3. North Shore Corridor, quote, "A. Discourage development that changes the density as currently zoned." End quote. Mr. Bille stated at the variance hearing that his plan does not change the density as currently zoned but maintains the density that already exist in the area. I beg to differ, adding another structure on a .31 acre, 75' wide lot when the current zoning is a 2 acre, 200' wide lot is not maintaining existing density, but, adding density to an area already overly dense under the current zoning. Allowing development on a lot so much smaller than the current zoning, is defiantly not consistence with the comprehensive plan. Also on page 18, C. Shoreland District Strategies, Regulation 6. Quote "Maintain restrictions on substandard lots as defined in current zoning ordinance" end quote. These variances defiantly are not consistent with maintain restrictions on substandard lots.

Somehow, we have let view corridors become a major consideration in this variance request. I was on the committee that drafted the 2002 Comprehensive Plan and if I remember the discussion about view corridors wasn't about homes, but about trees and bushes growing up obscuring the lake view. The consensus was some open spaces along the shore should be maintained to provide a lake view when driving along the shore. We need to focus on the real important facts regarding this variance, lot size, setbacks and construction of a large nonconforming house on 2 small nonconforming parcels.

The Boards finding of facts that the variances were not in harmony with the general purposes and intent of the Ordinance at the last appeal hearing were spot on. Nothing was changed in this new request that would void any of those facts. They should be used again as a finding of facts to overturn the planning commission's approval of the variance request.

Over the years some small changes have been made to the four-variances requested by the Billes' to construct a home on this property, but the basic facts remain the same. The size and widths of the 2 parcels have not changed. The lot size was a finding of fact in the denial of their 1992 and 2004 variance request, but somehow the last two zoning commissions have chosen to say the lot sizes were caused by the 1930's subdivision. As I have said before, I don't see how this can be as the 2 parcels were created in 1958 by owners, one 25' and the other 50' wide, much smaller than plated 100' wide lots. Mr. Bille stated at the zoning commission public hearing that they absolutely knew the parcels were nonconforming and they knew what they were doing when they purchased them. The previous owner was denied a variance to construct a nonconforming house on those two small nonconforming parcels, what would make the Billes' think they could obtain a variance when the previous owner could not? The Billes' have every right to request as many variances and as often as they wish. The Township also has every right to deny the variances when they are not in harmony with general purposes and intent of the Ordinance and when they are not consistent with the comprehensive plan. The Board should reverse the planning commission's approval of this variance.

Thank You