

**CLEARWATER TOWNSHIP ZONING BOARD OF APPEALS**  
**SPECIAL MEETING**  
**AUGUST 10, 2020**

Chair opens public hearing and announces subject: Mark Malott is requesting a variance from the required 10' side setback on the west side of his property at 6541 Crystal Beach Rd to construct a 26' second-story addition, a 6' first story addition and a post, all 5' from the property line.

Pledge of Allegiance

Roll call: ZBA members, public officials, attendees

Approval of agenda

Chair calls for actual or potential conflicts of interests

Approval of ZBA minutes of January 6, 2020

Chair summarizes procedures to be followed during the hearing (the six steps listed below)

Applicant presents request to be considered

Township zoning administrator presents a summary or analysis of the request

Persons wishing to comment on the request are recognized. (Public comments should be directed to the chair, not to the applicant or to others at the hearing.)

Chair closes public hearing (or announces a continuance if additional pertinent information must be obtained); only ZBA members participate in ensuing discussion, unless they have a question of the appellant.

Chair reads each standard, pertinent findings of fact are presented and discussed, and a roll call vote is taken as to whether or not the requested variance meets the standard. Standards are as follows:

1. The property is subject to exceptional or extraordinary circumstances or conditions that do not apply generally to other properties in the same zoning district (e.g., unique dimensional, topographical and/or structural conditions) thus presenting the possibility of a *practical difficulty* for this particular property.
2. The requested variance is necessary to alleviate a situation which qualifies as a *practical difficulty*; i.e., without the variance the owner is deprived of a minimum practical legal use of his/her property as is possessed by residents of other properties in the same zoning district. (The possibility of increased financial return is of itself not sufficient to warrant a variance.)

3. The requested variance is the minimum variance necessary to mitigate the *practical difficulty*.
4. The *practical difficulty* resulting in the need for the requested variance was not created by any action of the current property owner.
5. The requested variance will not be detrimental to adjacent property and the surrounding neighborhood.

If each (and every) standard is determined to be met by majority vote, the variance is approved; otherwise, the variance is denied.

Chair will complete ZBA decision form within 30 days and make it available to appellant and township office.

Adjournment.