

ISABELLA COUNTY  
ZONING BOARD OF APPEALS

June 21, 2017

A Regular Meeting of the Isabella County Zoning Board of Appeals was held on June 21, 2017 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Jim Wynes, Brent Duffett, Tom Riley

MEMBERS ABSENT: Marilyn Fosburg, Phillip Vogel

SUPPORT STAFF PRESENT: Tim Nieporte, Directory  
Kim Kennedy, Recording Secretary  
Ray Johnson, Planner/Zoning Administrator

The meeting was called to order by the Chair at 9:00 a.m.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

A motion was made by Mr. Duffett supported by Mr. Riley to approve the agenda.

Yes: Jim Wynes, Brent Duffett, Tom Riley

No: None

Motion carried.

PREVIOUS MINUTES

Minutes from the April 2017 regular meeting were circulated to the Board prior to the meeting for their review.

A motion was made by Mr. Duffett and supported by Mr. Riley to approve the minutes as presented.

Yes: Jim Wynes, Brent Duffett, Tom Riley

No: None

Motion carried.

PUBLIC COMMENT - None heard.

## NEW BUSINESS

### **VAR#17-03 Dave Schumacher – Gilmore Township**

Mr. Johnson informed the board that there has been an application requesting a variance to construct a dwelling addition with a front yard setback of 10 ft where 20 ft is required and a side yard setback of 3 ft where 8 ft is required for this parcel. The property is located on the south shore of Littlefield Lake 4707 Rustic Hills Dr., Lake, MI 48632.

Mr. Johnson received a letter in opposition from John Giles the neighbor to the east. Mr. Giles expressed concerns with water runoff and traffic safety when leaving his property.

Dave Schumacher informed the board that he will be installing eaves and running them into an existing tile. His request for this size garage was to address storage and truck size with plow. Mr. Schumacher feels this structure will not interfere with neighbors being they only have windows on the second store of their home.

Public Hearing opened at 9:13a.m.

John Giles, neighbor to the east, spoke in opposition of the variance request.

Closed Public Hearing 9:15 a.m.

The board discussed setback requirements and public safety concerns. Mr. Duffett reviewed the criteria in Section 14.04 C of the ordinance and stated the applicant had not met all the criteria as required.

A motion was made by Mr. Duffett seconded by Mr. Wynes to deny Variance Number 17-03 which was submitted by Dave Schumacher for dwelling addition to be constructed with a front yard setback of 10 ft where 20 ft is required and a side yard setback of 3 ft where 8 ft is required in the Lakes Area Residential (L-R) District. The denial is based upon the fact the applicant has failed to show he has met all of the required criteria in Section 14.04 C.

Mr. Wynes called for a roll call vote.

Tom Riley: No  
Brent Duffett: Yes  
Jim Wynes: Yes

Motion Carried

### **VAR#17-04 Sue Denslow– Gilmore Township**

Mr. Johnson informed the board that Mrs. Denslow requesting a variance to construct a dwelling with a width of 16 ft where 24 ft is required and a dwelling area of 384 sqft where 720 sqft is

required for this parcel located at 5098 Stevenson Lake Rd. The property is located on the southwest shore of Littlefield Lake and is accessed by a private easement.

Mr. Johnson explained the proposed dwelling was purchased by Mrs. Denslow as a pre-manufactured storage building of which she desires to convert into a dwelling. As indicated in the site plan, a large portion of this property is regulated wetlands and immediately in front of the proposed dwelling is a large slope towards the water. Given the contours of the land staff calculated that it drops approximately 12 feet or at a 15% grade. If Mrs. Denslow wanted to bring in fill material to increase the available area to bring the dwelling up to the standards in the ordinance, a wetland fill permit would be needed in addition to a large amount of fill material.

In addition to the wetlands and topography, Mrs. Denslow is restricted to the placement of the well and septic by health department restrictions as shown on the attached site plan. Mr. Johnson explained that the neighbor's wells are located near Mrs. Denslow's property lines which further restricts the placement of her septic and drain field to meet health department requirements.

Kim Denslow Wheeler spoke on behalf of Mrs. Sue Denslow her mother. Their reason for the variance request is so they can come and enjoy their lot. The restrictions of the location for her well and septic in addition to the wetlands that are on her property restrict constructing a dwelling with a larger area and width.

Public Hearing opened at 9:31 a.m.

Closed Public Hearing 9:31 a.m.

The board discussed the limitations due to the wetlands, steep slope of the property and restrictions in placement of the well and septic.

A motion was made by Mr. Riley, after review of Section 14.04 C, seconded by Mr. Duffett to approve Variance Number 17-04 which was submitted by Sue Denslow to construct a dwelling with a width of 16 ft where 24 ft is required and a dwelling area of 384 sq ft where 720 sq ft is required for this parcel based upon the fact that the applicant has shown they have met all the requirements under Section 14.04 C.

Mr. Wynes called for a roll call vote.

Tom Riley: Yes  
Brent Duffett: Yes  
Jim Wynes: Yes

Motion Carried

STAFF COMMENTS – None

APPEALS BOARD MEMBER COMMENTS – None

ADJOURNMENT

Meeting was adjourn at 9:23 am.

A handwritten signature in black ink, appearing to read "Brent Duffet", written over a horizontal line.

Brent Duffet, Secretary

Kim Kennedy, Recording Secretary