

ISABELLA COUNTY
ZONING BOARD OF APPEALS

May 16, 2018

A Regular Meeting of the Isabella County Zoning Board of Appeals was held on May 16, 2018 in Room 320 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Jim Wynes, Marilyn Fosburg, Phillip Vogel, Brent Duffett, Tom Riley

MEMBERS ABSENT: None

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

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

The Pledge of Allegiance was recited by the Board.

APPROVAL OF AGENDA

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

Yes: Jim Wynes, Marilyn Fosburg, Phillip Vogel, Brent Duffett, Tom Riley

No: None

Motion carried.

PREVIOUS MINUTES

Minutes from the February 2018 regular meeting were circulated to the Board prior to the meeting for their review.

A motion was made by Mrs. Fosburg and supported Mr. Vogel by to approve the minutes as presented.

Yes: Jim Wynes, Marilyn Fosburg, Phillip Vogel, Brent Duffett, Tom Riley

No: None

Motion carried.

PUBLIC COMMENT – None

VAR#18-01 Dave Schleick – Sherman Township

Mr. Johnson informed the board that an application was received in early April from Dave Schleick. The applicant is requesting a variance to re-construct a deck with a side yard setback of 3 ft where 8 ft is required. The property is located on Windaga Lake in the Ojibwa Subdivision.

Mr. Johnson state that the applicant indicates the deck is used as a second exit to the home. Having the deck in place keeps the applicant in compliance with the State Building code for ingress and egress to a home.

Public Hearing opened at 9:07 a.m.

Richard Schmidt representing Sherman Township had concerns with the ability for emergency service to access the site. He expressed his concerns that this request would set a precedence for future set back issues and that the board needs to keep in mind emergency service accessibility.

Mr. Wynes stated that each request reviewed without consideration to past variance requests.

Mr. Duffett stated that the owner could not control the house setbacks but could shrink the 6 ft width of the deck and still be in compliance with the building code.

Closed Public Hearing 9:10 a.m.

Mr. Johnson clarified that after speaking with the building official, the minimum width needed to meet the building code is 4ft.

A motion was made by Mr. Duffett supported by Mrs. Fosburg to deny Variance Number 18-01 based on the fact that the applicant was not able to show he is meeting all the criteria in Section 14.04 of the Isabella county Zoning Ordinance.

Mr. Wynes called for a roll call vote.

Yes: Jim Wynes
Yes: Marilyn Fosburg
Yes: Phillip Vogel
Yes: Brent Duffett
No: Tom Riley

Motion carried.

VAR#18-02 John Nader – Nottawa Township

Mr. Johnson stated that an application was received from John Nader. Mr. Nader is requesting a variance to construct a second story to an existing dwelling with a side yard setback of 6 ft where

8 ft is required. The property is located at 5481 W Beal City Rd, Weidman on the north side of Cold Water Lake.

Mr. Johnson explained that the applicant intends to add additional living space in the form of a second story and will not be closer to the property lines than what is already existing. The applicant has provided documentation to staff from the Central Michigan District Health Department that the addition will be in compliance with well and septic requirements.

Public Hearing opened at 9:25 a.m.

Mr. Florian, the builder, stated that he had spoken to the building inspector and had the footings under the home evaluated. It was determined the footings are structurally able to support a second story.

Closed Public Hearing 9:26 a.m.

The board discussed the criteria in Section 14.04

A motion was made by Mr. Duffett supported by Mr. Vogel approve Variance Number 18-02 (VAR#18-02) which was submitted by John Nader for a side yard setback of 6 ft where 8 ft is required for this parcel in the Lakes Area Residential District (L-R) based on the fact the applicant has shown they are meeting the requirements of Section 14.04.

Mr. Wynes called for a roll call vote.

Yes: Jim Wynes
Yes: Marilyn Fosburg
Yes: Phillip Vogel
Yes: Brent Duffett
Yes: Tom Riley

Motion carried.

VAR#18-03 Jeffery Grinn – Gilmore Township

Mr. Johnson informed the Board that an application was received from Jeffery Grinn requesting a variance to construct a pergola on an existing deck with a rear yard setback of 10 ft where 35 ft is required. The property is located on the south east side of Littlefield Lake, 8889 Westview Dr. Lake.

Mr. Johnson stated that the applicant is proposing to add an open wall pergola to an existing deck between the home and the water. Because this is proposed to be constructed on an existing deck, the new construction will not be any closer to the property lines than the existing building and structures on the property. Given this structure has no sidewalls, the applicant is indicating the pergola will not impede the view of the lake by surrounding neighbors.

Public Hearing opened at 9:29 a.m.

Kris Grinn thanked the board and stated she was available if the board had any questions about the variance request.

Closed Public Hearing 9:30 a.m.

The board discussed the criteria in Section 14.04

A motion was made by Mrs. Fosburg supported by Mr. Duffett to approve Variance Number 18-03 (VAR#18-03) which was submitted by Jeffery Grinn for a rear yard setback of 10 ft where 35 ft is required for this parcel in the Lakes Area Residential District (L-R) based upon the fact that the applicant has shown this request is meeting all the criteria in Section 14.04.

Mr. Wynes called for a roll call vote.

Yes: Jim Wynes
Yes: Marilyn Fosburg
Yes: Phillip Vogel
Yes: Brent Duffett
Yes: Tom Riley

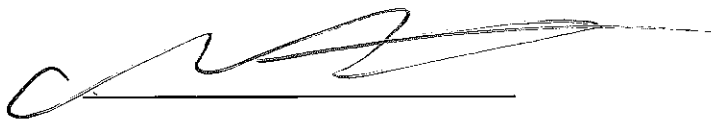
Motion carried.

STAFF COMMENTS – Mr. Johnson passed out special meeting packets and reminded the board of the upcoming special meeting May 30, 2018.

APPEALS BOARD MEMBER COMMENTS – Mr. Duffett commented about the time of transfer inspections required by the District Health Department.

ADJOURNMENT

Meeting was adjourn at 9:40 am.



Brent Duffett, Secretary
Kim Kennedy, Recording Secretary