

ISABELLA COUNTY
ZONING BOARD OF APPEALS

August 15, 2018

A Regular Meeting of the Isabella County Zoning Board of Appeals was held on August 15, 2018 in Room 320 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

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

MEMBERS ABSENT: Tom Riley

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. Duffett supported by Mr. Vogel to approve the agenda.

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

No: None

Motion carried.

PREVIOUS MINUTES

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

A motion was made by Mr. Duffett and supported Mr. Vogel by to approve the minutes as amended.

Yes: Jim Wynes, Phillip Vogel, Brent Duffett,

No: None

Abstain: Marilyn Fosburg

Motion carried.

PUBLIC COMMENT – None

VAR#18-06 – Nottawa Township

Mr. Johnson explained that an applicant submitted by Brian Boge requesting a variance to construct a front porch with a front yard setback of 12.5 ft where 28 ft is required. The property is in the village of Beal City 2035 Thelen St.

Brian Boge included a site plan and written justification for the request addressing the criteria in Section 14.04 C of the ordinance. Mr. Boge indicates in his narrative the home and the porch (as it previously existed) was constructed in the 1950s. Also included in your packet is a map made by Mr. Boge, which depicts the neighboring properties and their current distances to the road edge

Mr. Boge stated to the board his request for the variance was to replace an existing porch that was in disrepair and unsafe. He stated that the new porch will be of the same size and would be consistent with neighboring properties and setbacks to the road.

Public comment opened: 9:09 am

Public comment closed: 9:09 am

Board discussion took place and review of section 14.04C of the ordinance and found the applicant had demonstrated all of the conditions existed.

A motion was made by Mrs. Forsberg supported by Mr. Vogel to approve Variance Number 18-06 (VAR#18-06) which was submitted by Brian Boge for a front yard setback of 12.5 ft. where 28 ft is required for this parcel in the Medium Density Residential District (R-2).

Mr. Wynes called for a roll call vote.

Marilyn Fosburg: Yes

Phillip Vogel: Yes

Brent Duffett: Yes

Jim Wynes: Yes

Motion carried.

VAR#18-07 – Vernon Township

Mr. Johnson informed the board that an application was submitted by Matthew Loos and includes a site plan, written justification for the request addressing the criteria in Section 14.04 C of the ordinance and a copy of the deed to the property.

The property is directly across the street from Mr. Loos' home on Lakeview Dr. and was

purchased by Mr. Loos in March of this year. Mr. Loos is indicating in his justification there are comparable sized buildings in the neighborhood. If approved at 1,200 sq. ft. the building would require a variance to exceed the lot coverage maximum of 10% for detached accessory buildings. The proposed, if approved, would put the lot coverage at 12.5%. The proposed building does meet all other setback and dimensional requirements in the ordinance.

Matthew Loos explained to the board that his request to construct a 30 x 40 pole building on an adjacent lot he purchased across from his home was for storage purposes. He stated that this pole building would meet all setbacks and would not impair the vision for traffic.

Mr. Johnson distributed two letters received from neighbors who were in support of the variance request.

Public comment opened: 9:17 am

Public comment closed: 9:17 am

Mrs. Fosburg inquired about the side setback from neighboring property.

Mr. Johnson stated that this pole building will meet all setbacks.

Mr. Duffett being a neighbor to Mr. Loos expressed his support for the accessory structure. Stating that it is a good use for the lot and that storage is always need.

Mrs. Fosburg asked if this building would cause obstructed vision on the roadway.

Mr. Johnson state that the building will not cause any vision issues.

Board review criteria of Section 14.04 C and found the applicant had demonstrated all of the conditions in the criteria were met.

A motion was made by Mr. Duffett supported by Mr. Vogel to approve Variance Number 18-07 (VAR#18-07) which was submitted by Matthew Loos for a building size of 1,200 sq. ft. where 864 sq. ft. is the maximum and a lot coverage of 12.5% where 10% is the maximum for this parcel in the Lakes Area Residential District (L-R).

Mr. Wynes called for a roll call vote.

Marilyn Fosburg: No

Philip Vogel: Yes

Brent Duffett: Yes

Jim Wynes: Yes

Motion carried.

VAR#18-08 – Vernon Township

Mr. Johnson explained that an application was submitted by Anthony Eberhart to construct an agricultural building with a rear yard setback of 4 ft where 35 ft is required, to be 45 ft from a neighboring residence where 300 ft is required, and a lot coverage of 15.34% where 10% is required for this parcel in the Restrictive Agricultural District (AG-1).

Mr. Johnson informed the board that Mr. Eberhart originally built the building without first obtaining a zoning permit, however, once informed of the need for a permit, the applicant submitted a zoning permit. The property the building is located on is a 175 x 372 ft (1.5 ac) parcel which is unusually small for an agricultural operation in the Restrictive Agricultural zoning district. Section 12 in Vernon Township is comprised of large parcels of farmland and the applicant maintains this building is not out of character for the current buildings in the section and would not be detrimental to a neighboring residence.

Mr. Johnson distributed a letter from a neighbor in opposition of the proposed project.

Anthony Eberhart stated he was requesting the variance for completion of his pole barn.

Public comment opened: 9:34 am

Public comment closed: 9:34 am

Mr. Duffett stated that the surrounding properties are all large farms and the building is not out of character for the area. Mr. Duffett commented that the building will be storage and repair of farm equipment not livestock.

Mrs. Fosburg inquired if it would be open sided.

Mr. Johnson explained that the building will have side door accessibility.

Board reviewed criteria in Section 14.04 C and found the applicant has demonstrated they are meeting all the criteria in Section 14.04 C.

A motion was made by Mr. Duffett supported Mr. Vogel to approve Variance Number 18-08 (VAR#18-08) which was submitted by Anthony Eberhart to construct an agricultural building with a rear yard setback of 4 ft where 35 ft is required, to be 45 ft from a neighboring residence where 300 ft is required, and a lot coverage of 15.34% where 10% is required for this parcel in the Restrictive Agricultural District (AG-1).

Mr. Wynes called for a roll call vote.

Marilyn Fosburg: Yes

Philip Vogel: Yes

Brent Duffett: Yes

Jim Wynes: Yes

Motion carried

STAFF COMMENTS – none

APPEALS BOARD MEMBER COMMENTS – Mr. Wynes had discussion on upcoming meeting and possibility of variances request.

ADJOURNMENT

Motion to adjourn the meeting by Mrs. Fosburg supported by Mr. Duffett meeting was adjourn at 9:44 am.



Brent Duffet, Secretary
Kim Kennedy, Recording Secretary