

ISABELLA COUNTY  
ZONING BOARD OF APPEALS

October 17, 2018

A Regular Meeting of the Isabella County Zoning Board of Appeals was held on October 17, 2018 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Jim Wynes, Marilyn Fosburg, Tom Riley

MEMBERS ABSENT: Phillip Vogel, Brent Duffett

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, Tom Riley  
No: None

Motion carried.

PREVIOUS MINUTES

Minutes from the August 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. Riley by to approve the minutes as presented.

Yes: Jim Wynes, Marilyn Fosburg, Tom Riley  
No: None

Motion carried.

PUBLIC COMMENT – None

**VAR#18-09 – Rolland Township**

Mr. Johnson explained that an applicant submitted by Samuel Shrock is requesting a variance to be 183 ft from a property line that contains a residential use where 250 ft is required. The property is on S. Guy Rd, near the village of Blanchard.

Following the construction of a new agricultural building, Mr. Shrock expressed his desire for family members to utilize this building to commercially construct small accessory buildings. This activity is permitted by Special Land Use as Rural Production and Processing, however one of the requirements in Section 12.05 KK requires, “...*all facilities to be setback 250 feet from any property line which contains a residential use.*”

The property consists of rolling hills, farm field and wetlands. Mr. Shrock constructed the building in the current location in an effort to preserve as much farm land as possible while staying away from the wetlands on the property.

Samuel Shrock explained that he built the existing structure as an agriculture building. He stated he received the zoning permit along with the application for a Special Use Permit and the requirements for a rural production and processing faculty and that farther into the field to the east the ground is wet.

Public comment opened 9:15 am

Kevin Mitchel the property owner across the road is in support of the building location and use.

Mike Kattreh stated he has no issues with the proposed building.

Mike Olson a neighbor has no issues with the request.

Tom Ogletree stated Mr. Shrock was an awesome neighbor and is in support of the variance.

Public comment closed 9:21am

Mr. Wynes asked the applicate what was the date construction started.

Mr. Shrock stated the zoning permit was issued August 15, 2018 and construction started shortly after that date. He explained that when Mr. Johnson visited the site Mr. Shrock expressed the interest in using the building for commercial use. Mr. Shrock stated that Ray informed him he would need to apply for a Special Use Permit.

Mr. Wynes asked when the variance was applied for.

Mr. Johnson informed him that September 10, 2018 is when the application was turned in. He also informed the board after his visit he issued the zoning and sent the permit with the application for a Special Use Permit and the requirements for a rural production and processing

facility.

The Board discussed section 14.04 C of the ordinance and Mrs. Fosburg found the property was not unique and the need for the variance was created by the applicant.

A motion was made by Mrs. Forsberg supported by Mr. Riley deny Variance Number 18-09 (VAR#18-09) which was submitted by Samuel Shrock for a setback of 183 ft where 250 ft is required for this parcel in the Agricultural Buffer District (AG-3) based upon the discussion of Section 14.04 C the applicant has not shown he is meeting all the requirements.

Mr. Wynes asked for a clarification on the vote.

Mr. Johnson explained that the motion is to deny the variance request so a vote of yes is a vote to deny the variance request.

Mr. Wynes called for a roll call vote.

Tom Riley: No  
Marilyn Fosburg: Yes  
Jim Wynes: Yes

Motion Failed.

A motion was made by Mr. Riley supported by Mrs. Fosburg to approve Variance Number 18-09 (VAR#18-09) which was submitted by Samuel Shrock for a setback of 183 ft where 250 ft is required for this parcel in the Agricultural Buffer District (AG-3) based on the fact the applicant had shown he is meeting all the requirements in Section 14.04 C.

Mr. Wynes called for a roll call vote.

Tom Riley: Yes  
Marilyn Fosburg: No  
Jim Wynes: No

Motion Failed.

STAFF COMMENTS – none

APPEALS BOARD MEMBER COMMENTS – Mrs. Fosburg commented on possibilities of moving the building to meet the 250 ft requirement

Mr. Johnson stated he would meet with the applicant following the meeting to discuss possibilities.

ADJOURNMENT

Motion to adjourn the meeting by Mr. Riley supported by Mrs. Fosburg. The meeting was adjourn 9:20 am.

A handwritten signature in blue ink, appearing to be "Brent Duffett", written over a horizontal line.

Brent Duffett, Secretary

Kim Kennedy, Recording Secretary