

ISABELLA COUNTY  
ZONING BOARD OF APPEALS

August 21, 2019

A Regular Meeting of the Isabella County Zoning Board of Appeals was held on August 21, 2019 in Room 225 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: Tim Nieporte, Community Development Director

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 Mrs. Fosburg supported by Mr. Riley to approve the agenda.

Yes: Jim Wynes, Marilyn Fosburg, Phillip Vogel, Brent Duffett, Tom Riley  
No: None

Motion carried.

**PREVIOUS MINUTES**

Minutes from the April 17, 2019 regular meeting were circulated to the Board prior to the meeting for their review.

Mrs. Fosburg pointed out a spelling error on page 2 paragraph 5.

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

Yes: Jim Wynes, Marilyn Fosburg, Phillip Vogel, Brent Duffett, Tom Riley  
No: None

Motion carried.

PUBLIC COMMENT – None

**VAR#19-05** – Gilmore Township

Mr. Nieporte explained that an application was submitted by James and Charlotte Murphy requesting a variance for a side yard setback of 5 ft where 10 ft is required and a rear setback of 24 ft 6 inches where 35 ft is required.

Mr. Nieporte advised the board that the applicant proposes constructing a new home on the property a similar distance to the lake as the current home so as not to obstruct the view of the lake from adjoining property owners and has provided a graphic which shows this. Staff has confirmed that other homes in this area are a similar distance from the water's edge.

Open public hearing 9:12

Mr. Randal Kopenga the neighbor indicated that he was in favor of the granting of the variance and had no objections.

Closed public hearing 9:15 a.m.

Ms. Fosburg was concerned about the side yard and had no issues with the rear yard request.

Mr. Duffett reviewed the ordinance criteria and found that all the requirements were being met.

Mr. Vogel expressed concerns about fire safety around the side yard.

Mr. Riley explained that he believed the other side had plenty of room for fire safety issues.

Board discussion took place and reviewed section 14.04 C of the ordinance. The Board found the applicant had demonstrated that they were meeting all of the conditions in 14.04 C. Discussion included the uniqueness of this property being irregularly shaped and not encroaching the water closer than what exists.

A motion was made by Mr. Duffett supported by Mr. Riley to approve Variance Number 19-05 (VAR#19-05) as submitted by James and Charlotte Murphy for a side yard setback of 5 ft where 10 ft is required and a rear setback of 24 ft 6 inches where 35 ft is required for this parcel in the Lakes Area Residential (L-R) district with the stipulation the applicant install eve troughs so as to not increase runoff onto a neighboring property and that the applicant apply for a Soil Erosion and Sedimentation Control Permit.

Mr. Wynes called for a roll call vote.

Tom Riley: Yes

Marilyn Fosburg: No

Phillip Vogel: Yes  
Brent Duffett: Yes  
Jim Wynes: Yes

Motion carried.

STAFF COMMENTS – None

APPEALS BOARD MEMBER COMMENTS – None

ADJOURNMENT

A motion was made by Mr. Duffett and supported Mr. Vogel by to adjourn the meeting.

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

No: None

Motion carried.

Meeting was adjourn at 9:22 am.

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Brent Duffet, Secretary