

ISABELLA COUNTY  
ZONING BOARD OF APPEALS

July 15, 2020

An Electronic Meeting of the Isabella County Planning Commission was held on July 15, 2020 via Zoom on the above date.

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

MEMBERS ABSENT: None

SUPPORT STAFF PRESENT: Timothy A. Nieporte, Community Development Director  
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.

Mr. Wynes welcomed attendees to the electronic meeting of the Isabella County Zoning Board of Appeals. Mr. Wynes stated that the meeting will be recorded and live streamed to YouTube where the public will have the opportunity to view the meeting live and access it in the future. He stated that the Recording Secretary will perform roll call votes for every vote during the meeting and the public meeting attendees will be able to listen by telephone call-ins, and participate in public comments by following the directions in the public notice for this meeting. Mr. Wynes stated that the Zoning Board of Appeals members and staff will not be muted in the meetings and should be respectful. He reminded attendees to be patient with the process and with each other.

**APPROVAL OF AGENDA**

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

Mr. Wynes called for a roll call vote.

Mr. Vogel – Yes  
Mr. Riley – Yes  
Mr. Duffett – Yes  
Mr. Wynes – Yes

No: None

Motion carried.

## **PREVIOUS MINUTES**

Minutes from the June 17, 2020 regular electronic 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.

Mr. Wynes called for a roll call vote.

Mr. Wynes – Yes

Mr. Vogel – Yes

Mr. Riley – Yes

Mr. Duffett – Yes

No: None

Motion carried.

## **PUBLIC COMMENT**

Mr. Wynes opened public comment.

Mr. Wynes informed attendees that they are muted and if they wished to speak press \*9 on the telephone key pad that will identify them.

Host Ray Johnson, Isabella County Planner and Zoning Administrator stated that there were no attendees.

Mr. Wynes closed public comment.

### **VAR#20-03 Matthew and Karen McDaniel – Coldwater Township**

Mr. Johnson informed the board that an application was received from Matthew and Karen McDaniel requesting a variance to allow for a front yard setback of 3 ft where 50 ft is required. The applicants would like to construct an addition between the existing home and existing garage.

Mr Johnson stated that according to the narrative and the site plan, the proposed addition would not be any closer to the right of way or the developed road than the existing home.

Mr. Johnson displayed a map showing the current wetlands and Country drain and stated that GIS measurements show existing home is approximately 50-60 ft from the Drain. Mr. Johnson stated that he spoke to the County Drain office and confirmed the Drain right of way is 100 ft wide (50 ft on both sides of the Drain). Mr. Johnson stated staff would recommend conditioning

an approval that the applicant provide staff with a letter from the County Drain Office confirming the addition will not be within the Drain right of way.

Staff has posted a sign on the property and posted the request in the Morning Sun as per State law and Ordinance requirements. As of the date of this memorandum, staff has not received any written comment for or against this variance request. Mr Johnson did state he spoke with Jim Dague Supervisor of Coldwater Township and he expressed his support and the Townships of this variance.

Mr. Nieporte stated that the distance to the right away is close but there are no obstructions entering the road from the garage. He also referenced the size of the current home being very small and the proposal would be adding living space bringing the home size closer to that of other homes in the area and throughout the County.

Matthew Daniel stated that they would not be any closer to the road right away or to the wetland and that the addition would not cause any obstruction to enter the road.

Mr. Wynes opened the public hearing to public comment at 9:10 a.m.

Mr. Wynes informed attendees if they wished to speak press \*9 on the telephone key pad that will identify them with a raised hand.

Host Ray Johnson, Isabella County Planner and Zoning Administrator stated that there were no attendees.

Mr. Wynes closed the public hearing to public comment at 9:11 a.m.

Mr. Duffett made reference to the powerlines that crossed the property and the possible setbacks for them.

Mr. Nieporte stated that the lot is shallow and long and with the wetland and drain restrictions there are not a lot of options for adding living space.

Mr. Wynes called for a motion and a second.

A motion to approve Variance Number 20-03 (VAR#20-03) as submitted by Matthew and Karen McDaniel for a front yard setback of 3 ft where 50 ft is required for this property in the Agricultural Buffer (AG-3) district was made by Mr. Duffett seconded by Mr. Vogel. After review of Section 14.04 C of the ordinance, Mr. Duffett stated the addition will not be closer to the road than the existing home and it will not be detrimental to the neighbors. Mr. Duffett also stated the conditions causing the need for the variance were not created by the applicant and the approval shall be conditioned upon the following:

1. The applicant shall provide staff with a letter from the County Drain Office confirming the addition will not be within the Drain right of way.

Mr. Riley – Yes  
Mr. Duffett – Yes  
Mr. Wynes – Yes  
Mr. Vogel – Yes

No: None

Motion carried.

### **STAFF COMMENTS**

Mr. Nieporte thanked all board members for attending. He also indicated that electronic meetings may continue for next month but will be sure everyone is informed.

### **APPEALS BOARD MEMBER COMMENTS**

None

### **ADJOURNMENT**

A motion was made by Mr. Riley, supported by Mr. Vogel to adjourn the meeting.

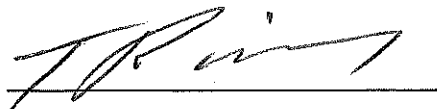
Mr. Wynes called for a roll call vote.

Mr. Wynes – Yes  
Mr. Vogel – Yes  
Mr. Riley – Yes  
Mr. Duffett – Yes

No: None

Motion carried.

Meeting was adjourned at 9:16 am.



Tom Riley, Secretary  
Kim Kennedy, Recording Secretary