

ISABELLA COUNTY
ZONING BOARD OF APPEALS

April 20, 2022

A Regular Meeting of the Isabella County Zoning Board of Appeals was held on April 20, 2022 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

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

MEMBERS ABSENT: None

SUPPORT STAFF PRESENT: Tim Nieporte, Community Development Director
Ray Johnson, Planner/Zoning Administrator

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, Tom Riley, Tom Kromer, Brent Duffett

No: None

Motion carried.

PREVIOUS MINUTES

Minutes from the February 16, 2022 Organizational meeting were circulated to the Board prior to the meeting for their review.

Mr. Wynes called for an approval of the February 16, 2022 Organizational meeting minutes.

A motion was made by Mr. Riley supported by Mr. Kromer to approve the minutes as presented.

Mr. Wynes called for a vote.

Yes: Jim Wynes, Phillip Vogel, Tom Riley, Tom Kromer, Brent Duffett

No: None

Motion Carried

Minutes from the February 16, 2022 Regular meeting were circulated to the Board prior to the meeting for their review.

Mr. Wynes called for an approval of the February 16, 2022 Regular meeting minutes.

A motion was made by Mr. Vogel supported by Mr. Riley to approve the minutes as presented.

Mr. Wynes called for a vote.

Yes: Jim Wynes, Phillip Vogel, Tom Riley, Tom Kromer, Brent Duffett

Non: None

Motion Carried

PUBLIC COMMENT – None

Variance #22- 01 – Gary Banister – Gilmore Township

Mr. Johnson reported that a variance application was received by Mr. Gary Banister for a rear yard setback of 18 ft where 35 ft is required. Mr. Johnson indicated the applicant had submitted the application in mid-March and included a site plan, deed to the property, pictures and a narrative addressing the review criteria in Section 14.04 C of the Zoning Ordinance. Mr. Johnson indicated the narrative stated the Banister's purchased the home in 2018 in its current location and that the home was built in the 1950s prior to zoning requirements.

Mr. Johnson indicated that Mr. Banister is desiring to enclose an existing porch and construct a six (6) foot addition to the home. He indicated that this would reduce the current setback of 21 feet to 18 feet. Mr. Johnson commented that the apparent discrepancy in the distances to the lake was due to the angle of the home in relation to the lake and the abrupt change in the location of the home's closest point to the lake.

Mr. Johnson also reminded the members that two (2) emails were received in support of the request. Both emails were forwarded to the members prior to the meeting and were received from the direct neighbors to either side of the Banister's home.

Mr. Johnson stated that the application includes a roof over an existing concrete patio. He stated that he has reviewed the ordinance requirements for the construction of this roof and it is meeting all setback and requirements in the ordinance and is therefore not subject to the variance request.

The Chair invited the applicant to speak.

Mr. Banister thanked the Board for the opportunity to speak. Mr. Banister reviewed the zoning ordinance criteria and stated they felt they were meeting the requirements. He noted the unique shape of the lot, the setbacks and support from the neighbors showed it was not detrimental to

surrounding properties. He also stated the construction of the home in the 1950s in its current location demonstrated they did not create the need for the request.

Public comment opened at 9:13 a.m.

Public comment closed at 9:13 p.m.

The Chair called for Board discussion.

Mr. Duffett agreed the shape of the lot was unique and the addition would not be detrimental to the neighbors. He indicated his supports this request.

Mr. Vogel expressed an initial concern for the maintenance of the water well, but felt there was adequate room for service vehicles to reach the site.

Hearing no further discussion, the Chair called for a motion.

A motion was made by Mr. Riley to approve Variance number 22-01 as submitted by Gary Banister to allow for a rear yard setback of 18 ft where 35 ft is required for this parcel in the Lakes Area Residential District and shall be conditioned upon the following:

1. The applicant shall apply for and receive a Soil Erosion and Sedimentation Control Permit.

Mr. Riley indicated the approval is based upon the fact that the applicant has demonstrated they have met the zoning ordinance criteria in Section 14.04 C.

The motion was supported by Mr. Vogel.

Mr. Wynes called for a roll call vote.

Mr. Kromer: Yes

Mr. Vogel: Yes

Mr. Riley: Yes

Mr. Duffett: Yes

Mr. Wynes: Yes

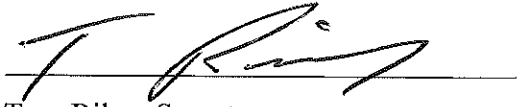
Motion carried.

STAFF COMMENTS – None

APPEALS BOARD MEMBER COMMENTS – None

ADJOURNMENT

Mr. Wynes adjourned meeting at 9:16 am.

A handwritten signature in black ink, appearing to read 'Tom Riley', is written over a horizontal line. The signature is stylized with a large 'T' and a cursive 'Riley'.

Tom Riley, Secretary
Ray Johnson, Recording Secretary