

ISABELLA COUNTY
ZONING BOARD OF APPEALS

July 20, 2022

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

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

MEMBERS ABSENT: None

SUPPORT STAFF PRESENT: Tim Nieporte, Community Development Director
Ray Johnson, Planner/Zoning Administrator
Anna Baumann-Seid, Administrative Assistant

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

Mr. Wynes called for an approval of the Agenda.

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

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

No: None

Motion carried.

PREVIOUS MINUTES

Minutes from the May 18, 2022 Regular meeting were circulated to the Board prior to the meeting for their review.

Mr. Wynes called for an approval of the May 18, 2022 Regular meeting minutes.

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

Mr. Wynes called for a vote.

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

Non: None

Motion Carried

PUBLIC COMMENT – Opened at 9:01 a.m., Closed at 9:01 a.m.

Variance #22-03 Toni Morgenstern - Nottawa Township

Mr. Johnson reviewed his staff report regarding the variance request. He indicated that the request was for a side yard setback of 5 ft 1 inch where 10 ft is required and a rear yard setback of 9 feet 10 inches where 35 feet is required for this parcel in the Lakes Area Residential (L-R) District. Mr. Johnson indicated this request was to construct a 24-foot, 9-inch by 17-foot, 9-inch second story deck over the existing patio.

Mr. Johnson noted the application was complete and appeared to meet all other requirements of the zoning ordinance. He stated all required public notices have been made in accordance with State Law and the Zoning Ordinance. Mr. Johnson indicated that signatures in support of the request were received from the immediate neighbors and those were included in the members packets.

Lastly Mr. Johnson recommended the following stipulation, offered by the applicant in their application narrative, be placed upon an approval, if one is going to be made:

The applicant shall install eve troughs on the 2nd story deck and shall not shed additional runoff onto neighboring properties.

The Chair invited the applicant to speak.

Ms. Toni Morgenstern reiterated her justification from her submitted narrative as it applies to Section 14.04 (C) of the Zoning Ordinance.

The Chair opened public comment at 9:10 a.m.

Mr. Steve Sova, 5444 Lake Shore Dr., spoke in favor of the request indicating that it is not detrimental to their property and does not block their view of the lake.

The Chair closed public comment at 9:12 a.m.

The Chair called for Board discussion.

Mr. Vogel indicated he felt the applicant has shown they are meeting Section 14.04 (C) of the Zoning Ordinance.

Mr. Duffett commented that the 2nd story deck is not any closer than the existing home to the neighboring property lines and not detrimental to neighboring properties.

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

A motion was made by Mr. Vogel to approve Variance Number 22-03 (VAR#22-03) as submitted by Toni Morgenstern to allow for a side yard setback of 5-feet 1-inch where 10 ft is required and a rear yard setback of 9 ft-10 inches where 35 ft is required for this parcel in the Lakes Area Residential (L-R) district and shall be conditioned upon the following:

1. The applicant shall install eve troughs on the 2nd story deck and shall not shed additional runoff onto neighboring properties.

Mr. Vogel 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. Kromer.

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.

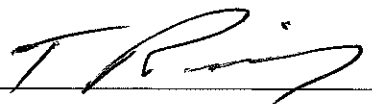
STAFF COMMENTS – Mr. Johnson introduced the new support staff, Ms. Anna Baumann-Seid, in the Community Development Office.

The members welcomed Ms. Baumann-Seid.

APPEALS BOARD MEMBER COMMENTS – None

ADJOURNMENT

Mr. Wynes adjourned meeting at 9:14 a.m.



Tom Riley, Secretary

Ray Johnson, Recording Secretary