

ISABELLA COUNTY  
ZONING BOARD OF APPEALS

March 15, 2023

A Regular Meeting of the Isabella County Zoning Board of Appeals was held on March 15, 2023 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

MEMBERS ABSENT: Tom Riley

SUPPORT STAFF PRESENT: 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

Mr. Wynes called for an approval of the Agenda.

Mr. Johnson noted the approval of the minutes on the agenda are for the regular meeting not the organizational meeting.

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

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

No: None

Motion carried.

#### PREVIOUS MINUTES

Minutes from the February 15, 2023 regular meeting were circulated to the Board prior to the meeting for their review.

Mr. Wynes called for an approval of the February 15, 2023 Regular meeting minutes.

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

Mr. Wynes called for a vote.

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

Non: None

Motion Carried

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

**Variance #23-02 - Sandra Smith - Gilmore Township**

Mr. Johnson reviewed his staff report regarding the variance request. He indicated the request is for a front yard setback of 16 ft 7 inches where 25 ft is required, a side yard setback of 2 ft where 10 ft is required, and a rear yard setback of 31 ft 2 in where 35 ft is required for this parcel. Mr. Johnson indicated this request was to remove and reconstruct a shed in the same location with a 10-foot by 12-foot covered patio on the north side of the new building.

Mr. Johnson indicated that while not shown, the septic drain field is currently located between the existing shed and the home. He stated that as per the ordinance, over the drain field would be the only other location a building such as this could be located.

Mr. Johnson reviewed the submitted materials including pictures which showed flooding of the existing building and letters from the neighbors in support of the request. Mr. Johnson noted the 10 x 12-foot addition is unenclosed and would not obstruct the view of the lake by a neighbor.

Mr. Vogel asked where the well is located.

Mr. Johnson recommended the applicant provide the location during public comment.

The Chair invited the applicant to speak.

Mr. Shawn Pnacek thanked staff for their report to the members. He reviewed the request and the provided justification as it relates to Section 14.04 C. He also indicated gutters would be installed and all runoff would be directed away from neighboring properties.

Dr. Sandra Smith indicated the well was located between the home and the seawall on the southwest corner of the property.

The Chair asked if there were questions from the members.

The Chair opened public comment at 9:13 a.m., closed at 9:13 a.m.

The Chair called for Board discussion.

Mr. Duffett indicated the applicant appeared to meet all the criteria in Section 14.04 C of the ordinance.

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

A motion was made by Mr. Duffett to approve Variance Number 23-02 (VAR#23-02) as submitted by Shawn Pnacek on behalf of Sandra Smith for a front yard setback of 16 ft 7 inches where 25 ft is required, a side yard setback of 2 ft where 10 ft is required, and a rear yard setback of 31 ft 2 in where 35 ft is required for this parcel in the Lakes Area Residential (L-R) district. The approval is stipulated upon the following:

- The applicant shall install eve troughs on the new building and shall direct runoff away from neighboring properties.

Mr. Duffett 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. Wynes: Yes

Motion carried.

STAFF COMMENTS – None

APPEALS BOARD MEMBER COMMENTS – The board held general discussion around the size of Lakes Area Residential lots and the challenges surrounding year-round homes on lake lots.

ADJOURNMENT

Mr. Wynes adjourned the meeting at 9:23 a.m.

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Tom Riley, Secretary  
Ray Johnson, Recording Secretary