

ISABELLA COUNTY
ZONING BOARD OF APPEALS

November 15, 2023

A Regular Meeting of the Isabella County Zoning Board of Appeals was held on November 15, 2023 at the Commission on Aging Building, 2200 South Lincoln Street, Mt. Pleasant, Michigan.

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

MEMBERS ABSENT: Brent Duffett

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.

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

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

No: None

Motion carried.

PREVIOUS MINUTES

Minutes from the October 18, 2023 regular meeting were circulated to the Board prior to the meeting for their review.

Mr. Wynes called for an approval of the October 18, 2023 regular meeting minutes.

A motion was made by Mr. Kromer 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

Non: None

Motion Carried

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

Variance #23-06 Toth – Broomfield Township

Mr. Johnson reviewed his staff report regarding the variance request. He indicated the request is for a 10-acre parcel where a maximum of 5 acres is allowed. He stated that the applicant intends to apply to the Planning Commission for an Excavation/Transportation Services use on the property.

Mr. Johnson indicated that the grading that was done on the property was done by a prior owner of the property and not by Mr. Toth. Mr. Johnson also reiterated that if the Appeals Board grants the request, the applicant is required to submit an application to the Planning Commission and fulfill any conditions before starting a business at this location.

He also reminded the members that the only matter subject to review today is the request for a 10-acre parcel where the ordinance only allows for a 5-acre parcel in the Special Use requirements.

The Chair invited the applicant to speak.

Mr. Toth reiterated his justification for the request and noted that there were other businesses throughout the County, such as his, in agricultural lands.

The Chair opened public comment at 9:09 a.m.

Betty Stiff indicated she was a nearby property owner and that she wasn't sure what business he wanted to start and indicated the surrounding land was agricultural land.

Amber Welter asked a question about the cement on the property and if they were burying the cement. She also expressed concern about trucks on the road at 4:00 a.m. and asked about the hours of operation.

Hearing no other public comment, the Chair closed the public comment period at 9:12 a.m.

The Chair called for Board discussion.

Mr. Johnson indicated to the Chair that the questions asked during public comment were matters for the Planning Commission during the special use permit public hearing process. He also indicated he'd be happy to answer zoning ordinance requirement questions for the public following the conclusion of this meeting.

Mr. Vogel asked if Mr. Toth could grant an easement across a northern 5 acres to create a 5 acre parcel in the rear of the property.

Mr. Johnson stated that an easement does not fulfil the requirement of frontage on a public or private road as required by the ordinance.

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

A motion was made by Mr. Duffett to approve Variance Number 23-06 (VAR#23-06) as submitted by Jacob Toth for a 10-acre parcel where a maximum of 5-acres is allowed for this parcel in the General Agricultural (AG-2) district.

Mr. Vogel indicated an approval was based upon the fact that Mr. Toth did not create the need for the variance and is constrained by factors outside of his control.

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 4-0.

STAFF COMMENTS – Mr. Johnson indicated if there is a meeting in December, it would likely be in the Commission on Aging building and staff would most assuredly be in touch.

APPEALS BOARD MEMBER COMMENTS – None

ADJOURNMENT

Mr. Wynes adjourned the meeting at 9:20 a.m.

Tom Riley, Secretary
Ray Johnson, Recording Secretary