

**ISABELLA COUNTY  
ZONING BOARD OF APPEALS**

**APPLICANT INFORMATION:**

Name Randall Judge  Owner  Agent/Other (Circle One)

Address 8265 S. Whiteville Rd Stepnec, MI 48883

**PROPERTY OWNER INFORMATION: (if different from applicant)**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

**PROPERTY INFORMATION:**

Address/Location 8265 S. Whiterville Rd Shepperton, MI 48883

Tax I.D. Number 10-017-10-005-02

Zoning District AG-2 Township Lincoln Section 17

Directions to property 1/8 mile South of Standard Rd on Whiteville east side of Rd

**ATTACHMENTS:** Please submit the following items with the application.

A Site Plan showing the following: Dimensions of property, location of roads, easements and driveways. The location and dimension of any existing buildings and/or structures; any unique natural features such as lakes, rivers, streams, wetlands, steep slopes. The location and dimensions of proposed building(s) and/or structures.

A copy of the deed and accurate legal description of property.

The applicant must demonstrate evidence of a practical difficulty and demonstrate that **ALL** conditions in Section 14.04 (C) (1-5) are met (see reverse).

Nature of request: Variance Request

Signature of Applicant

4-15-24

Date \_\_\_\_\_

**Optional:** I hereby grant permission for members of the Isabella County Zoning Board of Appeals and Zoning Administrator to enter the above described property for the purposes of gathering information related to this application.

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**Signature of Applicant**

Date \_\_\_\_\_

File # 24-02  
Received by 03

OFFICE USE ONLY  
-- Fee \$175.00  
Check Number CCH 425362

Date Received 4-22-24  
Receipt Number 13439

## Section 14.04 Variance Request and Procedures

1=C existing 2 car garage is in bad condition and needs replaced . currently it sets inside the south property line set back and the new structure we hope to build will as well. Cody Kenny the south land owner has no issue with this and is writing a letter supporting this structure to be built so as a community we keep improving our neighborhood .

2= Our plan is to remove the old run down 2 car garage and build a new 30 x 60 pole barn to enjoy and use for storage and improve our property and better the neighborhood . I do not want to build this barn in a different spot on my property for the future lay out of were we want to build our new house . in 2020 we built our last new barn in its current location to further on with this build and keep moving forward to our goal of a beautiful property.

3= This variance will not be detrimental to anything . it will improve our property and our neighborhood . The surrounding neighbors I have known for years all support and hope to see this barn built , especially the south land owner who's property line set back I will be within does as well Cody Kenny.

4= This variance will not at all in any way materially impair anything in any way .

5= This variance request immediate practical difficulty was not created by myself . The pre existing structure was put in place before I was born and needs replaced .

Thank you for your time, I hope to be granted this variance so we can keep making our property and the neighborhood a beautiful place to live and keep moving forward .

Sincerely , Randall James Judge

Note:

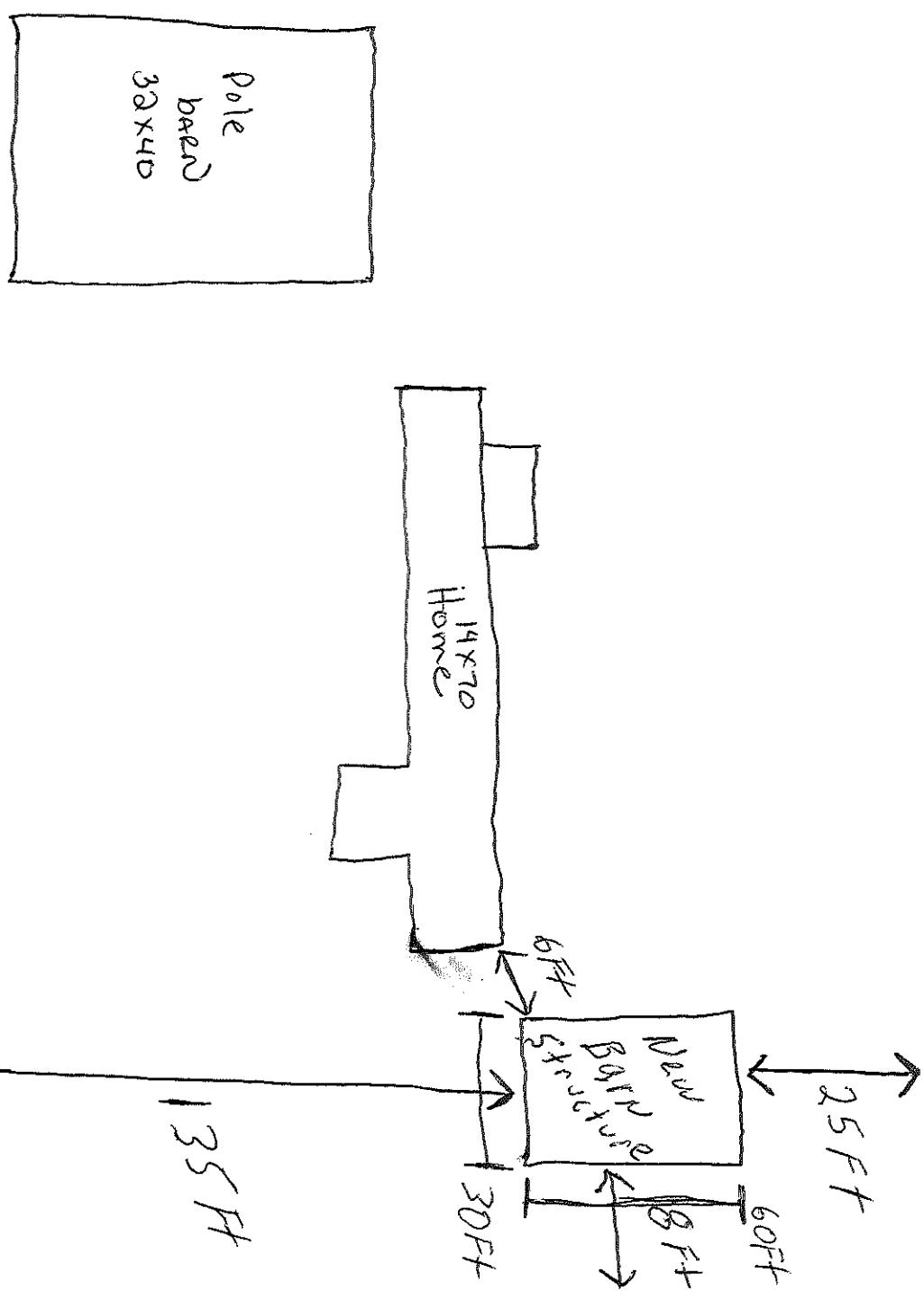
This new structure will have eavestrough on it to direct rainwater into my lawn.

In 2019 I had the whole section surveyed, then off that a  $\frac{1}{4} \frac{1}{4}$  survey was done to survey my property and the stakes are in place correct and current on file so I know exactly where the lines are.

I have included a copy of the survey in the file for you to review.

Thank you for your time.

Dennis Gauthier



Kody Kenny

8280 S. Whiteville Rd.

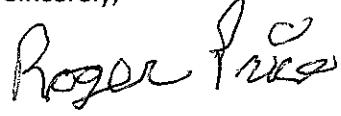
Shepherd, MI 48883

April 14, 2024

To Whom It May Concern:

My wife and I live across the road from Randy Judge. Randy has told us he has plans to build a pole barn on his property, which will be close to property lines. We have no concerns relating to building close to property lines. Randy is a conscientious homeowner and takes good care of his property. We know that the pole barn Randy is proposing to build will enhance his property as well as increase the property values of those in the neighborhood.

Sincerely,

A handwritten signature in black ink that reads "Roger Price". The signature is fluid and cursive, with "Roger" on the top line and "Price" on the bottom line.

Roger Price

**Kody Kenny**

8353 S. Whiteville Rd.  
Shepherd, MI 48883  
(989) 400-8642  
kody.m.kenny@gmail.com

14th April 2024

**Isabella County**

To Whom It May Concern,

I was approached by my neighbor Randy Judge, and asked if I would allow him to build a pole barn within the property set back lines from my north property line and his south. Without a question of doubt, I agreed to his request. I believe it truthfully does not affect me in any way if Randy does choose to go forth with his building project. He has been a great neighbor since the moment I have moved in and I believe by him building this barn will only add value to our neighborhood.

Sincerely,

**Kody Kenny**

A handwritten signature in black ink that reads "Kody Kenny". The signature is fluid and cursive, with "Kody" on the top line and "Kenny" on the bottom line, though they are connected.

April 13, 2024

Scott C. and Iola L. Radtke  
8130 S. Whiteville Road  
Shepherd, MI 48883

Permit Review Board  
Isabella County

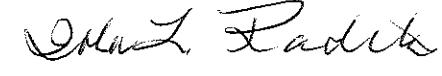
To whom it may concern,

It was brought to our attention by Randall Judge of 8265 S Whiteville Road that he is needing a variance on the property setback requirement to erect a new pole barn structure on his property. It is our understanding that he needs to check with the people in the neighborhood to ensure that no one has any issues with this variance. Both of us have no concerns about granting this as long as the neighbor who is directly adjacent to his property has no issues. It sounds to us like Randall is attempting to follow all the rules and regulations in permitting system in his attempt to build this new structure but needs this concession to continue. Once again we state we have no objection from our perspective and hope you will consider his request.

Sincerely,



Scott C. Radtke



Iola L. Radtke

# CERTIFICATE OF SURVEY

## RANDY JUDGE

PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4,  
SECTION 17, T13N-R04W,  
LINCOLN TOWNSHIP, ISABELLA COUNTY, MICHIGAN.

NORTHWEST COR.  
SEC. 17, T13N-R04W  
FND. REMON COR.

NORTH 1/4 COR.  
SEC. 17, T13N-R04W  
FND. REMON COR.

## BLANCHARD ROAD

(22' ASPHALT, 66' R-O-W)

NORTH SECTION LINE

N89°-29'-15" W 2655.71

N89°-29'-15" W 1327.58'

N89°-29'-15" W 1327.85'

## WHITEVILLE ROAD

(22' ASPHALT, 66' R-O-W)  
WEST SECTION LINE  
S00°-17'-47" E 2648.67'

S89°-28'-17" E 1075.92'  
S89°-28'-17" E 1330.92'

S00°-17'-47" E 1324.33'

S00°-17'-47" E 1324.33'

NOTE: BEARING BASIS,  
PER GEODETIC  
OBSERVATION WGS-84,  
THE BEARING OF THE  
WEST SECTION LINE  
BETWEEN THE WEST 1/4  
CORNER AND THE  
NORTHWEST CORNER WAS  
DETERMINED TO BE  
S00°-17'-47" E.

NOTE:  
SEE SHEET 3 OF 3  
FOR CORNER  
WITNESSES.

NOTE:  
SEE SHEET 3 OF 3  
FOR PARCEL  
DESCRIPTION.

S89°-27'-19" E 1334.00'

S89°-27'-19" E 1334.00'

EAST-WEST 1/4 LINE

WEST 1/4 COR.  
SEC. 17, T13N-R04W  
FND. REMON COR.

INTERIOR 1/4 COR.  
SEC. 17, T13N-R04W  
FND. 1/2" CI.



I HEREBY CERTIFY THAT A BOUNDARY SURVEY WAS COMPLETED UNDER MY SUPERVISION ON THE PROPERTY  
HEREIN DESCRIBED ON 6-3-19 AND THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF ACT 132 OF PUBLIC  
ACTS OF 1970, AS AMENDED. THE RATIO OF CLOSURE OF THIS SURVEY IS 1:5000 OR LESS.

*RECEIVED 6-3-19*  
TIMOTHY E. BEBEE P.S. #39074

R - RECORDED  
M - MEASURED  
 - SET WOOD STAKE

- FOUND IRON  
 - SET IRON  
 - CONCRETE MONUMENT

- SECTION CORNER  
 - 1/8 CORNER



**CMS & D**  
SURVEYING / ENGINEERING

510 W. PICKARD STREET, SUITE C  
MT. PLEASANT, MICHIGAN 48858  
PHONE: (989) 775-0756  
FAX: (989) 775-5012  
EMAIL: [info@cms-d.com](mailto:info@cms-d.com)

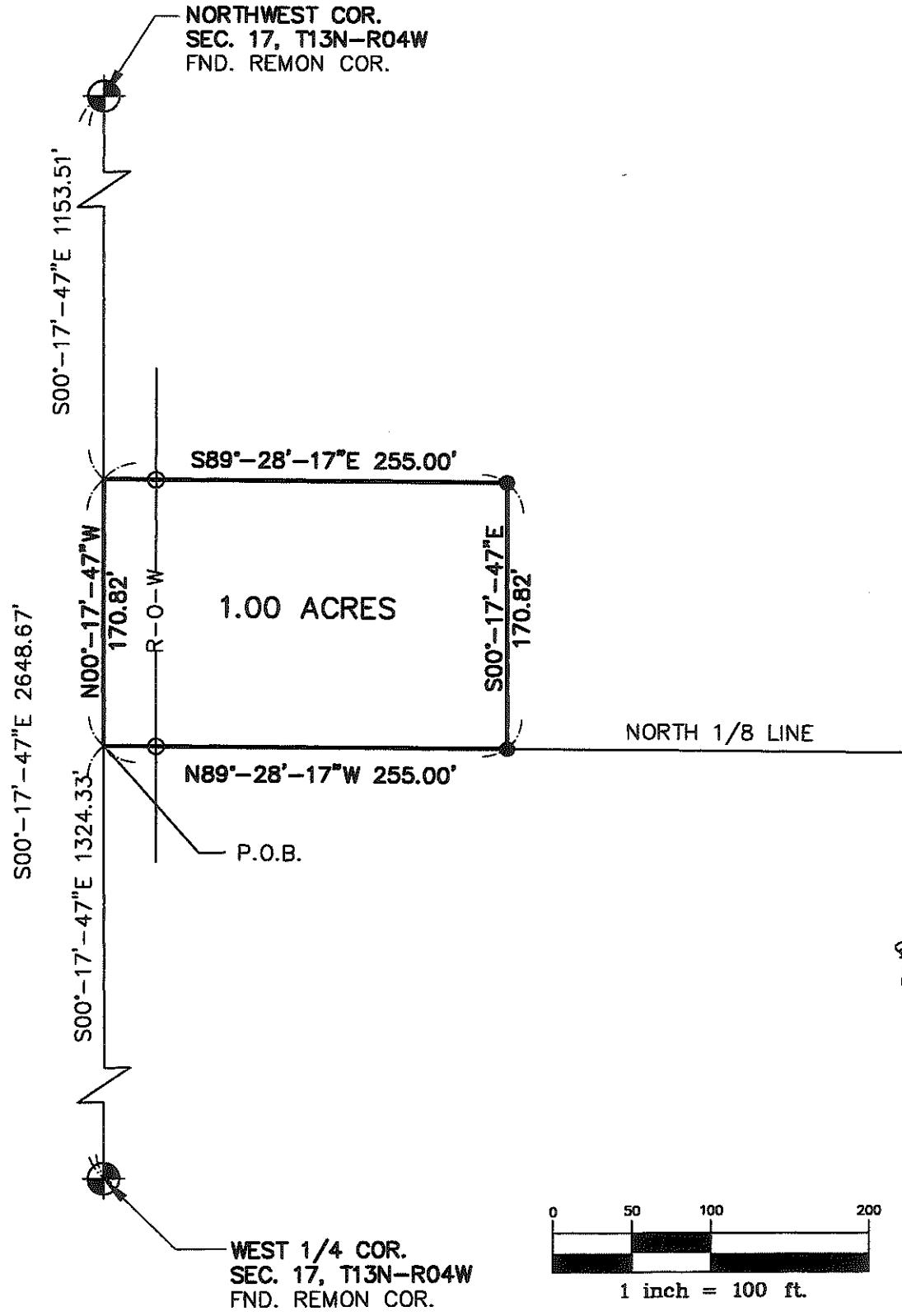
SCALE: 1" = 500'	DRAWN BY: BTM
SURVEY DATE: 6-3-19	CHECKED BY: TELB
DATE: 6-5-19	JOB NUMBER: 1905-050
REVISED:	SHEET NUMBER: 1 OF 3

**CERTIFICATE OF SURVEY  
RANDY JUDGE**

PART OF THE NORTHWEST 1/4 OF THE  
NORTHWEST 1/4, SECTION 17, T13N-R04W,  
LINCOLN TOWNSHIP, ISABELLA COUNTY, MICHIGAN

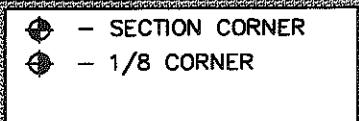
- NORTHWEST COR.  
SEC. 17, T13N-R04W  
FND. REMON COR.

WHITEVILLE ROAD  
(22' ASPHALT, 66' R-O-W)  
WEST SECTION LINE



I HEREBY CERTIFY THAT A BOUNDARY SURVEY WAS COMPLETED UNDER MY SUPERVISION ON THE PROPERTY  
HEREIN DESCRIBED ON 6-3-19 AND THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF ACT 132 OF PUBLIC  
ACTS OF 1970, AS AMENDED. THE RATIO OF CLOSURE OF THIS SURVEY IS 1:5000 OR LESS. *[Signature]*

TIMOTHY E BEBEE P.S. #39074



# CMS & D

SURVEYING / ENGINEERING

510 W. PICKARD STREET, SUITE C  
MT. PLEASANT, MICHIGAN 48858  
PHONE: (989) 775-0756  
FAX: (989) 775-5012  
EMAIL: [info@cms-d.com](mailto:info@cms-d.com)

SCALE: 1" = 100'	DRAWN BY: BTM
SURVEY DATE: 6-3-19	CHECKED BY: TELB
DATE: 6-6-19	JOB NUMBER: 1905-050
REVISED:	SHEET NUMBER: 2 OF 3

# CERTIFICATE OF SURVEY

## RANDY JUDGE

PART OF THE NORTHWEST 1/4 OF THE  
NORTHWEST 1/4, SECTION 17, T13N-R04W,  
LINCOLN TOWNSHIP, ISABELLA COUNTY, MICHIGAN

**DESCRIPTION: (WARRANTY DEED, LIBER 948, PAGE 737)**

A PARCEL OF LAND BEING A PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION SEVENTEEN, LINCOLN TOWNSHIP, ISABELLA COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER WHICH IS NORTH 1324.39 FEET FROM THE WEST 1/4 CORNER OF SECTION 17; THENCE NORTH 170.82 FEET ALONG THE WEST SECTION LINE; THENCE SOUTH 88° 45' 49" EAST, 255.0 FEET PARALLEL WITH THE NORTH 1/8 LINE; THENCE SOUTH 170.82 FEET TO THE NORTH 1/8 LINE; THENCE NORTH 88° 45' 49" WEST, 255.0 FEET ALONG THE NORTH 1/8 LINE TO THE POINT OF BEGINNING.

**DESCRIPTION AS SURVEYED:**

A PARCEL OF LAND BEING A PART OF THE NORTHWEST 1/4 OF SECTION 17, T.13 N.-R. 04 W., LINCOLN TOWNSHIP, ISABELLA COUNTY, MICHIGAN, TO FIX THE POINT OF BEGINNING, COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 17; THENCE S.00° 17' 41"E., ON AND ALONG THE WEST LINE OF SAID SECTION, 1324.33 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE N.00° 17' 47" W., ON SAID WEST SECTION LINE, 170.82 FEET; THENCE S.89° 28' 17"E., PARALLEL WITH THE NORTH 1/8 LINE OF SAID SECTION, 255.00 FEET; THENCE S.00° 17' 47"E., PARALLEL WITH SAID WEST SECTION LINE, 170.82 FEET TO A POINT ON SAID NORTH 1/8 LINE; THENCE N.89° 28' 17"W., ON AND ALONG SAID NORTH 1/8 LINE, 255.00 FEET BACK TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES OF LAND AND SUBJECT TO HIGHWAY USE OF THE WEST 33.00 FEET THEREOF AND ALSO SUBJECT TO AND TOGETHER WITH ANY OTHER EASEMENTS AND/OR RESTRICTIONS OF RECORD.

**WITNESSES:**

**NORTH 1/4 COR.  
SEC. 17, T13N-R04W**

FND. REMON COR., LCRC L. 6, PG 192 & 193  
N70°E 90.50' FND N&T IN S. FACE OF  
SERVICE POLE (R=90.60', 90.55', 90.57')  
S40°W 39.80' FND N&T IN NW FACE 28"  
MAPLE (R=39.76', 39.74)  
S53°E 50.89' FND N&T IN P.P. (R=50.99', 50.96',  
50.95')  
N06°E 104.14' CEN OF 24" CHERRY CLUMP (R)  
N30°W 65.50' SET N&T IN E FACE 12" BOX ELDER

**WEST 1/4 COR.  
SEC. 17, T13N-R04W**

FND. REMON COR. PER LCRC L. 5, PG 255  
N35°W 54.76' FND N&T 8" PINE  
NNE 110.47' FND NAIL P. POLE  
SW 57.41' FND NAIL 10" ELM  
EAST 20.17' FND "X" ON ROCK

**INT 1/4 COR.**

**SEC. 17, T13N-R04W**

FND. 1/2" CI., LCRC 900  
SOUTHEAST 20.57' 16" W. OAK  
SOUTHWEST 34.32' 18" R. OAK  
WESTERLY 34.53' 8" W. OAK  
NORTH-NORTHWEST 21.85' 14" R. OAK

**NW COR.**

**SEC. 17, T13N-R04W**

FND. REMON COR., LCRC 28  
SOUTHEAST 79.23' N&T IN P.P.  
NORTH-NORTHEAST 76.45' N&T IN TOP OF FENCE  
POST  
SOUTHWEST 55.90' N&T IN P.P.  
SOUTH-SOUTHEAST 74.55' WEST CORNER OF PROJECT  
MARKER

I HEREBY CERTIFY THAT A BOUNDARY SURVEY WAS COMPLETED UNDER MY SUPERVISION ON THE PROPERTY HEREIN DESCRIBED ON 6-3-19 AND THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF ACT 132 OF PUBLIC ACTS OF 1970, AS AMENDED. THE RATIO OF CLOSURE OF THIS SURVEY IS 1:5000 OR LESS.

  
TIMOTHY E BEBEE P.S. #39074

R - RECORDED  
 M - MEASURED  
 □ - SET WOOD STAKE

○ - FOUND IRON  
 ● - SET IRON  
 ○ - CONCRETE MONUMENT

○ - SECTION CORNER  
 ○ - 1/8 CORNER

SCALE: 1" = 200'	DRAWN BY: BTM
SURVEY DATE: 6-3-19	CHECKED BY: TELB
DATE: 6-6-19	JOB NUMBER: 1905-050
REVISED:	SHEET NUMBER: 3 OF 3



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FAX: (989) 775-5012  
EMAIL: [info@cms-d.com](mailto:info@cms-d.com)



STATE OF MICHIGAN  
COUNTY OF ISABELLA  
I HEREBY CERTIFY that there are no tax liens or  
titles held by the state or individuals on the lands  
described in the within instrument, and that all  
taxes are paid as shown by the records of this  
office for five years.

*Steven W. Pickens*  
Treasurer of Isabella County

200200006924  
Filed for Record in  
ISABELLA COUNTY, MI  
SHARON A BROWN  
05-24-2002 12:23:21 pm.  
WARR DEED 11.00  
Liber 1083 Page 731 - 732

200200006925  
GREENSTON FARM CREDIT  
P O BOX 351  
MT PLEASANT, MI 48858

### WARRANTY DEED

THIS INDENTURE, made this 23<sup>rd</sup> day of May, 2002

BETWEEN: LOLA JOAN S. FEIG, of 21245 Thorofare, Grosse Isle, Michigan, 48138, Party of the First Part,

AND:

RANDALL J. JUDGE, of 8496 South Nottawa Road, Shepherd, Michigan, 48883, Party of the Second Part.

### AFFIDAVIT FILED

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One (\$1.00) Dollar and other valuable considerations, to her in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, does by these presents grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, his heirs and assigns, FOREVER, all that certain piece or parcel of land situated and being in the Township of Lincoln, County of Isabella, State of Michigan, and described as follows, to-wit:

A parcel of land being a part of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section Seventeen (17), Township Thirteen North (T-13-N), Range Four West (R-4-W), Lincoln Township, Isabella County, Michigan, described as beginning at the Southwest Corner of the Northwest Quarter of the Northwest Quarter which is North 1324.39 feet from the West 1/4 Corner of Section 17; thence North 170.82 feet along the West Section line; thence South 88°-45'-49" East, 255.0 feet parallel with the North 1/8 line; thence South 170.82 feet to the North 1/8 line; thence North 88°-45'-49" West, 255.0 feet along the North 1/8 line to the point of beginning.

The Grantor grants to the Grantee the right to make All divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

This property may be located within the vicinity of farm land or farm operations. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining: To Have and To Hold the said premises, as herein described, with the appurtenances, unto the said party of the second part, and to his heirs and assigns, FOREVER. And the said party of the first part, for herself, her heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, his heirs and assigns, that at the time of the delivery of these presents she is well seized of the above granted premises in fee simple; that they are free from all encumbrances whatever, except easements, rights of way, restrictions and reservations of record, and that she will, and her heirs, executors and administrators shall Warrant and Defend the same against all lawful claims whatsoever, except as above noted.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand the day and year first above written.

Signed and delivered  
in the presence of:

Lola Joan S. Feig  
Lola Joan S. Feig

STATE OF MICHIGAN      )  
                                    ) ss.  
County of Isabella      )

On this 23<sup>rd</sup> day of May, 2002, before me, a Notary Public, in and for said County, personally appeared Lola Joan S. Feig, to me known to be the same person described in and who executed the within instrument, and who acknowledged the same to be her free act and deed.

My commission expires:

5-28-02

Mary L. Fields  
Mary L. Fields Notary Public,  
Isabella County, Michigan

This instrument prepared by:  
JAMES S. FOX, Attorney at Law  
702 East Michigan  
Mt. Pleasant, MI 48858

When recorded return to:

Tax Parcel No: 10-017-10-005-02