

ISABELLA COUNTY
ZONING BOARD OF APPEALS
Application for Variance

APPLICANT INFORMATION:

Name WILLIAM D. MCNEILL, Trustee Owner/Agent/Other (Circle One)

Address 1183 COLT DRIVE, SOUTH LYON MI 48178-5300

Phone 248-872-9073 Fax 0

PROPERTY OWNER INFORMATION: (if different from applicant)

Name WILLIAM D. MCNEILL AND DONNA L. MCNEILL REVOCABLE LIVING TRUST

Address 1183 COLT DRIVE, SOUTH LYON MI 48178-5300

Phone 248-872-9073 Fax 0

PROPERTY INFORMATION:

Address/Location 995 CARROLL DRIVE, CLARE MI 48617

Tax I.D. Number 15-019-20-002-15 8 15-019-20-006-00

Zoning District L-R Township VERNON Section 19

Directions to property MISSION ROAD THEN WEST ON STEVENSON LAKE ROAD THEN SOUTH
ON N. WHITEVILLE ROAD TO CARROLL DRIVE. PROPERTY ON NORTHWEST CORNER.

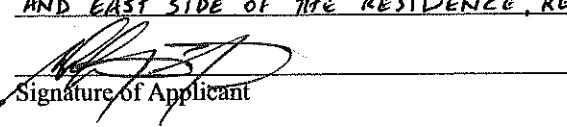
ATTACHMENTS: Please submit the following items with the application.

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.

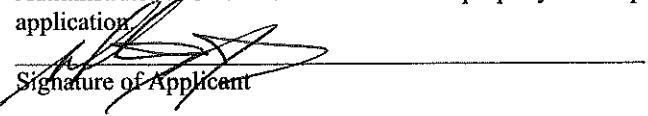
The applicant must demonstrate evidence of a practical difficulty and demonstrate that **ALL** conditions in Section 14.04 (C) (1-5) are met (see reverse).

Nature of request: THE VARIANCE REQUEST IS TO BUILD A DETACHED DECIL ON THE SOUTH
AND EAST SIDE OF THE RESIDENCE, REPLACING STRUCTURES THAT DID NOT RECEIVE PERMIT(s).


Signature of Applicant

12 July 2024
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.


Signature of Applicant

12 July 2024
Date

File # PVAR240008
Received by MR.

OFFICE USE ONLY
Fee \$350.00
Check Number _____

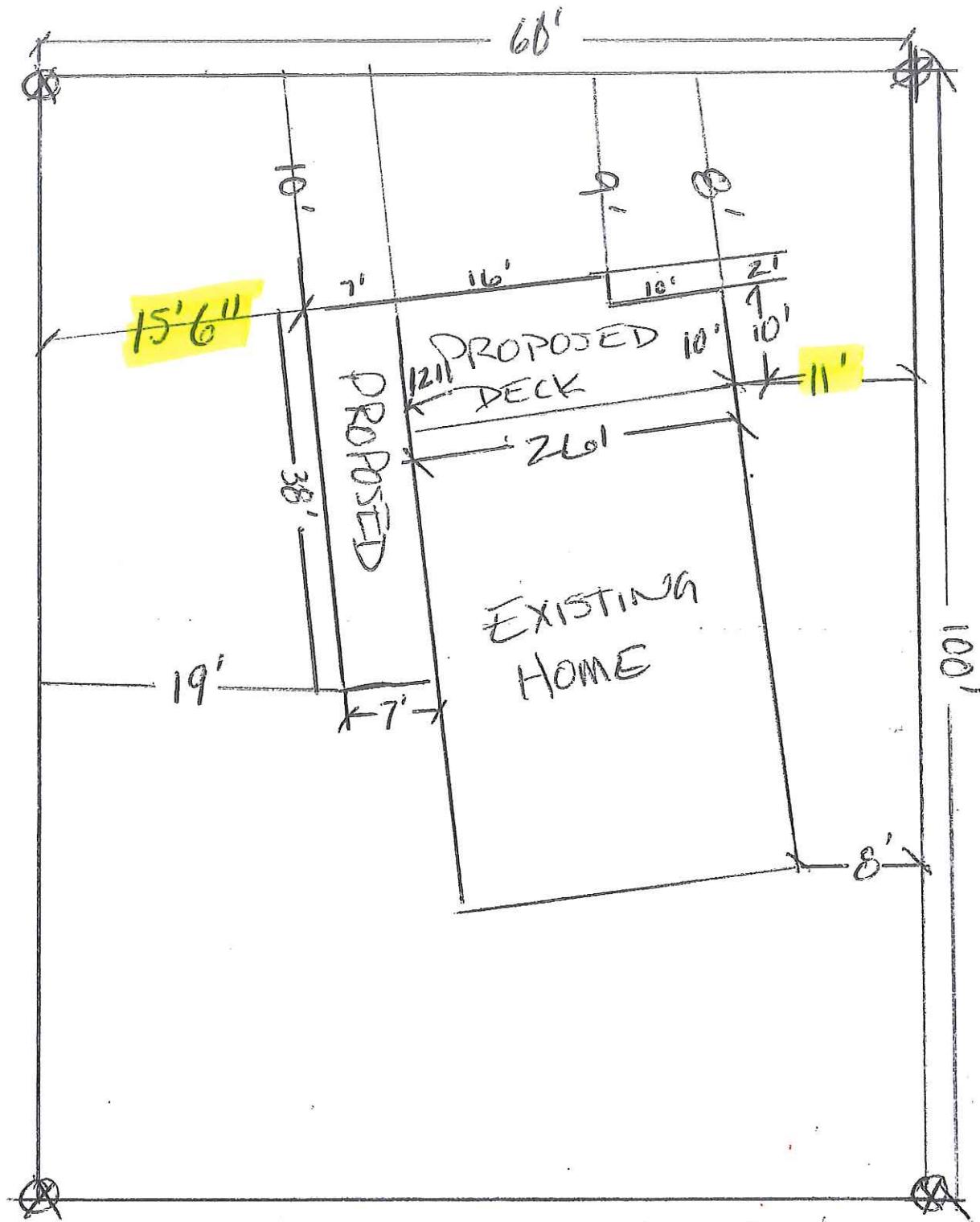
Date Received 7-12-24
Receipt Number _____

SECTION 14.04 VARIANCE REQUESTS AND PROCEDURES (08-07 Eff. July 20, 2008)

C. Filing Procedures. A written application for a non-use variance must be submitted to the zoning official and accompanied by a fee. A non-use variance may be allowed by the Zoning Board of Appeals only in cases where the applicant provides evidence of practical difficulty in the official record of the hearing and demonstrates that all of the following conditions are met:

1. That there are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district. Exceptional or extraordinary circumstances or conditions may include:
 - a. Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Article or amendment.
 - b. By reason of exceptional topographic or environmental conditions or other extraordinary situation on the land, building or structure.
 - c. By reason of the use or development of the property immediately adjoining the property in question. **THIS VARIANCE REQUEST WILL NOT IMPAIR OR IMPACT THE POTENTIAL USE OF THE PROPERTY ADJACENT TO THE PROPERTY IN QUESTION.**
2. That the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same Zoning District and in the vicinity. The possibility that compliance with this Ordinance may prove to be more expensive or otherwise inconvenient shall not be part of the consideration of the Zoning Board of Appeals.
 - 8494 N. WHITEVILLE RD – Wooden deck S side of house
 - 8422 N. WHITEVILLE RD – Wood/cement deck on S and E side of house
 - 1050 ARTHUR ST – Cement patio on S and W side of house
 - 993 CARROLL DR – Front porch large enough for chairs
 - 982 IRWIN DR – Wood/cement deck on S side of house
 - 942 CARROLL DR – Elevated wood deck over cement patio on S side of house
(Additionally this address has four rental cabins each with a deck on S side)
3. The variance will not be detrimental to adjacent property and the surrounding neighborhood. **THE VARIANCE WILL NOT NEGATIVELY IMPACT ADJACENT OR SURROUNDING PROPERTIES.**
4. The variance will not materially impair the intent and purpose of this Ordinance or the provision from which the variance is requested. **THE LAND IMMEDIATELY ADJACENT THE PROPERTY IN QUESTION PROVIDES THE BUFFER FROM THE RIGHT OF WAY PROTECTED BY THIS ORDINANCE. (See additional submission.)**
5. That the immediate practical difficulty causing the need for the variance request was not created by the applicant. **THE DIFFICULTY LEADING TO THIS VARIANCE REQUEST WAS NOT THE RESULT OF ANY ACTION ON THE PART OF THE APPLICANT/CURRENT RESIDENT.**

WHITEVILLE RD

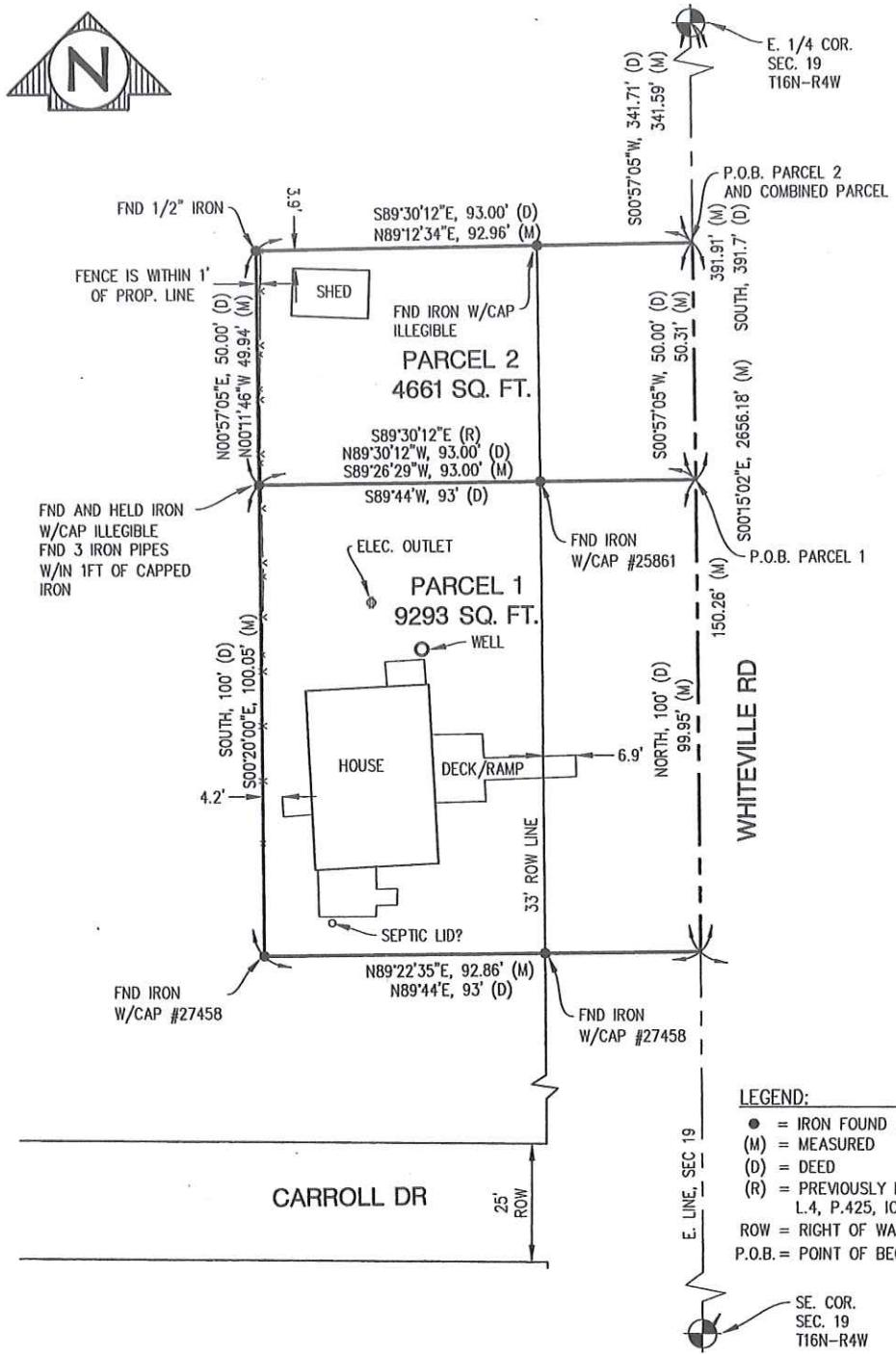


(N)

Property address: 995 Carroll Dr. Clark, MI 48617

CERTIFIED SURVEY

I, MICHAEL FLOWERS, BEING A SURVEYOR LICENSED IN MICHIGAN, HEREBY CERTIFY THAT THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH PUBLIC ACT 132 OF 1970, AS AMENDED.



BEARINGS ARE REFERENCED TO NAD83/CORS2011, MCS SOUTH ZONE, DISTANCES REDUCED TO GROUND

WILLIAM MCNEILL

SECTION 19 T16N - R4W VERNON TOWNSHIP
ISABELLA COUNTY, MICHIGAN



**ROWE PROFESSIONAL
SERVICES COMPANY**

127 S. Main Street
Mt. Pleasant, MI 48856

O: (989) 772-2138
F: (989) 773-7757
www.rowepsco.com



Michael Flowers
MICHAEL FLOWERS
PROFESSIONAL SURVEYOR
License No. 4001071297
CERTIFIED PROFESSIONAL SURVEYOR

JOB NO.: 2400451

CERTIFIED SURVEY

I, MICHAEL FLOWERS, BEING A SURVEYOR LICENSED IN MICHIGAN, HEREBY CERTIFY THAT THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH PUBLIC ACT 132 OF 1970, AS AMENDED.

LEGAL DESCRIPTION OF PARCEL 1 AND 2 (PER QUIT CLAIM DEED L.1884,P.653).

PARCEL 1: PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, T16N, R4W, DESCRIBED AS COMMENCING SOUTH 391.7 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 19, THENCE SOUTH 89°44' WEST, 93 FEET, THENCE SOUTH 100 FEET, THENCE NORTH 89°44' EAST, 93 FEET, THENCE NORTH 100 FEET TO THE POINT OF BEGINNING, EXCEPT THE EAST 33 FEET THEREOF, TO BE USED FOR ROAD PURPOSES, VERNON TOWNSHIP, ISABELLA COUNTY, MICHIGAN.

PARCEL 2: PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, T16N, R4W, VERNON TOWNSHIP, ISABELLA COUNTY, STATE OF MICHIGAN, DESCRIBED AS: BEGINNING SOUTH 00°57'05" WEST ALONG THE EAST SECTION LINE, 341.71 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 19; THENCE CONTINUING SOUTH 00°57'05" WEST, ALONG SAID EAST SECTION LINE 50.00 FEET, THENCE NORTH 89°30'12" WEST, 93.00 FEET; THENCE NORTH 00°57'05" EAST, PARALLEL TO SAID EAST SECTION LINE 50.00 FEET; THENCE SOUTH 89°30'12" EAST 93.00 FEET BACK TO THE PLACE OF BEGINNING.

LEGAL DESCRIPTION OF PARCEL 1 AND 2 (AS-SURVEYED)

PARCEL 1:

PART OF THE SOUTHEAST QUARTER OF SECTION 19, T16N-R4W, VERNON TOWNSHIP, ISABELLA COUNTY, MICHIGAN. BEGINNING AT A POINT THAT IS S00°15'02"E, ALONG THE EAST LINE OF SAID SECTION, 391.91 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION; THENCE S89°26'29"W, 93.00 FEET; THENCE S00°20'00"E, 100.05 FEET; THENCE N89°22'35"E, 92.86 FEET TO A POINT ON THE EAST LINE OF SAID SECTION; THENCE N00°15'02"W, ALONG SAID EAST SECTION LINE, 99.95 FEET TO THE POINT OF BEGINNING. CONTAINING 9293 SQ. FT. OF LAND AND SUBJECT TO THE EASTERLY 33 FEET THEREOF AS WHITEVILLE ROAD.

PARCEL 2:

PART OF THE SOUTHEAST QUARTER OF SECTION 19, T16N-R4W, VERNON TOWNSHIP, ISABELLA COUNTY, MICHIGAN. BEGINNING AT A POINT THAT IS S00°15'02"E, ALONG THE EAST LINE OF SAID SECTION, 341.59 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION; THENCE CONTINUING S00°15'02"E, ALONG SAID EAST LINE, 50.31 FEET, THENCE S89°26'29"W, 93.00 FEET; THENCE N00°11'46"W, 49.94 FEET; THENCE N89°12'34"E, 92.96 FEET TO THE POINT OF BEGINNING. CONTAINING 4661 SQ. FT. OF LAND AND SUBJECT TO THE EASTERLY 33 FEET THEREOF AS WHITEVILLE ROAD.

PARCEL 1 AND 2 COMBINED DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 19, T16N-R4W, VERNON TOWNSHIP, ISABELLA COUNTY, MICHIGAN. BEGINNING AT A POINT THAT IS S00°15'02"E, ALONG THE EAST LINE OF SAID SECTION, 341.59 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION; THENCE CONTINUING S00°15'02"E, ALONG SAID EAST LINE, 150.26 FEET; THENCE S89°22'35"W, 92.86 FEET; THENCE N00°20'00"W, 100.05 FEET; THENCE N00°11'46"W, 49.94 FEET; THENCE N89°12'34"E, 92.96 FEET TO THE POINT OF BEGINNING. CONTAINING 13,954 SQ. FT. ACRES AND SUBJECT TO THE EASTERLY 33 FEET THEREOF AS WHITEVILLE ROAD.

PLSS CORNER WITNESSES

E. 1/4 CORNER, SEC. 19, T16N-R4W,
FOUND ISABELLA COUNTY REMON MONUMENT.
S70E 151.78' FND N&T IN SW OF 30" WILLOW
S30E 118.64' FND N&T IN SW OF 30" WILLOW
S23E 101.92' FND N&T IN WSW OF 6" OAK
N88W 41.28' FND N&T IN S OF 12" MAPLE
N50W 42.38' FND 1/2" RE-ROD, BENT

SE. CORNER, SEC. 19, T16N-R4W
FOUND ISABELLA COUNTY REMON MONUMENT.
N13E 174.08' FND N&T IN W FACE OF POWER POLE
N45E 41.15' FND N&T IN NW FACE OF P POLE
S32E 47.94' FND N&T IN TOP E END OF 15" CMP
S68W 123.46' FND N&T IN NNW FACE OF 20" PINE

BEARINGS ARE REFERENCED TO NAD83/CORS2011, MCS SOUTH ZONE, DISTANCES REDUCED TO GROUND

WILLIAM MCNEILL		FIELD: MKF
SECTION 19 T16N - R4W VERNON TOWNSHIP		DRAWN: MKF
ISABELLA COUNTY, MICHIGAN		CHECKED: GAS
ROWE PROFESSIONAL SERVICES COMPANY		DATE: JULY 2, 2024
127 S. Main Street Mt. Pleasant, MI 48858		REVISED:
		SHEET: 2 OF 2
		SCALE: N/A
		0 1 INCHES
		0 FEET
		JOB NO.: 2400451


MICHAEL FLOWERS
PROFESSIONAL SURVEYOR
License No. 4001071297
LICENSED PROFESSIONAL SURVEYOR

Michael Flowers

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS:

That William David McNeill a/k/a William D. McNeill and Donna Lee McNeill a/k/a Donna L. McNeill, and successors, Co-Trustees of the William D. McNeill and Donna L. McNeill Revocable Living Trust dated July 31, 2013, as amended (mistakenly previously referred to as the William David McNeill and Donna Lee McNeill Revocable Living Trust), see Certificate of Trust previously recorded in Liber 1884, Page 516 ("Grantor"), whose address is 1183 Colt Dr., South Lyon, MI 48178-5300, quitclaims to 995 Carroll, LLC, a Michigan limited liability company ("Grantee"), whose address is 1183 Colt Dr., South Lyon, MI 48178-5300, the following described premises situated in the Township of Vernon, County of Isabella, and State of Michigan, to-wit:

PARCEL 1: PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, T16N, R4W, DESCRIBED AS COMMENCING SOUTH 391.7 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 19, THENCE SOUTH 89°44' WEST, 93 FEET, THENCE SOUTH 100 FEET, THENCE NORTH 89°44' EAST, 93 FEET, THENCE NORTH 100 FEET TO THE POINT OF BEGINNING, EXCEPT THE EAST 33 FEET THEREOF, TO BE USED FOR ROAD PURPOSES, VERNON TOWNSHIP, ISABELLA COUNTY, MICHIGAN.

PARCEL 2: PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, T16N, R4W, VERNON TOWNSHIP, ISABELLA COUNTY, STATE OF MICHIGAN, DESCRIBED AS: BEGINNING SOUTH 00°57'05" WEST ALONG THE EAST SECTION LINE, 341.71 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 19; THENCE CONTINUING SOUTH 00°57'05" WEST, ALONG SAID EAST SECTION LINE 50.00 FEET, THENCE NORTH 89°30'12" WEST, 93.00 FEET; THENCE NORTH 00°57'05" EAST, PARALLEL TO SAID EAST SECTION LINE 50.00 FEET; THENCE SOUTH 89°30'12" EAST 93.00 FEET BACK TO THE PLACE OF BEGINNING.

Commonly Known As: 995 Carroll Dr., Clare, MI 48617

Tax Parcel # 15-019-20-006-00 and 15-019-20-002-15

for the full consideration of: Exempt from transfer tax under MCL 207.505(a) and MCL 207.526(a), subject to building and use restrictions, reservations, and easements of record.

The Grantor quitclaims to the Grantee the right to make any and all permissible division(s) under Section 108 of the Land Division Act, Act. No. 288 of the Public Acts of 1967.

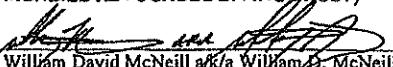
This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

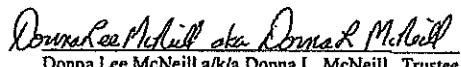
Dated this 16 day of December, 2020.

PLEASE SIGN IN BLACK INK EXACTLY AS SHOWN.

Grantor:

WILLIAM D. MCNEILL AND DONNA L. MCNEILL REVOCABLE LIVING TRUST DATED JULY 31, 2013, AS AMENDED (MISTAKENLY PREVIOUSLY REFERRED TO AS THE WILLIAM DAVID MCNEILL AND DONNA LEE MCNEILL REVOCABLE LIVING TRUST)

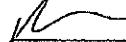

William David McNeill a/k/a William D. McNeill, Trustee
TRUSTEE


Donna Lee McNeill a/k/a Donna L. McNeill, Trustee
TRUSTEE

STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss.

Subscribed, sworn to and acknowledged before me by William David McNeill a/k/a William D. McNeill and Donna Lee McNeill a/k/a Donna L. McNeill, and successors, Co-Trustees of the William D. McNeill and Donna L. McNeill Revocable Living Trust dated July 31, 2013, as amended (mistakenly previously referred to as the William David McNeill and Donna Lee McNeill Revocable Living Trust), on this 16 day of December, 2020:

RACHEL HOPE TUCKER
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Sep 12, 2025
ACTING IN COUNTY OF


Rachel Hope Tucker, Notary Public,
State of Michigan, County of Oakland
My commission expires: 09/12/2025
Acting in the County of Oakland

When recorded, return to Rachel H. Tucker, Esq., 30665 Northwestern Hwy., Ste. 200, Farmington Hills, Michigan 48334. Drafted by Rachel H. Tucker, Esq., 30665 Northwestern Hwy., Ste. 200, Farmington Hills, Michigan 48334. DRAFTER MAKES NO REPRESENTATIONS REGARDING THE ACCURACY, ADEQUACY, OR COMPLETENESS OF THE LEGAL DESCRIPTION HEREIN.

Tax Parcel # 15-019-20-006-00 and 15-019-20-002-15
Recording Fee:

County Transfer Tax: Exempt under MCL 207.505(a)
State Transfer Tax: Exempt under MCL 207.526(a)

ISABELLA COUNTY GIS TAX INFO MAP

Attached, please find the GIS map that includes the property requesting a variance. It is understood that the lines on this map are an approximation and not a true representation of property lines.

This item is offered to help show the additional land between the property and the Right-Of-Way known as Carroll Drive. Measurements taken at the actual property indicate that property between Carroll Drive and the property in question varies up to 39 feet; since Carroll Drive curves, a consistent measurement cannot be supplied.



County of Isabella



Map Publication:
07/12/2024 9:00 AM

10m
40ft

powered by
FetchGIS

Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. Isabella County expresses no warranty for the information displayed on this map document.

