

ISABELLA COUNTY
ZONING BOARD OF APPEALS
July 16, 2008

Room 225
Isabella County Building

A regular meeting of the Isabella County Zoning Board of Appeals was held July 16, 2008 in room 225 of the Isabella County Building, 200 North Main Street, Mount Pleasant, Michigan.

MEMBERS PRESENT: Jim Wynes, Craig Schripsema, Gordon Gilchrist, Kelly Bean, Howard Shively.

MEMBERS ABSENT: None.

SUPPORT STAFF PRESENT: Mike Zalewski, Planner/Zoning Administrator
Brandy Freed, Recording Secretary

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. Zalewski stated that variance request #08-08 has been withdrawn by the applicant because he was not prepared. The public hearing notice for variance request #08-09 was published incorrectly and there may be additional variances that need to be applied for. The only case then that is left on the agenda is variance request #08-07.

The agenda was approved as amended.

PREVIOUS MINUTES

The minutes of the June 18, 2008 meeting were approved as submitted.

PUBLIC COMMENTS

None heard.

VARIANCE REQUEST #08-07

Mr. Zalewski explained that William Schlafley is requesting a variance to construct a 30' x 56' (1680 sq. ft.) accessory building on a vacant lot. The maximum square footage of an accessory building on a lot without a principal building in the Lakes Residential district is 864 sq. ft. The property is located adjacent to 775 E. Coleman Road in Section 19 of Vernon Township. The property is a vacant 13.7 acre parcel located directly East of 775 E. Coleman Road. The property

is zoned Lakes Residential and thus the maximum size of an accessory building on a vacant lot is 864 sq. ft. The owner intends to build a house on the property, but would like to first proceed with building the accessory building. The owner was going to apply for the permits for the house and accessory building but then decided to just apply for the accessory building. The owner has been advised that if they were to pull the permits to construct the house, the permit for the accessory building could be issued. However, they are not ready to construct the house and therefore have applied for the variance to allow construction of the accessory building.

Cheryl Marshall, 608 S. Rainbow, Clare, she is the daughter of William and Patsy Schlafley, she stated that they are asking for a variance to build a 30'x56' pole building. It is an unusual circumstance because this lot is not a 20,000 sq. ft. lot; it is a 13.7 acre parcel, which was recently divided. The land division that was completed was in preparation of will planning. The 40 acre parcel was divided into 3 parcels. This lot is unusual because it is not in a platted sub division.

Mr. Gilchrist asked if it was an understanding of the family that the land can only be sold to family.

Ms. Marshall stated that yes the family understands that the land is to be sold only to family.

Mr. Gilchrist asked if they had applied for a home building permit as of yet.

Ms. Marshall stated that they are unable to build right now so they have not yet applied for a building permit for the house. It is later intended for one of the children to build on the property though.

The public hearing was opened at 9:03 a.m.

No public comment was heard.

The public hearing was closed at 9:03 a.m.

Mr. Shively stated that this is a 13.7 acre LLC. It is an unusually sized piece of land for a lake lot. The property is heavily wooded and the building would not be seen if constructed. Other buildings that are on their property are currently maintained and in good condition. Literal interpretation would deprive these applicants of the same rights that are commonly enjoyed by others if the variance is not approved. Granting this variance would not confer upon the applicant any special privileges. These reasons justify granting this variance.

Mr. Gilchrist stated that he would concur with Mr. Shively. When the house is built it will not be seen. He also asked how far from the lake shore the property is.

Mr. Zalewski stated that it is 225 ft. from the lake.

Mr. Shively stated that the reason for building the pole barn is because their daughter would like to build a house out there, but they are currently waiting until their home sells before they build.

Mr. Zalewski stated that they were going to apply for both the home and the pole building at the same time, but they were afraid that their zoning permit might expire before they were able to build the house and then they would not be in compliance with the Zoning Ordinance.

Mr. Gilchrist asked if they could get an extension on their building permit and how much it would cost.

Mr. Zalewski stated that the building permit is good for up to 6 months and then the applicant can request it to be extended for another 6 months if they are continuing to work on the project, there is no cost to have it extended. The zoning permit would be valid for a period of one year, and then the applicant would have to reapply.

A motion was made by Mr. Shively, supported by Mr. Gilchrist to approve variance request #08-07 based on the following:

- Special conditions that are unique to this property
- Not Granting the variance would deprive the applicant of rights enjoyed by others in the area
- Granting the variance will not confer upon the applicant and special privileges
- Granting the variance will not be detrimental to the neighborhood

Yes: Gilchrist, Schripsema, Wynes, Bean, Shively

No: None

Variance approved.

STAFF COMMENTS

Mr. Zalewski stated that the amendment to change the language for appeals and requests was approved by the Board of Commissioners and will become effective on Sunday, July 20, 2008.

BOARD COMMENTS

Mr. Gilchrist asked if the board could discuss the variance request involving Mr. Haupt.

Mr. Zalewski stated that it would not be appropriate as it was taken off the agenda and it will be discussed at next months meeting. The public hearing notice was published incorrectly; they may need more variances than first thought.

Mr. Gilchrist asked if the property is split.

Mr. Zalewski stated that the request is to make the one parcel larger and the other one smaller.

ADJOURNMENT

A motion was made by Mr. Schripsema, supported by Mr. Gilchrist to adjourn at 9:25 a.m.

Yes: Schripsema, Gilchrist, Wynes, Bean, Shively.

No: None.

Motion carried.

Craig Schripsema, Secretary

Brandy Freed, Recording Secretary