

ISABELLA COUNTY  
ZONING BOARD OF APPEALS  
January 21, 2009

Room 225  
Isabella County Building

A regular meeting of the Isabella County Zoning Board of Appeals was held January 21, 2008 in room 225 of the Isabella County Building, 200 North Main Street, Mount Pleasant, Michigan.

MEMBERS PRESENT: Jim Wynes, Gordon Gilchrist, Howard Shively, Bob Thompson.

MEMBERS ABSENT: Kelly Bean.

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

The meeting was called to order by the chair at 7:02 a.m.

The Pledge of Allegiance was recited by the board.

ELECTIONS OF OFFICERS

Mr. Wynes opened nominations for Chairperson.

Mr. Shively nominated Mr. Wynes for Chairperson.

Mr. Wynes called for any other nominations twice.

A motion was made by Mr. Shively, supported by Mr. Gilchrist, to close the nominations and for a unanimous vote to be cast for Mr. Wynes.

Yes: Wynes, Gilchrist, Shively, Thompson.

No: None

By a unanimous vote, Mr. Wynes was declared Chairperson.

Mr. Wynes opened nominations for Vice-Chairperson.

Mr. Thompson nominated Mr. Gilchrist for Vice-Chairperson.

Mr. Wynes called for any other nominations twice.

A motion was made by Mr. Thompson, supported by Mr. Shively, to close the nominations and for a unanimous vote to be cast for Mr. Gilchrist.

Yes: Wynes, Gilchrist, Shively, Thompson.

No: None

By a unanimous vote, Mr. Gilchrist was declared Vice-Chairperson.

Mr. Wynes opened nominations for Secretary.

Mr. Thompson nominated Mr. Shively for Secretary.

Mr. Wynes called for any other nominations twice.

A motion was made by Mr. Thompson, supported by Mr. Gilchrist, to close the nominations and for a unanimous vote to be cast for Mr. Shively.

Yes: Wynes, Gilchrist, Shively, Thompson.

No: None

By a unanimous vote, Mr. Shively was declared Secretary.

A motion was made by Mr. Gilchrist, supported by Mr. Shively to maintain the time and date for the regular meetings as is, on the third Wednesday of the Month at 9:00 a.m. in room 225 of the Isabella County Building.

Mr. Wynes called for a vote on the motion.

Yes: Wynes, Gilchrist, Shively, Thompson.

No: None.

#### APPROVAL OF AGENDA

The agenda was approved as submitted.

#### PREVIOUS MINUTES

The minutes of the December 17, 2008 meeting were approved as submitted.

#### PUBLIC COMMENTS

None heard.

#### ZBA ANNUAL REPORT

Mr. Zalewski gave a presentation on the previous years cases.

Mr. Nieporte explained that the 2007 numbers are what staff likes to see. In 2008 there were a few new members on the board, so this could be why so many of the variances were granted. The board needs to make sure that the applicants understand the criteria that the board has to go by, and then the applicant can give explanations according to the criteria.

Mr. Wynes stated that if the Board grants a variance for an applicant who is asking to be 1' from, it makes a joke of the ordinance.

Mr. Thompson stated that if there are many variances for a certain district or of a certain type that coming before the board, there may be an issue with the ordinance and it may need to be changed.

Mr. Zalewski stated that in the L-R district the front setback seems to be a problem and this is something that the Planning Commission can look into and see if it needs to be changed.

Mr. Gilchrist stated that some of the cases that were granted by the board bothered him.

Mr. Nieporte explained if the applicant plays to the sympathetic role, the board needs to let them know they have to base their decision on fact. From there the case can be tabled and the applicant can come back next month with facts or it can be denied.

Mr. Shively stated that he was also a little uncomfortable with what has been done over the last year.

Mr. Nieporte stated that at next months meeting if there is time the board could look up some cases and have a work session on them.

Mr. Gilchrist asked what the process was if they wanted to get the ordinance modified.

Mr. Nieporte explained that the best way is for the board to look at an issue, and then have a consensus of the board to send comments to the Planning Commission. There would need to be input from the board though.

Mr. Gilchrist asked if the ordinance makes an applicant get a survey.

Mr. Nieporte stated that no but it can be recommended to the applicant. He also stated that staff would forward to the Planning Commission that in the L-R district the front setback may be an issue.

#### STAFF COMMENTS

None Heard.

#### BOARD COMMENTS

Discussion was held on why the ZBA meetings were held in the morning.

#### ADJOURNMENT

A motion was made by Mr. Shively, supported by Mr. Gilchrist to adjourn at 9:53 a.m.

Yes: Yes: Wynes, Gilchrist, Shively, Thompson.

No: None

Motion carried.

---

Howard Shively, Secretary

Brandy Freed, Recording Secretary