

ISABELLA COUNTY
ZONING BOARD OF APPEALS
September 19, 2012

Room 225
Isabella County Building

A regular meeting of the Isabella County Zoning Board of Appeals was held September 19, 2012 in room 225 of the Isabella County Building, 200 North Main Street, Mount Pleasant, Michigan.

MEMBERS PRESENT: Jim Wynes, Gordon Gilchrist, Tom Courser, Brent Duffett, Marilyn Fosburg.

MEMBERS ABSENT: None.

SUPPORT STAFF PRESENT: Tim Nieporte, Community Development Director
Brandy Harger, Recording Secretary

The meeting was called to order by the chair at 9:03 a.m.

The Pledge of Allegiance was recited by the board.

APPROVAL OF AGENDA

The agenda was approved as submitted.

PREVIOUS MINUTES

The minutes of the May 16, 2012 meeting were approved as submitted.

PUBLIC COMMENTS

None heard.

PUBLIC HEARING ON VARIANCE #12-04

Mr. Nieporte explained that Frank Epple is requesting a variance to create a 5' side yard setback to an existing accessory building. The minimum side yard setback in the AG-1 District is 20'. The property is located at 1508 North Summerton Road in Section 30 of Denver Township. Frank Epple would like to establish a new property line through a boundary adjustment which creates a 5' side yard setback from an existing accessory building. The property is zoned Restrictive Agricultural (AG-1) and therefore the minimum side setback is 20'. Mr. Epple has opted to apply for a variance from the minimum 20' setback. In reviewing the site plan, it is noted that the proposed accessory building meets all other zoning requirements. Staff has visited the site and has attached photos for your review. The photos show the natural floodway on the north side of the property which runs south and east into the County drain along the easterly

property line of the irregularly shaped lot. Mr. Epple has advised that the property east and north of the existing buildings has been seeded to control erosion issues and is not tillable.

Mr. Epple stated that his intent is to sell a portion of the property where the garage is located. He chose to locate the property line 5' from the garage because no matter which way the property was split, between the barn and garage, it would require a variance and this was of the least impact.

Ms. Fosburg asked if there were any other legal issues to moving the line besides coming to the Zoning Board of Appeals.

Mr. Epple stated there are no other legal issues with moving the property line.

Mr. Gilchrist inquired as to whether the garage sits on a foundation.

Mr. Epple stated that the garage has a concrete floor and foundation.

Public hearing was opened at 9:12 a.m.

Ms. Jackie Curtis, Denver Township Trustee, stated that the Township has no issues with moving the property line 5' from the garage as long as the neighbor agrees to it.

Public hearing was closed at 9:14 a.m.

Mr. Gilchrist stated that the application was complete and thorough. Moving the property line would not be detrimental because it is in a rural setting and there is plenty of space beyond the barn to build a house.

A motion was made by Mr. Gilchrist supported by Ms. Fosburg to approve variance #12-04 because it meets the requirements of section 14.04 of the Isabella County Zoning Ordinance and it would require a variance no matter where the line is placed, this minimizes the variance required.

Roll call vote:

Mr. Duffett: Yes

Mr. Gilchrist: Yes

Ms. Fosburg: Yes

Mr. Courser: Yes

Mr. Wynes: Yes

Motion Carried.

Variance Approved.

STAFF COMMENTS

Mr. Nieporte stated as a reminder a training session on Zoning Ordinances will be held next Wednesday from 6-9 p.m. He also explained that at the October 17, 2012 ZBA meeting there will be an appeal coming in front of the board.

Discussion was held about formulating approvals and denials before the board meeting.

An update on Mike Zalewski was given.

BOARD COMMENTS

Discussion was held on the September 26, 2012 training session.

ADJOURNMENT

A motion was made by Mr. Courser, supported by Mr. Gilchrist to adjourn at 9:34 a.m.

Yes: Wynes, Gilchrist, Courser, Duffett, Fosburg.

No: None.

Motion Carried.

Marilyn Fosburg, Secretary

Brandy Harger, Recording Secretary