

ISABELLA COUNTY  
ZONING BOARD OF APPEALS

June 17, 2015

A Regular Meeting of the Isabella County Zoning Board of Appeals was held on June 17, 2015 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

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

MEMBERS ABSENT: Tom Riley

SUPPORT STAFF PRESENT: Tim Nieporte, Community Development Director  
Ray Johnson, Planner/Zoning Administrator  
Kim Kennedy, Recording Sectary

The meeting was called to order by the Chair at 9:00 a.m.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

A motion was made by Mr. Duffett supported by Mr. Gilchrist to approve the agend.

Yes: Gordon Gilchrist, Jim Wynes, Brent Duffett, Marilyn Fosburg  
No: None

Motion carried.

PREVIOUS MINUTES

Minutes from the May 2015 regular meeting were circulated to the Commission prior to the meeting for their review.

A motion was made by Mr. Duffett and supported by Mr. Gilchrist to approve the minutes with amendment to Var#15-04, stipulation #5, to read: The applicant will work with the zoning administrator to address adequate screening requirements to the east and the south.

Yes: Gordon Gilchrist, Jim Wynes, Brent Duffett,  
No: None  
Abstained: Marilyn Fosburg

Motion carried.

#### PUBLIC COMMENTS FOR NON-AGENDA ITEMS

None heard

#### NEW BUSINESS

##### **VAR#15-06 Steve Peeper**

Mr. Johnson explained an application was filed on March 14, 2015 by Mr. Peeper in response to a zoning violation of erecting a structure without a zoning or building permit. The structure is a 16' X 26' open air car port. The applicant is requesting a variance to allow for a front yard setback of 17 feet where 25 feet is required, a side yard setback of 5 feet where 10 feet is required, and for a distance of 3 feet between the principal building and an accessory building where 6 feet is required for this parcel in the Lakes Residential (L/R) district.

Mr. Nieporte also explained the required setback for the front yard is 46 feet instead of the 25 feet advertised in the public hearing notice and the staff memorandum. Section 3.02 (2)(e) prohibits an accessory structure to be located in a front yard. This requirement is a necessary change to allow for this accessory structure to be placed in a front yard but does not change the variance request of 17 feet.

The County Building Inspector did indicate to our office that 3 feet from the accessory structure to the principal building would meet the building code.

Mr. Johnson state that included with the variance application was a site plan and narrative addressing the criterial in Section 14.04 (C) of the Isabella County Zoning Ordinance. In addition to the application was a letter/petition Mr. Peepers distributed to various neighbors, 5 signatures are included on this letter/petition which indicate the residents are in favor of the three (3) variances Mr. Peepers has applied for.

Mr. Johnson also read a correspondence from Linda McDaniel at 1896 Midway Dr. who indicated she was in favor of the variance request.

Mr. Steve Peepers apologized for not obtaining the permits prior to building and that the main purpose for the car port is to protect vehicles for the pine needles and sap. Mr. Peepers stated this is one of the only places to set the carport because of well, utility and septic already existing on the property.

Public hearing was opened at 9:19 a.m.

Public hearing was closed at 9:19 a.m.

The Board discussed Section 14.04 (C) Variance Requests and Procedures

General Board discussion took place

A motion was made by Mr. Duffett supported by Mr. Gilchrist to approve Variance Number 15-06 which was submitted by Steve Peeper to allow for a front yard setback of 17 feet where 25 feet is required, a side yard setback of 5 feet where 10 feet is required, and for a distance of 3 feet between the principal building and an accessory building where 6 feet is required for this parcel in the Lakes Residential (L/R) district. The approval is based upon the following finding of fact:

1. The lot has exceptional circumstances due to size and two front yards.
2. The variance is need for preservation and enjoyment.
3. The variance is not a detrimental to adjacent property proven by the petition with neighbor signatures submitted by the applicant.
4. This variance does not materially impair the intent and purpose of this ordinance.
5. The need for the variance was not caused by the applicant.

Mr. Wynes called for a Roll Call Vote.

Ms. Fosburg – Yes

Mr. Gilchrist – Yes

Mr. Duffett - Yes

Mr. Wynes – Yes

Motion Carried.

#### STAFF COMMENTS –

Mr. Nieporte informed the Board that a lawyer has contacted the office inquiring on Var#15-04.

#### APPEALS BOARD MEMBER COMMENTS – None

#### ADJOURNMENT

The meeting was adjourned by the call of the Chair at 9:33 a.m.

A handwritten signature in black ink, appearing to read 'Brent Duffet', is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Brent Duffet, Secretary  
Kim Kennedy Recording Sectary