ISABELLA COUNTY
ZONING BOARD OF APPEALS

August 17, 2016

A Regular Meeting of the Isabella County Zoning Board of Appeals was held on August 17, 2016 in Room 320 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT:	Jim Wynes, Brent Duffett, Tom Riley, Marilyn Fosburg
MEMBERS ABSENT:	Gordon Gilchrist
SUPPORT STAFF PRESENT:	Tim Nieporte, Directory Kim Kennedy, Recording Secretary Ray Johnson, Planner/Zoning Administrator

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. Riley supported by Mr. Duffett to approve the agenda.

Yes: Jim Wynes, Brent Duffett, Tom Riley, Marilyn Fosburg
No: None

Motion carried.

PREVIOUS MINUTES

Minutes from the July 2016 regular meeting were circulated to the Commission prior to the meeting for their review.

A motion was made by Mrs. Fosburg and supported by Mr. Riley to approve the minutes as presented.

Yes: Jim Wynes, Brent Duffett, Tom Riley, Marilyn Fosburg

No: None

Motion carried.

PUBLIC COMMENTS FOR NON-AGENDA ITEMS

None heard

VAR#16-06 Joy Ecker – Nottawa Township

Mr. Johnson informed the board an application was filed on July 26, 2016 by Joy Ecker. Mrs. Ecker is seeking the variance in response to an enforcement for a violation of the Isabella County Zoning ordinance in which an attached accessory building was constructed without first obtaining a zoning permit. Mrs. Ecker indicated in her provided pictures that the accessory building was constructed in 1996 and that the building is used for personal storage.

Mr. Johnson stated that after review of the parcel history, staff was able to determine that with the exception of this attached addition, all construction on their property was issued zoning permits or a variance.

As also indicated in the written justification, Coldwater Lake Shores was platted as a subdivision back in the 1940's and lots in this area are particularly narrow (approximately 60 – 65 feet) which effectively eliminates the allowable building space given current front and rear yard setback requirements.

Staff reviewed the adjoining properties and was able to determine that other rear yard setbacks in along the lakeshore were approximately 15-30 feet, so Mrs. Ecker's request is not the closest property to the waterfront. Also staff noted that since the addition's construction in 1996, this is the first complaint submitted to our office over the 20 year period.

Mr. Johnson read a letter from Dawn Flaugher a resident at 5443 Lakeshore Dr. who expressed her support of the variance request.

Mrs. Ecker stated that the shed was constructed in 1996 and that it provides storage and privacy for their patio. Mrs. Ecker stated that it is in-line with the neighbor's construction and provides a visual screen for both properties.

Public hearing opened 9:10 am

Mr. Richard White a resident on Lake Shore Dr. inquired if they were moving the shed to another location on the property.

Mr. Wynes informed him they are not asking to move the shed but to leave it in the current location.

Mr. White stated he was in favor of the current location of the shed and had no issues with the current request.

Public hearing closed 9:12 am

Mr. Duffett state that the addition had not been detrimental to adjacent properties for the last 20 years and there was no evidence of runoff from the addition.

Mr. Riley stated that he felt it did not put them any closer to the water then neighboring properties and where their current sunroom is at.

A motion was made by Mrs. Fosburg supported by Mr. Duffett to approve Variance Number 16-06 submitted by Joy Ecker for the construction of an accessory building with a rear yard setback of 20 feet 8 inches where 35 feet is required. The approval is based on the fact the applicant has demonstrated they've met the criteria in Section 14.04 (C).

Mr. Wynes called for a roll call vote.

Tom Riley: Yes
Brent Duffett: Yes
Marilyn Fosburg: Yes
Jim Wynes: Yes

No: None

Motion Carried

STAFF COMMENTS – None

APPEALS BOARD MEMBER COMMENTS – None

ADJOURNMENT

A motion was made by Mr. Duffett and supported by Mrs. Fosburg to adjourn the meeting at 9:15 am.

Brent Duffet, Secretary
Kim Kennedy, Recording Secretary