

ISABELLA COUNTY
ZONING BOARD OF APPEALS

May 20, 2015

A Regular Meeting of the Isabella County Zoning Board of Appeals was held on May 20, 2015 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Tom Riley, Gordon Gilchrist, Jim Wynes,
Brent Duffett

MEMBERS ABSENT: Marilyn Fosburg

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. Riley to approve the agenda.

Yes: Gordon Gilchrist, Jim Wynes, Tom Riley, Brent Duffett
No: None

Motion carried.

PREVIOUS MINUTES

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

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

Yes: Gordon Gilchrist, Jim Wynes, Tom Riley, Brent Duffett
No: None

Motion carried.

PUBLIC COMMENTS FOR NON-AGENDA ITEMS

None heard

NEW BUSINESS

VAR#15-04 TriUnity Holdings LLC

Mr. Johnson explained an application was filed on April 25, 2015 by TriUnity Holdings LLC on behalf of Trojan Tavern Inc. (DBA Blanchard Bar) which included a narrative by the applicant providing an explanation of the criteria in Section 14.04 of the Ordinance for this variance request site plan of the proposed construction of 14' x 25' enclosed patio area with the deed for the property. Also, a letter dated April 20, 2015 from Kirsten Bolton, President of TriUnity Holdings LLC was submitted with the application. In this letter, Mrs. Bolton outlines the proposed structure's intent is to provide an outdoor smoking area for the patrons of the Bar, in which she states, " Approving this variance will allow for the safest possible way for [patrons] to smoke outside by keeping them on-property in an enclosed area, off the streets."

Mr. Johnson explained the applicant is requesting a variance to allow for an enclosed patio area to be constructed 45 feet from a residential district where 100 feet is required for this parcel in the General Commercial (C-1) district the parcel is approximately 78' x 114' or 8892 ft².

Mr. Johnson stated that he did receive letters in regards to this variance.

In a letter sent to the Community Development Department, Ms. Laura Merrill the property own next to the parcel requesting the variance. She expressed her disapproval of this variance. Her concerns were the noise level, traffic noise and that it would be too close to her property line.

Mr. Shaw, Rolland Township Supervisor sent a letter in support of the variance.

Ms. Martha Perkins owner of Colonial Treasures sent a correspondence in favor of the variance. She believes it would favor business and economic development to the town of Blanchard.

In a letter sent to the Community Development Department, Mr. Duane Bronson home owner located at 424 Herbert St. Blanchard. His concerns were the possibility of increased noise levels. He was not in favor of this variance being granted.

Public hearing was opened at 9:15 a.m.

Ms. Conrad a nearby resident had concerns with noise levels and lighting. She was in favor of enclosing smokers to an area. She stated that she had a concern that this area would become used for other activities other than just a smoking area. Ms. Conrad also had parking concerns.

Ms. Arndt a local realtor speaking on behalf of Laura Merrill that Ms. Merrill's concerns are with the noise levels, traffic and feels it will be too close to her property line.

The public hearing was closed at 9:22 a.m.

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

General Board discussion took place

A motion was made by Mr. Gilchrist supported by Mr. Riley to approve Variance Number 15-04 (VAR#15-04) which was submitted by TriUnity Holdings LLC on behalf of Trojan Tavern Inc., to allow for an enclosed patio area to be constructed 45 feet from a residential district where 100 feet is required for this parcel in the General Commercial (C-1) district. With the following stipulations:

1. No outside public address systems, outside music, or outdoor sales.
2. The door between the main building and the patio must not be propped open in any fashion.
3. The security gate on the outside fence must adequately alert employees inside the bar that it has been opened.
4. Signs will be posted and enforced which designate the patio as the only authorized smoking area.
5. The applicant will work with the zoning administrator to address adequate screening requirements to the east and the south.
6. The applicant will provide the zoning administrator with an amended site plan which accurately depicts final dimensions of the site plan.

Mr. Wynes called for a Roll Call Vote.

Mr. Riley – Yes

Mr. Gilchrist – Yes

Mr. Duffett - Yes

Mr. Wynes – Yes

Motion Carried.

VAR#15-04 Robert Denton

Mr. Johnson explained an application was submitted by Robert Denton requesting a variance to allow for a newly created parcel not to exceed 1,450 feet deep where a maximum depth of 400

feet is allowed, and to allow for a newly created parcel to be 10 acres in size where a maximum size of 3 acres is allowed, for this parcel, in the Restrictive Agricultural (AG-1) district.

PUBLIC COMMENTS:

Public hearing was opened at 10:00 a.m.

None

The public hearing was closed at 10:01 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 and supported by Mr. Gilchrist to approve Variance Number 15-05 (VAR#15-05) which was submitted by Robert Denton to allow for a newly created parcel not to exceed 1,450 feet deep where a maximum depth of 400 feet is allowed, and to allow for a newly created parcel to be 10 acres in size where a maximum size of 3 acres is allowed, for this parcel, in the Restrictive Agricultural (AG-1) district.

Mr. Wynes called for a Roll Call Vote.

Mr. Riley – Yes

Mr. Gilchrist – Yes

Mr. Duffett - Yes

Mr. Wynes – Yes

Motion Carried.

STAFF COMMENTS – none

APPEALS BOARD MEMBER COMMENTS – Mr. Riley inquired about having a training on making motions.

Mr. Nieporte stated that on our next meeting with no agenda items, staff will provide a training session.

ADJOURNMENT

The meeting was adjourned by the call of the Chair at 10:07 a.m.

A handwritten signature in black ink, appearing to read "Brent Duffet", with a long horizontal line extending to the right from the end of the signature.

Brent Duffet, Secretary
Kim Kennedy Recording Sectary