

## Columbia Township Zoning Board of Appeals

December 19, 2013

Chair Robert Willerer called meeting to order at 7 pm. Roll Call: Brad Denning, Bruce Andrews, Robin Tackett, and Robert Willerer. Absent: Barbara Beamish. Approval of Agenda. Motion by Andrews seconded by Denning. Ayes: All.

Chairman Willerer presented to all applicants that they have an option because only 4 of 5 ZBA members are present to postpone hearing until full board can be present. All three applicants want to have hearings knowing they have choice to have full board. Hones: Yes to be heard tonight. Wilson: Yes to be heard tonight. Dunigan: Yes to be heard tonight.

First hearing Linda & Edward Hones: for a variance request to construct a garage a distance of 10' to the North ( backyard) lot line on property known as 8564 N. Shore Dr. (LOT 2) Woodland Terrace, Clarklake, MI 49234. ADP#000-19-17-327-001-01. (This is a re-hearing with full Zoning Board present.)

Linda Hones presented to board at this time. They have had land surveyed and are placing garage in an area to make best use of land and to provide safe egress into garage and to help with parking. Lot dimensions are odd shaped so it creates a problem for them. Garage placement doesn't make lot any more non-conforming.

One piece of correspondence: John and Jean Calvert, 8588 N. Shore Dr. Clarklake, MI 49234. They are in favor of request.

Closed to public comment at this time.

Board Discussion. Motion by Denning to approve variance as requested siting 10.3.A.1 & 10.3.A.3. Seconded by Andrews. Denning: Yes, Andrews: Yes, Tackett: Yes, Willerer: Yes. Ayes: All. Variance Granted.

Motion by Andrews to approve lot coverage percentage from 30 % to requested 35%. Siting 10.3.A.2. Seconded by Tackett. Andrews: Yes, Denning: Yes, Tackett: Yes, Willerer: Yes.

William Wilson for a variance to construct a pole building a distance of 2' to the East lot line and a distance of 2' to the south lot line on property known as lots 45.46.47.48.49. Oakwood Park, 386 Oakwood, Clarklake, MI 49234. ADP# 000-19-20-107-001-01.

William Wilson presented reason for request. Combined lots as told by Columbia Township Zoning personnel. Lots have been combined and requesting the variance because the property has several components that have to be dealt with in order to make use of land. One is consumers energy has

power line and easement in property. Also the slope of the land is one more irregularity to deal with as well as some of the property is wet all year and not suited to build on without extraneous measures. Unique lot and unusual property situations.

William Richardson of 4260 Oakwood, Clarklake, Mi. 49234. Spoke on behalf of his neighbor. He is in support of granting the variance.

Closed to public comment at this time.

Tackett made motion to grant variance as requested siting 10.3.A. & 10.3.D. Seconded by Denning. Andrews: Yes, Denning: Yes, Tackett: Yes, Willerer: Yes. Ayes: ALL. Variance Granted as requested.

Dunigan Brothers for a variance request to construct a sign (already in place) per Jackson County Road Commission application of Approval.

Steve Dunigan of 5600 Browns Lake, Jackson Mi, and Jo Dunigan of 3770 Hatch Rd, Hanover, MI. Presented to board reason for bring Variance request back to Zoning Board of Appeals. They have new information from Jackson County road commission and letter from Jackson County Administrator/Controller. Both letters are on file at Columbia Township for review. Letter states the Jackson County Road Commission approved the application of Six Brothers, LLC and issued a permit therefore being permit #38-18-05-12. Confirming and authorizing granted by way of said permit to allow six brothers, LLC to replace and maintain the sign within the Jackson County Road Commission Property. They have not installed lighting at the sign at this present time.

Jeff Willert of 4940 Jefferson Rd, Clarklake, MI 49234. Upset that he had to use the Freedom of Information Act. (FOIA) information that he wanted regarding the rehearing of Dunigan Brothers (Six Brothers, LLC). Questioning the lawfulness of ZBA granting a variance for a sign not on person's property but on Road Commission Right of Way. Gave many examples of Columbia Township Ordinance and presented said ordinances to ZBA members. He also feels that the ZBA is being misled by our leadership and ZBA should know our variances and ordinances in order to make lawful decisions. He stated he has meet with Jo and Steve Dunigan to give them a lease or something so they can put sign on his property for a said number of years. Stated they have open communication at this time.

Closed to public comment at this time.

Chair and ZBA members stated and agreed that we do not have all information at this time to make a ruling on this situation. Chair will be requesting more information from Supervisor and our attorney to give clarity and answer questions from ZBA members. Letters read out loud by Chair Willerer first letter from Columbia Township Attorney dated 12-2-13. (On file at Columbia Township). Second letter from Jackson County Administrator/Controller dated 11-5-13. (On file at Columbia Township). Third and last letter from Joseph Michalsky, P.E. Jackson County Engineer dated 2-9-2012. (On file at Columbia Township).

Chair made motion at this time to table hearing because ZBA needs more information but that the sign stays. Seconded by Andrews. Denning:Yes, Andres: Yes, Tackett: Yes, Willerer: Yes. Motion to table and re-hear request.

Comments.

Adjourn Chair Willerer, seconded by Tackett at 8:09 pm. Ayes:All. Adjourned.

Respectfully Submitted,

Robin Tackett

Columbia Township Zoning Board of Appeals Secretary