

Columbia Township Zoning Board of Appeals

May 7, 2015

Columbia Township Zoning Board of Appeals called to order by Chairman Robert Willerer at 7:09 PM. Members present Barbara Beamish, Bruce Andrews, Todd Wandy, Robin Tackett and Chairman Robert Willerer. Absent: Brad Denning.

Approval of Agenda and motion by Beamish seconded by Wandy. Ayes: ALL. Approval of last ZBA meeting minutes. Last hearing was November 20, 2014. Chairman Willerer made motion with two grammatical corrections in paragraph 3. Seconded by Andrews.

First Hearing: Brian & Tonia Haynes for a variance request to move and construct a storage shed a distance of 5'4" to the North lot line, and a distance of 4'1" to the Backyard (waterfront) lot line on property known as 98 Cottage Ct. Brooklyn, MI. ADP#000-20-29-486-012-00. This structure has already been moved prior to applying for the variance. Brian Haynes presented reasons for why he is requesting a variance. He stated since he applied for a variance he has had property surveyed and his property lines have changed to his benefit. His neighbor's sheds are on his property as well as neighbors fence. He said he did not know that he needed a variance to replace existing shed that was damaged by a falling tree. He did put in a new concrete slab for the shed and built a larger shed than what was existing. He presented pictures of the property with the new survey stakes that were just placed by his surveyor today. He stated that his insurance company stated that he could not put shed any closer to the home because it would affect his homeowners insurance.

Columbia Township ZBA got a letter from Columbia Township Inspection Department Martin Taylor; Building Official stating that due to Michigan Building Code requires a minimum setback of 5' from a property line for standard construction. According to Michigan Building Code any building closer than 5' would require a fire rated construction of 1 hour from both the inside and the exterior of the building on the wall affected.

No correspondence. Floor closed at this time to public comment. Discussion by Board at this time to discuss variance request. Motion by Tackett to grant the north side yard setback variance of 4'8 feet a distance of 5'4 feet to the lot line. A lakefront set back variance of 20'11" a distance of 4'1". This is contingent on survey results that were present by the applicant. That new survey showed he has 8" more than he originally thought when he applied for variance. He must meet all building codes and approval from Columbia Township Building Inspector. Siting 10.3.A.2 & 4.

Roll Call: Beamish-yes, Andrews-No, Wandy-yes, Tackett-yes, Chairman Willerer-No. Variance approved.

Second hearing of evening: Andrew Wilson for a variance request to demo and construct a garage/pole building a distance of 5.5' to the East lot line on property known as 5698 North Shore Drive, Clarklake, MI. ADP#000-19-16-302-004-00. The lot with the garage on is being combined (approved) with the lot with the house in order to conform to the ordinance for building purposes.

Mr. Wilson presented his reasons to ZBA as to why he is requesting variance. He would like to tear down existing garage and rebuild a larger garage. He would like to move the structure on the lot to give more room between his property line and building. At this time he has to utilize his neighbor's property to access the back of his lot behind existing garage. Variance is needed for practical use of structure and allows unobstructed access and provides more safety. New building will not restrict access, view or lighting, will keep in character of buildings in surrounding neighbor hood. He would like to build as large as possible to not out grow new building.

No correspondence. Meeting closed to public comment at this time. Discussion by ZBA members. Board can find no reasons that are not the applicants to grant the Variance that is being requested.

Motion by Andrews to Deny request, cannot justify granting variance as requested. No second/support. Motion dies.

Motion by Chairman to Grant variance as requested. Siting 10.3 A.1. Seconded by Wandy. Roll Call: Beamish-No, Wandy-Yes, Andrews-No, Tackett-No, Chairman Willerer-No. Variance request Denied.

Discussion of future meeting dates. Discussion of letter from Marty Taylor Building Inspector regarding building codes.

Motion to Adjourn meeting by Chairman and seconded by Tackett at 8:08 PM. Ayes: ALL.

Respectfully Submitted,

Robin Tackett

Columbia Township Zoning Board of Appeals Secretary