

Columbia Township Zoning Board of Appeals
February 11, 2021

Columbia Township Zoning Board of Appeals meeting called to order by acting Chairperson Robin Tackett at 7:00 P.M. Present Jerry King, Barbara Beamish, Scott Rogers, Hollis Jefferys and secretary/Acting Chairperson Robin Tackett.

Motion by Scott Rogers to approve agenda as presented. The motion was seconded by Robin Tackett. Ayes:All. Motion carries.

Motion made by Scott Rogers to approve Columbia Township Zoning Board of Appeals meeting minutes of Jan 28, 2021 hearing. The motion was seconded by Hollis Jefferys. Ayes:All the motion to grant the meeting minutes approved at this time.

Public comments. None at this time. PUBLIC HEARING(S) 1 variance request

1) Request for a Variance to construct a new cottage a distance of 13' to the front property line, 5' to the side property line and 16' to the rear property line on property known as 380 Sandy Beach Drive, Clark Lake, MI 49234. ADP# 000-19-20-202-017-01

Rick Church, Columbia Township Zoning Administrator spoke at this time and presented reasons why variance is required at 380 Sandy Beach Drive, Clark Lake, MI 49234. ADP# 000-19-20-202-017-01. Unique piece of property with a unique set of circumstances. Currently it is a non-conforming lot with a non-conforming garage/assesory structure which according to section 20.8 g makes it out of compliance. Existing non-conformity encroaches 13ft. To the front yard property line and rear property line because property is shaped like a triangle has its own unique set of circumstances on how to achieve a rear lot line. The proposed structure itself will be in compliance with our variance but the side yard, front yard & rear setbacks will encroach but it will make it less non-conforming.

Dan O'Shea, agent for Richard Karcher spoke at this time and presented reasons they are requesting variance. Mr.Karcher would like to construct a new cottage that would be placed at 13' front property line which is the same as the current structure but would need a 5' variance to side property line and 16' to the rear property line. (property shaped like a triangle) Although this requires a variance it will bring the property into more conformity than it currently is. The current owners previously granted an easement for the Clark Lake Spirit Trail; it will not affect the easement or block view of traffic. It is the minimum residential structure/garage for Mr.Karchers needs.

Mr.Karcher spoke at this time thanking Rick Church for all of his help; he has been very informative and instructive during this process. Thank you Mr.Church.

Rick Reardon, 582 S.Woodlawn, Clarklake spoke in favor of granting variance as requested.

David Hill, 5731 S.Woodlawn, Clarklake spoke. Asked a question about water runoff? Drainage off of the hill, where will water run? Mr.O'Shea spoke and stated the water will run as it currently does to east towards a drainage ditch on sandy beach it will not change.

The Columbia Township Zoning Board of Appeals is closed for public comment at this time. Board discussion at this time.

Motion by Barbara Beamish to approve as requested .Citing:16.7, A & B.

1. That there are practical difficulties that prevent carrying out the strict letter of this Ordinance due to the unique circumstances specific to the property such as its narrowness, shallowness, shape, or topography, that do not generally apply to other property or uses in the same district, and shall not be recurrent in nature. These difficulties shall not be deemed economic, but shall be evaluated in terms or the use of a particular parcel of land.
2. That the practical difficulty or special condition or circumstance is not a result of the applicants actions.
3. That the variance will relate only to the property described in the variance application.
4. That the variance will be in harmony with the purpose of the Ordinance and the intent of the District, including the protection of public health, safety and welfare in general and vehicular and pedestrian circulation specifically.
5. That the variance will not cause substantial adverse effect upon surrounding property including property values and the development, use and enjoyment of property in the neighborhood or District.
6. That the strict compliance with the site development requirement in question would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.
7. That the variance request is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the practical difficulty.

Motion seconded by Robin Tackett. Roll call: Beamish:yes, King:yes, Rogers:yes, Jefferys:yes, Tackett:yes. AYES:ALL. Motion carries and variance is approved as requested.

No public comments.No ZBA comments.

Acting Chairperson Tackett adjourned the meeting at 7:40PM. Motion seconded by Hollis Jefferys.

Respectfully submitted,

Robin Tackett
Secretary Columbia Township Zoning Board of Appeals