

**Columbia Township Zoning Board of Appeals**  
**January 28, 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 Robin Tackett.

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

Motion made by Barbara Beamish to approve Columbia Township Zoning Board of Appeals meeting minutes of Jan 14, 2021 hearing. The motion was seconded by Jerry King. Ayes:All the motion to grant the meeting minutes approved at this time.

Public comments. None at this time. PUBLIC HEARING(S) 2 variance requests

1) Request for a variance to construct an attached garage to existing structure a distance of 5' to the side yard property line on property known as 2700 Virginia Ct. Clarklake, MI 49234. ADP# 000-19-22-103-003-01

Rick Church, Columbia Township Zoning Administrator spoke at this time and presented reasons why variance is required at 2700 Virginia Ct. Clarklake MI. Rick spoke and stated This request is for a 5' variance, the distance which the proposed structure encroaches into the side yard setback requirement.

Steve Zemke 2700 Virginia Ct. Clarklake, MI 49234. ADP# 000-19-22-103-003-01 spoke at this time and stated the reasons that he is requesting a variance. He would like to build an attached garage on to his current home. An old structure on the property was demolished to make space for a garage. Currently a non-conformity. He is requesting a 5' setback reduction into the side yard setback. Discussed at this time a request that he and a neighbor have with Jackson County Roads to abandon alley between properties.

At this time Jill Secord 2701 Virginia Ct. Clarklake, neighbor, spoke discussing the petition to the county about having the alley abandoned and that her and Mr.Zemke will then split the property 50/50.

Hollis asked Steve questions regarding the alley. Was the alley for fire use? Steve stated it was for access to properties, his lot 3 would have been landlocked without an alley. That parcel had been combined with lot 4.

Scott asked the question: is it a guarantee from the county that they will abandon the alley? Steve stated they needed 5 neighbor signatures and that when they submitted over three weeks ago they were assured the petition would be granted.

Judy Vittek 2756 Alameda, Clarklake, spoke at this time in favor of granting the variance as requested.

One piece of correspondence: Suzanne Creech, 2658 Virginia Ct. Clarklake, in favor of granting the variance as requested. Suzanne also spoke and stated that she is in favor of granting the variance as requested.

Peter Tassie 4824 Lohr rd. Ann Arbor, spoke and stated that he is in favor of granting the variance as requested.

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

Discussion of property lines. Discussion of easement and alley.

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

2) Request for a variance to construct an attached garage to existing structure a distance of 12'to the rear property line on property known as 582 Woodland Drive. Clarklake, MI 49234. ADP# 000-19-20-202-016-03

Rick Church, Columbia Township Zoning Administrator spoke at this time and presented reasons why variance is required at 582 Woodland Drive. Clarklake, MI 49234. ADP# 000-19-20-202-016-03. Discussed applicant combined parcels and reconfigured. Difficulty because of where the driveway enters the property and odd shape of the property. The current zoning makes the side yard where the driveway enters the property the front yard. Discussion at this time to clarify what is the front side and rear lot lines of this property.

Mr.Reardon property known as 582 Woodland Drive. Clarklake, MI 49234. ADP# 000-19-20-202-016-03 spoke and presented reasons why he is requesting a variance at this time. He stated he would like to build a garage but because of the way the zoning ordinance is written he has practical difficulties and needs a variance to proceed. It is a unique situation.

Hollis discussed easement on the back of the property line for Clarklake Spirit Trail with Mr.Reardon at this time. Discussion of lot size as well.

Richard Karcher 588 Sandy Beach, Clarklake, spoke at this time in favor of granting the variance as requested.

No written correspondence. Board closed to public comments at this time.

Board discussion at this time. Discussed lot lines and what is the front lot line.

Motion by Scott Rogers to approve the variance 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: Rogers:yes,Jefferys:yes, King:yes, Beamish:yes, Tackett:yes. AYES:ALL motion is carried and the variance is granted as requested.

Discussion at this time about Chairperson, Vice Chairperson and Secretary appointments. Motion by Tackett to appoint Hollis Jefferys as the Vice Chairperson of the Columbia Township Zoning Board of Appeals for his term. Hollis Jefferys accepted. Roll Call. Beamish:yes, Rogers:yes, King:yes, Tackett:yes. Ayes:All. Hollis Jefferys is our newly appointed Vice Chairperson.

Hollis Jefferys nominated Robin Tackett to Secretary of Columbia Township Zoning Board of Appeals. Robin Tackett accepted. Roll Call. Jefferys:yes, King:yes,Rogers:yes,Beamish:yes. Robin Tackett will remain the Secretary of Columbia Township Zoning Board of Appeals.

No ZBA comments.

Acting Chairperson Tackett adjourned the meeting at 8:08 PM.

Respectfully submitted,

Robin Tackett  
Secretary Columbia Township Zoning Board of Appeals