

Columbia Township Zoning Board of Appeals
March 25, 20121

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

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

Motion made by Scott Rogers to approve Columbia Township Zoning Board of Appeals meeting minutes of Feb 11, 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) 2 variance requests

1.Request for a Variance to construct a detached garage a distance of 10' to front property line and a distance of 10' to the rear property line on property known as 461 Oakwood Beach Drive, Brooklyn MI 49230. ADP#000-20-29-190-003-00

2.Request for a Variance to construct new attached deck & stairs a distance of 5.5' to the side yard property line and a distance of 19' to the rear property line on property known as 190 Riviera Drive, Brooklyn MI 49230. ADP# 000-19-34-201-031-00

Rick Church, Columbia Township Zoning Administrator spoke at this time and presented reasons why variance is required at 461 Oakwood Beach Drive, Brooklyn MI 49230. ADP#000-20-29-190-003-00. The property is unique by the way the property is accessed. The placement for detached structure as outlined in ordinance is causing the issue but the way the property is accessed is what is causing the non-conformity.

Mr.Scott owner discussed at this time his plan for updating his garage. Would like to make a usable garage that will match the current home. Discussed at this time Oakwood dr. to Brooklyn Ct. and how he enters his residence from Brooklyn Ct. He has owned this property since 1992. He stated that his request will not impede or in any way have a negative effect on the surrounding area.

Jerry King asked Mr.Sterling if he plans on removing the shed? Mr.Sterling stated yes he plans on removing the shed if his variance is granted.

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

Motion by Scott Rogers to approve as requested also to remove shed.

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

Rick Church, Columbia Township Zoning Administrator spoke at this time and presented reasons why variance is required at 190 Riviera Drive, Brooklyn MI 49230. ADP# 000-19-34-201-031-00. The applicants are requesting new sections of deck, landing and stairs to the lake. Encroaching side yard 5.5' also rear yard encroachment of 19'. There are a set of existing stairs but at ground level the new stairs are elevated so require a variance.

Jerry King discussed at this time the neighbor is an association park and that the land is very steep.

Victor Brown spoke at this time on behalf of the Fisk's to present the reasons why they are requesting a variance. The steps are in disrepair; they need a safe way to get to the lake with stairs that are up to code and have handrails. The property grade is very steep and the Fisk's need steps to safely make it down the hill. The stairs will not block view.

Mrs.Fisk spoke it is a safety issue for her family. That is why they are requesting the variance . To have safe stairs to get up and down the hill.

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

Motion by Scott Rogers 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.
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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: 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 7:37PM. Motion seconded by Scott Rogers.

Respectfully submitted,

Robin Tackett
Secretary Columbia Township Zoning Board of Appeals