

Columbia Township Zoning Board of Appeals
May 13, 2021

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 Robin Tackett Ayes:All. Motion carries.

Motion made by Jerry King to approve Columbia Township Zoning Board of Appeals meeting minutes of March 25, 2021 hearing. The motion was seconded by Hollis Jefferys. Ayes:All the motion to grant the meeting minutes approved at this time.

Motion by Robin Tackett to appoint Scott Rogers to be Columbia Township acting Chairperson. Motion seconded by Hollis Jefferys. Roll call vote. King:Yes, Tackett:Yes, Jefferys:Yes, Rogers:yes. Motion carried. Scott Rogers accepted the appointment. He will be Columbia Township Zoning Board of Appeals new Chairperson.

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

- 2Request for a variance to construct a new home a distance of 13.6' to the rear property line on property known as 580 Oakwood Beach Drive, Brooklyn, MI 49230. ADP#000-20-29-180-015-00.
- Request for a variance to construct a new garage a distance of 10' reduction to the side yard setback and a 15' reduction to the rear property line on property known as 3808 Rita Drive, Clarklake, MI 49234. ADP#000-19-15-301-001-00.

Jacqueline Pipta spoke at this time as to why she is requesting a variance on her property known as 580 Oakwood Beach, Brooklyn MI 49230. They had the home inspected and the home does not currently meet code requirements. It has rotten walls and the floor needs to be completely ripped up and redone. She would like to make this her permanent home. She would like to rebuild the home on the current footprint extending into a setback 2ft on the west side to make best use of space. The current home is non-conforming and they are trying to make it less non-conforming. Building it this way will make best use of space and make less non-conforming and will allow her to build a permanent home. Presented photos to the board at this time.

Hollis asked questions about the trees on the property, will they be cut down? Mrs. Pipta said that several of them need to be removed but they are going to save as many as possible.

Rick Church, Columbia Township Zoning Administrator spoke at this time. Discussed lot coverage, no issues. The property is non-conforming at this time, the current structure is non-conforming the proposal will correct the south side encroachment but it will add 2 ft to the west side encroachment.

Written correspondence.

1. Phonenix Sodd- 586 Oakwood Beach, Brooklyn MI In favor of granting variance
2. Jarold Mentzer-566 Oakwood Beach, Brooklyn MI In favor of granting variance
3. Shawn Hall-551 Oakwood Beach, Brooklyn MI In favor of granting variance
4. Mike Donovan-498 Oakwood Beach, Brooklyn MI In favor of granting variance
5. Elizabeth Freese-556 Oakwood Beach, Brooklyn, MI In favor of granting variance
6. Patricia Turk-573 Oakwood Beach, Brooklyn, MI In favor of granting variance
7. Joan Darnell-569 Oakwood Beach, Brooklyn, MI In favor of granting variance

No public comment. The Columbia Township Zoning Board of Appeals is closed for public comment at this time. Board discussion at this time.

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

- Request for a variance to construct a new garage a distance of 10' reduction to the side yard setback and a 15' reduction to the rear property line on property known as 3808 Rita Drive, Clarklake, MI 49234. ADP#000-19-15-301-001-00.

Rick Church, Columbia Township Zoning Administrator spoke at this time. Discussed the property in detail. It is a corner lot. The request is for 10 ft encroachment on side yard setback and 15ft rear yard setback encroachment. Request for variance to build a new garage on property line.

Thomas Purcell spoke at this time. Stated that they have renovated the home and plan on making it their permanent home. They need the storage for cars and lawn and miscellaneous. The structure will be 14x26 in size. It will be the best size for them to make best use of space and give them enough storage space.

Hollis Jefferys asked Mr.Purcell if it would be possible to move 6 foot off the property line? Mr.Purcell stated, No the property has a slope in the back yard and that would be a lot of grading to do. They would like to have as much back yard as possible. He stated that they would be putting in french drains around the building for drainage.

No public comment. No written correspondence. The Columbia Township Zoning Board of Appeals is closed for public comment at this time. Board discussion at this time.

Board discussed that the applicant did not want changes to the moving structure off the property line. Discussed ordinance.

Motion by Tackett to deny. Citing 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.
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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 to deny Chairman Scott. Roll call. King:no, Hollis:Yes, Tackett:yes, Chairman Scott: yes. Motion to Deny approved. Variance denied.

No public comments.No ZBA comments.

Hollis Jefferys motion to adjourn the meeting at 7:47PM. Motion seconded by Jerry King.

Respectfully submitted,

Robin Tackett
Secretary Columbia Township Zoning Board of Appeals