

Columbia Township Zoning Board of Appeals
July 14, 2022

Columbia Township Zoning Board of Appeals meeting called to order by Robin Tackett at 7:00 P.M. Present: Jerry King, Hollis Jeffreys, Diana Potts, Tiffany Scott and secretary/Chairperson Robin Tackett.

Motion by Hollis Jefferys to approve the ZBA minutes of 4-14.2022. Motion seconded by Diana Potts. Ayes:ALL. Motion carries.

Public comments. None.

PUBLIC HEARING(S)3 variance requests.

1)Request for a variance to remove and replace existing non-conforming garage with a new garage having 10' high exterior walls, (adding 2' of height to current non-conforming garage) located on property known as 3987 Utopia Dr. Clarklake, MI 49234 ADP# 000-19-15-301-009-00.

Rick Church, Columbia Township Zoning Administrator spoke at this time. Spoke to reasons that a Variance to remove and replace existing non-conforming garage with a new garage having 10' high exterior walls, (adding 2' of height to current non-conforming garage) located on property known as 3987 Utopia Dr. Clarklake, MI 49234 ADP# 000-19-15-301-009-00. Columbia Township ordinance 6.4 comes into play with this variance request. Can replace non-conforming structure but can not make more of a non conformity, the proposed replace/removal of existing garage would not need a variance but because they are adding 2 additional feet to the structure/garage they are requesting a variance to add the additional height to the new structure/garage.

7. That the variance request is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the practical difficulty.

Roll call:, King:Yes,Scott:Yes Jeffreys:yes,Potts:Yes. Tackett:Yes. Variance approved as requested.

2)Request for a variance to add a second floor over existing structure which is non-conforming, located on property known as 1398 Eagle Point Dr. Clarklake, MI 49234 ADP# 000-19-16-351-008-00.

Rick Church, Columbia Township Zoning Administrator spoke at this time. Discussed variance request for a variance to add a second floor over existing structure which is non-conforming, located on property known as 1398 Eagle Point Dr. Clarklake, MI 49234 ADP# 000-19-16-351-008-00. By adding second story it adds height to an existing non-conformity which adds cubic content to non-conforming structure and in section 6.4 of ordinance can not make more non-conforming. The request is not to change the footprint of the original non-conforming structure just add second story.

Hollis Jefferys asked Rick at this time about drainage? Rick stated that no elevation changes and the if constructed will have gutters to mitigate any issues with rainfall.

John Burns (Bonnie) spoke at this time and presented reasons they are requesting a variance. Want to make Clarklake their home. They have owned the cottage for over 20 years. They have worked with builders to stay within the original footprint of the existing non-conforming cottage but need a second story to make it their year round residence. They are adding to cubic content of non-conforming structure that is why they need a variance to build second story.

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 of 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 effects 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,Scott:Yes Jeffreys:yes,Potts:Yes. Tackett:Yes. Variance approved.

Ayes:All.

3) Request for an interpretation of Zoning Ordinance text, or map for clarification of use type and zoning district allowances in the L-1 district on property known as S. Meridian Rd, Clarklake, MI 49234 ADP# 000-19-18-251-001 06

Rick Church, Columbia Township Zoning Administrator spoke at this time. Request for an interpretation of Zoning Ordinance text, or map for clarification of use

on property known as S. Meridian Rd, Clarklake, MI 49234 ADP#
000-19-18-251-001 06.

Motion by Jerry King to provide an interpretation of Zoning Ordinance text, or map for clarification of use type and zoning district allowances in the L-1 district on property known as S. Meridian Rd, Clarklake, MI 49234 ADP# 000-19-18-251-001 06. To approve as a personal service establishment for clarification of use type and zoning district allowance in L 1 district on property known as S. Meridian Rd, Clarklake, MI 49234 ADP#000-19-18-251-001 06.
Citing:16.7, A & B. 2, 5,&7. Motion seconded byTiffany Scott.

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 effects 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.