

Columbia Township Zoning Board of Appeals
Apr 6, 2023

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 and secretary/Chairperson Robin Tackett. Absent Tiffany Scott.

Minutes from 2/14/23, Zoning board of appeals hearings. Motion by Hollis Jefferys to approve. Motion seconded by Diana Potts. Ayes: All. Motion to approve meeting minutes from 2/14/23.

PUBLIC HEARING(S) 2 variance requests. Made applicants aware that with a four member board that a tie (2-2) would result in a denial. If applicants are willing to continue with a four member board or they have the opportunity to reschedule at a later date to have full board (5). Asked applicant 1. Bazydlo- yes to proceed with four members, 2. Corbin- yes to proceed.

Rick Church, Columbia Township Zoning Administrator spoke at this time. Spoke to reasons a variance REQUEST FOR A VARIANCE TO CONSTRUCT AN ADDITION ALLOWING A 2ND STORY TO BE BUILT OVER AN EXISTING 1-STORY PORTION OF A HOME WHICH DOES NOT CONFORM TO THE EAST SIDE YARD AND WEST SIDE YARD SET BACK REQUIREMENT ON PROPERTY KNOWN AS 1392 EAGLE POINT DR CLARKLAKE, MI 49234 ADP# 000- 19-16-351-007-00. Mr.Church discussed reasons why the applicant needs a variance. The home is a non-conforming structure and can not increase the cubic content of a non-conformity.

The applicant Thomas Corbin spoke at this time and presented reasons he is requesting a variance. Stated that they purchased their family cottage and the current structure is in need of repair and to make changes based on family needs and to make best use of the existing space they are requesting variance. But because the existing house is non-conforming they need a variance to make needed repairs and improvements.

One piece of correspondence: Jo & Bonnie Burns 1398 Eagle Point, Clarklake, MI. In favor of granting the variance.

Board closed to public comment at this time. Board discussion.

Motion by Robin Tackett to approve variance.Citing:16.7, A & B.1-7. Motion seconded by Hollis Jefferys.

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

Second request is request for a variance to construct a new home with a reduction of the rear yard setback (25' to 19') on vacant property known as Pennsylvania Ave, Clarklake,MI 49234. ADP#000-19-16-430-003-01.

Mr.Church spoke at this time about the reasons the applicant is requesting a variance. The applicant was granted a variance at a prior hearing date of February 4, 2022. They are requesting an extension of the variance. The variance was granted.

Paul Bazydlo, 5307 Brooklyn rd. Brooklyn, MI 49230, request for a variance to construct a new home with a reduction of the rear yard setback (25' to 19') on vacant property known as Pennsylvania Ave, Clarklake,MI 49234. ADP#000-19-16-430-003-01. Asking for an extension of approved variance due to unseen circumstances.

No public comments.No correspondence. Board closed to public comment at this time.
Board discussion.

Motion by Diana Potts to approve variance.Citing:16.7, A & B.1-7. Motion seconded by Hollis Jefferys.

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.

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

Respectfully submitted,

Robin Tackett
Secretary Columbia Township Zoning Board of Appeals