

Columbia Township Zoning Board of Appeals
Oct 12, 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, Scott Rogers and secretary/Chairperson Robin Tackett.

Minutes from 9/28/23, Zoning board of appeals hearings. Motion by Hollis Jefferys to approve. Motion seconded by Diana Potts. Ayes: All. Motion to approve meeting minutes from 9/28/23.

PUBLIC HEARING(S) 4

First hearing is an extension of variance granted on August 11, 2022 on property known as 471 Oakwood Beach Drive, Brooklyn,MI.

Columbia Township Zoning Administrator, Rick Church spoke at this time regarding the request for extension of property 471 Oakwood Beach Drive, Brooklyn, MI. 49230.

Ross Devereaux property owner of 471 Oakwood Beach Drive, Brooklyn, MI. 49230 spoke at this time and presented his reasons he is requesting an extension of the variance that was granted on Aug 11 2022. There are no changes to the request that was approved. He stated that because of material shortages and supply issues those are the reasons he needs an extension. If approved he would like to apply for a building permit and he stated he is able to start construction if the extension is approved.

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

Motion by Jerry King to approve variance.Citing:16.7, A & B.1-7. Motion seconded by Scott Rogers.

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. Rogers:Yes, Tackett:Yes. The Variance extension is granted.

Second hearing is a request for a variance to construct a front porch addition with a reduction of the required 25' front yard setback to 19' on property known as 310 Nottingham Dr. Brooklyn, MI. 49230. ADP#00-19-26-353-013-00.

Columbia Township Zoning Administrator, Rick Church spoke at this time regarding the variance request at 10 Nottingham Dr.Brooklyn, MI. That is a reduction of the required 25' setback to 19'. No questions or concerns were addressed at this time.

Scott Christoffers 310 Nottingham Dr. Brooklyn, MI. spoke as the reason he is requesting a variance. He stated that he is trying to revitalize the property. Due to safety concerns over the existing porch it makes more sense to rebuild the porch. It will make it safer and be built to code. Current porch is non-conforming.

Mary Basset 308 Nottingham Dr.Brooklyn, spoke in favor of granting variance. Will not impede anyones views but will be a benefit to the neighborhood.

No correspondence. No public comment. 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 Diana Potts.

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 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.

Roll call:, King:Yes,Jeffreys:yes,Potts:Yes. Rogers:Yes, Tackett:Yes. Variance granted as requested.

Third request is a request for a variance to construct an addition with a reduction of the required front setback of 25' to 20' on property known as 135 Castlewood Dr.Brooklyn, MI. 49230. ADP#000-19-27-126-019-00.

Columbia Township Zoning Administrator, Rick Church spoke at this time regarding the request for a variance to construct an addition with a reduction of the required front setback of 25' to 20' on property known as 135 Castlewood Dr.Brooklyn, MI. 49230. ADP#000-19-27-126-019-00.

Randy Baker spoke at this time that his client/owner of 135 Castlewood Dr. Brooklyn, MI. Wants to withdraw their application and request for variance. The application has been withdrawn.

Mr.Church was not aware of this.

Fourth and final request of the evening is a request for a variance to remove and construct a new deck on the rear of the home enclosing to create a walk out basement

below with a reduction of the required 50's setback to 39.5' to the waters edge on the property known as 5646 N.Shore, Clarklake, MI. 49234. ADP#000-19-16-302-007-00.

Columbia Township Zoning Administrator, Rick Church spoke at this time regarding the request of the evening is a request for a variance to remove and construct a new deck on the rear of the home enclosing to create a walk out basement below with a reduction of the required 50's setback to 39.5' to the waters edge on the property known as 5646 N.Shore, Clarklake, MI. 49234. ADP#000-19-16-302-007-00. Mr. Church stated the current deck is a non-conforming structure and also uses the averaging option as available. The request for new deck will be replacing the existing deck which already encroaches into the setbacks.

Randy Baker, builder for 5646 N.Shore Dr.Clarklake, presented reasons they are requesting a variance. The existing deck is already a non-conforming structure and the homeowners would like to replace the deck that is in need of repairs for safety reasons. They would like to build a new deck that is safe and will provide more ease of access and safety.

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

Motion by Jerry King 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. Rogers:Yes, Tackett:Yes. Variance granted as requested.

Columbia Township Zoning Board of appeals meeting closed by Chairperson Tackett at 7:30 PM.

Respectfully submitted,

Robin Tackett

Secretary Columbia Township Zoning Board of Appeals