

Columbia Township Zoning Board of Appeals
February 8, 2024

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. At this time gave all three applicants a choice to postpone hearing until a full board is present or to proceed at this time with a four member board. All three applicants wanted to continue with their variance request this evening and to proceed with a four member board.

PUBLIC HEARING(S) 3 variance requests.

- 1) Request for a variance to construct an accessory structure (pole barn) in the front yard on property known as 8300 Giles Rd. Brooklyn, MI 49230, ADP#000-19-11-100-002-03

Rick Church, Columbia Township Zoning Administrator spoke at this time. Spoke to reasons a variance to construct an accessory structure (pole barn) in the front yard on property known as 8300 Giles Rd. Brooklyn, MI 49230, ADP#000-19-11-100-002-03. Mr.Church gave details on request as well as citing Columbia Township ordinance regarding front yards.

Paul Cuffle 8300 Giles Rd. Brooklyn, spoke at this time and presented his reasons for requesting a variance. Stating that home is located in the back of the four acre parcel and his request for pole barn/garage is the area that makes best use and is not going to negatively affect any neighbors or their views. One issue is the placement of the current septic tank and well. Not giving a lot of space to make best use of regarding placement of proposed pole barn.

No public comment. No correspondence.

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

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

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.

2) Request for a variance to construct a residential dwelling with a reduction of the front yard setback from 25' to 19' on a non-conforming lake lot known as 7897 N.Shore Dr. Clarklake, MI 49234. ADP#000-19-17-403-006-00.

Rick Church spoke regarding the request for a variance to construct a residential dwelling with a reduction of the front yard setback from 25' to 19' on a non-conforming lake lot known as 7897 N.Shore Dr. Clarklake, MI . 49234. ADP#000-19-17-403-006-00. Demolition of the current structure and garage to build a new home with detached garage.Discussed the non-conforming lot. Dimensions of the existing residence and the proposed residence the size of the lot. The removal of existing dwelling. That is currently encroaching into setbacks further than what is being requested. It is a reduction of front yard setback from 25' to 19'.

Chad Baker, 7897 N.Shore Dr. Clarklake, 49234. Spoke at this time and presented his reasons for requesting a variance. They want to place the new proposed home on the non-conforming lake lot to make best use of space and not impede his neighbors views or impact them negatively in any way. The current proposed placement takes into consideration the non-conforming lake lot and allows them to build their retirement home. The six foot variance would allow a front porch on the home. The porch on the home is the smallest possible to make it a usable safe space now and

in the future for ingress and egress.

Dan O'Shea, 6718 Kentucky Ave, Contractor spoke at how they worked to make the best of the space that the non-conforming lot allows. The proposed home will be in harmony with the neighborhood and will not impede any neighbors views or impact the neighborhood negatively. They have designed it to make the best use of the space.

Jack O'Shea 8504 N.Shore Dr. Clarklake, spoke at this time in favor of granting the variance.

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

Motion by Jerry King to approve variance as requested. Citing: 16.7, A & B1-7 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 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, Jefferys:Yes,Potts:Yes. Tackett:Yes. Variance approved as requested.

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

No public comment. One piece of correspondence from the applicant. Board closed to public comment at this time. Board discussion.

Motion by Jerry King to approve the variance extension as requested. Motion seconded by Dianna Potts. Roll Call: King:Yes, Jeffrey:Yes,Potts:Yes. Tackett:Yes. Variance extension approved as requested.

No new or old business at this time.

Robin Tackett adjourned the meeting at 7:55 pm.

Respectfully submitted,

Robin Tackett
Secretary Columbia Township Zoning Board of Appeals