

Chairperson
Gail Watkins
Vice-Chairperson
Beth Botke
Secretary
Mark Simon
Members
Greg Armbrustmacher
Rex Ferguson
Alternates
Logan Byrne



Community Development Dept.
Director
Doug Riley
Zoning Administrator
Joel Haviland
Planning & Permit Technician
Jessica Plesko

*Clinton County Courthouse
100 East State Street, Suite 1300
St. Johns, Michigan 48879-1571
(989) 224-5180*

Clinton County Zoning Board of Appeals

MEETING MINUTES FEBRUARY 15, 2022

CALL TO ORDER The Clinton County Zoning Board of Appeals met on Tuesday, February 15, 2022 at 6:00 p.m. with Director Doug Riley calling the meeting to order.

ROLL CALL Beth Botke
Gail Watkins
Greg Armbrustmacher
Mark Simon
Rex Ferguson

STAFF PRESENT Doug Riley, Community Development Director
Jessica Plesko, Planning & Permit Technician
Joel Haviland, Building Official/Zoning/SESC Administrator
Dan Hufnagel, Building/SESC Inspector
Erin McElroy, Building Department Secretary/Accounting Clerk

VISITORS Mike Proper, 11895 W. Herbison Road

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was given to the flag of the United States of America.

AGENDA The agenda was presented for review and approval.
ZONING BOARD OF APPEALS ACTION: Mark Simon moved, supported by Beth Botke to approve the agenda as presented. Motion carried.

ELECTION OF OFFICERS Director Doug Riley opened the nominations for the election of officers for 2022.

- Rex Ferguson moved to elect Gail Watkins as Chairperson, Beth Botke as Vice-Chairperson, and Mark Simon as Secretary. Greg Armbrustmacher supported.

ZONING BOARD OF APPEALS ACTION: Voting on the motion by roll call vote, motion carried unanimously. [Vote 5-0, all in favor, none opposed.]

CHAIRPERSON ASSUMES THE CHAIR Chairperson Watkins assumed the Chair.

APPROVAL OF ZONING BOARD OF APPEALS MEETING MINUTES **ZONING BOARD OF APPEALS ACTION:** Rex Ferguson moved, supported by Beth Botke to approve the December 21, 2021 Zoning Board of Appeals Meeting Minutes as presented. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

COMMUNICATIONS
(A) P/Z/D REPORT Doug Riley, Director presented the 2017-2021 Planning/Zoning/Development Applications Report.

(B) ENFORCEMENT
REPORT

Joel Haviland, Building Official/Zoning/SESC Administrator presented the 2017-2021 Zoning Violation and Code Enforcement Report.

- Chairperson Watkins commented that if the Community Development Department-Prosecuting Attorney's Office relationship continues to be strong and grow, we will all benefit in terms of quality of life.

(C) 2022 ZBA
SCHEDULE

Doug Riley, Director presented a copy of the adopted 2022 Zoning Board of Appeals (ZBA) Meeting Schedule.

PUBLIC COMMENTS

Chairperson Watkins called for public comments. There were no public comments.

OLD BUSINESS

None

NEW BUSINESS

Chairperson Watkins called on Doug Riley, Director for report.

- Doug Riley:
 - Reviewed case **ZC-01-22 VR – Application for a Variance** as detailed in the Staff Report (which includes the variance criteria to be reviewed by the ZBA).
- Chairperson Watkins asked for any comments from the Board.
 - Inquired if 3-4 foot of fill will be required for this project?
- Doug Riley confirmed that it would likely require 3-4 foot of fill.
- Chairperson Watkins commented that such fill could cause issues with drainage.
 - Asked if there were any responses to the noticing from the neighbors to the south of the subject property?
- Doug Riley replied, there was no response from the property owner to the immediate south.
 - Further discussed the Basic Conditions; specifically, regarding the rear-yard setback requirements and his evaluation of Basic Condition #1 as recorded in the Staff Report.
- Chairperson Watkins asked for any additional comments from the Board.
 - Hearing none, Chairperson Watkins called for a motion to open the public hearing.

ZONING BOARD OF APPEALS ACTION: Greg Armbrustmacher moved, supported by Beth Botke to open the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

- Chairperson Watkins called on the applicant.
 - Inquired if the existing garage has been modified already?
- Mike Proper answered that it has not.
- Chairperson Watkins asked Mr. Proper what his intent is for the proposed building.
- Mike Proper indicated that he intends to use it as storage of motor vehicles.
 - Noted, he would like to purchase an RV for retirement.
- Chairperson Watkins inquired what the height of the walls are proposed to be?
- Mike Proper responded that the proposed wall height is 14 feet.
- Mark Simon inquired what the pitch of the roof is proposed to be?
- Mike Proper indicated the roof is proposed to be a 4/12 pitch.

- Commented that he does not have plans to fill on the opposite end to minimize the amount of fill coming in to preserve the existing slope of the property.
- Rex Ferguson asked Mr. Proper what type of materials he is proposing for the roof?
- Mike Proper indicated that he plans to use wood and asphalt shingles.
- Rex Ferguson questioned his plan for drainage.
- Mike Proper replied that he intends to implement natural drainage to the west onto his property.
- Chairperson Watkins asked for any comments from the public.
 - Hearing none, Chairperson Watkins called for a motion to close the public hearing.

ZONING BOARD OF APPEALS ACTION: Rex Ferguson moved, supported by Mark Simon to close the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

ZONING BOARD OF APPEALS ACTION: Mark Simon moved, supported by Rex Ferguson to approve *Variance Request – ZC-01-22 VR, Proper*, for the requested attached garage rear yard setback variance in Section 11 of Eagle Township based upon the following reasoning and subject to the following condition:

- Reasoning: **(1)** The proposal satisfies the basic conditions as set forth in Section 720F.1 of the Zoning Ordinance as referenced in the staff report. **(2)** The proposal satisfies special conditions #1 and #2 as set forth in Section 720F.2 of the Zoning Ordinance as referenced in the staff report.
- Conditions: **(1)** The applicant shall obtain a building permit from the Community Development Department prior to commencing construction of the garage.
- Chairperson Watkins commented that he is in support of this approval because the smaller buildings are proposed to be tore down – which will clean up the property/make it look nice/etc.

OTHER BUSINESS
TRAINING
DISCUSSION

Doug Riley, Director:

- Reviewed and discussed Basic Condition A.1 with the Zoning Board of Appeals.
- The Board specifically discussed Basic Condition A.1 as detailed in the variance criteria.

COMMUNITY
DEVELOPMENT
DIRECTOR'S REPORT

- Chairperson Watkins called for the Community Development Director's Report.
- Doug Riley, Director:
 - The reformatted Zoning Ordinance is posted online for review.
 - Noted that a cross-reference sheet can be provided for the changed section numbers.

ADJOURNMENT

ZONING BOARD OF APPEALS ACTION: With no further business to come before the Board, Greg Armbrustmacher moved, supported by Mark Simon to adjourn the meeting at 6:54 p.m. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]



Jessica Plesko, Planning & Permit Technician

NOTE: These minutes were approved by the Zoning Board of Appeals on April 19, 2022.