

**Chair**  
Gail Watkins  
**Vice-Chair**  
Jim McClelland  
**Secretary**  
Mark Simon  
**Members**  
Roger Lerg  
Rex Ferguson  
Justin Padgett, Alternate

**CLINTON COUNTY**  
**ZONING BOARD OF APPEALS**  
  
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**Community Development Director**  
Doug Riley  
**Planning & Zoning Secretary**  
Wendy Ward  
**Building & Zoning Administrator**  
Joel Haviland  
**Community Development Department**

**ZONING BOARD OF APPEALS MEETING MINUTES**  
**Tuesday, June 18, 2019 @ 6:00 p.m.**  
**Clinton County Commissioners Chambers**

**1. Call to Order and Roll Call –**

The Clinton County Zoning Board of Appeals met on Tuesday, June 18, 2019 at 6:00 p.m. in the Clinton County Commissioners' chambers, Clinton County Courthouse, St. Johns, Michigan, with Chair Watkins presiding. A quorum was reported.

Members present - Gail Watkins/Chair, Jim McClelland/Vice-Chair, Mark Simon/Secretary, Rex Ferguson

Staff present – Doug Riley, Community Development Director, Wendy Ward, Planning & Zoning Secretary, Dan Hufnagel, Building Inspector, Community Development Department

Visitors present – Kathleen and Lorin Grams

Chair Watkins brought up to the applicants that they will need 3 concurring votes to pass a motion as there are only 4 members present this evening. If the applicants wish to table this variance, it can be done. Applicants stated they wished to proceed.

**2. Pledge of Allegiance**

The pledge of allegiance was given to the flag of the United States of America.

**3. Approval of Agenda –**

**ZONING BOARD OF APPEALS ACTION/MOTION**

Motion by Vice-Chair McClelland, support by Ferguson to approve the June 18, 2019 ZBA agenda, as presented. There being no further discussion, motion carried unanimously [Vote of 4-0, all in favor, none opposed, 1 absent w/notice].

**4. Approval of Zoning Board of Appeals Meeting Minutes – May 21, 2019**

**ZONING BOARD OF APPEALS ACTION/MOTION**

Motion by Vice-Chair McClelland, support by Simon to approve the May 21, 2019 ZBA meeting minutes, as presented. There being no further discussion, motion carried unanimously [Vote of 4-0, all in favor, none opposed, 1 absent w/notice].

**5. Communications -**

There were no communications presented.

**6. Public Comments -**

There were no public comments presented.

**7. Old Business –**

There was no old business presented.

**8. New Business**

**A. ZC-08-19 VR – Application for a Variance**

**(Public Hearing)**

An application for a variance has been submitted by Lorin and Kathleen Grams. Applicants are requesting variance approval to **Section 905.C.1 – Performance Standards for Ag Homestead Lot** to split an 18-acre parcel, which is under the required 20-acre (qualifying) minimum lot size, into a 2.5-acre parcel containing the single family home and a 15.5-acre parcel that will remain farmland. The property is located at 3072 W. Townsend Road, Parcel ID#19-030-018-400-028-00, Section 18, Bingham Township.

Doug Riley, Community Development Director, provided a brief review of the staff report. Applicant would like to complete an Ag Homestead Lot land division on an 18 acre parcel. The proposed land division would comply with all requirements under Section 905 with the exception that the beginning parcel is not 20-acres in size; a variance to Section 905.C.1.

**Township Board and Local Agencies Comments –**

**1) Bingham Township Board** - The Bingham Township Board reviewed this item at their June 10<sup>th</sup>, 2019 meeting and recommended approval of this request.

**2) Mid-Michigan District Health Department (MMDHD)** - The MMDHD submitted correspondence dated June 5, 2019, indicating that they do not object to the variance; however, their office has no records of either the well or the septic that is located on the site. They request that when the split occurs that the well and all parts of the sewage disposal system, including the septic tank and entire septic field, remains with the residence parcel.

**3) Clinton County Road Commission (CCRC)** – The CCRC submitted correspondence dated May 28<sup>th</sup>, 2019 indicating that they have no objection to the variance application; however, they caution that future drive access to the farm field parcel will be subject to sight distance restrictions on both roads.

**4) Clinton County Drain Commissioner (CCDC)** – The CCDC submitted correspondence dated June 10<sup>th</sup>, 2019, indicating that they have no objections to the variance. The closest County drain would be the Lancaster Drain but the actual drain is not in close proximity to the property.

Director Riley stated that if the ZBA is so inclined to approve the variance, there is one recommended condition of approval included for consideration (listed on page 8 of 9 of the staff report).

All property owners within 300' of said property were noticed as well as the standard noticing in the paper and no comments were received.

Kathleen and Lorin Grams, applicants, were both present; Ms. Grams approached the Board. A brief discussion followed.



Chair Watkins opened the floor for public comments and there were none. Chair Watkins closed the floor for public comments.

The Zoning Board of Appeals discussed the precedent that this case presents for other parcels in the County. They also discussed the history of the 20 acre qualifying condition.

**ZONING BOARD OF APPEALS ACTION/MOTION**

Motion by McClelland to deny the variance to Section 905.C.1 based on the rationale that it doesn't meet all seven (7) of the basic conditions; specifically condition #6, it doesn't meet the special conditions because not all of the 7 basic conditions have been met. Chair Watkins added that he is concerned that basic conditions #1, #6 and #7 are not met. McClelland adds and accepts basic conditions #1 and #7 to his motion as a friendly amendment. Those voting aye (to deny the request) – McClelland, Ferguson, Simon, Watkins, those voting nay – 0. There being no further discussion, motion to deny carried unanimously [Vote of 4-0, all in favor, none opposed, 1 absent w/notice].

Chair Watkins directed applicants to meet with Director Riley for further options.

**9. Other Business-**

There was no other business to be presented.

**10. Community Development Report-**

There will be a July ZBA meeting.

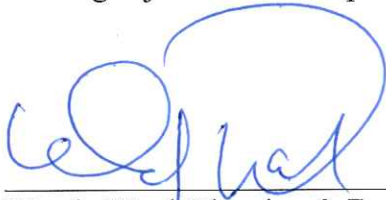
Director Riley questioned the ZBA on their preference for receipt of the attendance report; consensus was every six (6) months; same as the Planning Commission.

**11. Adjournment –**

**ZONING BOARD OF APPEALS ACTION/MOTION**

Motion by McClelland, support by Ferguson to adjourn the June 18, 2019 ZBA meeting. There being no further discussion, motion carried unanimously [Vote of 4-0, all in favor, none opposed, 1 absent w/notice].

With no further business to come before the Zoning Board of Appeals, Chair Watkins declared the meeting adjourned at 6:30 p.m.



Wendy Ward, Planning & Zoning Secretary

NOTE: The June 18, 2019 minutes were approved at the regularly scheduled meeting of July 16, 2019