

**Columbia Township Zoning Board of Appeals**  
**March 12, 2020**

Columbia Township Zoning Board of Appeals meeting called to order by Chairperson Theresa Mahr at 7 P.M. Present Robin Tackett, Barbara Beamish, and Mike Trout. Absent: Chairman Brad Denning.

Motion by Tackett to Approve agenda. Motion seconded by Trout. Ayes: All. Motion carried.

Motion by Beamish to approve February 27,2020 minutes with change from Theresa Beamish in first line. The motion was seconded by Trout. Beamish,yes: Trout, yes: Tackett, Yes: Chairperson Mahr. Meeting minutes approved.

Chairperson Theresa Mahr presented to applicant Timothy Zacharias (MR Builder) that normally the Columbia Township Zoning Board of Appeals is a five member board. Tonight we have only 4 members present. Would he like to proceed or wait for a full board. A tie vote of 2 -2 will be a no vote. Todd Haskell 6624 Brooklyn Rd. Brooklyn MI 49230. stated that he would like to proceed tonight with a four member board.

Timothy Zacharis (MR Builder) for a variance request to construct a detached garage in the front yard (roadside) on property known as 1276 Eagle Point, Clarklake, Mi. 49234. ADP#000-19-16-352-001-01. Ordinance Section 20.8.C placement, setback.

Rick Church spoke at this time. This application is a result of a denial of permit, zoning prohibits zoning of structure being placed in the front yard. The lot is a unique configuration. The lot is a L shape and the home is closer to the lake. The property is non-conforming which leads to the denial and the request.

Mr. Rob Alldaffer (MR Builder) spoke at this time representative of Timothy Zacharis. Presented proposed drawing of garage and L shape property. The garage will be in harmony with existing residence and not impede views. The garage is for boat,tractor and overflow sleeping. Mr. Trout asked what utalites ? Mr. Alldaffer stated the sewer is coming from the main house, water already exists, separate electrical meter for garage, no kitchen.

Holly Bollenbaugh 2800 Somerset, Addison, 49220. Spoke at this time. She owns the cottage directly on the other side of Mr. Zacharias. She stated she has an issue with the size and use of the structure. She would like to see shrubbery and some greenery used and the size of the building is also an issue. Also has an issue with possible 'noise ordinance issues' could be another concern.

Board discussion at this time. Closed to public comments.

Motion by Trout citing 16.7 A. B. 1-7 with conditions that are not use be permitted beyond 20. 8. F. p. 20-4. Screening in terms of bush's/plantings to adequately break up the look of the side yard. Some screening on the west side of the building. Motion failed.

Discussion of screening. Discussion of section 16. A. B. 1-7. Standards.

Motion made by Mike Trout to approve request for Timothy Zacharis (MR Builder) for a variance request to construct a detached garage in the front yard (roadside) on property known as 1276 Eagle Point, Clarklake, Mi. 49234. ADP#000-19-16-352-001-01.

Ordinance Section 20.8.C placement, Citing:16.7, A & B. 1-7

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.

Motion seconded by Chairperson Theresa Mahr. Roll Call: Beamish, Yes: Trout, Yes: Tackett, Yes: and Chairperson Mahr, Yes. Motion approved and variance is granted.

No public comment. Trout made motion to adjourn at 7:45, the motion was seconded by Tackett. Ayes: All .

Respectfully Submitted,

Robin Tackett  
Columbia Township Zoning Board of Appeals Secretary