

EATON COUNTY BOARD OF APPEALS MINUTES
April 2, 2019

Call to Order: Chair Nikki Chmielewski, called the meeting to order at 6:00 p.m. in the Board of Commissioners Room at the Eaton County Courthouse, 1045 Independence Blvd, Charlotte, Michigan.

Pledge of Flag: The Pledge of Allegiance was given by all.

Roll Call: Nikki Chmielewski, Donald Chase, Charamy Cleary, Tim Cattron, and April Stopczynski.

Staff Present: Claudine Williams and Brandy Hatt

A motion was made by **Member Stopczynski** to approve the agenda for the April 2, 2019 meeting. **Member Cattron** supported. Motion carried

A motion was made by **Member Cattron** to approve the minutes from the March, 2019 meeting. **Member Cleary** supported. Motion carried.

Communications: None

Public Comment: None

BA-4-19-5: Request by Shasta DeLong for a variance from Zoning Ordinance Section 7.7.5 Minimum Setback from side yard (building shall be a minimum of 20 feet from a side yard) to allow for conversation of an existing deck into living space to be located 2 feet from the side yard at 2972 David Drive, Sec. 33, Brookfield Township.

Staff Report: Ms. Williams read the staff report and communications in support of the request from Brookfield Township and Eaton Conservation District into record.

Member Chase asked when the zoning of the property changed to Limited Agricultural. Ms. Williams stated she assumes the zoning changed in 1981.

Applicants Statement: Ms. Shasta DeLong stated she does not have anything to add to the staff report; she offered to answer questions. **Member Cattron** stated he looked at the property. He asked Ms. DeLong if she has looked into other options to add onto the house without needing a variance. Ms. DeLong stated she is expanding her kitchen, which is already located on the north side of the house. Ms. DeLong stated her intent is to add onto her kitchen by using the deck area so she will not need to re-route the plumbing.

Speakers in favor: None

Speakers in opposition: None

Public hearing closed at 6:08 p.m.

Discussion/Comments: **Member Cleary** stated she spoke with Ms. Hatt prior to the meeting. She stated the new site plan helps give a clearer picture of the property and request.

Member Chase stated he has a concern about the setback to the side property line from the neighbor's point of view. He stated he believes the adjacent lot is vacant. Ms. DeLong stated there is a pole barn located on the adjacent property. **Member Cleary** stated if one were to look at the width of the property, a new house could not even meet the required twenty foot setback to the side property lines. **Member Cattron** stated the only building close to Ms. DeLong's house is the neighboring pole barn; he stated her proposal does not affect any of the neighboring houses. **Member Cattron** noted the driveway is located to the southeast of the home. Ms. DeLong stated her sewer is located between the house and driveway.

Member Cleary moved to approve BA-4-19-5, Shasta DeLong for a variance from Zoning Ordinance Section 7.7.5 Minimum Setback from side yard (building shall be a minimum of 20 feet from a side yard) to

allow for conversation of an existing deck into living space to be located 2 feet from the side yard at 2972 David Drive, Sec. 33, Brookfield Township. They find that;

- A. There is a practical difficulty in carrying out the strict letter of the ordinance.
- B. There is a practical difficulty that is due to unique circumstances related to this particular property due to the lot size of .27 acres, previous zoning, layout of the property, location of sewer system, and current requirements.
- C. The applicant did not create the problem.
- D. Granting the variance will not alter the essential character of the district or neighborhood.
- E. This variance of eighteen (18) feet is in the minimum amount necessary and will fix the current encroachment problem.

Member Chase supported. A roll call vote was taken with five (5) voting aye and none (0) voting nay. Motion carried.

Old Business: None

New Business: None

Public Comments: None

Upcoming Cases: Ms. Williams informed the Board of Appeals there are two applications to be heard at their May 7, 2019 meeting.

Member Cleary stated she may not be available to attend the May 7, 2019 meeting due to elections being held in her Township. Ms. Hatt stated she would call **Member Whittum** (the Alternate) to see if he is available to attend.

A motion was made by **Member Chase** to adjourn the April 2, 2019 Board of Appeals meeting. **Member Catron** supported. Meeting adjourned at 6:14 p.m.