

Courtland Township

Zoning Board of Appeals

Wed, December 13, 2023 @ 7:00 PM

The regular meeting of the Courtland Township Zoning Board of Appeals was called to order by Chairman Bassett @ 7:00 p.m. Members present were Brandon Bassett, Brandon Simon, Larry Pfeifer. Members absent: Chuck Porter, Michele Mojzuk

Approval of Agenda: Simon motion to approve agenda as written. Seconded by Pfeifer. All approve. Motion carries.

Minutes: Pfeifer motion to approve minutes from Feb 8, 2023. Seconded by Simon. All approve. Motion carries.

Public Comment: No public comment. No e-mails or phone calls.

Variance Request: Kimberly Harkness @ 8924 Loveless Dr., NE Rockford, MI, Sec. 34, Addn. to residence. Variance request: A release from Sec. 5.04 District Regulations and sections 2.01 B.2 Existing Lots of Record and any other applicable provisions of the Zoning Ordinance if deemed pertinent to the request.

Applicant notes that she has a very small house with little storage and would like to add on to the existing structure. Keeping same side setbacks and just extending towards the street.

Brandon Simon asked for clarification on the setbacks. Clarification that the west variance is 1 foot and the east variance is 4 feet.

Public comments open at 7:09 pm

Mike St Charles commented publicly that he is in support of the addition. Mike noted that he feels her request is gracious and not more than necessary.

Colleen read a letter from Luthene Chappell (attached to these minutes). She has concerns that the applicant's home is too close to the line and expanding would compound that. She would like the wall along her property line (east wall) moved back to the 10' setback for the new expansion. She is concerned that her view of the road and coming cars / guests will be diminished by the expansion.

Jeff Wierzikicki's ok with the request via phone call.

Mary Hemholdt is ok with the request via phone call.

Public comment closed at 7:13 pm

Board comments:

Jason Rourk asked if the measurements were to the building overhang or to the walls. Applicant clarified that the wall and overhang will remain aligned with current building so the measurement would apply to the building overhang.

Brandon Simon asked if the applicant had approval from Consumers energy to build under the existing overhead line or if any information was known about the easements for the overhead line, if any. Also asked if there was any ingress / egress easements for the properties now that the road is vacated. Simon noted that the survey should be updated to show applicable easements and more information is needed.

Discussion about whether the easements were necessary to have on the plans. Brandon Simon noted that he would feel more comfortable seeing this information on the plans and that it could be a condition of approval. It was noted that these additional pieces of information would provide further clarity and could protect the applicant from problems with violating easements.

Applicant noted that they do not have any additional information on the easements at this point. Applicant was asked if they would like to be tabled to allow time to research these further issues.

Standards of review:

1. All agree. Improvement is reasonable and consistent with the area.
2. All agree. No substantial detriment to adjacent properties identified.
3. All agree. Practical difficulty is not a result of any action of the applicant.
4. All agree. Property has exceptional narrowness and unique conditions.
5. All agree. Variance requested is minimum necessary to address the difficulty.

Brandon Simon makes a motion to approve the request with a 1 foot side yard variance to west property line. 4 foot side yard variance to east property line. 27.5 foot variance to the rear. Conditional on applicant updating the provided survey with any easement language found on current title work and providing that to the township prior to construction. Pfeifer seconded. All approve. Motion carries.

Planning Commission Report: Colleen noted that master plan updates are ongoing. Meeting on December 19th to finalize the draft. Tonya from Williams and Works will be at the meeting presenting to the township. Hoping to adopt this in the spring. Braeside Estates Phase 3 PUD and has been approved by the Township Board. Kle Mac Farms PUD proposes 75 new lots is in the review process between 12 and 13 mile on Courtland Dr.

Township Board Report: Colleen noted that the parks committee is working on ADA playground updates. Investigating soccer fields to be put in at the township hall. There is a new park donated by Dan Davis, North of 14 mile road and east of Berrigan.

Adjournment: Pfeifer motion to adjourn. Rourk seconded. All in favor. Meeting adjourned at 7:56 pm

Respectfully submitted, Brandon Simon, Secretary