

**MINUTES**  
**MECOSTA COUNTY ZONING BOARD OF APPEALS**  
Mecosta County Services Building  
September 11, 2023

**I. Roll Call**

Zoning Administrator, Annette Coles called the meeting to order at 6 p.m. Present for roll call were; Roger Carroll, Mike Tillman, Randy Bleeker, Ethan Ray, Kurt Spalding, & Kim Straley, Recording Secretary.

Annette Coles welcomed Kurt Spalding to the board as a permanent member.

**II. Election of Board Members** – due to the current elected chair, Ron Bongard, stepping down and resigning from this board, Zoning Director, Annette Coles started the meeting and proceeded with new election to fill the chair and subsequent board positions for the remainder of the year.

1. **Chair** – a motion was made by Randy Bleeker to nominate Roger Carroll to chair position and supported by Kurt Spalding. Roll Call vote was unanimously approved.
2. **Vice Chair**- Seeing that Roger Carroll was the vice chair and elected to chair, vice chair position needed to be filled. A motion was made by Kurt Spalding to nominate Mike Tillman to vice chair position and supported by Ethan Ray. Roll call vote was unanimously approved.
3. **Secretary** – Randy Bleeker is currently holding this position and will remain for the duration of the year.

The meeting was then handed over to the chair, Roger Carroll.

**III. Matters Pertaining to the Public**

Chair Carroll asked if there was anyone who wished to be on the next agenda. There was no response.

**IV. Public Hearings on the agenda**

1. Variance Request PZC23-012 – Edwin Oneil, 11072 Lake Street, Rodney, Chippewa Township; Parcel #03 073 031 000. Property is zoned R-2. Request to be closer to the side/water and front/water setback than what is permitted by right.

Chair Carroll read the request into the record. The applicant Ed Oneil was present to speak in favor of the application.

- Does not block any views of surrounding homes.

- Is unique as sits on a lake with water on two sides of the property.

There were no additional members in favor of the petition.

Those present to speak against were none, however, several letters and emails were received by area residents, given to the board, and placed on record.

No one else to speak for or against the petition. Chair closed the public portion of the meeting and opened the floor to the Board for discussion and decision.

- Has unique characteristics but is a non-conforming lot in size and where it lies within the plat.
- Other homes in area were put in place before zoning was established and therefore cannot be considered when looking at this petition.
- Believe it meets several of the criteria for variance granting.
- Sewer lines and well placement is a concern.
- May have issues with utility placement.
- Property was newly purchased knowing that a variance would be needed for construction.

After discussion and based on the findings of facts listed, a motion was made by Kurt Spalding and supported by Ethan Ray to approve variance Request #PZV23-012 –and allow a side and front setback of 25 feet. Property is located at 11072 Lake St., Rodney, Chippewa Township; Parcel #03 073 031 000. Property is zoned R-2.

Roll Call Vote – 1 Yeas – 4 Nays, motion denied, variance not granted.

Petitioner was told to see staff in the office for options.

2. Appeal Request #PZC23-013 – Margaret Mieras, 14298 80<sup>th</sup> Ave. Mecosta, Martiny Township; Parcel #07 023 008 170. Property is zoned R-1. Appeal from the Planning Commission Board special use request to allow rental space in an oversized accessory structure. Original Petition #PPC23-025.

The chair read the request into the record. The applicant, Margaret Mieras, was present to speak in favor of the application.

Ms. Mieras read information into the record stating the following;

- The board had made decisions based on the line of site being blocked and traffic flow on road – she has received an evaluation from the road commission stating there is no line of site blocked, visibility was good from both sides of the driveway for in and out of property and may want to consider upgrading driveway with a culvert to mitigate water erosion to face of drive. All these items have been done.
- The board had made comments on side setbacks not being met – she did not know a separate commercial use side setback was required at time of



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construction and was willing to get a variance for such setback if board made stipulation.

- Has a turnaround driveway so backing into the structure is not necessary.
- The petitioner spoke with all construction inspectors at the Building and Zoning department – all were good with the construction and stated it met the commercial use which was being proposed.
- Would reduce unsightly outdoor storage in area.
- Only allows one person on the property at a time.
- Did not attempt to deceive the board of intended use at first special use request in 2021. Thought that she had made it clear of her intentions.

Additional members in favor were; area residents, Beverly Uschuk and Lorie Davis

- Stated she is a patron of the petitioner and neighbor who needs a cheaper way to store her boat. This is offered through the petitioner's structure.
- The use is a need to the area for those who are on a limited income.
- Ms. Mieras bought the land from Ms. Davis with the intent to build the structure.

Those present to speak against were; area residents and neighbors, Don Roethlisberger, Leonard Speckin, and Dan Maxon

- Attended special use meeting and was happy with the outcome, believes the board did their job.
- This type of use is not allowed in residential areas across the County.
- Spoke with the petitioner, checking out her price on services, it is not any cheaper than local area allowed uses already available.
- Believes the petitioner was trying to deceive the board from first use request and is still deceiving others.
- Mr. Speckin used the structure briefly and had issues getting in and out of the driveway due to blind spots and heavy traffic in the area.
- Disagree with County Road Commission on the traffic impacts and use implications to the area.
- Believes that there is not ample room to turn properly into the structure without backing in from the road when the structure may be at capacity.
- Does not want to see commercial use in the residential district especially so close to a lake and resort area.
- Believes the structure sits too close to the side property line as than what is required by zoning ordinance.

No one else to speak for or against the petition. Chair closed the public portion of the meeting and opened the floor to the Board for discussion and decision.

- Hard to support the use when changes were made after the board made their decision.
- Evidence shows and supports the Planning Commission decision of denial due to the use not being allowed in residential zoned areas.

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- Believes the Planning Commission Board acting within their rights and if a decision consensus was not received or was made by a tie, denial is the only outcome.

After discussion and based on the findings of facts listed, a motion was made by Kurt Spalding and supported by Mike Tillman to deny appeal and hold up the Planning Commission decision for request PZV23-013- appeal request to allow an oversized accessory structure to be used as rental space. The property is located at 14298 80<sup>th</sup> Ave. Mecosta, Martiny Township and zoned R-1. Parcel #07 023 008 170.

Roll Call Vote – 4 Yeas – 0 Nays, motion passed, appeal is denied.

The petitioner was advised to see staff in the Building and Zoning office for more information if needed.

### V. Public Comment

Chair asked if there was anyone from the public who wished to make comment. There was no response.

### VI. Business Session

Approval of Minutes

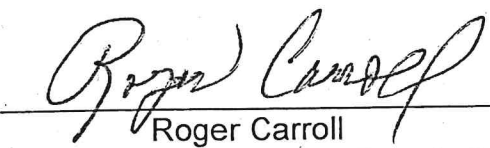
Kurt Spalding motioned to approve the August 7, 2023, Zoning Board of Appeals minutes, supported by Mike Tillman and passed unanimously.

### VII. Adjournment

Meeting adjourned at 7:00 p.m.

Respectfully submitted,

Kim Straley / Recording Secretary

  
\_\_\_\_\_, Chair  
Roger Carroll  
Mecosta County Zoning Board of Appeals

  
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Date Approved