

**Barry County Zoning Board of Appeals  
Minutes – November 14th, 2016**

The meeting was called to order by Chairperson Richard Patterson at 7:00 PM in the Community Room at Barry County Central Dispatch at 2600 Nashville Road in Hastings, Michigan. The Zoning Board of Appeals members in attendance included, Richard Patterson, Clyde Morgan, Shirley Barnum and Pam Strode. Jim Carr was absent. Others in attendance included James McManus, Denise DeGlopper and Bob DeGlopper.

Motion by Barnum to approve the agenda as printed. Support by Morgan. All ayes – motion carried.

The Zoning Board of Appeals reviewed the minutes of October 10, 2016. On page 1, Morgan asked to strike the word “not” and to change the word “house” to “houses” in the body of Case No. V-10-16.

Motion by Morgan to approve the minutes as corrected. Support by Barnum. All ayes - motion carried.

**BUSINESS**

Patterson explained the procedures of a public hearing.

**VARIANCES**

**Case Number V-13-2016**

**Denise Marie DeGlopper  
(property owner)**

Chairperson Patterson recessed the Zoning Board of Appeals, opened the public hearing, and asked DeGlopper to present the request.

DeGlopper said they wanted to build a 24x30 detached garage. They noted the 8 ft setback was created when a lot was sold to the neighbors.

Patterson asked if anyone wished to speak in favor of the request. There was no response. Patterson asked if anyone was opposed. There was no response.

McManus read a letter of opposition from Thomas Jelsema and a letter of support from Akiyoshi Kido.

DeGlopper rebutted Jelsema's letter by saying of the structures on the street are close to the road, and one of the buildings encroached into the road. He noted other buildings in association are also close. He noted they have a lot of room to the pavement.

Patterson closed the public hearing and reconvened ZBA.

Barnum asked if it was a public or private road. McManus noted it was a private road.

Barnum verified the garage would be no higher than the home. DeGlopper agreed.

Strode asked if the garage would be even with the neighbor's. DeGlopper said it will be even with the curb.

Morgan asked how close the garage was to the house. DeGlopper said 8.5 ft.

Morgan asked why the garage could not be attached to the house. DeGlopper said there was an air conditioner in the yard and there were bedrooms and bathrooms on that side of the house.

DeGlopper noted there would be no water in the garage, but he would have electric service.

Morgan verified the door would be on the west side of the garage. DeGlopper agreed and said he would have one roll up door.

Patterson verified the barn to the east was not the applicants. DeGlopper agreed.

Patterson asked about making the garage smaller.

Patterson noted he did not have an issue with the side yard setback, but he was concerned with the zero foot road side setback. He said parking could be an issue.

DeGlopper said he needed space for his things. He noted there are egress windows on that side of the house.

Patterson noted he would get a partial setback if he made the garage smaller.

Motion by Barnum to grant V-13-16 per Section 3107 C-1 (a-h) and C-2 (c). The motion died due to lack of support.

The ZBA and the DeGloppers' discussed a setback adjustment off of the road.

Motion by Morgan to approve Case No. V-13-16 per Section 3107 C-1 (a-h) and C-2 (c) with the stipulation that the roadside setback of 10 feet be met. Support by Barnum.

Roll call vote taken: 4 ayes – 0 nays. Motion carried.

Motion by Morgan to adjourn the meeting. Support by Barnum. All ayes – motion carried.

Meeting adjourned at 7:35 p.m.

Respectfully submitted,

Pam Strode, Recording Secretary

## Jim McManus

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**From:** Micky Jelsema <micky.jelsema@gmail.com>  
**Sent:** Friday, November 11, 2016 8:58 PM  
**To:** Jim McManus  
**Subject:** Case # V-13-2016

To whom it may concern;

I am writing in regards to the above mentioned case regarding an application for a setback variance at 12715 Blue Lagoon to build a garage with 0 road setback and less side setback.

We are Tom and Micky Jelsema and have a home at 4156 Joy Rd. Last summer we attended a similar hearing for a lot next door to us where the request was to allow a home to be built 5' closer to the lake than the setback allowed for. The discussion included the point that once you allow it for one, you are setting precedence, and open the door for all.

We don't know who is applying for this variance, or why, but the fact remains that then others can request the same and soon you could have a set back rule that carries no weight because anyone can get it changed based on precedence.

If there are other garages on the street with 0 setback, that would be a fact to take under consideration; if not, then we would suggest you don't set a precedence.

We realize many of the lots are small; then perhaps a different location should have been considered if this was the property owner's wish.



Akiyoshi Kido  
1115 Hannah St Apt 2  
Three Rivers, MI 49093

11/9/16.

Dear Sir ;

I am writing regarding the project at  
12715 Blue Lagoon Dr. in Section 6 of  
Orangerille TWP.

I own the property at 12708 Blue Lagoon  
Rd. Shelbyville, MI.

I have no objection to owner building  
a garage in his property.

Sincerely

Akiyoshi Kido