

EATON COUNTY BOARD OF APPEALS MINUTES

August 5, 2025

Call to Order: Vice-chair Donald Chase called the meeting to order at 6:00 p.m. in the Board of Commissioners Room, Eaton County Courthouse, 1045 Independence Blvd., Charlotte, MI.

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

Roll Call: Tim Cattron, Rob Cook, Donald Chase, Cheramy Cleary, and Mark Stahl

Absent: Nikki Chmielewski

Staff Present: Brandy Miller

Agenda Approval: A motion was made by **Member Cleary** to approve the agenda for the August 5, 2025 meeting. **Member Stahl** supported. Motion carried.

Minutes Approval: A motion was made by **Member Cattron** to approve the minutes as written from the June 3, 2025 meeting. **Member Stahl** supported. Motion carried.

Public Comment: None

BA-8-25-3: Request by Joseph & Lisa Dickson for a variance from Zoning Ordinance Section 6.2.5 Lot Frontage/Depth Ratio, to allow for division of their property. The property is located at 5511 Allegan Road, Section 14, Vermontville Township.

Staff Report: Ms. Miller read the staff report, The Eaton County Road Commission comment, The Eaton Conservation District comment, and a written comment from the public into record. **Member Cleary** asked which acreage for parcel A was accurate, as there is a discrepancy between the staff report and site plan. Ms. Miller stated the acreage on the staff report is correct. **Member Chase** asked if there was any history on the creation of the existing parcel and if that would affect the number of splits available. Ms. Miller stated there are four splits available, and that the property was created in 1978. She stated the land division act was created in 1967 and has always required surveys, but the surveys weren't required to be recorded until 1997. **Member Stahl** asked if the existing parcel meets the one to three width/depth ratio and meets the requirements of a legal non-conformity. Ms. Miller stated the property is currently compliant with the ordinance. **Member Cattron** asked if the parcel meets the state requirement. Ms. Miller stated that is correct. **Member Cattron** asked where the 147.29 feet came from. **Member Cleary** explained the calculation used to obtain that number.

Applicant Statement: Mr. Derek, speaking on behalf of the applicants, stated the Dickson's need the application approved so he and his wife can build their home and continue to grow their family.

Member Chase invited any speaker in favor or in opposition to the request to make public comment.

Speakers in favor of the application: None

Speakers in opposition to the application: None

Public Hearing closed at 6:14 p.m.

Board of Appeals Discussion/Comments: **Member Cleary** stated the Road Commission may prove an obstacle for the applicants.

Member Cattron stated he supports the appeal but also shared concerns regarding the Road Commission. **Member Chase** stated he supported the appeal as well.

Member Stahl stated the topography and terrain could make the land split difficult to obtain without the variance, but the way the split is proposed by the applicant does not seem ideal either. **Member Cleary** stated the minimum amount necessary does not seem ideal. **Member Chase** stated the only problem he found was that the initial creation of the property was due to the angle of the road, so the problem was not in fact unique.

Member Cook asked if the problem was due to the property being too long in the back. Ms. Miller stated if the property wasn't as deep then there would not be an issue.

Member Cattron reiterated that the property does meet the state requirement. **Member Cleary** asked what the state requirement is. **Member Cattron** stated it is four to one instead of three to one. He asked staff why our requirements were different than the states. Ms. Miller stated the three to one ratio was created to preserve farmland and also explained the reason for the state's four to one ratio. **Member Cook** stated if the idea was to preserve more farmland, then allowing a home on a small parcel is reasonable.

Member Stahl moved to approve BA-8-25-3, a request by Joseph & Lisa Dickson for a variance from Zoning Ordinance Section 6.2.5 Lot Frontage/Depth Ratio, to allow for division of their property. The property is located at 5511 Allegan Road, Section 14, Vermontville Township. They find that:

- A. There is a practical difficulty in the way of carrying out the strict letter of this Ordinance due to the permitting requirements of the Eaton County Road Commission and sight distance.
- B. There is a practical difficulty due to the unique circumstances of the property; It's creation in the seventies created the unique shape and the topography does not allow for multiple driveways.
- C. The problem was not created by the applicant.
- D. Granting the variance will not alter the essential character of the district of neighborhood.
- E. The variance allowing for the division is the minimum necessary to overcome the inequity inherent in the particular property.

Member Cattron supported. A roll call vote was taken with four (4) voting aye and one (1) voting nay. Motion carried.

Old Business: None

New Business: Ms. Miller stated that Eaton County is working with the townships to provide a contract that will allow the continuation of planning and zoning services for those townships. **Member Cleary** asked what would happen if some of the townships do not agree to the contract. Ms. Miller stated the current fee is for all 11 townships to sign on. If not all of the townships agreed to the contract, a new contract would have to be drafted.

Upcoming Cases: None.

Meeting adjourned at 6:23 p.m.