

Charter Township of Comstock

Zoning Board of Appeals 2021 Annual Report



Summary

Despite being a very challenging time due to COVID-19, development activity did not slow down in 2020. The Zoning Board of Appeals (ZBA) held eight meetings. One meeting was held in-person and seven were held virtually via ZOOM.

In 2021, the ZBA considered a variety of variance requests, two fence height waiver requests and considered an appeal of a zoning administrator decision.

The seven individuals listed below made up the membership of the Comstock Charter Township Zoning Board of Appeals in 2021. There are five regular members and two alternates that serve in a formal capacity in the event that a regular member is absent or has a conflict of interest and must abstain from participating in an agenda item.

Ron Kuivenhoven, Chair

Steve Gazdag Vice Chair

Randy Beister (Liaison from the Planning Commission)

Jodi Colby

Patrick McVerry

Rob Reilman, first alternate

Marla Schwartz, second alternate

With staff-support from

Community Development Director Jodi Stefforia

With legal guidance from

Township Attorney Catherine Kaufman

Variances

The Zoning Board of Appeals reviewed a variety of requests in 2021 from allowing a nonconforming lot to be buildable to a reduced setback for a private stable. The requests considered by the ZBA in 2021 are grouped below by type of variance.

Greenspace

Valvoline Instant Oil Change – variance for a reduced greenspace width along the east and west property lines for a new 2,160 square foot quick lube on Gull Road. *Granted.*

Setback

Miller Drive Mini Storage – variance to allow a reduced front setback from the side property lines and rear property line (abuts Interstate-94) for mini storage buildings on Miller Drive. *Granted.*

Kalamazoo Sandblast – variance to allow a reduced rear and side yard setback for a hoop-style building on K Avenue. *Denied.*

Hutchinson – side setback variance for a private stable on N 35th Street. *Granted.*

Frontage

Consumers Energy – variance to allow the creation of a parcel without the minimum required frontage on a public street south of ML Avenue. *Granted.*

Dawson – variance to allow the creation of a parcel without the minimum required frontage on a public street on North 33rd Street. *Granted.*

Nonconforming Lot Size

Peak – variance to allow a nonconforming lot that does not satisfy the minimum lot size or width to be considered buildable on Wright Street. *Granted.*

Accessory Building Size

Meyer – variance to allow an addition on an accessory building that already exceeds the allowable square footage on Saginaw Avenue. *Denied.*

MacDonald – variance to allow an accessory building that exceeds the permitted square footage on Plainfield Avenue. *Denied.*

Fence Height Waiver

Erickson – waiver to allow a fence up to 12 feet tall along the side property line and also parallel to River Street provided not closer than the house to River Street. *Granted.*

Kalamazoo Sandblast – waiver to allow a fence up to 12 feet tall along the sides and rear property line. *Granted*

Signs

Drive & Shine – variance for a wall sign package that exceeds the quantity and square footage limitations. *Granted in part.*

Appeal of Zoning Administration Determination

Sandblasting in the LM, Light Manufacturing District – appeal of determination of the Zoning Administrator that a sandblasting business is permitted in the LM, Light Manufacturing District. *Zoning Board of Appeals upheld the determination.*

Applicant Feedback

As part of the Redevelopment Read Communities program, the Township initiated a feedback survey for applicants in 2020. The survey is sent to former applicants and asks about their experience with the development process, Township Staff and the nature of their request before the Township.

Feedback from applicants has been positive about the Community Development Director's assistance with the process and scheduling of reviews as well as the Zoning Board of Appeals' review process.

Training and Continuing Education

In 2020, Comstock Township upgraded its membership with the Michigan Townships Association (MTA) allowing all staff, boards and commission members to obtain online training through live and/or pre-recorded webinars on a variety of topics at no cost per attendee.

Which members took advantage of the MTA on-line free training opportunity in 2021 is not reported, however, the Community Development Director did remind the members of the opportunity as a regular agenda item. The training opportunity will remain available in 2021 and it is anticipated that MTA will add new content. As the Community Development Director becomes aware of relevant topics being presented, the opportunity is shared.

Per Township policy, appointed board and commission members seeking re-appointment must have attended at least one hour of training per year of term length and report the attendance to the Township. For example, Zoning Board of Appeals member terms are three years long; it is expected that within the term, the individual member attend at least three hours of training on land use and/or zoning topics.