

City of Eaton Rapids

Zoning Board of Appeals

Meeting Minutes, September 10, 2025

1. **Call to Order:** Chairman Hetzer called the meeting to order at 7:00 pm.

2. **Roll Call:**

NAME	PRESENT	ABSENT	NAME	PRESENT	ABSENT
Chair Hetzer	X		Member Lehto	X	
Vice Chair Miller	X		Alternate Freer		X Ex
Secretary Baker	X		Alternate Kopak		X Ex
Member Williams	X				

Also present were Building Official Hummel and Financial Specialist Leigh Tyler.

3. **Approval of the Agenda:**

Vice Chairperson Miller moved to approve the agenda and Secretary Baker seconded. Motion carried to approve the agenda as presented.

4. **Approval of the June 11, 2025 Zoning Board of Appeals Meeting minutes:**

Vice Chairperson Miller moved to approve the June 11, 2025 Minutes and Member Lehto seconded. Motion carried to approve the minutes as presented.

5. **Public Comments:**

NONE

6. **Public Hearing**

The Public Hearing was opened at 7:04 pm. Superior Fence (representing Jeffery and Pamela Dieter at 303 Rancho, is requesting a variance for their property. The front yard faces Rancho Street and the exterior side yard abuts West Street. Building Official Hummel stated that the applicants (who did not attend) have requested a 6' fence in the rear side yard of their property. The address of the property is 303 Rancho Street, Eaton Rapids, MI 48827. The property has 2 yards that abuts streets and so the side yard that abuts West Street, has to follow the same ordinance as the front yard. The ordinance only allows a 3' fence in yards that abut streets. The yard along West Street needs to comply with the ordinance for front yards. Secretary Baker stated that they could run the fence 6' in height in line with the house. Member Williams asked why they wanted a 6' fence in this area and Building Official Hummel answered that they wanted it for privacy for themselves and their grandchildren. Article XVII, General Standards and Exceptions, Section 18.40 A (2) states that no fence or wall along the side or front yard, or in front of the side building line of a corner lot shall be over three (3) feet. The drawing supplied shows the house sets back 29' from the side property line along West Street, Superior Fence is

proposing to install a 6' high fence 22' from the house into the exterior side yard and then have a 7' space to the side property line. The Dieters own 4 lots in total (26,571 square feet). The proposed area of fencing is approximately 15,410 square feet. The area without the variance would be approximately 10,695. The fence would run in a line flush with the west side of the house and would comply with the ordinance (a difference of approximately 4,715 square feet). Allowing the fence into the exterior side yard would obstruct some vision of the house to the south.

Variations – The Zoning Board of Appeals may authorize, upon an appeal, a variance from the strict application of any provision of this ordinance, where, by reason of exceptional irregularity, narrowness, shallowness, shape or area of a specific piece of property at the effective date of this ordinance, or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of this ordinance would result in a peculiar or exceptional practical difficulties to or unnecessary undue hardship upon the owner of such property.

In consideration of all appeals and proposed variations of this ordinance, the Zoning Board of Appeals shall, before making any variation from this ordinance, in a specific case, first determine that the proposed variation affirmatively meets all of the following general standards:

- A practical difficulty and/or unnecessary hardship exists according to the standards of this Article (The Board voted NO)
- The proposed variation involves exceptional circumstances not found in other areas of the same zoning district (The Board voted NO)
- The proposed variation will be in harmony with the general purposes and intent of this ordinance (The Board voted NO)
- The proposed variation will not in any respect impair the public health, safety, comfort or welfare of the inhabitants of the city (The Board voted NO)
- The proposed use will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood (The Board voted NO)
- The proposed use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the distance involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle contact (The Board voted NO)
- The location, size, intensity, site layout and period of operation of such proposed use will be designed to eliminate any possible nuisances emanating therefrom, which nuisance might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights (The Board voted NO)
- The location and height of buildings or structures and the location, nature and height of walls and fences will be such that the proposed use will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value (The Board voted YES)

Being that the proposed variance does not meet the above criteria, the following motion was made:

Vice Chairperson Miller moved that the variance request be denied and that no 6' fence be erected in the West Street side/front yard of their property. She suggested that they create or enlarge the recreation area in the back yard. Member Lehto seconded the motion and the motion carried with a roll call vote.

Old Business – None

7. Reports:

Building Official - Building Official Hummel stated that Taco Bell has revised their plans for their pitched roof and he is waiting on their plans. Edwin Allen is currently working on 5 more homes in Eaton Rapids and they are looking into purchasing more property east of the High School. We are still looking for funding for 400 Dexter and the Horner Mill is supposed to be closing with the Eaton County Land Bank very soon.

Planning Commission: Secretary Baker reports that 501 Union Street wants to split into 2 properties. He reports that 4423 and 4425 Hyatt are requesting a land line adjustment due to the location of their propane tank. 400 Dexter has been divided into 2 parcels and they are working on changing the Zoning Ordinance to allow for short term rentals.

Vice Chairperson Miller – Wanted it added to the minutes that she would like the Zoning Board of Appeals Section of the Zoning Ordinance be updated.

Member Williams moved that we adjourn the meeting and it was seconded by Vice Chairperson Miller. All members voted aye and the meeting was adjourned at 7:34 pm

Minutes Recorded by:

Leigh Tyler

Financial Specialist

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