

7:00 o'clock p.m. Chairperson Arquette called the meeting of the Zoning Board of Appeals to order.

MEMBERS PRESENT: Arquette, Eisenhauer, Reynolds, Buechler, Sparling.

MEMBERS ABSENT: None.

ALSO PRESENT: Jorja Baldwin, Zoning Administrator

VISITORS: Scott Worden, 4125 Fairway Drive, Fort Gratiot, MI 48059

Motion by Sparling, supported by Eisenhauer, to approve the agenda as printed and posted.

Vote, 5/0. MOTION CARRIED. AGENDA APPROVED.

Motion by Eisenhauer, supported by Reynolds, to approve the minutes of the regular meeting of July 15, 2014.

Vote, 5/0. MOTION CARRIED. MINUTES APPROVED.

CITIZENS WISHING TO ADDRESS THE BOARD (for items not on the agenda): None.

UNFINISHED BUSINESS:

ITEM #1: VARIANCE & CLASS A DESIGNATION – 4125 FAIRWAY DRIVE / 74-20-505-0020-000:

APPLICANT: Scott Worden, 4125 Fairway Drive, Fort Gratiot, MI 48059

OWNER: Scott Worden, 4125 Fairway Drive, Fort Gratiot, MI 48059

REQUEST: Proposed addition: 21' west rear yard setback variance; 1' north side yard setback variance; 300 square foot lot coverage variance; Class A Designation.

LOCATION: 4125 Fairway Drive

PARCEL ID #: 74-20-505-0020-000

LEGAL: LOTS 31 & 32 MAC TAGGART PLAT

APPLICANTS PRESENTATION:

Mr. Worden stated that his architect, William Vogan, is out-of-town but wanted him to share some information regarding the proposed addition. This is a beautiful one story ranch home on a crawl space with three bedrooms so there is not a lot of storage. There is not a lot of space on these properties for additional living space as they have pretty much been built to the required setbacks. He wanted to have the proposed addition the least intrusive as possible. He also indicated that the majority of the addition will be glass.

Member Sparling wanted to make Mr. Worden aware that the request was written up for a 14' rear yard setback but the drawing indicated 13'6" so the architect must reflect that in his drawings for the building permit. Mr. Worden said that is no problem at all.

PUBLIC COMMENT:

-Letter in favor of variance request was received from Port Huron Golf Club

-Letter in favor of variance request was received from Brandon McNamee of 4137 Fairway Drive

BOARD DISCUSSION:

Findings of Facts:

-The area was originally platted in 1949.

-The house was built in 1966.

-The lot sizes as platted are nonconforming to today's standards. The two lots combined meet the minimum area, but the depth is still falls short. The average lot depth for a new lot is 135'.

-In a subdivision, the standard road right-of-way (ROW) is 66', or 33' from the center of the road. The front yard setback is measured from the ROW line and is generally 68' from the center of the road (33' ROW + 35' setback.) This area was platted with a 100' road ROW, making the front yard setback 85' (50' ROW + 35' setback) from the center of the road.

-As illustrated on the right, the surrounding homes have much larger front yards with smaller rear yards. These properties are adjacent to the Port Huron Golf Club.

Reasons for Decision:

- (1) Continuance thereof would not be contrary to public health, safety or welfare.
- (2) The structure does not and is not likely to significantly depress the value of nearby properties.
- (3) The use or structure was lawful at the time of its inception.
- (4) No useful purposes would be served by strict application of the provisions or requirements of this chapter with which the use or structure does not conform.
- (5) A non-financial hardship or practical difficulty has been demonstrated. Examples are lots that are too narrow or shallow, easements, rights-of-way, utilities, natural features of the land (drains, wetlands, significant trees, etc.) and other features that exist and limit an area in which building may occur.

MOTION #1-1 WEST REAR YARD VARIANCE, 4125 FAIRWAY DRIVE / 74-20-505-0020-000:

Motion by Sparling, supported by Reynolds, to grant the request from Scott Worden, for a 21' west rear yard setback variance for proposed addition at 4125 Fairway Drive / 74-20-505-0020-000.

Vote, 5/0. MOTION CARRIED. VARIANCE GRANTED FOR A 14' WEST REAR YARD SETBACK FOR PROPOSED ADDITION.

MOTION #1-2 NORTH SIDE YARD VARIANCE, 4125 FAIRWAY DRIVE / 74-20-505-0020-000:

Motion by Sparling, supported by Arquette, to grant the request from Scott Worden, for a 1' north side yard setback variance for proposed addition at 4125 Fairway Drive / 74-20-505-0020-000.

Vote, 5/0. MOTION CARRIED. VARIANCE GRANTED FOR A 9' NORTH SIDE YARD SETBACK FOR PROPOSED ADDITION.

MOTION #1-3 LOT COVERAGE VARIANCE, 4125 FAIRWAY DRIVE / 74-20-505-0020-000:

Motion by Sparling, supported by Reynolds, to grant the request from Scott Worden, for a 300 square foot lot coverage variance for proposed addition at 4125 Fairway Drive / 74-20-505-0020-000.

Vote, 5/0. MOTION CARRIED. 300 SQUARE FOOT LOT COVERAGE VARIANCE GRANTED FOR PROPOSED ADDITION.

MOTION #1-4 CLASS A DESIGNATION, 4125 FAIRWAY DRIVE / 74-20-505-0020-000:

Motion by Reynolds, supported by Sparling, to grant the request from Scott Worden, for a Class A Designation on lot, existing structures and proposed addition at 4125 Fairway Drive / 74-20-505-0020-000.

Vote, 5/0. MOTION CARRIED. CLASS A DESIGNATION GRANTED FOR LOT, EXISTING STRUCTURES AND PROPOSED ADDITION. EXISTING SHED BELONGING TO PROPERTY OWNER IS EXEMPT FROM CLASS A DESIGNATION AS IT IS NOT CURRENTLY LOCATED ON THIS PARCEL.

BOARD DISCUSSION: None.

Motion by Sparling, supported by Arquette, to adjourn. Time, 7:08 o'clock p.m. Vote, 5/0.