

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

MEMBERS PRESENT: Arquette, Eisenhower, Reynolds, Buechler, Sparling

MEMBERS ABSENT: None.

ALSO PRESENT: Liz Austin, Recording Secretary

VISITORS: Tom Norton, Sanctum Contracting, P.O. Box 101, Yale, MI 48097
 Adam & Autumn Roberts, 3595 Prairie Ave, Berkley, MI 48072
 Steve Ledtke, 4590 Lakeshore Rd, Fort Gratiot, MI 48059
 Matt Wallace, 5610 Lakeshore Rd, Fort Gratiot, MI 48059

Motion by Sparling, supported by Eisenhower, to approve the agenda as printed and posted.
Vote, 5/0. MOTION CARRIED. AGENDA APPROVED.

Motion by Buechler, supported by Reynolds, to approve the minutes of the regular meeting of September 15, 2015. **Vote, 5/0. MOTION CARRIED. MINUTES APPROVED.**

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

NEW BUSINESS:

ITEM #1: CLASS A DESIGNATION – 5610 LAKESHORE ROAD / 74-20-478-0015-000:

APPLICANT: Matthew Wallace, 5610 Lakeshore Road, Fort Gratiot, MI 48059
OWNER: Matthew M. Wallace Trust, 5610 Lakeshore Road, Fort Gratiot, MI 48059
REQUEST: Class A Designation
LOCATION: 5610 Lakeshore Road
PARCEL ID #: 74-20-478-0015-000
LEGAL: LOT 15 LAKEVIEW BEACH

APPLICANTS PRESENTATION:

Matt Wallace is requesting the Class A Designation because his home is currently of Class B status. He'd like to do a bump out on the south side of the home and in order to alter or enlarge the home that is non-conforming due to the attached garage setback, he needs a Class A Designation. He noted that the fire chief, building official, DPW and zoning administrator recommended approval of the request.

PUBLIC COMMENT: None.

BOARD DISCUSSION:

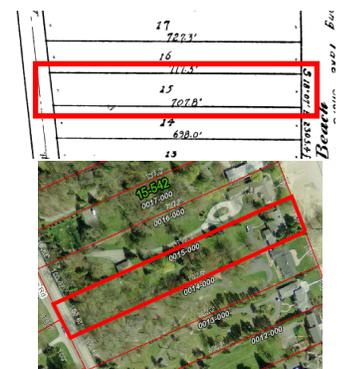
Member Reynolds stated that this request is within the parameters the board has been using as a standard so she sees no problem with granting the request.

Member Buechler asked if there had been any contact received recently regarding this request and there has been no recent contact from other residents.

Member Sparling mentioned that we were not here to vote on the proposed addition, only the Class A Designation. Members all agreed because the proposed addition will be well within the required setbacks.

Findings of Facts:

- The area was originally platted in 1920.
- The lot exceeds our minimum lot size requirements.
- The house was built in 1951 and is a lawfully existing nonconforming structure.
- The house meets the minimum north side yard setback, the front and rear yard setbacks and minimum lot coverage.
- The only nonconforming requirement is the south side yard setback; 10' is required, 6.4' is existing.
- The proposed addition exceeds the minimum south side yard setback; 10' is required, 22' is proposed. The Class A designation is required to use, alter, and/or enlarge a lawfully existing nonconforming structure. The proposed addition meets all current requirements.



-The property is located within flood zones AE (El. 584) and X-Shade. The lowest finished floors, existing and proposed, are shown on the survey and are above the flood zone. FIRM 05/03/2010, Panel 0230D. No comments were received regarding this request as of October 14, 2015.

Recommendations:

- The building official recommends approval with no conditions.
- The department of public works recommends approval with no conditions.
- The fire chief recommends approval with no conditions.
- The zoning administrator recommends approval with no conditions. The request is reasonable, causes no undue hardship to surrounding properties, in a lawfully existing structure, and the proposed addition is conforming to current requirements and therefore does not make the structure more nonconforming.

Reasons for Decision:

Nearest setback of the non-conforming structure is within the parameters of the ZBA board’s standards. No opposition from neighboring homeowners.

MOTION #1-1 CLASS A DESIGNATION, 5610 LAKESHORE ROAD / 74-20-478-0015-000:

Motion by Sparling, supported by Reynolds, to grant the request from Matthew Wallace, for a Class A Designation for 5610 Lakeshore Road / 74-20-478-0015-000.

Vote, 5/0. MOTION CARRIED. CLASS A DESIGNATION GRANTED.

ITEM #2: VARIANCE & CLASS A DESIGNATION – LAKESHORE ROAD / 74-20-765-0006-001:

- APPLICANT:** Adam Roberts, 3595 Prairie Ave, Berkley, MI 48072
- OWNER:** Adam & Autumn Roberts, 3595 Prairie Ave, Berkley, MI 48072
- REQUEST:** Proposed dwelling: 4.5' north side yard setback variance; 4' south side yard setback variance; Class A Designation on lot and proposed structure
- LOCATION:** TBD Lakeshore Road
- PARCEL ID #:** 74-20-765-0006-001
- LEGAL:** LOT 7 SUPERVISOR'S PLAT OF KARRER BEACH

APPLICANTS PRESENTATION:

Adam Roberts would like to get the variance so they can build their year round home and spend their lives here. He noted that the fire chief, building official, DPW and zoning administrator recommended approval of the request.

PUBLIC COMMENT: None.

BOARD DISCUSSION:

Member Sparling questioned the request for the 4.5' north side yard setback variance because the survey indicated that the nearest point of the proposed structure was 5.04' from the north property line. If they granted that request, the house would have to be a minimum of 5.5' from the north property line, not what is indicated on the survey.

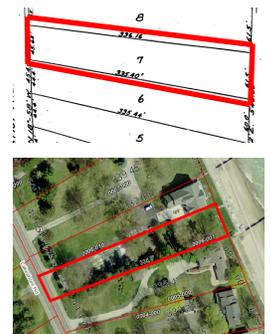
Recording Secretary noted that this was an administrative error and the request should have read 5' north side yard setback variance.

Mr. Roberts mentioned that they actually changed the layout and the setback variance requested fits their proposed home. They are not going to do that bump out on the north side of the house. The request is okay as written due to their changes in layout.

Findings of Facts:

- The area was originally platted in 1934.
- The lot was platted at 45.65' x 61.5'. Currently we require a minimum of 75'x134'. The property is considered a lawfully existing nonconforming lot.
- The proposed house is at least 10' from all surrounding standing structures.
- All other requirements are met.
- Similar variances have been granted in this area.
- The property is located in flood zone AE (El. 584) and X-Shade. The lowest proposed finished floor is El. 589. FIRM 05/03/2010, Panel 0237D.

No comments were received regarding this request as of October 14, 2015.



Recommendations:

- The building official recommends approval with no comments or conditions.
- The department of public works recommends approval with no comments or conditions.
- The fire chief recommends approval with the condition that, during and after construction, the driveway must be maintained at a minimum of 9’ wide and kept clear.
- The zoning administrator recommends approval with no conditions.

Reasons for Decision:

Request is within the parameters of the standards of the board.
 No opposition from neighboring homeowners.

MOTION #2-1 VARIANCE, LAKESHORE ROAD / 74-20-765-0006-001:

Motion by Reynolds, supported by Sparling, to grant the request from Adam Roberts, for a 4.5’ north side yard setback variance for proposed dwelling for Lakeshore Road / 74-20-765-0006-001.

Vote, 5/0. MOTION CARRIED. 5.5’ NORTH SIDE YARD SETBACK GRANTED FOR PROPOSED DWELLING.

MOTION #2-2 VARIANCE, LAKESHORE ROAD / 74-20-765-0006-001:

Motion by Eisenhauer, supported by Sparling, to grant the request from Adam Roberts, for a 4’ south side yard setback variance for proposed dwelling for Lakeshore Road / 74-20-765-0006-001.

Vote, 5/0. MOTION CARRIED. 6’ SOUTH SIDE YARD SETBACK GRANTED FOR PROPOSED DWELLING.

MOTION #2-3 CLASS A DESIGNATION, LAKESHORE ROAD / 74-20-765-0006-001:

Motion by Sparling, supported by Reynolds, to grant the request from Adam Roberts, for a Class A Designation on the lot and proposed dwelling for Lakeshore Road / 74-20-765-0006-001.

Vote, 5/0. MOTION CARRIED. CLASS A DESIGNATION GRANTED ON PROPOSED DWELLING.

BOARD DISCUSSION: None.

Motion by Sparling, supported by Reynolds to adjourn. Time, 7:13 o’clock p.m. Vote, 5/0. MEETING ADJOURNED.

The Charter Township of Fort Gratiot complies with the "Americans with Disabilities Act" and if auxiliary aids or services are required at the meeting for individuals with disabilities, please contact Clerk, Robert C. Crawford, 3720 Keewahdin Road, Fort Gratiot, Michigan 48059 (810) 385-4489, three days prior to said meeting.