

GERRISH TOWNSHIP (GT) ZONING BOARD OF APPEALS

MEETING: ZBA Appeal No. 18.10, 104 Misty Meadow Court (Rowland).
DATE: Nov 19, 2018.
MEMBERS PRESENT: Mike Briggs, Walt Mikula, Barb Stauffer.
MEMBERS ABSENT: Thomas Kizer, John Klein, Jim Thornburn, (All Excused).
OTHERS PRESENT: Jason Jansen (Zoning & Building Administrator), Applicants & Owners (Dennis & Claudia Rowland), 5 Neighbors of the applicants.
MEETING OPENED: 10:00 a.m. by Acting Chair (Briggs).
PLEDGE TO FLAG: 10:00 a.m.

APPROVAL OF MINUTES (MEETING ON SEP 17, 2018 – 1st SESSION): Motion by Stauffer, seconded by Mikula to approve minutes of the GTZBA-18.8 held Sep 17, 2018. Motion carried (3-0).

APPROVAL OF MINUTES (MEETING ON SEP 17, 2018 – 2nd SESSION): Motion by Mikula, seconded by Briggs to approve minutes of the GTZBA-18.9 held Sep 17, 2018. Motion carried (3-0).

The members of the Board present affirmed they each had no conflict in considering this appeal.

The Acting Chair (Briggs) read the appeal and details that requested a front and side yard setback variance of 33.8 feet from a right-of-way to construct a detached garage.

Two communications were received and read into the record from the following neighbors in the subdivision: (1) John J. & Sandra A. Klein, dated November 19, 2018; and (2) Dennis & Jo Ann McDonald at 205 Wildflower Ct, dated November 14, 2018. Both communications were opposed to the requested variance.

Five residents from three households in the subdivision provided comments and reviewed the site plan blue prints. One household was opposed to the requested variance.

The Board reviewed and discussed the seven standards and the applicants written responses. The applicants answered questions and clarified their requested variance and its purpose. A motion was made based on the following factors:

1. Four of the seven standards (standard 1, 4, 6, & 7) were not satisfied;
2. There were three objections from neighbors (2 in writing, 1 in person);
3. The house was recently (3 year ago) constructed for the previous owner in a pre-planned subdivision adhering to the authorized setback boundaries of the zoning ordinance;
4. The orientation and location of the addition on the property is not consistent with the subdivision plans. There is no Home-Owners Association for this subdivision, but developers provided guidelines for further property additions that are incorporated into the property's deed; and
5. Such an addition for its intended purpose can be built on other suitable portions of the property that adhere to the setback specifications of the zoning ordinance.

A motion was made by Mikula, and seconded by Briggs as follows: **“Motion to deny the requested variance to construct a 24' x 32' detached garage as proposed because it does not meet the Gerrish**

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Proposed

Township Zoning Ordinance Article 3, Footnotes for Table 3-4 (5) 'Site Development Requirements' of 50' setback, being deficient by 33.8'." Motion was carried unanimously (3-0).

The applicants were advised of their right to appeal this Board's decision to the Circuit Court up to thirty days from the date of the certification letter to be provided to them following this meeting.

MEETING CLOSED: 11:35 a.m.

Michael B. Briggs, Acting Secretary

Date