

ZONING BOARD OF APPEALS

APPEAL NUMBER 15.06

July 6, 2015

Meeting called to order at 10:30 A. M. at the Gerrish Township Hall.

Board members present: Chairperson Thorburn, Vice Chairperson Klein, Secretary Russom, Members Kizer and Mikula.

Board member absent: None

Others present: Janice Jurczyk; Danial Anderson, Builder; Jason Jansen Gerrish Township Zoning and Building Administrator; Cliff & Barbara Duff; Michael Kircher.

MOTION by Klein, seconded by Mikula: **CARRIED.**

Minutes of June 15, 2015 were approved as presented.

NEW BUSINESS: APPEAL 15.06

10:33 A.M. Chairperson Thorburn declared the Public Hearing opened for APPEAL NO. 15.06

Applicant: Janice Jurczyk; Appeal NO. 15.06 address: 2958-H W. Higgins Lake Drive, Roscommon, MI; Lot/Parcel Tax ID Number: 72-004-435-008-0000; Legal description: North 84 Feet of Lot 8, Section 20 and Minto Point.

Type of Request to ZBA: A variance approval to remove existing seasonal cottage and construct a new year-round home with attached garage.

Letter of record in response to Township letter dated 6.12.15 for Appeal 15.06: 1

ZBA Finding of Fact:

- Reviewed Gerrish Township letter of denial for a building permit based on Gerrish Township Zoning Ordinance, Site Development Requirements Table 3-4 (3b), Table 3-4 (6) and Table 3-4 Maximum Lot Coverage; dated 6.12.15.
- Reviewed Building Permit Application as filed by Danial B. Anderson; rec. 6.5.15.
- Reviewed Danial B. Anderson's revision dated 6.4.15 of Castles & Cabins, Inc. architectural drawing.
- Reviewed Land Survey by George D. Henning of Roscommon, MI. dated NA
- Proposed structures lot located within R-1A Zoning District.
- Current structures located 21 inches from North rear setback, East side yard setback of 7ft. 6 inches, West side yard setback of 1 ft. 6 inches.
- Proposed structures had a rear setback of 15 ft. from neighbors to the North, a deficit of 5 ft.; front yard setback of 20 ft. , a deficit of 5 ft.; West side yard setback had 5 ft., deficit of 1 -3 ft.; and 28% land coverage (1,496 sq. ft.), overage of 3% (172 sq. ft.).
- Section 16.7 B Variances 7-Standards presented and recorded.
- Proposed structures would not encroach on neighboring properties nor interfere with neighboring views of the lake.

- Proposed Site Plan included a new septic system and well, documentation by the County Health Department.
- Proposed structures were minimal in design for a house with attached one-car garage.

11:18 A.M. Public Hearing closed.

Amended Motion for Appeal 15.06 by Kizer, seconded by Mikula: CARRIED – 5 YES; 0 NAYS.

Motion to move to approve the variance requested as necessary given the circumstances presented in this case and will not adversely affect surrounding neighborhood and is to be approved conditioned upon appropriate permits from health department for sewage disposal and water. Further, given the particular circumstances of the size of this property, and her proposed structure will improve the rear setback; and the property size is unique and she is doing her best to use the property consistent with the spirit of the Zoning Ordinance.

Klein ---- Yes; Kizer---- Yes; Mikula----Yes; Russom----Yes; Thorburn ----Yes

Reason for Decision:

- Seven Standards satisfied.
- Structures would not encroach physically or visually onto neighboring properties.
- Nor cause an adverse effect on surrounding properties.
- Rear setback improved by 13 ft. 6 inches.
- New septic system and well.
- Proposed land usage would meet present day living standards for full-time resident.

11:35 A.M. General Business:

Motion by Kizer, seconded by Mikula to forward to the Township Board the draft proposal for *Rules of Procedure of the Gerrish Township Zoning Board of Appeals* for consideration; **CARRIED.**

11:45 A.M. Motion to adjourn was made and seconded; **CARRIED.**

Minutes are subject to review and approval of the Zoning Board of Appeals at its next scheduled meeting.

Approved _____