

GERRISH TOWNSHIP(GT) ZONING BOARD OF APPEALS (GTZBA) MINUTES

MEETING: ZBA Appeal No. 23.01, Lot 72-004-065-012-5000, 103 Grandview Ave, Roscommon, MI 48653 (Mr. & Ms. Vaughn & Andrea Paxton).
DATE: Jan 30, 2023.
MEMBERS PRESENT: Mike Briggs, Jim Lippert, Mary Jo Oppy, & Barb Stauffer.
MEMBERS ABSENT: John Klein & Jim Thorburn (All Excused).
OTHERS PRESENT: Jason Jansen (GT Building Administrator) & 4 Citizens.
MEETING OPENED: 10:05 a.m. by Acting Chair Briggs.
PLEDGE TO FLAG: Recited.

REVIEW & APPROVAL OF GTZBA 22.09 MINUTES: Motion by Oppy, seconded by Lippert to ***“approve the minutes of GTZBA-22.09 held Oct 24, 2022.”*** Motion carried (4-0).

WELCOME & COMMENTS: Briggs provided general comments on the hearing process.

CONFLICTS OF INTEREST: Each Board member re-affirmed they had no conflicts of interest in considering this appeal.

COMMUNICATIONS RECEIVED: One letter of communication was received from Ms. Teresa Petrimouix (next door neighbor), which supported the variance requested.

APPEAL NO. 23.01: Briggs opened the hearing and read the appeal filed by Mr. & Ms. Vaughn & Andrea Paxton for their property at 103 Grandview Ave, Roscommon, MI 48653 (Parcel No. 72-004-625-012-5000). They appeared before the GTZBA to request a 1' side-yard variance to construct a second story addition on a lot that is 50' wide in an R-1 (*Existing Lake Neighborhoods*) Zoned District that would be 5' from the south side-yard property line. As stated in GT Zoning Ordinance (GTZO), Article 3 (*Zoning Districts, Regulations, and Map*), Table 3-4 (*Site Development Requirements*), 6a, the required side-yard setback for an R-1 Zoned District is 6'. The current structure is already non-conforming by 1' on the south side-yard. The proposed second story addition would be built on the current footprint, and therefore be 1' deficient. The Seven Standards and the applicant's written responses were read into the record. The applicants answered questions and discussed the variances requested with the Board. The received letter of communication was read into the record. Public comments were made by Mr. Eric Woodruff (neighbor) in support of the variance requested. The open portion of the meeting was then closed and the Board further reviewed the applicant's responses to the Seven Standards. Briggs, Oppy, and Stauffer stated they conducted sites prior to this meeting, and Lippert was shown pictures at this meeting that were taken by Briggs. Upon review of the applicant's information, pertinent GTZO Articles, and further discussion, the Board entertained a motion based on considerations that included the following:

- There is not a sufficient amount of available property to build such an addition on the ground floor due to the following; the current footprint on a narrow property (50' wide), that includes a septic tank located on the north side, an already non-conforming side yard setback on the south side, and a garage in the back on the west side that would not meet the minimum building-to-building distance as specified in Section 20.8(C-3) (*Accessory Uses, Buildings, and Structures: Placements/Setbacks*).

- The structure's original construction is 5' from the south property line and includes a full basement. A second floor cannot be added to meet the GTZO 6' side yard setback standard without practical difficulties, such as having to move the entire south side of it by 1' to be in compliance with the GTZO, with an existing full basement that would still not meet the setback requirements.
- The addition will be built within the current footprint.
- The addition of the second floor being built within the current floor plan (footprint) requires a minimal deviation (1') from the GTZO to meet the current codes for stair and landing requirements at the top of the second floor.
- The structure was built in 1962 to meet the Supreme View's subdivision standards, and the proposed addition is fully supported by the subdivision again now.

A motion was then made by Oppy and supported by Briggs as follows:

"Move to approve the 1' variance requested by the owners Mr. & Ms. Vaughn & Andrea Paxton, for their property located at 103 Grandview Ave, Roscommon, MI 48653 (Parcel No. 72-004-625-012-5000) to build a second story addition as submitted in their application based on the findings contained in the minutes of Jan 30, 2023, as it meets all Seven Standards."

Briggs, Lippert, Oppy, and Stauffer voted yea for this motion to approve the variance, no one voted nay. Motion carried (4-0). The applicants were notified and given a formal letter of this decision. They were also informed of the steps someone can take to appeal this decision.

OTHER BUSINESS: None.

MEETING CLOSED: Meeting closed at 10:50 a.m.

Michael B. Briggs, Secretary

Date Approved