

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

**MEETING:** ZBA Appeal No. 20.01, Lot 72-004-005-007-0040, 205 Old Stage Rd. (Lisa Brown).  
**DATE:** Mar 16, 2020.  
**MEMBERS PRESENT:** Mike Briggs, Tom Kizer, John Klein, Walt Mikula, & Barb Stauffer.  
**MEMBERS ABSENT:** James Thorburn (Excused).  
**OTHERS PRESENT:** Jason Jansen (Bldg & Zoning Adm), Darryl Hall (Applicant Rep & Builder), & 1 Citizen.  
**MEETING OPENED:** 10:00 a.m. by Acting Chairman Briggs.  
**PLEDGE TO FLAG:** Completed.

**APPROVAL OF GTZBA-19.13 MINUTES (MTG ON NON 25, 2019):** Motion by Klein, seconded by Stauffer to *“approve the minutes of the GTZBA-19.13 held November 25, 2019.”* Motion carried (5-0).

**ANNOUNCEMENTS:** None.

**COMMUNICATIONS RECEIVED:** One letter was received from Carl Geupel supporting the variance.

**CONFLICTS OF INTEREST:** Each Board member re-affirmed they had no conflict with this appeal.

**APPEAL NO. 20.01:** Acting Chairman Briggs read the appeal to replace or repair an existing non-conforming 12' x 8' covered screened deck at the lakeshore with a 14' x 10' covered enclosed deck at the lakeshore (an increase of 44 square feet). This structure is non-conforming with the GT Zoning Ordinance (GTZO) *Article 3, Table 3-4 (Site Development Requirements), Footnote 3b* that specifies a minimum 50' front yard setback from the high-water mark. This structure extends overtop the high-water mark by a couple feet. GTZO *Section 6.4A1 (Non-conforming Structures)* specifies no non-conforming structure may be enlarged or altered so as to increase its non-conformity. The proposed replacement or modification to a larger size is due to the deterioration of the current structure and associated safety concerns. The Board reviewed and discussed the seven standards and the applicants written responses. The applicant did not attend, but was represented by the builder (Mr. Hall) whom answered questions and clarified the applicant's responses and rationale for the variance request. The open portion of this hearing was then closed, and the Board further reviewed and discussed the seven standards.

Motion-1 was then made by Kizer, and supported by Stauffer as follows: ***“Move to approve the entire variance requested, including the 44 square feet addition.”*** After considerable discussion the motion to approve with the addition was denied (3-2). Mikula, Stauffer, and Briggs voted to deny it. Kizer and Klein voted to approve it.

Motion-2 was then made by Kizer, and supported by Klein as follows: ***“Move to Approve the variance to rebuild the structure in the same footprint as currently without additional 44 square feet increase in floor plan for the following reasons: it will correct the wear and tear on the old structure and protect the structural integrity for the safety of those using it; it will not adversely affect the surrounding areas; and the height of the structure will not be increased.”***

**VOTE RESULTS:** Briggs, Mikula, and Stauffer voted to approve the Motion-2 to Grant the Variance with the condition to rebuild with no increase in footprint or height of building., Klein and Kizer opposed. Motion carried (3-2).

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The applicant's representative was 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:** 10:53 a.m.

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Thomas Kizer, Secretary

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Date Approved