

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

**MEETING:** ZBA Appeal No. 20.07, Lot 72-004-435-005-5000, 2942D W. Higgins Lake Dr. (Bill & Judy Stacer).

**DATE:** Oct 12, 2020.

**MEMBERS PRESENT:** Mike Briggs, John Klein, Walt Mikula, & Barb Stauffer.

**MEMBERS ABSENT:** James Thorburn (Excused).

**OTHERS PRESENT:** Jason Jansen (Bldg & Zoning Adm.), Bill & Judy Stacer (App's), & 3 Citizens.

**MEETING OPENED:** 11:03 a.m. by Acting Chair Briggs.

**PLEDGE TO FLAG:** Completed at 11:45 a.m. (prior hearing).

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

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

**COMMUNICATIONS RECEIVED:** Letters were received supporting the variance request from Arbutus Alward, and Al & Andrey Schultz. Neighbors Michael Kircher and Michael Cuz also provided comments supporting the request. No communications were received opposing the request.

**APPEAL NO. 20.06:** Briggs read the appeal of the owners/applicants (Bill & Judy Stacer) requesting a variance to construct a dormer addition and extend the existing porch roof in a R-1A Zoning District at 2942D W. Higgins Lake Dr. (Lot 72-004-435-005-5000). The existing structure is deemed legal non-conforming in accordance with GT Zoning Ordinance (GTZO) Article 3 Table 3.4(3b) (*Site Development Requirements*) that specifies "in the case of a non-waterfront lot in the R-1 or R-1A District, the required front yard setback shall be twenty-five feet." The house does not meet front or rear setback requirements from Minto Point Road (25') and Birch Road (25'). The proposed dormer addition would be 15'6" from Minto Point Road and Birch Road, deficient by 9'6" for each. The proposed 6' x 18' porch roof extension would be 13'6" from Minto Point Road, deficient by 11'6". Both the dormer and porch roof addition do not extend the ground foot print. They will also improve the building safety by eliminating drainage problems, increasing ventilation, and providing an emergency second floor escape route that does not exist. The seven standards and applicants' written responses were then read into the record. The applicants answered questions and discussed their variance request with the Board. The communications received were then read into the record, and additional comments were provided by two citizens from their neighborhood association. The open portion of this hearing was then closed. Each Board member confirmed that they conducted a site visit prior to this meeting and further reviewed the applicants' responses to the seven standards. Upon review of the applicants' information, pertinent GTZO Articles, and further discussion, the Board entertained a motion based on the following considerations:

- The seven standards were satisfied;
- The existing structure that has been in place for decades, is a legal non-conforming residence due to the current front and rear yard setback requirements. However, the addition is an expansion to the second story that is still within the confines of the original house footprint;
- The addition does not block any lake views due to the sloping terrain and structure location;
- The design is consistent with the surrounding neighborhood structures;
- The addition will eliminate drainage problems leading to water and ice buildup along the uphill side of the building and rear entrance; and

- The addition will improve safety features of the structure with better ventilation and an added escape route that does not currently exist in the 1.5 story house.

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

***“Motion to approve the variance request dated Aug 24, 2020, as submitted by the applicants Bill & Julie Stacer to construct a dormer addition and extend the existing porch roof.”***

**VOTE RESULTS:** Briggs, Klein, Mikula, and Stauffer voted to approve the Motion to approve the variance. Motion carried (4-0).

**OTHER BUSINESS:** None.

**MEETING CLOSED:** 11:45 a.m.

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Michael B. Briggs, Chair (Acting)

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Date Approved