



APPROVED

MAB 1/30/23

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

MEETING: ZBA Appeal No. 22.09, Lot 72-004-014-016-0035, 1010 Robinson Lake Rd, Roscommon, MI 48653 (Mr. Jason McNeil).
DATE: Oct 24, 2022.
MEMBERS PRESENT: John Klein, Jim Lippert, & Mary Jo Oppy.
MEMBERS ABSENT: Mike Briggs, Jim Thorburn, & Barb Stauffer (All Excused).
OTHERS PRESENT: 2 Citizens.
MEETING OPENED: 10:17 a.m. by Acting Chair Klein when the applicants arrived.
PLEDGE TO FLAG: Recited.

REVIEW & APPROVAL OF GTZBA 22.08 MINUTES: Motion by Klein, seconded by Oppy to “*approve the minutes of GTZBA-22.08 held Aug 29, 2022.*” Motion carried (3-0).

WELCOME & COMMENTS: Klein 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 Mr. & Ms. Bob & Karen Boughner (neighbors), which opposed the variances requested.

APPEAL NO. 22.09: Klein opened the hearing and read the appeal filed by Mr. Jason McNeil for his property at 1010 Robinson Lake Rd, Roscommon, MI 48653 (Parcel No. 72-004-014-016-0035). He appeared before the GTZBA to request a 10’ side-yard variance and 6” building-to-building variance to construct a 12’ x 12’ side addition (to be used as a bedroom) to his existing non-conforming dwelling in a Rural Residential (RR) Zoned District located 15’ from the east side-yard property line, and 9’ 6” on the backside (north side) from a portion of the garage located behind the house. As stated in GT Zoning Ordinance (GTZO), Article 3 (*Zoning Districts, Regulations, and Map*), Table 3-4 (*Site Development Requirements*), requires a side-yard setback of 25’ for a RR Zoned lot, thereby deficient by 10’. The current structure is already non-conforming by 4’ with a 21’ side-yard setback on the west side. GTZO Article 20 (*Supplemental Provisions*), Section 20.8(C-3) (*Accessory Uses, Buildings, and Structures: Placements/Setbacks*) states “In no case shall a detached accessory building be located within 10’ of another building.” Therefore, the proposed building-to-building distance for this addition is deficient by 6”. The Seven Standards and the applicant’s written responses were read into the record. The applicant answered questions and discussed the variances requested with the Board. The received letter of communication was read into the record. No Public comments were made. The open portion of the meeting was then closed and the Board further reviewed the applicant’s responses to the Seven Standards. 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 sufficient area on this particular parcel of land available to build their addition within the set-back limits without practical difficulties, therefore it does not meet Standards #1, and #7;
- The applicants purchased the property with the nonconformities without the intention to build an addition.

- The location and proximity of the addition with respect to the current structure and garage is not in harmony with the GTZO and therefore it does not meet Standard #4.

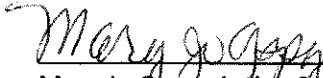
A motion was then made by Lippert and supported by Oppy as follows:

“Move to deny the 10’ side-yard and 6” building-to-building variances requested by the owner Mr. Jason McNeil, for his property located at 1010 Robinson Lake Rd, Roscommon, MI 48653 (Parcel No. 72-004-014-016-0035) to build a 12’ x 12’ side addition to his existing house as submitted in his application based on the findings contained in the minutes of Oct 24, 2022, as it does not meet the Seven Standards 1, 4, and 7.”

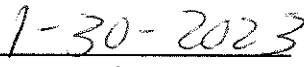
VOTE RESULTS: Klein, Lippert, & Oppy voted yea for this motion to deny the variances, no one voted nay. Motion carried (3-0). The applicants were notified and given a formal letter of this decision. They were also informed of the steps to appeal this decision if desired.

OTHER BUSINESS: None.

MEETING CLOSED: Meeting closed at 10:56 a.m.



Mary Jo Oppy, Acting Secretary



Date Approved