

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

**MEETING:** ZBA Appeal No. 20.09, Lot 72-004-721-039-4000, 205 Grand Blvd.  
(John & Amy Gregorio).  
**DATE:** Nov 9, 2020.  
**MEMBERS PRESENT:** Mike Briggs, John Klein, Jim Lippert, Walt Mikula, & Barb Stauffer.  
**MEMBERS ABSENT:** Jim Thorburn (Excused).  
**OTHERS PRESENT:** Jason Jansen (Bldg. & Zoning Adm.), John Gregorio (App's) & 2 Citizens.  
**MEETING OPENED:** 10:00 a.m. by Acting Chair Briggs.  
**PLEDGE TO FLAG:** Completed.

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

### **REVIEW & APPROVAL OF GTZBA MINUTES:**

1. *GTZBA-20.06.* Motion by Stauffer, seconded by Klein to ***“approve the minutes of GTZBA-20.06 held Oct 12, 2020.”*** Motion carried (5-0).
2. *GTZBA-20.07.* Motion by Klein, seconded by Stauffer to ***“approve the minutes of GTZBA-20.07 held Oct 12, 2020.”*** Motion carried (5-0).
3. *GTZBA-20.08.* Motion by Lippert, seconded by Mikula to ***“approve the minutes of GTZBA-20.08 held Oct 19, 2020.”*** Motion carried (5-0).

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

**COMMUNICATIONS RECEIVED:** Briggs read the communication received from Ms. Connie Price, supporting the variances. No communications were received opposing it.

**APPEAL NO. 20.09:** Briggs read the appeal requesting variances to construct rear additions, raising the roof height, and replacing two patios and deck in the front (lakeside) with two new patios on a legal non-conforming property at 205 Grand Blvd (Lot 72-004-721-039-4000) in a R-1 Zoning District. Gerrish Township Zoning Ordinance (GTZO) Article 3 (*Zoning Districts, Regulations, and Maps*), Table 3-4 (*Site Development Requirements*) specifies the minimum rear setback for this property is 20'. A corner of the proposed rear addition is 17' 6" from the property line, deficient by 2' 6". However, due to the angled property line, only a few square feet of the footprint are not within the setback limits. GTZO Table 3-4(3a) specifies the average front yard setback for this property is 67' due to the front setback of the house on the adjacent property. This existing house has a 50' setback, deficient by 17'. The new roof will be raised within the current house footprint to a height within the current standards of the GTZO. GTZO Article 20 (*Supplemental Provisions*), Section 20.11(C) (*Limitations of Residential Outdoor Living Areas (Patios, Decks, Porches, Etc.)*) specifies patios and outdoor living areas are allowed in the minimum 50' front setback, but cannot exceed 10% of that area. The proposed outdoor living area of the two new patios is 712 square feet total (28' x 16'), deficient by 332 square feet of the allowable 380 square feet based on the 3800 square feet of total area of this property within 50' of the lake front. One patio will replace an existing patio on the northern end of the house front within the same footprint. The other patio will replace an existing deck, but extend out a couple more feet towards the lakefront to align with the northern patio, from which it will be adjacent to with connecting steps to a lower grade. The proposed new dwelling is to be used as the applicant's second residence. The seven standards and applicant's written responses were then read into the record. The applicant answered questions and

discussed the variances requested with the Board. 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 new patios will replace an existing patio and deck within the original footprint and no closer to the lakefront than the existing patio;
- The proposed additions will not impact the lake views from surrounding dwellings; and
- Only a few square feet of the rear additions will actually extend past the setback limits due to the angled property line.

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

***“Move to approve the variances requested as submitted by the applicant John Gregorio at 205 Grand Blvd, Roscommon, MI to construct rear additions, raise the roof height, and replace two patios/outdoor living areas.”***

**VOTE RESULTS:** Briggs, Klein, Lippert, Mikula, and Stauffer voted to approve the variance. Motion carried (5-0).

**OTHER BUSINESS:** None.

**MEETING CLOSED:** 10:51 a.m.

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Michael B. Briggs, Chair (Acting)

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Date Approved