



APPROVED

MBB 8/19/24

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

MEETING: ZBA Appeal No. 23.10, Lot 72-004-162-016-0000, 225 Hawthorn Trail, Roscommon, MI 48653 (Dr. Joseph A. George).
DATE: Oct 30, 2023.
MEMBERS PRESENT: Jim Barnwell, Mike Briggs, John Klein, Mary Jo Oppy, & Barb Stauffer.
MEMBERS ABSENT: Jim Lippert, & Jim Thorburn (Both Excused).
OTHERS PRESENT: 2 Citizens.
MEETING OPENED: 10:04 a.m. by Acting Chair Briggs.
PLEDGE TO FLAG: Recited.

AGENDA CHANGES: None.

REVIEW & APPROVAL OF GTZBA 23.09 MINUTES: Motion by Barnwell, seconded by Oppy to “*approve the minutes of GTZBA-23.09 held Oct 16 2023.*” Motion carried (5-0).

WELCOME & COMMENTS: Acting Chair 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: Five letters of communication were received, all opposed to the variance, from the following neighbors: Ms. Lee Ann McGinnis; Mr. Russell Smith; Ms. Katie Lattner; and two from Mr. Doug Lattner.

APPEAL NO. 23.10: Briggs opened the hearing and reviewed the appeal filed by Dr. Joseph George (owner/applicant), for his property at 225 Hawthorn Trail, Roscommon, MI 48653 (Parcel No. 72-004-162-016-0000). Ms. Ann George (co-owner) appeared before the GTZBA to request a variance to add a hip roof over their existing legal nonconforming lakeside boathouse. Per the GT Zoning Ordinance (GTZO), Article 3 (*Zoning Districts, Regulations, and Maps*), Table 3-4 (*Site Development Requirements*), 3c (*Footnotes for Table 3-4*) the required front yard setback on a R-1 Zoned property is 50' from the high-water mark. The boathouse is 13' from the high-water mark, deficient by 27', and thereby nonconforming with the GTZO. Per Section 6.4(A1) (*Nonconforming Structures*), “No nonconforming structure may be enlarged or altered so as to increase its nonconformity such as in the case of a buildings height ... easement.” The current roof is flat and is approximately 2' lower than the top of the surrounding walls. The hip roof will raise the height of the structure approximately 40”. The letters of communications received were read into the record. The Seven Standards and the applicant’s written responses were read into the record. Ms. George answered questions and discussed the variance requested with the Board. No Public comments were made. All members confirmed they visited the site prior to this meeting. The open portion of the meeting was then closed and the Board further reviewed the owner’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:

- The property, including the residence and this boathouse was bought by the current owners in 2011. This boathouse was built at the bottom of a steep hill on a cement slab around 1930 near the water’s edge. It has a historical significance due to being one of the original lakeside

structures remaining from almost 100 years ago. The location of this boathouse and the steep terrain presents a significant practical difficulty to move it. Hence, Standards 1, 2 & 3 are satisfied.

- The footprint of this structure will not be changed. The current owners tried repairing the flat roof and inside exterior wall sections with a contiguous rubber sealant several years ago. However, the water still drains down the outside walls which continues to damage the structure's integrity. The only remaining viable solution to prevent further damage and eventual building demise is to add a sloped roof. The proposed hip roof design is the minimum amount deemed necessary to rectify the current drainage problem, and meets the GTZO accessory structure height limitations. Hence, Standards 4, 6 & 7 are satisfied.
- Lake views from the neighboring homes that sit atop a hill are not obstructed by the addition of the roof on this lakeside boathouse set at the bottom of this steep hill with a 53' side yard setback from the south property line. A wooded area of trees extends from the water line to the top of the hill along the south property line, including a couple large coniferous trees a few feet from the boathouse to south that limit the view of the boathouse from the southside beach area. A section of trees also extends from the water's edge to the hill top along the northside property line. The proposed hip roof design also conforms with the aesthetics of the boathouse and residence. Hence, Standard 5 is satisfied.

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

"Move to approve the requested variance to add a hip roof over an existing boathouse approximately 40", but not to exceed 45" from the top of the building's walls at the highest point, as proposed by the owner/applicant Dr. Joseph George for the property located at 225 Hawthorn Trail, Roscommon, MI 48653 (Parcel No. 72-004-162-016-0000) as submitted in the application (dated Aug 10, 2023) based on the findings contained in the minutes of Oct 30, 2023, as it meets all of the Seven Standards."

Barnwell, Briggs, Klein, Oppy, and Stauffer voted yea. Motion carried (5-0). The applicant was notified and given a formal letter of this decision, and was informed of the steps someone can take to appeal this decision if desired.

PUBLIC COMMENT: None.

OTHER BUSINESS: None.

MEETING CLOSED: A motion was made by Klein, and supported by Briggs to adjourn the meeting. Motion carried (5-0). Briggs closed meeting at 11:20 a.m.

Mary Jo Oppy, Acting Secretary

Michael B. Briggs
MICHAEL B. BRIGGS
SECRETARY

8/19/2024.
Date Approved