

7:00 o'clock p.m. Chairperson Eisenhower called the meeting of the Zoning Board of Appeals to order.

MEMBERS PRESENT: Eisenhower, Montgomery, Marlar, Kraus

MEMBERS ABSENT: Oprita

ALSO PRESENT: Liz Austin, Recording Secretary

VISITORS: Richard & Leona Edie, 3261 Keewahdin Road, Fort Gratiot, MI 48059
 Don Edie, 3251 Keewahdin Road, Fort Gratiot, MI 48059
 Jerry Sebastian, 2408 Hueling, Port Huron, MI 48060

Motion by Kraus, supported by Marlar, to approve the agenda as printed and posted. **Vote, 4/0. MOTION CARRIED. AGENDA APPROVED.**

Motion by Marlar, supported by Kraus, to approve the minutes of the meeting of July 21, 2020. **Vote, 4/0. MOTION CARRIED. MINUTES APPROVED.**

CITIZENS WISHING TO ADDRESS THE BOARD (for items not on the agenda): None.

NEW BUSINESS:

ITEM #1: CLASS A DESIGNATION – 3261 KEEWAHDIN ROAD / 74-20-021-1010-000:

APPLICANT: Richard Edie, 3261 Keewahdin Road, Fort Gratiot, MI 48059

OWNER: Richard & Leona Edie, 3261 Keewahdin Road, Fort Gratiot, MI 48059

REQUEST: Class A designation.

LOCATION: 3261 Keewahdin Road

PARCEL ID #: 74-20-021-1010-000

LEGAL: E 10 A OF NE 1/4 OF NW 1/4 EXC W 165' SEC 21 T7N R17E 5 A

APPLICANTS PRESENTATION: Mr. Edie indicated that they've lived in their home for 42 years. The property is currently zoned commercial, and they found that while trying to sell their home, it was impossible for anyone to be able to get insurance due to the circumstance that the house cannot be rebuilt if something were to happen. The property has become harder to manage and they just need to be able to sell and move on.

PUBLIC COMMENT: None.

BOARD DISCUSSION:

Member Marlar asked how the property became zoned commercial. It was stated that many of the properties down Keewahdin Road were rezoned years ago with the intent for that area to become commercial and a possible "downtown-like" area. It just hasn't happened. The Class A designation will not change the zoning, it will simply protect the residential structures.

Member Kraus voiced her concern about the existing detached garage being less than 2' from the property line. It was explained that the Class A can be "conditional." They can exclude the detached garage from the Class A, and if a new garage is needed, it would just need to conform to the current setback requirements.

Findings of Facts:

- No records of plat information.
- This property is not within a High Risk Erosion Area (Area of Minimal Flood Hazard).
- This property is located in flood zone X-Shade, FEMA FIRM 05/03/2010, Panel 0237D.
- This parcel is a lawfully existing platted lot and is 165'x1320' (5.0 acres).

Contacts/Communications/Correspondence:

As of the date of this review, no correspondence has been received. (8-11-2020).

Reasons for Decision:

*-A request may be **granted** upon findings that:*

- (1) Continuance thereof would not be contrary to public health, safety, or welfare.
- (2) The structure does not and is not likely to significantly depress the value of nearby properties.

- (3) The use or structure was lawful at the time of its inception.
(4) No useful purposes would be served by strict application of the provisions or requirements of this chapter with which the use or structure does not conform.

-A request may be **denied** upon finding that:

- (1) Public services cannot be adequately provided; i.e. water, sewer, gas, electric.
(2) The proposed construction could hinder public safety response and put the property and surrounding properties at additional risk.
(3) A hardship (non-financial in nature) or practical difficulty (such as a natural feature of the land) has not been demonstrated.

MOTION #1-1 CLASS A DESIGNATION – 3261 KEEWAHDIN ROAD / 74-20-021-1010-000:

Motion by Kraus, supported by Eisenhauer, to grant the request from Richard Edie, for a *conditional* Class A designation at 3261 Keewahdin Road / 74-20-021-1010-000.

Vote, 4/0. MOTION CARRIED. CLASS A DESIGNATION GRANTED EXCLUDING THE EXISTING DETACHED GARAGE.

BOARD DISCUSSION: None.

Motion by Kraus, supported by Marlar, to adjourn. Time, 7:07 o'clock p.m. **Vote, 4/0. MEETING ADJOURNED.**

The Charter Township of Fort Gratiot complies with the "Americans with Disabilities Act" and if auxiliary aids or services are required at the meeting for individuals with disabilities, please contact Clerk, Robert C. Crawford, 3720 Keewahdin Road, Fort Gratiot, Michigan 48059 (810) 385-4489, three days prior to said meeting.