

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

**MEMBERS PRESENT:** Eisenhauer, Montgomery, Marlar, Kraus, Oprita

**MEMBERS ABSENT:** None.

**ALSO PRESENT:** Liz Austin, Recording Secretary

**VISITORS:** Michael & Sandra Geremesz, 4744 Lakeshore Road, Fort Gratiot, MI 48059

Motion by Montgomery, supported by Marler, to approve the agenda as printed and posted.

**Vote, 5/0. MOTION CARRIED. AGENDA APPROVED.**

Motion by Kraus, supported by Oprita, to approve the minutes of the meeting of August 18, 2020.

**Vote, 5/0. MOTION CARRIED. MINUTES APPROVED.**

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

**NEW BUSINESS:**

**ITEM #1: VARIANCE/CLASS A DESIGNATION – 4744 LAKESHORE ROAD / 74-20-220-0058-100:**

**APPLICANT:** Sandra Geremesz, 4744 Lakeshore Road, Fort Gratiot, MI 48059

**OWNER:** Sandra Geremesz/Christine Hofmann, 4744 Lakeshore Road, Fort Gratiot, MI 48059

**REQUEST:** Proposed detached garage: 9' north side yard setback variance; 9' east rear yard setback variance; 1 square foot lot coverage variance; Class A designation.

**LOCATION:** 4744 Lakeshore Road

**PARCEL ID #:** 74-20-220-0058-100

**LEGAL:** LOT 3 & S 1/2 OF LOT 2 BLK 8 DESMOND BEACH

**APPLICANTS PRESENTATION:** Mr. Geremesz indicated that they just moved to Fort Gratiot from a larger home with more space. They need a garage for storage and somewhere to park their vehicles. They wanted to get as close to the property lines as possible so they didn't cut into any of the easements on and around their property. There is a shared gravel drive partly on their property that ties into the driveway belonging to the house to the east of them.

**PUBLIC COMMENT:** None.

**BOARD DISCUSSION:**

Member Montgomery stated that after reviewing the survey and the recommendations from the department heads, it appears that the 1' setback is not sufficient but a 3' setback would work.

Member Marlar confirmed that they have tried to maintain 3' as the minimum for a setback.

Member Kraus pointed out the overhead wires but there will still be space between the garage and wires if the garage were to be moved an additional 2' from the property lines.

Liz Austin explained that several attempts were made between August and today to contact the DTE service planner for our area to see if they are okay with the proposed location of the garage AND if they'd be okay with the location if it were moved to 3' from both the north and east property lines. No response was received but the planner's voicemail today stated that he retired as of 9/11/20. She explained to the applicants that it is their responsibility to contact DTE regarding those overhead wires. Mr. Geremesz stated that he'd have the overhead switched to underground if there was an issue.

There was discussion of the Desmond Beach road and easements.

**Findings of Facts:**

- The area was platted in 1907.
- This property is not within a High Risk Erosion Area
- This property is located in flood zone AE (El. 584) and Zone X, FEMA FIRM 05/03/2010, Panel 0237D (Area of minimal flood hazard).
- This parcel is a lawfully existing non-conforming platted lot and is 37.5'x100'.

**Contacts/Communications/Correspondence:**

As of the date of this review, no correspondence has been received. (9-1-2020).

**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 NORTH SIDE YARD SETBACK VARIANCE – 4744 LAKESHORE RD / 74-20-220-0058-100:**

Motion by Montgomery, supported by Eisenhauer, to grant the request from Sandra Geremesz, for a 7' north side yard setback variance for proposed detached garage at 4744 Lakeshore Road / 74-20-220-0058-100.

**Vote, 5/0. MOTION CARRIED. 3' NORTH SIDE YARD SETBACK GRANTED FOR PROPOSED DETACHED GARAGE.**

**MOTION #1-2 EAST REAR YARD SETBACK VARIANCE – 4744 LAKESHORE RD / 74-20-220-0058-100:**

Motion by Montgomery, supported by Marlar, to grant the request from Sandra Geremesz, for a 7' east rear yard setback variance for proposed detached garage at 4744 Lakeshore Road / 74-20-220-0058-100.

**Vote, 5/0. MOTION CARRIED. 3' EAST REAR YARD SETBACK GRANTED FOR PROPOSED DETACHED GARAGE.**

**MOTION #1-3 LOT COVERAGE VARIANCE – 4744 LAKESHORE RD / 74-20-220-0058-100:**

Motion by Kraus, supported by Oprita, to grant the request from Sandra Geremesz, for a 1 square foot lot coverage variance for proposed detached garage at 4744 Lakeshore Road / 74-20-220-0058-100.

**Vote, 5/0. MOTION CARRIED. 1 SQUARE FOOT LOT COVERAGE VARIANCE GRANTED TO ALLOW A TOTAL OF 1,126 SQUARE FOOT LOT COVERAGE.**

**MOTION #1-4 CLASS A DESIGNATION – 4744 LAKESHORE RD / 74-20-220-0058-100:**

Motion by Montgomery, supported by Eisenhauer, to grant the request from Sandra Geremesz, for a Class A designation at 4744 Lakeshore Road / 74-20-220-0058-100.

**Vote, 5/0. MOTION CARRIED. CLASS A DESIGNATION GRANTED FOR LOT, EXISTING HOME AND PROPOSED DETACHED GARAGE.**

**BOARD DISCUSSION:**

None.

Motion by Marlar, supported by Eisenhauer, to adjourn. Time, 7:24 o'clock p.m. **Vote, 5/0. MEETING ADJOURNED.**