



# ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING

**PAID**  
FEB 20 2024  
Fort Gratiot Township

*For Office Use Only*

Parcel #: 190-0011-000  
File #(s): V24-001  
Type: Var. \$550 fee

The completed original application must be submitted with 2 copies of the pertinent data, as required and outlined in the Fort Gratiot "Procedures Guide for Submittal to Zoning Board of Appeals" and the applicable filing fee. The ZBA meets on the 3<sup>rd</sup> Tuesday of each month at 7:00 PM in the Township Administration Building. The applicant, owner, or a representative must be present for the Board to act on the request. **DO NOT SUBMIT COPIES OF THE APPLICATION; SUBMIT THE ORIGINAL ONLY.**

### Property and Owner/Applicant Information.

Location/Address: 4766 LAKESHORE Rd FORT GRATIOT 48059 Lot/Unit/Map #: \_\_\_\_\_

Owner Name: DEBRA MINOR Phone: 586-563-7356

Mailing Address: 4766 LAKESHORE Rd FORT GRATIOT 48059 Email: ZAZA0732@gmail.com

If different from owner-  
Applicant Name: SAME Phone: SAME

Mailing Address: SAME Email: SAME

**Description of Appeal.** Provide a brief description of the appeal. For a variance request, the distance to the nearest fire hydrant **MUST** be provided. Incomplete requests will be returned to the applicant for completion. See the "Procedures Guide for Submittal to Zoning Board of Appeals" for specific instructions.

Ordinance Number or Section: \_\_\_\_\_ Zoning District: - RIA

Surrounding Property Zoning: N: - RIA S: - RIA E: - RIA W: - ROAD RIA Master Plan Designation: - RIA

Proposed: (Plot plan MUST be attached)

FIRE HYDRANT IS ACROSS THE <sup>STREET</sup> APPROXIMATELY 60 FEET AWAY

Reason: I think the INTENDED GARAGE MAY BE TO CLOSE TO lot LINE BECAUSE lot is NOT SQUARE

The undersigned deposes that foregoing statements, answers, and accompanying information are true and correct and grants permission for authorized township representatives, Zoning Board of Appeals members and the Zoning Administrator to enter the above described property/properties for the purposes of gathering information related to this application.

Debra Minor Signature of Owner Date: 2.19.24  
Debra Minor Signature of Applicant Date: 2.20.24

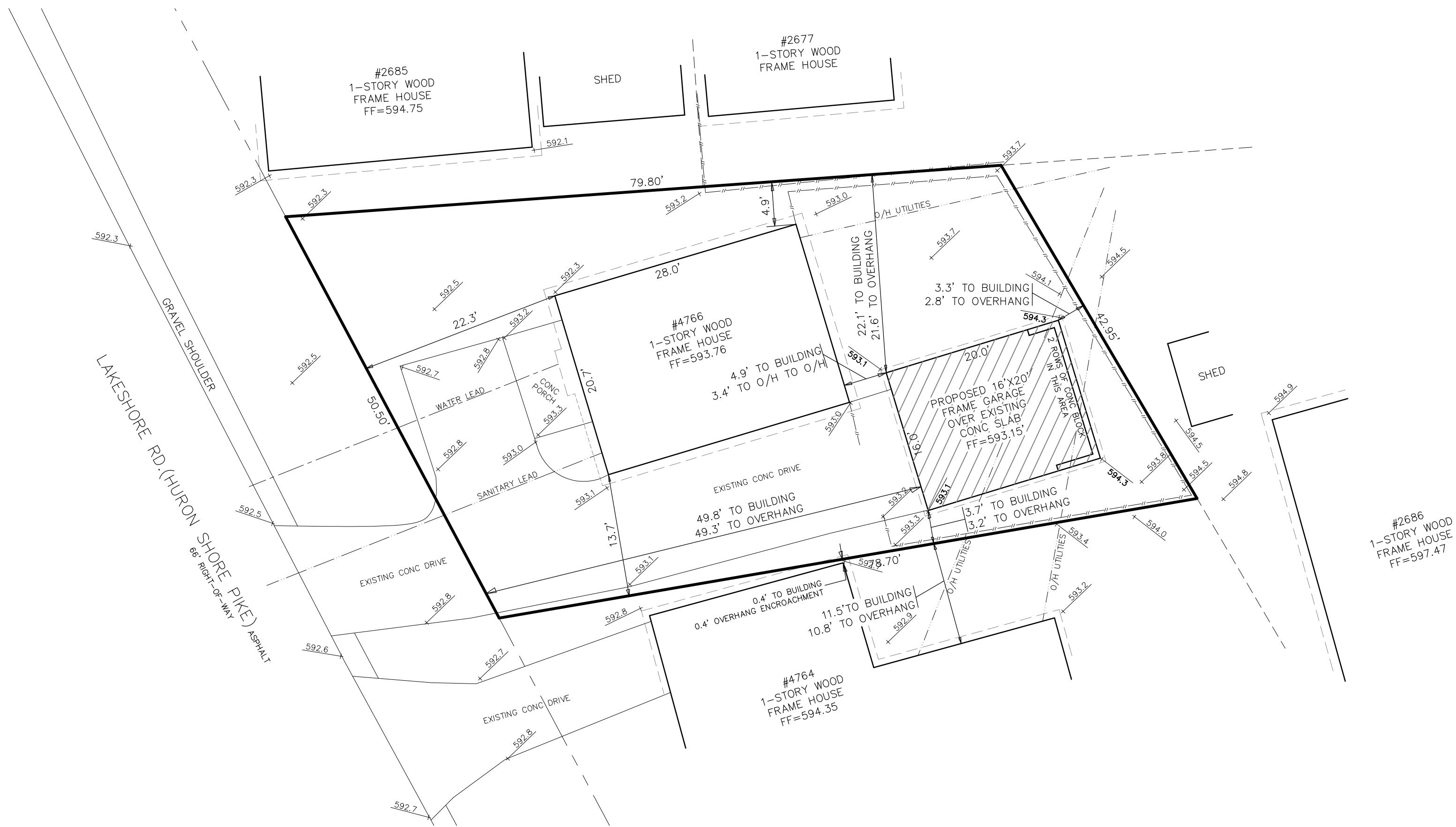
*For Office Use Only*

Request: FOR PROPOSED ACCESSORY STRUCTURE: 2-5  
1.) CLASS A ON EXISTING HOME. 2.) BLDG SETBACK - 6' VARIANCE 3.) SOUTH

SIDEYD 7' VARIANCE. 4.) EAST REARYD 7' VARIANCE 5.) CLASS A ON PROPOSED ACC STRUCT.

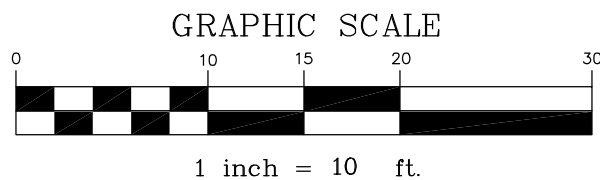
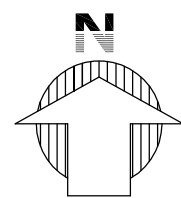
Public Hearing Date <u>03/19/2024</u>	Publication Date (not less than 15 days)	Decision	Expiration Date of Approval
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Charter Township of Fort Gratiot Code of Ordinances can be accessed at [www.municode.com](http://www.municode.com)



**LEGEND**

- PROPERTY LINE
- LOT LINE
- RIGHT-OF-WAY
- SANITARY SEWER
- WATERMAIN
- OVERHEAD UTILITIES
- BUILDING OVERHANG
- EXISTING GRADE
- PROPOSED GRADE



SHEET TITLE  
**SITE PLAN**  
**4766 LAKESHORE RD.**  
**DEBRA MINOR**

FILE NUMBER  
 23-057

SHEET NUMBER

1 OF 1



**James M. Gorinac Surveyors P.L.L.C.**  
 Phone (810)300-9915 5249 Robinwood Dr. Clyde, MI 48049  
 Fax (810)982-4049

ISSUED  
 1-26-2024

REVISED

**CHARTER TOWNSHIP OF FORT GRATIOT  
ZBA DEPARTMENTAL REVIEW**

FROM: Building Department, Department of Public Works, Fire Department  
 APPLICANT: Debra Minor OWNER: Debra Minor  
 LOCATION: 4766 Lakeshore Parcel I.D. #: 74-20-190-0011-000  
 DATE: 03/08/2024 MEETING DATE: Tuesday, March 19, 2024

YES	NO	N/A	BUILDING DEPARTMENT:
	X		1. Will the new construction require additional fire proofing?
	X		2. Will the <b>existing</b> structure require additional fire proofing?

**COMMENTS:**  
Proposed garage roof must be at least 10' clearance from overhead electrical lines.

**RECOMMENDATION:**  
 Deny     Approve     Approve w/conditions     Postpone-additional information requested

Reviewed By: Tom Dunn, Building Official Date: 03/04/2024

YES	NO	N/A	DEPARTMENT OF PUBLIC WORKS:
	X		1. Are there conflicting or multiple structures?
	X		2. Are there any common service agreements?
			3. If yes, above, are easements/necessary paperwork recorded?
			4. Will the proposed construction interfere with any:
	X		sewer lines or mains? If yes, please indicate: <input type="checkbox"/> existing or <input type="checkbox"/> future
	X		water lines or mains? If yes, please indicate: <input type="checkbox"/> existing or <input type="checkbox"/> future
	X		storm drains? If yes, please indicate: <input type="checkbox"/> existing or <input type="checkbox"/> future

**COMMENTS:**  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**RECOMMENDATION:**  
 Deny     Approve     Approve w/conditions     Postpone-additional information requested

Reviewed By: Greg Randall Date: 03/04/2024

YES	NO	N/A	FIRE DEPARTMENT:
X			1. Is there location and adequacy of water lines and fire hydrants?
	X		2. Are additional on-site fire protection systems necessary?
X			3. Can use or building be serviced, in case of fire, from all sides?
X			4. Is there adequate vehicle access for fire equipment?
X			5. Are there special conditions which may necessitate further study or information? (i.e., paint, solvents, explosives, unstable chemicals)

**COMMENTS:**  
Consult DTE for overhead powerlines.

**RECOMMENDATION:**  
 Deny     Approve     Approve w/conditions     Postpone-additional information requested

Reviewed By: Michael Fronimos, Fire Chief Date: 03/05/2024



**TO:** Zoning Board of Appeals Members  
**LOCATION:** 4766 Lakeshore Road  
**ZONING:** R-1A Single Family Residential  
**OWNER(S):** Debra Minor

**MEETING DATE:** Tuesday, March 19, 2024  
**PARCEL #:** 74-20-190-0011-000  
**MASTER PLAN:** Single Family Residential  
**APPLICANT(S):** Debra Minor

**FINDINGS OF FACTS:**

- Part of two plats, the area was platted in 1907 and 1925; the property is a lawfully existing non-conforming lot.
- This property is not within a High-Risk Erosion Area.
- This property is not within a Special Flood Hazard area, FEMA FIRM 07/19/2022, Panel 0237E.

**Proposed Detached Garage Variance and Class A Designation Request:**

- Built in 1955, and demolished sometime after 1980 (no records located to indicate date of demolition,) a 14'x20' detached garage existed in the same general area as the proposed 16'x20' detached garage.
- The proposed detached garage location and setbacks are consistent with the surrounding area.
- The proposed location is in the southeast corner, an area which provides the largest setbacks from structures on adjacent parcels and meets all other district regulations, outside of the requested variances.



Location	Required Setback	Proposed	Request
Building	10' between buildings	4' from west garage wall to east house wall	6' variance
South Side Yard	10' to property line	3' from south garage wall to south side property line	7' variance
East Rear Yard	10' to property line	3' from east garage wall to east rear property line	7' variance

**Existing Home Class A Designation Request:**

- The existing home was built in 1945 was lawful at the time of construction.
- The existing setbacks non-conformities are as follows:

Location	Required Setback	Existing Setback to Closest Point	Deficient/Meets
West Front Yard	35' to property line	20' from southwest corner of house to west property line	15' deficient
East Rear Yard	35' to property line	27' from northeast corner of house to east property line	8' deficient
North Side Yard	10' to property line	4' from north property line	8' deficient
South Side Yard	10' to property line	13' from south property line	Met
Lot Coverage	30% of lot/1,020 SF	Existing 588 SF + proposed 320 SF = 908 square feet	Met

**STANDARDS OF DETERMINATION**

In consideration of all variances, the Zoning Board of Appeals shall review each case individually as to its compliance with each of the following standards:

1. The standard for which the variance is being sought would unreasonably prevent the owner from using property for a permitted purpose or would render conformity unnecessarily burdensome.
2. The variance would do substantial justice to the applicant as well as to other property owners in the zoning district and a lesser relaxation of the standard would not provide substantial relief and be more consistent with justice to others.
3. The problem is due to circumstances unique to the property and not to general conditions in the area.
4. The problem that resulted in the need for the variance was not created by the applicant or previous owners of the property.
5. Issuance of the variance would still ensure that the spirit of the Ordinance is observed, public safety secured and substantial justice done.

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**REASONS FOR DECISION. The motion MUST include reasons for the decision based on the findings of fact and standards of determination.**

*-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.

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**CONTACTS/COMMUNICATIONS/CORRESPONDENCE:**

No correspondence had been received as of 03/15/2024.

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**RECOMMENDATIONS:**

-The building official recommends approval with the condition that the garage roof must maintain a 10' clearance from overhead power lines.

-The department of public works recommends approval with no conditions.

-The fire chief recommends approval with the condition that DTE be consulted prior to building.

The existing and proposed setbacks are consistent with the surrounding area; the total of the existing and proposed structures are under the maximum allowable lot coverage; and there is a practical difficulty in utilizing the property within the current regulations due to the limiting and nonconforming lot size. While the ZBA does not have jurisdiction over electrical service, building and electrical permits cannot be issued without DTE approval.

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