

_____ o'clock p.m. Chairperson _____ called the meeting of the Zoning Board of Appeals to order.

1. ROLL CALL

PRESENT: Oprita (C) , Bradley , Eisenhower (VC) , Marlar , Petho (S)

ABSENT: Oprita (C) , Bradley , Eisenhower (VC) , Marlar , Petho (S)

ALSO PRESENT:

2. APPROVAL OF AGENDA: April 16, 2024

Motion by _____, supported by _____, to approve the agenda (as printed and posted or with additions/deletions/changes). Voice Vote, /

3. APPROVAL OF MINUTES: March 19, 2024

Motion by _____, supported by _____, to approve the minutes (as presented or with corrections). Voice Vote, /

4. REPORT FROM TOWNSHIP BOARD REPRESENTATIVE: Trustee Scott Bradley

5. REPORT FROM PLANNING COMMISSION REPRESENTATIVE: Nathan Oprita

6. PUBLIC COMMENT (for items not on the agenda):

Citizens will be given an opportunity to speak during the "Public Comment" segment for each agenda item.

The minutes are transcribed from an audio recording of the meeting. Please be respectful of the person speaking. Comments made inaudible on the recording by background sounds such as whispering, clapping, or interrupting cannot be made part of the official minutes. Public comment is not a question and answer format.

- Complete a Citizen Comment Card and give to the Chairperson.
- Address the Zoning Board of Appeals Chair only.
- When called, please stand at the podium and speak your name and address clearly for the record.
- Each person will be permitted to speak one time for 3 minutes. Yielding time is not permitted.

7. PUBLIC HEARINGS:

ITEM 7-1: VARIANCE – 4783 24th AVENUE/74-20-016-2031-010

APPLICANT: Chandler Signs, 17319 San Pedra Ave, Ste 200, San Antonio, Texas 78232

OWNER: 4783 24th Ave, Fort Gratiot, MI LLC, 4280 Professional Center Drive, Ste 100, Palm Beach Gardens, Florida 33410

REQUEST: To permit third wall sign for the proposed Chick-fil-A, pursuant to Sec. 38-626 Schedule C.

LOCATION: 4783 24th Avenue

PARCEL ID #: 74-20-016-2031-010

LEGAL: BEG AT E 1/4 COR, TH S 0D 8M 3S E 71.3', TH S 89D 51M 57S W 60', TH S 74D 10M 1S W 32.76', TH S 89D 54M 28S W 209', TH N 47D 38M 12S W 45.74', TH N 0D 5M 15S W 208.15', TH N 89D 54M 28S E 334.13', TH S 0D 7M 14S E 158.79' TO BEG SECTION 16 T7N R17E 1.8 A SPLIT ON 02/07/2007 FROM 20-016-2031-000; 1.806 A

APPLICANT PRESENTATION: *Citizens will be given an opportunity to speak during the Public Comment segment following the applicant's presentation.*

Motion by _____, supported by _____, to open the public hearing for Item 7-1 at _____ P.M.
Voice Vote, /

PUBLIC HEARING CITIZEN COMMENT:

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Contacts/Communications/Correspondence:

**Motion by _____, supported by _____, to close the public hearing for Item 7-1 at _____ P.M.
Voice Vote, /**

BOARD DISCUSSION: There is no further Public Comment; Board member only deliberations begin at this time.

Recommendations:

- The building official recommends approval with no conditions.
- The department of public works recommends approval with no conditions.
- The fire chief recommends approval with no conditions.

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 7-1.1 SIGN VARIANCE:

Motion by _____, supported by _____, to (grant / grant with conditions / deny / postpone until _____) the request for a variance to permit third wall sign for the proposed Chick-fil-A, pursuant to Sec. 38-626 Schedule C, for 4783 24th Avenue, 74-20-016-2031-010.

Reason for decision:

Voice Vote, _____.

ITEM 7-2: VARIANCE/CLASS A DESIGNATION – 4578 LAKESHORE ROAD/74-20-765-0004-000:

APPLICANT: Stephen Smith, Steve Smith Builders LLC, 4269 Greenview Circle, Fort Gratiot, Michigan

OWNER: Judith Redmond, 3233 Elk Street, Port Huron, Michigan 48060

REQUEST: *Proposed new home:*

1. North side yard-6’ structure setback variance & 16” overhang variance;
2. South side yard-2’ structure setback variance & 12” overhang variance;
3. 15’ east front yard variance; and
4. Class A Designation for proposed new home.

Detached accessory structure:

1. North side yard-6’ structure setback & 16” overhang variances; and
2. Class A designation for proposed detached accessory structure.

LOCATION: 4578 Lakeshore Road

PARCEL ID #: 74-20-765-0004-000

LEGAL: Lot 4 & South ½ of Lot 5, Supervisor's Plat of Karrer Beach

APPLICANT PRESENTATION: *Citizens will be given an opportunity to speak during the Public Comment segment following the applicant’s presentation.*

**Motion by _____, supported by _____, to open the public hearing for Item 7-2 at _____ P.M.
Voice Vote, /**

PUBLIC HEARING CITIZEN COMMENT:

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Contacts/Communications/Correspondence:

**Motion by _____, supported by _____, to close the public hearing for Item 7-2 at _____ P.M.
Voice Vote, /**

BOARD DISCUSSION: There is no further Public Comment; Board member only deliberations begin at this time.

Recommendations:

- The building official recommends approval with conditions.
- The department of public works recommends approval with no conditions.
- The fire chief recommends approval with no conditions.

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 7-2.1 NORTH SIDE YARD VARIANCE ON PROPOSED HOME:

Motion by _____, supported by _____, to (grant / grant with conditions / deny / postpone until _____) the request for a 6’ north side yard setback variance & 16” overhang variance on proposed home for 4578 Lakeshore Road, 74-20-765-0004-000.

Reason for decision:

Voice Vote, _____.

MOTION 7-2.2 SOUTH SIDE YARD VARIANCE ON PROPOSED HOME:

Motion by _____, supported by _____, to (grant / grant with conditions / deny / postpone until _____) the request for a 2’ south side yard setback variance & 12” overhang variance on proposed home for 4578 Lakeshore Road, 74-20-765-0004-000.

Reason for decision:

Voice Vote, _____.

MOTION 7-2.3 EAST FRONT YARD VARIANCE ON PROPOSED HOME:

Motion by _____, supported by _____, to (grant / grant with conditions / deny / postpone until _____) the request for a 15’ east front yard variance on proposed home for 4578 Lakeshore Road, 74-20-765-0004-000.

Reason for decision:

Voice Vote, _____.

MOTION 7-2.4 CLASS A DESIGNATION ON PROPOSED HOME:

Motion by _____, supported by _____, to (grant / grant with conditions / deny / postpone until _____) the request for a Class A Designation on proposed home for 4578 Lakeshore Road, 74-20-765-0004-000.

Reason for decision:

Voice Vote, _____.

MOTION 7-2.5 NORTH SIDE YARD VARIANCE ON PROPOSED DETACHED ACCESSORY STRUCTURE:

Motion by _____, supported by _____, to (grant / grant with conditions / deny / postpone until _____) the request for a 6’ north side yard setback variance & 16” overhang variance on proposed detached accessory structure for 4578 Lakeshore Road, 74-20-765-0004-000.

Reason for decision:

Voice Vote, _____.

MOTION 7-2.6 CLASS A DESIGNATION ON PROPOSED DETACHED ACCESSORY STRUCTURE:

Motion by _____, supported by _____, to (grant / grant with conditions / deny / postpone until _____) the request for a Class A Designation on proposed detached accessory structure for 4578 Lakeshore Road, 74-20-765-0004-000.

Reason for decision:

Voice Vote, _____.

ITEM 7-3: VARIANCE/CLASS A DESIGNATION – 5268 LAKESHORE ROAD/74-20-175-0056-000

OWNER: Jayne Labuda Szymanski, 5268 Lakeshore Road, Fort Gratiot, MI 48059
REQUEST: Class A Designation
LOCATION: 5268 Lakeshore Road
PARCEL ID #: 74-20-175-0056-000
LEGAL: Lot 64 Cedarcroft Plat

APPLICANT PRESENTATION: *Citizens will be given an opportunity to speak during the Public Comment segment following the applicant’s presentation.*

Motion by _____, supported by _____, to open the public hearing for Item 7-3 at _____ P.M.
Voice Vote, /

PUBLIC HEARING CITIZEN COMMENT:

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Contacts/Communications/Correspondence:

**Motion by _____, supported by _____, to close the public hearing for Item 7-3 at _____ P.M.
Voice Vote, /**

BOARD DISCUSSION: There is no further Public Comment; Board member only deliberations begin at this time.

Recommendations:

- The building official recommends approval with no conditions.
- The department of public works recommends approval with no conditions.
- The fire chief recommends approval with no conditions.

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 7-3.1 CLASS A DESIGNATION:

Motion by _____, supported by _____, to (grant / grant with conditions / deny / postpone until _____) the request for a Class A Designation on existing property for 5268 Lakeshore Road, 74-20-175-0056-000.

Reason for decision:

Voice Vote, _____.

8. UNFINISHED BUSINESS: None

9. NEW BUSINESS: None

10. MEMBER UPDATES:

11. ADJOURNMENT

Motion by _____, supported by _____, to adjourn. Vote, _____. Time, _____ P.M.