

\_\_\_\_\_ 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: December 17, 2024**

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

3. **APPROVAL OF MINUTES: October 15, 2024**

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

4. **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.

5. **PUBLIC HEARING:**

**ITEM 5-1: VARIANCES/CLASS A DESIGNATION – 2959 MAPLEWOOD DR 74-20-468-0089-001 :**

**OWNER/APPLICANT:** Allen Shaw & Theresa Turnbull

**REQUEST:** Variances & Class A Designation

**LOCATION:** 2959 Maplewood Drive

**PARCEL ID #:** 74-20-468-0089-001

**LEGAL:** LOT 120 LAKE HURON MANOR & LOT 1 THE FORREST SUBD

**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 5-1 at \_\_\_\_\_ P.M.  
Voice Vote, / . **Public Hearing Open.**

**PUBLIC HEARING CITIZEN COMMENT:**

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.

**Contacts/Communications/Correspondence: Please see attached staff report as of 12/13/2024.**

Motion by \_\_\_\_\_, supported by \_\_\_\_\_, to close the public hearing for Item 5-1 at \_\_\_\_\_ P.M.  
Voice Vote, / . **Public Hearing Closed.**

**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 5-1.1 CLASS A DESIGNATION ON EXISTING STRUCTURE:**

Motion by \_\_\_\_\_, supported by \_\_\_\_\_, to (grant / deny / postpone until \_\_\_\_\_) the request for a Class A Designation on the existing structure for 2959 Maplewood Drive, 74-20-468-0089-001-000, for the following reasons and, if applicable, conditions:

Reasons for decision:

Conditions, if any:

Voice Vote, \_\_\_\_\_.

**MOTION 5-1.2 NORTH FRONT YARD VARIANCE (MAPLEWOOD DR):**

Motion by \_\_\_\_\_, supported by \_\_\_\_\_, to (grant / deny / postpone until \_\_\_\_\_) the request for a 6' north front yard variance for 2959 Maplewood Drive, 74-20-468-0089-001-000, for the following reasons and, if applicable, conditions:

Reasons for decision:

Conditions, if any:

Voice Vote, \_\_\_\_\_.

**MOTION 5-1.3 SOUTH REAR YARD VARIANCE (SYLVAN DR):**

Motion by \_\_\_\_\_, supported by \_\_\_\_\_, to (grant / deny / postpone until \_\_\_\_\_) the request for a 2' south rear yard variance for 2959 Maplewood Drive, 74-20-468-0089-001-000, for the following reasons and, if applicable, conditions:

Reasons for decision:

Conditions, if any:

Voice Vote, \_\_\_\_\_.

**MOTION 5-1.4 EAST SIDE YARD VARIANCE (PARK/LAKE):**

*\*\*The survey indicates that the 12" overhang encroaches onto the Lake Huron Manor deeded park property. The ZBA cannot grant a variance to encroach, and Fort Gratiot cannot permit a structure to encroach.*

Motion by \_\_\_\_\_, supported by \_\_\_\_\_, to (grant / deny / postpone until \_\_\_\_\_) the request for a 10' east side yard variance for 2959 Maplewood Drive, 74-20-468-0089-001-000, for the following reasons and, if applicable, conditions:

Reasons for decision:

Conditions, if any:

Voice Vote, \_\_\_\_\_.

**MOTION 5-1.5 WEST SIDE YARD VARIANCE (MANOR NEIGHBOR):**

*\*2' setback is existing, the proposed overhang is new.*

Motion by \_\_\_\_\_, supported by \_\_\_\_\_, to (grant / deny / postpone until \_\_\_\_\_) the request for a 8' west side yard variance & 8" overhang variance for 2959 Maplewood Drive, 74-20-468-0089-001-000, for the following reasons and, if applicable, conditions:

Reasons for decision:

Conditions, if any:

Voice Vote, \_\_\_\_\_.

**MOTION 5-1.6 WEST SIDE YARD VARIANCE (FORREST NEIGHBOR):**

*\*2' setback is existing, the proposed overhang is new.*

Motion by \_\_\_\_\_, supported by \_\_\_\_\_, to (grant / deny / postpone until \_\_\_\_\_) the request for a 8' west side yard variance & 8" overhang variance for 2959 Maplewood Drive, 74-20-468-0089-001-000, for the following reasons and, if applicable, conditions:

Reasons for decision:

Conditions, if any:

Voice Vote, \_\_\_\_\_.

**MOTION 5-1.7 WEST SIDE YARD VARIANCE (FORREST NEIGHBOR):**

Motion by \_\_\_\_\_, supported by \_\_\_\_\_, to (grant / deny / postpone until \_\_\_\_\_) the request for a 7' west side yard variance & 6" overhang variance for 2959 Maplewood Drive, 74-20-468-0089-001-000, for the following reasons and, if applicable, conditions:

Reasons for decision:

Conditions, if any:

Voice Vote, \_\_\_\_\_.

**MOTION 5-1.8 LOT COVERAGE VARIANCE:**

Motion by \_\_\_\_\_, supported by \_\_\_\_\_, to (grant / deny / postpone until \_\_\_\_\_) the request for a 370 SQ FT lot coverage variance for 2959 Maplewood Drive, 74-20-468-0089-001-000, for the following reasons and, if applicable, conditions:

Reasons for decision:

Conditions, if any:

Voice Vote, \_\_\_\_\_.

**MOTION 5-1.9 CLASS A DESIGNATION ON PROPOSED STRUCTURE:**

Motion by \_\_\_\_\_, supported by \_\_\_\_\_, to (grant / deny / postpone until \_\_\_\_\_) the request for a Class A Designation for the proposed structure for 2959 Maplewood Drive, 74-20-468-0089-001-000, for the following reasons and, if applicable, conditions:

Reasons for decision:

Conditions, if any:

Voice Vote, \_\_\_\_\_.

**6. UNFINISHED BUSINESS: None**

**7. NEW BUSINESS: None**

**8. MEMBER UPDATES:**

- Report from Township Board Representative: Trustee Scott Bradley
- Report from Planning Commission Representative: Nathan Oprita

**9. ADJOURNMENT**

Motion by \_\_\_\_\_, supported by \_\_\_\_\_, to adjourn. **Voice Vote**, \_\_\_\_\_. **Time**, \_\_\_\_ P.M.

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 Buechler, 3720 Keewahdin Road, Fort Gratiot, Michigan 48059 (810) 385-4489, three days prior to said meeting.

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

**1. ROLL CALL**

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

ABSENT: Oprita (C)

ALSO PRESENT: Courtney Landreville, Recording Secretary  
 Jorja Baldwin, Zoning/Planning Consultant  
 Shelby Pickelhaupt (Velasquez), Fort Gratiot, MI

**2. APPROVAL OF AGENDA: October 15, 2024**

Motion by Bradley, supported by Marlar, to approve the agenda as printed and posted.  
**Voice Vote, 4/0. Motion Passed.**

**3. APPROVAL OF MINUTES: September 17, 2024**

Motion by Eisenhower, supported by Petho, to approve the minutes as presented.  
**Voice Vote, 4/0. Motion Passed.**

**4. PUBLIC COMMENT (for items not on the agenda):** None

**5. PUBLIC HEARING:**

**ITEM 5-1: CLASS A DESIGNATION – 3955 PINE GROVE AVE/74-20-028-2017-000:**

**OWNER/APPLICANT:** Shelby Nichole Pickelhaupt (Velasquez)

**REQUEST:** Class A Designation

**LOCATION:** 3955 Pine Grove Ave

**PARCEL ID #:** 74-20-028-2017-000

**LEGAL:** BEG N 89D 40M E 1188' & S 591' FROM N 1/4 COR OF SEC 28 TH N 83D 7M E 340.23', TH N 53D 37M E 192', TH S 39D 53M E 125', TH S 50D 7M W 185.6', TH S 89D 10M W 429.75', TH N 69' TO BEG SECTION 28 T7N R17E 1.1 A

**APPLICANT PRESENTATION:** *Reviewed request*

Motion by Bradley, supported by Petho, to open the public hearing for Item 5-1 at 7:02 P.M.  
**Voice Vote, 4/0. Public Hearing Open.**

**PUBLIC HEARING CITIZEN COMMENT:** None

Motion by Marlar, supported by Bradley, to close the public hearing for Item 5-1 at 7:03 P.M.  
**Voice Vote, 4/0. Public Hearing Closed.**

**BOARD DISCUSSION:**

**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 5-1.1 CLASS A DESIGNATION:**

Motion by Eisenhower, supported by Marlar, to grant the request for a Class A Designation for 3955 Pine Grove Ave, 74-20-028-2017-000, for the following reasons:

(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.

Voice Vote, 4/0. Motion Passed.

**6. UNFINISHED BUSINESS: None**

**7. NEW BUSINESS: None**

**8. MEMBER UPDATES:**

- Report from Township Board Representative: Trustee Scott Bradley
  - Pickelball courts being used
  - Chick-Fil-A Opening soon
- Report from Planning Commission Representative: Nathan Oprita N/A

**9. ADJOURNMENT**

Motion by Bradley, supported by Marlar, to adjourn. **Voice Vote, 4/0. Time, 7:05 P.M.**