

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

1. ROLL CALL

PRESENT: Armbruster ☐, Eisenhower (C) ☐, Marlar ☐, Petho (S) ☐, Garand (VC) ☐

ABSENT: Armbruster ☐, Eisenhower (C) ☐, Marlar ☐, Petho (S) ☐, Garand (VC) ☐

ALSO PRESENT:

2. APPROVAL OF AGENDA: May 20, 2025

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

3. APPROVAL OF MINUTES: April 15, 2025

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

4. REPORT FROM TOWNSHIP BOARD REPRESENTATIVE: Trustee AJ Armbruster**5. REPORT FROM PLANNING COMMISSION REPRESENTATIVE: Michaela Garand****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: VARIANCES/CLASS A DESIGNATION – 4251 Fairway Drive/74-20-505-0025-000:**

OWNER/APPLICANT: Tom Price, 4251 Fairway Drive, Fort Gratiot, MI 48059

REQUEST: 9' West rear yard setback variance & Class A Designation

LOCATION: 4251 Fairway Drive

PARCEL ID #: 74-20-505-0025-000

LEGAL: LOTS 42 & 43 MAC TAGGART 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 7-1 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:

Motion by _____, supported by _____, to close the public hearing for Item 7-1 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 7-1.1 WEST REAR YARD VARIANCE:

Motion by _____, supported by _____, to (*grant / deny / postpone until* _____) the request for a 9' west rear yard setback variance for 4251 Fairway Drive, 74-20-505-0025-000, for the following reasons and, if applicable, conditions:

Reasons for decision:

Conditions, if any:

Voice Vote, _____.

MOTION 7-1.2 CLASS A DESIGNATION:

Motion by _____, supported by _____, to (*grant / deny / postpone until* _____) the request for a Class A Designation on the existing house and proposed addition for 4251 Fairway Drive, 74-20-505-0025-000, for the following reasons and, if applicable, conditions:

Reasons for decision:

Conditions, if any:

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.

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

1. ROLL CALL

PRESENT: Eisenhower (C), Marlar, Petho (S), Garand (VC)

ABSENT: Armbruster

ALSO PRESENT: Courtney Landreville, Recording Secretary
Jorja Baldwin, Zoning/Planning Consultant
Dan Hagy, Fort Gratiot
Ed Shepard, Greenwood
Connie Neese, Parks Commission

2. APPROVAL OF AGENDA: April 15, 2025

Motion by Marlar, supported by Petho, to approve the agenda as printed & posted.
Voice Vote, 4/0. Motion Passed.

3. APPROVAL OF MINUTES: March 18, 2025

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

4. REPORT FROM TOWNSHIP BOARD REPRESENTATIVE: Trustee AJ Armbruster N/A

5. REPORT FROM PLANNING COMMISSION REPRESENTATIVE: Michaela Garand

- Special land use & site plan approved for Hampton Manor near Walmart
- PUD Update for Faye's Wine & Spirit
- Site plan approved for Smart Storage on Keewahdin

6. PUBLIC COMMENT (for items not on the agenda) None

7. PUBLIC HEARINGS:

ITEM 7-1: VARIANCES/CLASS A DESIGNATION – 4582 Lakeshore Road/74-20-765-0005-000:

OWNER/APPLICANT: Daniel & Lisa Hagy, 4582 Lakeshore Road, Fort Gratiot, Michigan 48059

REQUEST: 5' North side yard variance & Class A Designation for Proposed Garage

LOCATION: 4582 Lakeshore Road

PARCEL ID #: 74-20-765-0005-000

LEGAL: LOT 6 & N 1/2 LOT 5 SUPERVISOR'S PLAT OF KARRER BEACH

APPLICANT PRESENTATION: *Mr. Dan Hagy is requesting the variance for the new proposed garage due to the property narrowing at the road. Mr. Hagy said they are planning on moving the driveway away from the south property line that it currently abuts which will narrow the turn radius to get into the new garage.*

Motion by Marlar, supported by Garand, to open the public hearing for Item 7-1 at 7:12 P.M. Voice Vote, 4/0. Public Hearing Open.

PUBLIC HEARING CITIZEN COMMENT:

None

Motion by Garand, supported by Marlar, to close the public hearing for Item 7-1 at 7:13 P.M. Voice Vote, 4/0. Public Hearing Closed.

BOARD DISCUSSION: *Mr. Hagy had a question regarding the allowed overhang as it is noted in the review. Landreville stated the ordinance allows 2" for every foot of setback. Baldwin stated the application and survey did not state what the overhang was. The neighboring property to the south of Mr. Hagy's had to get variances for their overhangs to allow the larger overhang.*

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.

MOTION 7-1.1 NORTH SIDE YARD VARIANCE:

Motion by Garand, supported by Eisenhower, to grant the request for a 5' north side yard setback variance to the northern extent of the building, for 4582 Lakeshore Road, 74-20-765-0005-000, for the following reasons:

Similar to previously approved requests in the area. Items 1-4 from the review: (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.

MOTION 7-1.2 CLASS A DESIGNATION:

Motion by Petho, supported by Marlar, to grant the request for a Class A Designation on the proposed garage for 4582 Lakeshore Road, 74-20-765-0005-000, for the following reasons:

Reasons for decision: (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.

8. UNFINISHED BUSINESS: None**9. NEW BUSINESS: None****10. MEMBER UPDATES:**

Two alternate ZBA members are on the township board agenda for 4/16/2025 to be approved

11. ADJOURNMENT

Motion by Garand, supported by Marlar, to adjourn. Vote, 4/0. Time, 7:23 P.M.



ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING

For Office Use Only

Parcel #: 505-2025-000
File #(s): V25-0000
Type: Variance / Class A \$ 550

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 3rd 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: 4251 Fairway Dr Lot/Unit/Map #: _____
Owner Name: Tom Price Phone: (810) 941-9593
Mailing Address: 4251 Fairway Dr Email: tomprice4doors@gmail.com
If different from owner-
Applicant Name: _____ Phone: _____
Mailing Address: _____ Email: _____

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: 38-441 Zoning District: RIA
Surrounding Property Zoning: N: RIA S: RIA E: RIA W: RIA
Proposed: (Plot plan MUST be attached) 14' x 26'
see attached

Reason: Existing bath is too small to make handicap accessible. Also, need additional space to relocate basement laundry.

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.

Tom Price

Signature of Owner

4/16/2025

Date

Signature of Applicant

Date

For Office Use Only

Request: 9' West rear yard setback variance, Class A on existing & proposed.

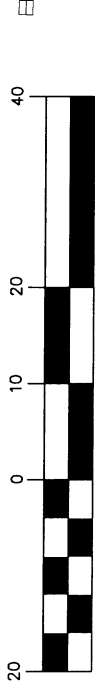
Public Hearing Date <u>5-20-2025</u>	Publication Date (not less than 15 days) <u>5-5-2025</u>	Decision	Expiration Date of Approval
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Charter Township of Fort Gratiot Code of Ordinances can be accessed at www.municode.com

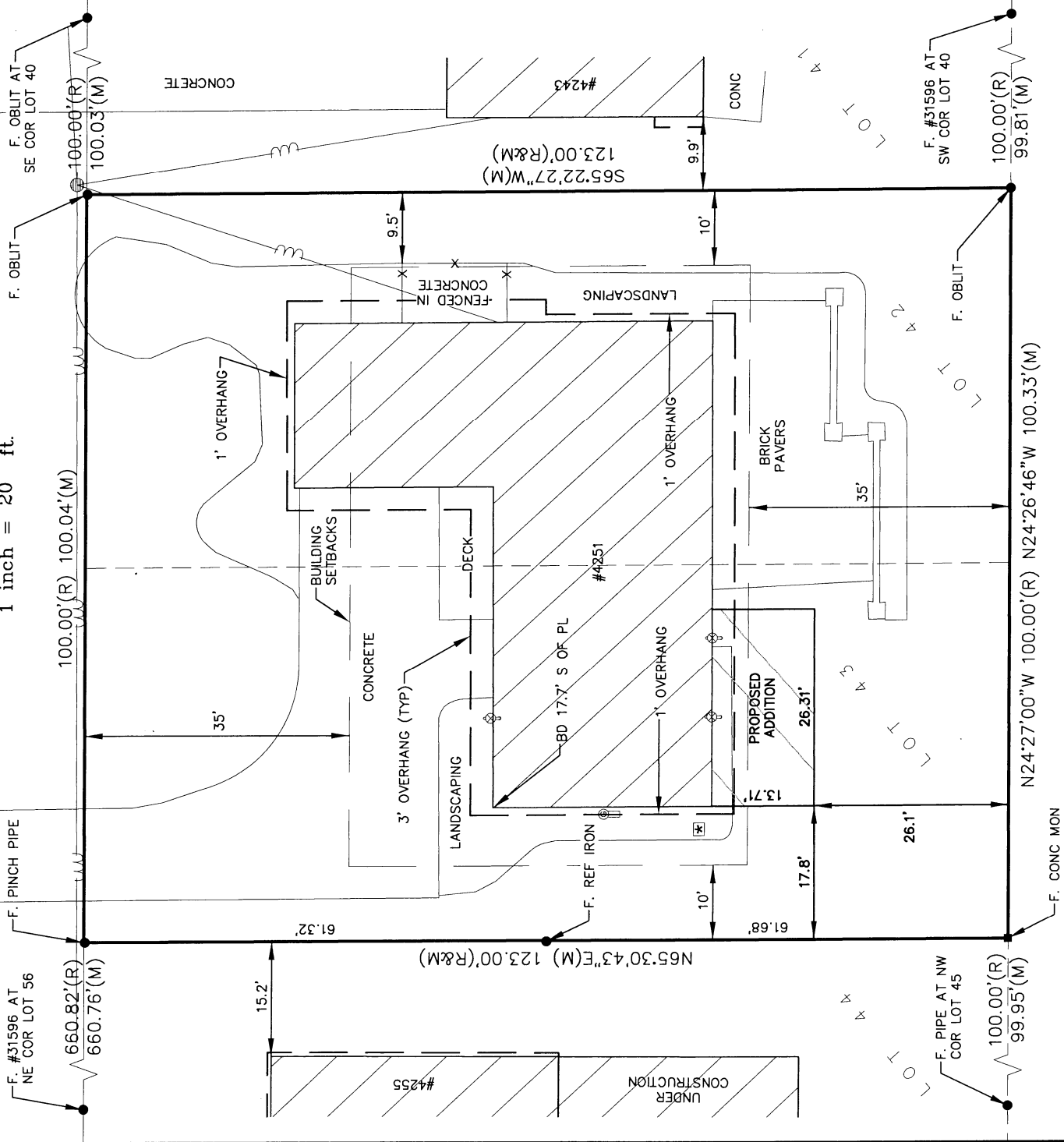
SETBACKS (R-1A)
FRONT: 35'
SIDE MIN: 10'
SIDE TOTAL: 20'
REAR: 35'

FAIRWAY DRIVE
(100' WIDE)
S24°27'00"E(R&M)

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



LEGAL DESCRIPTION: WARRANTY DEED (L.5416, P.910)
BASIS OF BEARING: PLAT BEARING OF S24°27'00"E ALONG
THE WESTERLY ROW OF FAIRWAY DRIVE (PLATTED HOWE AVENUE)

NOTE: NO TITLE WORK PROVIDED BY CLIENT
NOTE: UNDERGROUND UTILITIES PER
EVIDENCE FOUND IN THE FIELD ON 03/26/25

LEGEND

- SET 1/2" IRON WITH CAP #67373
- SET CONCRETE MONUMENT
- FOUND PROPERTY IRON
- FOUND CONCRETE MONUMENT
- FENCE LINE
- ⊙ GOVERNMENT CORNER
- CENTERLINE
- RIGHT-OF-WAY LINE
- (R) RECORDED DATA
- (M) MEASURED DATA
- (C) CALCULATED DATA

SURVEYOR'S CERTIFICATE

AS A PROFESSIONAL SURVEYOR IN THE STATE OF MICHIGAN, I HEREBY STATE THAT I HAVE CAUSED TO BE SURVEYED THE PARCEL OF LAND DESCRIBED AND DELINEATED HEREON, THAT SAID PLAT IS A TRUE REPRESENTATION OF THE SURVEY AS DIRECTED BY ME AND THE RELATIVE POSITIONAL PRECISION OF THE CORNERS IDENTIFIED FOR THIS SURVEY AND SHOWN ON THE MAP ARE WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING. I CERTIFY THAT THE REQUIREMENTS FOR 1970 PA 132, MCL 54.213 HAVE BEEN MET.

Andrew M. Bollaert, P.S. No. 67373

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CERTIFICATE OF SURVEY

BOUNDARY SURVEY AND LIMITED SITE
PLAN OF PARCEL #74-20-505-0025-000
BEING LOTS 42 AND 43 "MACTAGGART
PLAT" (L.55, P.9), FORT GRATIOT
TOWNSHIP, ST. CLAIR COUNTY, MICHIGAN
FOR: TOM PRICE

BMJ
ENGINEERS & SURVEYORS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
519 HURON AVE. PORT HURON, MI 48060
TEL: 810-984-5596 FAX: 810-984-8760
Web Page: www.bmjinc.com
Email: mail@bmjinc.com

SCALE: 1"=20'		DATE: 03-26-2025	
SURVEYED: LC		DRAWN: CMC	CHK'D: AMB
JOB NO. 2503-22	PAGE 1		OF 1



TO: Zoning Board of Appeals Members
LOCATION: 4251 Fairway Drive
ZONING: R-1A Single Family Residential
OWNER(S): Tom Price

MEETING DATE: Tuesday, May 20, 2025
PARCEL #: 74-20-505-0025-000
MASTER PLAN: Single Family Residential
APPLICANT(S): Tom Price

Request: 9' west rear yard setback variance; Class A Designation for existing and proposed.

Findings of Facts:

- This parcel is a lawfully existing conforming platted lot.
- This property is not within a High-Risk Erosion Area.
- The structure is not within a Special Flood Hazard area, FEMA FIRM Panel 0237E, 07/19/2022.
- The lot width is 100' x 123', exceeding the minimum width and area required.
- The home is estimated to have been built in 1965 and currently exceeds all setback requirements on the north, south, and west sides. The east setback is approximately 27'; 35' is required. The setback was lawful at the time of construction.
- The platted right-of-way on Fairway Drive is exceptionally wide. Local roads are generally 66' - 33' from the center of the road to the setback line, for a total of 68' from the centerline. The Fairway Drive right-of-way is 100', requiring the setback to be 85' from the center of the road.
- The property to the west is the Port Huron Golf Club and there are several homes in this area with a larger east/Fairway Drive/front yard setback and a lesser west/PHGC/rear yard setback. Because these properties are adjacent to the course, buildings are highly unlikely in this area.



Location	Required	Proposed	Request
Rear/West	35'	26'	9' west rear yard setback variance and Class A Designation Class A Designation for existing structure
Front/East	35'	*27'	

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 the 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.

Contacts/Communications/Correspondence:

No correspondence has been received.

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.
- The planning department recommends approval with no conditions.

CHARTER TOWNSHIP OF FORT GRATIOT
ZBA DEPARTMENTAL REVIEW

FROM: Building Department, Department of Public Works, Fire Department
APPLICANT: Tom Price OWNER: Same
LOCATION: 4251 Fairway Drive Parcel I.D. #: 74-20-505-0025-000
DATE: May 9, 2025 MEETING DATE: Tuesday, May 20, 2025

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

COMMENTS:

RECOMMENDATION:
☐ Deny ☒ Approve ☐ Approve w/conditions ☐ Postpone-additional information requested
Reviewed By: Tom Jobbitt, Building Inspector Date: 05/07/2025

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: Gregory Randall, Supervisor Date: 05/07/2025

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:
Recommend to allow.

RECOMMENDATION:
☐ Deny ☒ Approve ☐ Approve w/conditions ☐ Postpone-additional information requested
Reviewed By: Mark Vanderfeyst, Fire Chief Date: 05/06/2025