



Presque Isle Township
Zoning Board of Appeals Meeting Minutes
July 2, 2024
6:00 p.m.

Call to Order	6pm.
Pledge of Allegiance	Pledge was recited.
Roll Call	<p>Present: Chair Charles Smith, Vice Chair David Larkin, Secretary Dennis Cleary, Planning Commission Liaison Tom Guyer, and member Larry Fields who was sworn in prior to meeting. Also present were Zoning Administrator Steve Lang and Board Liaison Mary O’Neill.</p> <p>Absent: None.</p>
Approval of Agenda	The agenda was approved with no motion or vote.
Approval of Minutes (January 16th, 2024)	A motion was made by David Larkin, supported by Dennis Cleary, to approve the January 16 th meeting minutes. Ayes: 3. Abstentions: 2. Motion carried.
Audience Comments – 3-minute limit	None.
Correspondence	None.
Public Hearing: Melissa and Alan Gapske Variance Request	<p>Smith opened the hearing for the consideration of a variance request submitted by Alan and Melissa Gapske of 19566 Evergreen Rd. Presque Isle MI 49777, parcel no. 122-260-000-033-00. The applicants were requesting a variance of 8 feet from the required 50-foot setback from the ordinary high-water mark (OHWM) per Section 4.17 of the Presque Isle Township Zoning Ordinance.</p> <p>Present for this request were applicants Alan and Melissa Gapske. The applicants plan to build a new home on their 50-foot-wide lot once the existing home is razed. They explained that their contractor had recommended the variance to provide more room for the tapering of a new septic system. Referring to drawings provided to the board, the applicants stated that if they are allowed to proceed with the current septic placement plan, a portion of the new home’s deck would be set back 42 feet from the OHWM. The applicants then took questions from the board about the property and site plan.</p>



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Guyer asked when the home was purchased and if the retaining wall, boat launch and garage were already there at the time. The applicants stated that the home was acquired in September of 2022, and all were included in the sale. He then asked what the distance is from the south end of the garage to the rear lot line. The applicants replied that the distance is at least 24 feet.

The applicants were then asked questions about the drain field. The permit states that the field would be 400 square feet, but there were some questions over the exact dimensions.

Guyer noted that the distance from the back of the house to the front of the garage is 68 feet. He asked how far from the back of the house the septic tank would be placed. The applicants weren't sure. He then asked if they were going to add fill. Mrs. Gapske said the contractor would undoubtedly have to add some.

Guyer next asked why it would be harder to taper if they moved the house 8 feet back to comply with the ordinance. Mrs. Gapske explained that they can't change the angle of the new house to conform with the setback requirements because they have to leave enough room on the west side of the lot to have access to the boat ramp.

Fields suggested building a 2-story house instead to reduce the footprint. Mrs. Gapske explained that this is their planned retirement home and they are anticipating that an aging parent will be moving in with them. She stated that they have spent a year planning this new home so that there would be enough room for everyone in the 2-bedroom one-story house. Mr. Gapske also added that a 2-story house wouldn't fit in with the other homes in the area.

Smith stated that 68 feet seemed like enough room for a septic field.



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Cleary asked about the dimensions of the home being razed vs. the new home being built. The applicants confirmed that they were tearing down a 34x74 structure and building a 30x60 structure including the deck.

Lang noted that the plan didn't show if the septic will be an engineered or gravity field and that the health department stated that it was okay to reuse the existing tank on the property. Lang reminded the applicants and the board that to be granted a variance, the applicants must demonstrate a practical difficulty that would prohibit them from conforming to the zoning ordinance.

Smith then closed the public hearing so that the board could deliberate.

Guyer stated that to grant a variance request, the applicants must demonstrate that complying with the ordinance would be unnecessarily burdensome. Guyer didn't believe the applicants had done so.

Smith concurred. He also added that to grant a variance, there must be unusual circumstances that do not apply to most other lots of record in the same manner. He didn't believe there were any.

Cleary stated that 68 feet is more than enough room.

Larkin reminded the applicants that once they raze the existing structure, the new structure must follow the ordinance.

Smith added that he was concerned that if they granted such a variance and allowed a 42-foot setback, then other builders will start demanding the same.

When there were no more questions or comments from the board, Guyer made a motion, supported by Larkin, to



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	approve the application for the variance request as written. All opposed. The variance was denied.
Unfinished Business	None.
New Business	None.
Reports: a. Zoning Administrator b. Planning Commission Liaison	<p>a. <u>Zoning Administrator</u> Steve Lang discussed the progress of the road work special assessments for Lake Street, Fireside Highway and Kauffman Blvd.</p> <p>b. <u>Planning Commission Liaison</u> Tom Guyer reported that the commission is currently considering a potential time of transfer ordinance which would require a septic inspection by the health department when a home is sold. He also stated that the commission is in the process of revising the zoning ordinance to comply with Public Act 233 of 2023 regarding solar, wind and battery storage facilities.</p>
Audience Comments – 3-minute limit	None.
Adjournment	6:34pm

Next Meeting: October 1, 2024, at 6:00pm.