

**CHARTER TOWNSHIP OF GARFIELD
ZONING BOARD OF APPEALS
MEETING MINUTES
January 18, 2024**

Call to Order: Chair Smith called the meeting to order at 6:00pm.

Pledge of Allegiance: Recited by everyone in attendance.

Roll Call of Board Members:

Members Present: Fudge, Rozycki, Duell, Swan and Smith

Also in Attendance: Zoning Administrator Mike Green

1. Review and Approval of the Amended Agenda – Conflicts of Interest (6:01)

Rozycki moved and Fudge seconded to approve the amended agenda.

Yeas: Rozycki, Fudge, Duell, Swan, and Smith

Nays: None

2. Review and Approval of Meeting Minutes – December 21, 2023 (6:02)

Fudge moved and Swan seconded to approve the minutes of December 21, 2023 as presented.

Yeas: Fudge, Swan, Rozycki, Duell, Smith

Nays: None

3. Public Hearings

- a. A request made by Craig and Jayne Gilmer for a variance from the nonconforming structure limitations in Article 8, Section 813. The specific request is for a variance to allow a second story addition to an existing dwelling located within the lakefront setback area. The property is zoned R-1 Single Family Residential and is currently used as single-family residential. The property is located at 612 N. West Silver Lake Road with the property number of 05-031-052-00. The parcel is generally located along the west side of West Silver Lake Road between Boone and Secor Roads with frontage on Silver Lake. Keith Marsman from Marsman Construction spoke and stated that there was a lot line shift in 1975 because of a lawsuit which resulted in this lot being non-conforming. This mass boundary adjustment, completed sometime in 1975, appears to have been borne out of a legal agreement meant to settle a potential adverse possession lawsuit. The plans for their addition include no changes in the footprint, but because of the lot line shift, the side setbacks do not meet the zoning requirement. Board members pondered if the lot line shift had anything to do with the variance request. The expansion is going upwards on the same footprint and the proposed expansion is within

the non-conforming setback. Board members shared concerns with the expansion of a non-conforming use on such a large parcel. Board members also noted that the owners were not present this evening to answer to all the variables in the matter.

Rozycki moved and Fudge seconded to table application #2023-04 and find out if the owners can attend another meeting to further discuss the proposed variance.

*Yeas: Rozycki, Fudge, Duell, Smith
Nays: Swan*

4. Unfinished Business

None

5. Other Business

Board members discussed liability insurance for the board and Green stated that he would investigate the matter.

6. Items for Next Agenda

None currently

7. Public Comment

None

8. Adjournment: *Duell moved and Fudge seconded to adjourn the meeting at 6:45pm.*



Lynn Fricke, Secretary