

CITY OF MACKINAC ISLAND
ZONING BOARD OF APPEALS HEARING MINUTES
GILMER 7575 MAIN ST.

Wednesday, August 06, 2025 at 3:30 PM

City Hall – Council Chambers, 7358 Market St., Mackinac Island, Michigan

I. Call to Order

Mayor Doud called the hearing to order at 3:30 pm

II. Roll Call

PRESENT

- Richard Chambers
- Tom Corrigan
- Steven Moskwa
- Lindsey White
- Jason St. Onge

ABSENT

- Anneke Myers

V. Correspondence

No correspondence was received by the Clerk's Office

VI. New Business

Application has been made by Gary Gilmer to obtain a variance to build a shed addition to his residence located at 7575 Main Street. Property number 051-575-046-00, Lots 7, Block 4, Assessors Plat No. 4, City of Mackinac Island, County of Mackinac, Michigan. The subject property is zoned Shoreline Residential.

The applicant proposes to construct a 9' – 6" x 12' – 0" storage shed addition on the Easterly end of an existing residence. The resulting setbacks for the proposed addition, along with the required setbacks, as specified in Section 14.03 of City Ordinance No. 479, as amended, are as follows:

Proposed front yard = 33' – 2"

Proposed rear yard = 30' – 1"

Proposed side yard = 7' – 9"

Required front yard = 40' – 0"

Required rear yard = 60' – 0"

Required side yard = 20' – 0"

Therefore, front yard, rear yard, and side yard variances will be required to construct the proposed addition.

- A letter was received from the Mackinac Island Planning Commission on June 12, 2025, recommending approval of the front, side, and rear yard variances needed to build the shed addition

- Tamara Burns of HopkinsBurns Design noted the following regarding the proposed project:

- The home was originally built in the 1980s, and met the setbacks at the time, however setbacks have changed and the building is now non-conforming

- There is not much storage space inside the house, and therefore Mr. Gilmer hired HopkinsBurns to come up with an outdoor storage area for bikes / lawn equipment

Practical difficulties - size of the building in relation to the size of the property

Section 22.05 - Variances. Subject to the provisions of section 22.06, the board, after public hearing, shall have the power to decide applications filed as hereafter provided, for variances:

A. Where, by reason of the exceptional narrowness, shallowness or shape of a specific piece of property on the effective date of this ordinance, or by reason of exceptional topographic conditions or other extraordinary situation or condition of the land, building or structure, or of the use of development of property immediately adjoining the property in question, the literal enforcement of the requirements would involve practical difficulties; provided, that the board shall not grant a variance on a lot of less area than the requirements of its zone district, even though such lot existed at the time of passage of this ordinance if the owner or members of his immediate family owned adjacent land which would without practical difficulties be included as part of the lot.

B. Where there are practical difficulties in the way of carrying out the strict letter of such ordinance relating to the construction, structural changes in equipment, or alterations of buildings or structures, so that the spirit of this ordinance shall be observed, public safety secured, and substantial justice done.

C. For the vertical extension of a building existing at the time of enactment of this ordinance of such height as the original drawings of said building indicated, provided such building was actually designed and constructed to carry additional stories necessary for said height limit.

D. To permit the erection or structural alteration, in a district where such use is permitted, of a structure to a height above the limit specified for such district. Nothing herein contained shall be construed to give or grant to the board of zoning appeals the power or authority to alter or change the text or stated intent of any part of this ordinance. The board of zoning appeals shall not have the power to alter or change the zoning district classification of any property, nor to permit any use in a district in which it is not permitted.

Section 22.06 - Criteria for variances. No variance in the provisions or requirements of this ordinance shall be authorized by the board unless the board finds from reasonable evidence that all the following facts and conditions exist:

A. That there are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do not apply generally to other properties in the same zoning district.

B. That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

C. That the authorizing of such variance will not be of substantial detriment to adjacent property, and will not materially impair the intent and purposes of this ordinance or the public interest.

D. That the condition or situation of the specific piece of property, or the intended use of said property, for which the variance is sought is not of a general or recurrent nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation.

Section 22.07 - Conditions of approval. In authorizing a variance, the board may, in addition to the specific conditions of approval called for in this ordinance, and pursuant to standards in section 4.17, attach thereto such other conditions regarding the location, character, landscaping or maintenance reasonably necessary to the furtherance of the intent and spirit of this ordinance and the protection of the public interest.

VIII. Adjournment

Motion made by St. Onge, seconded by Moskwa to adjourn the hearing at 3:39 pm.

Yeas: Chambers, Corrigan, Moskwa, Myers, White, St. Onge

Margaret M. Doud, Mayor

Danielle Leach, City Clerk

CITY OF MACKINAC ISLAND
ZONING BOARD OF APPEALS MEETING MINUTES
GILMER 7575 MAIN ST.

Wednesday, August 06, 2025 at 3:30 PM

City Hall – Council Chambers, 7358 Market St., Mackinac Island, Michigan

I. Call to Order

Motion made by Corrigan, seconded by Chambers, to call the Special Meeting of the Zoning Board of Appeals to order at 3:40 pm

Ayes: Chambers, Corrigan, Moskwa, Myers, White, St. Onge

II. Roll Call

PRESENT

- Richard Chambers
- Tom Corrigan
- Steven Moskwa
- Lindsey White
- Jason St. Onge

ABSENT

- Anneke Myers

V. Correspondence

No correspondence was received by the City Clerk's office.

VI. New Business

Motion made by Moskwa, seconded by St. Onge, to approve the requested front, side, and rear yard variances, requested by Gary Gilmer, to build a shed addition to his residence located at 7575 Main St., based on the following:

- **FACTS:**

1. **The structure was built in the 1980's, at which time it met the setback requirements of the district. The property is now non-conforming, due to the large building, which covers a large portion of the property.**
2. **There is not sufficient space to store outdoor equipment, devices, tools and other items on the property.**
3. **The shed addition will not encroach any further into the setbacks than the structure already encroaches.**
4. **The property is extremely private, with the visibility shielded from its neighbors on either side, as well as from the street.**

- **FINDINGS:**

Where, by reason of the exceptional topographic conditions and other extraordinary situations and conditions of the land and structures thereon, the literal enforcement of the requirements would involve practical difficulties, and there are practical difficulties in the way of carrying out the strict letter of the setback requirements relating to the alterations of buildings or structures, so that the spirit of this ordinance shall be observed, public safety secured, and substantial justice done, the applicant has met all the standards contained in Section 22.06 of the Zoning Ordinance as follows:

1. That there are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do not apply generally to other properties in the same zoning district.
 - **Specifically: The structure was built in the 1980's, at which time it met the setback requirements of the district. The property is now non-conforming, due to the large building, which covers a large portion of the property. There is no room on the property to put a shed that would not encroach on the setback. The property is extremely private, with the visibility shielded from its neighbors on either side, as well as from the street.**
2. That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.
 - **Specifically: A storage shed for outdoor equipment, devices, tools and other items is a substantial property right similar to that possessed by other properties in the same district and vicinity.**

- **FINDINGS Cont.**

- 3. That the authorizing of such variance will not be of substantial detriment to adjacent property, and will not materially impair the intent and purposes of this ordinance or the public interest.
 - **Specifically: The property is extremely private, with the visibility shielded from its neighbors on either side, as well as from the street. Further, the shed building will not encroach further into the setback than the current structure already does.**

- 4. That the condition or situation of the specific piece of property, or the intended use of said property, for which the variance is sought is not of a general or recurrent nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation.
 - **Specifically: this is a unique and private piece of property and other issues of this nature should not be recurrent.**

- 5. The practical difficulties that make compliance with the ordinance are not of a personal nature and are not self-created.
 - **As stated above, the property was built in compliance to the zoning laws of the time when it was constructed. Compliance with the ordinance is not possible with the specific circumstances of the property, which were not self-created, but rather a result of circumstances.**

Voting Yea: Chambers, Corrigan, Moskwa, White, St. Onge
Absent: Myers

VIII. Adjournment

There being no further business, motion made by Moskwa, seconded by Corrigan, to adjourn the meeting at 3:50 pm.
Ayes: Chambers, Corrigan, Moskwa, White, St. Onge

Margaret M. Doud, Mayor

Danielle Leach, City Clerk