

**Notice of Public Hearing
Huron County Zoning Board of Appeals
Wednesday, October 15, 2025, at 7:00 p.m.
Huron County Building, Meeting Room 305
250 E. Huron Avenue
Bad Axe, Michigan 48413
Case: ZBA 2024-02a**

Notice is given that a public hearing is scheduled before the Huron County Zoning Board of Appeals on Wednesday, October 15, 2025, at 7:00 p.m., in Room 305 of the County Building, 250 E. Huron Avenue, Bad Axe, Michigan, 48413. The purpose of this meeting is to receive public comment and consider the following zoning variance request:

ZBA 2024-02a Richard Gibbard, 9876 Lakeside Drive, Bay Port, Michigan, 48720, Section 36 of Fairhaven Township, requests a variance to build an addition onto an existing home with a reduced side yard setback of 5.52 feet. The existing home is currently located 5.29 feet from the west side yard property line, which is considered non-conforming to current ordinance standards. The owner is requesting to build a single story 10 feet wide x 37.5 feet long addition onto the east side of the existing home along with a 2-story 20ft. wide x 16ft. long addition onto the north side (Lakeside) of the existing home. Parcel number 3208-136-277-00 is zoned R-1 Residential (RES) and contains approximately 0.15 acres (Platted lot parcel size 40ft x 162ft). The Huron County Zoning Ordinance, Section 9.01, Schedule of Regulations, requires the minimum side yard setback of 10 feet. The proposed east side addition with a reduced side yard setback of 5.52 feet requires a dimensional zoning variance. Pursuant to the Huron County Zoning Ordinance, Section 19.05(c), the Board of Appeals shall have the power to authorize, upon an appeal, specific variances from such requirements as lot area and width regulations, building height and bulk regulations, yard and depth regulations, and off-street parking and loading space requirements.

Persons interested in commenting on this request may appear in person at the public hearing or, if unable to attend the meeting, may submit written comments to the Huron County Building & Zoning Office, Room 102 of the County Building, 250 E. Huron Ave., Bad Axe, Michigan 48413, or fax same to (989) 269-3362. For further information concerning this request for zoning approval, contact Jeff Smith from the Huron County Building & Zoning Office during regular office hours at (989) 269-9269 or by email, smithj@co.huron.mi.us. Office hours are Monday-Friday 8:30 a.m. to 4:30 p.m.

This notice is disseminated and posted pursuant to the Michigan Zoning Enabling Act, PA 110 of 2006, as amended.

**Clark Brock, Chairman
Huron County Zoning Board of Appeals**



ZBA 2024-02a DIMENSIONAL VARIANCE

RICHARD GIBBARD
SECTION 36 FAIRHAVEN
TWP. 320FT. BUFFER
MAP




Map Publication:
09/25/2025 3:12 PM



powered by
FetchGIS 

Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. Huron County expresses no warranty for the information displayed on this map document.

Parcel Buffer

-  Buffer
-  Buffer Affected Parcel

RECEIVED

SEP 02 2025

HURON COUNTY
BUILDING & ZONING

HURON COUNTY ZONING BOARD OF APPEALS APPLICATION FOR ZONING VARIANCE/APPEAL OF ZONING PROVISIONS

Application Fee: \$800.00 at regular quarterly meeting

\$1,200.00 for Special Meeting (Rev. 01/2025)

CASE NO.: ZBA #

2024-02a (Amended Application)

DATE: 09-02-25

APPLICANT'S NAME:

RICHARD WESSON GIBBARD

(818) 726-2511

ADDRESS:

24142 TABLE MEADOW RD. AUBURN CA 95602

(mailing)

street address

city

state

zip

telephone

ADDRESS OF PROPERTY WHERE APPEAL IS SOUGHT:

9876 LAKESIDE DR. BAYPORT MI

PROPERTY IDENTIFICATION NO.:

0813627700

PROPERTY OWNER (if not applicant):

SAME AS ABOVE

ADDRESS:

(mailing)

street address

city

state

zip

telephone

(818) 726-2511

APPLICANT'S STATEMENT AS TO WHY THE REQUEST FOR VARIANCE/APPEAL IS MADE:

SEE ATTACHMENT #1

PROVISION(S) OF ZONING ORDINANCE BEING APPEALED: Article

9

Section

9:01

SEE ATTACHMENT #2

BASIS OF REQUEST:

SEE ATTACHMENT #2

SITE PLAN: A site plan must be attached which illustrates existing & proposed structures on the property (location -distance from property lines, size, other information pertinent to case). Indicated distance of proposed structure to structures on adjacent properties.

APPLICANT'S SIGNATURE:

R. W. Gibbard

DATE

9-2-25

By signing this application, owner/agent is granting County officials the right to on-site inspection of property involved in this request.

Receipt # 75754 CK# 6194 8-28-24 \$600.00 ZBA Application
Amended App Receipt # 77648 CK# 6239 9-24-25 200.00
800.00 paid.

ATTACHMENT #1

Our family has owned this property since 1922 and I am the fourth generation to own it. My goal is to have a cottage to pass down to future generations that will be more family friendly.

This cottage has not been improved since 1922 when my great grandfather Arthur Wellington

Wesson purchased it. The cottage is 600 square feet with a half bath and 2 very small bedrooms. There is no hot water nor shower/bath.

We want to expand 10 feet to the East, and 16 feet North towards the water.

The lot's buildable space allowance is 1621.65 square feet. Our request will put the structure at

1279 square feet and will maintain a setback of 5 feet from all property lines for fire safety. This

is in an area called Sunset Beach which has many non-conforming structures including the neighbors on both sides. At completion the east side of the cottage will have the structures at

over 12 feet apart and on the west the expansion Northward will also be over 12 feet from the

new construction and existing neighbor.

The goal is to both improve the cottage experience for my family and to enhance the neighborhood.

Thank you,

Richard

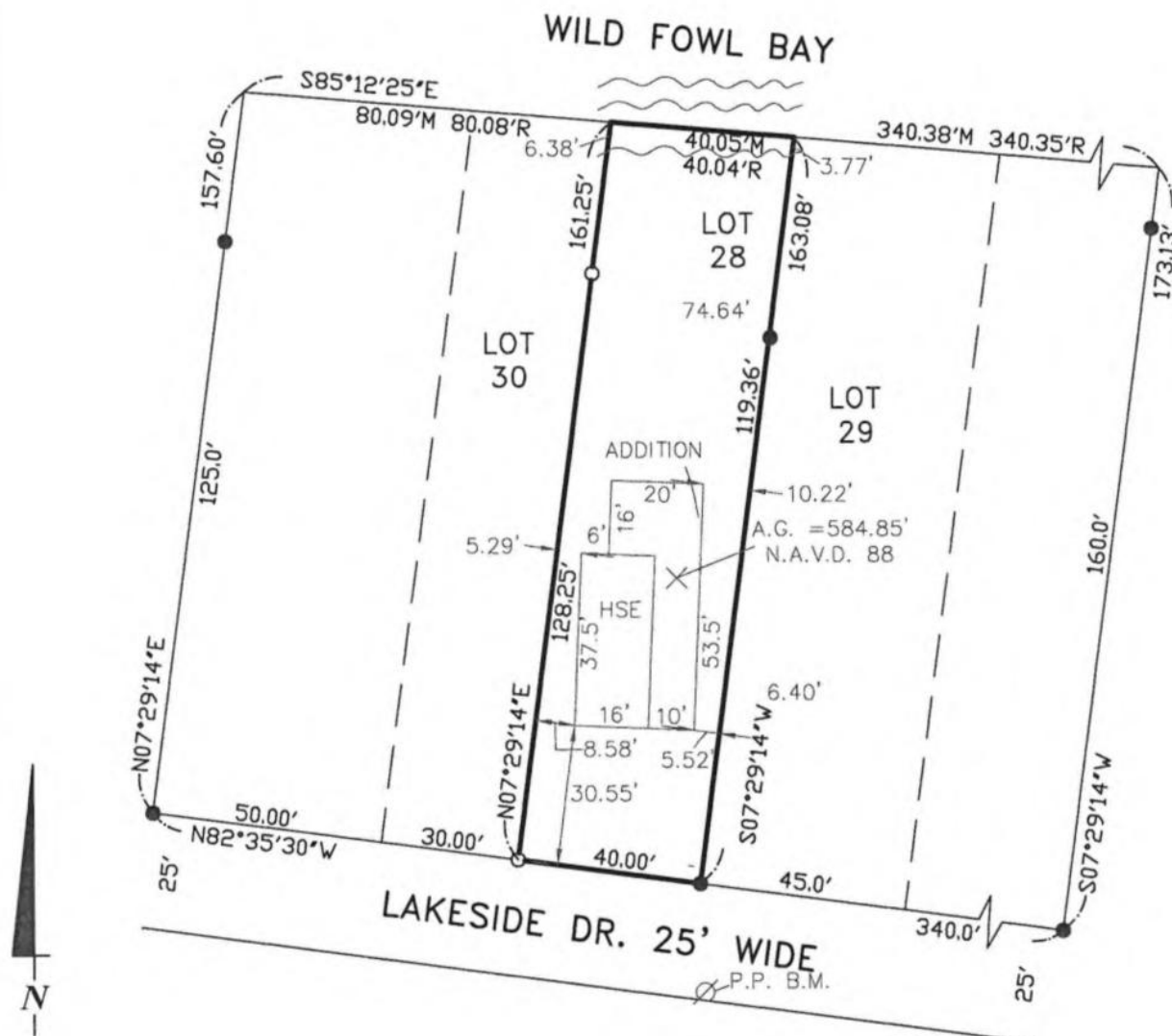
CLIENT: RICHARD GIBBARD
STREET: 24742 TABLE MEADOW RD.
CITY: AUBURN, CA 95602

HURON COUNTY

BEARINGS ARE BASED ON THE
MICHIGAN STATE PLANE COORDINATE
SYSTEM, MICHIGAN SOUTH ZONE,
HORIZONTAL DATUM (N.A.D.83),
INTERNATIONAL SURVEY FEET.

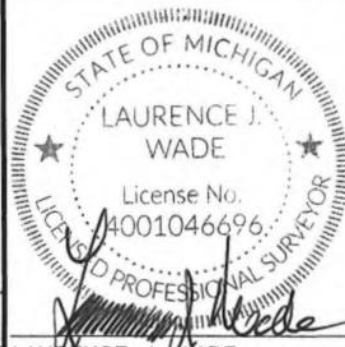
$$1 \text{ inch} = 40 \text{ ft.}$$

LOT 28, PLAT OF SUNSET BEACH, PART OF SECTION 35 & 36, T17N-R09E, BAY PORT, FAIRHAVEN TOWNSHIP, HURON COUNTY, MICHIGAN, AS RECORDED IN LIBER 1 OF PLATS, PAGE 58, HURON COUNTY RECORDS. SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.



PHONE 989 269-9142 FAX 989 269-7712

I HEREBY CERTIFY that I have surveyed and mapped the above or attached described parcel(s) of land, that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying; and that the survey is in full compliance with Section No. 3, Act 132, P.A. 1970, as amended by 1992 P.A. 183 and 2018 P.A. 193.



LAURENCE J. WADE
P.S.# 46696

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REV: 9/1/2025

Sheet 1 of 1 Sheets

Concrete Pro
 Row Bolt
 5/24/06

STORAGE BENCH

Full

Twin Bunk Beds

Arrive

Twin Bunk Beds

Kitchen
 10 x 20

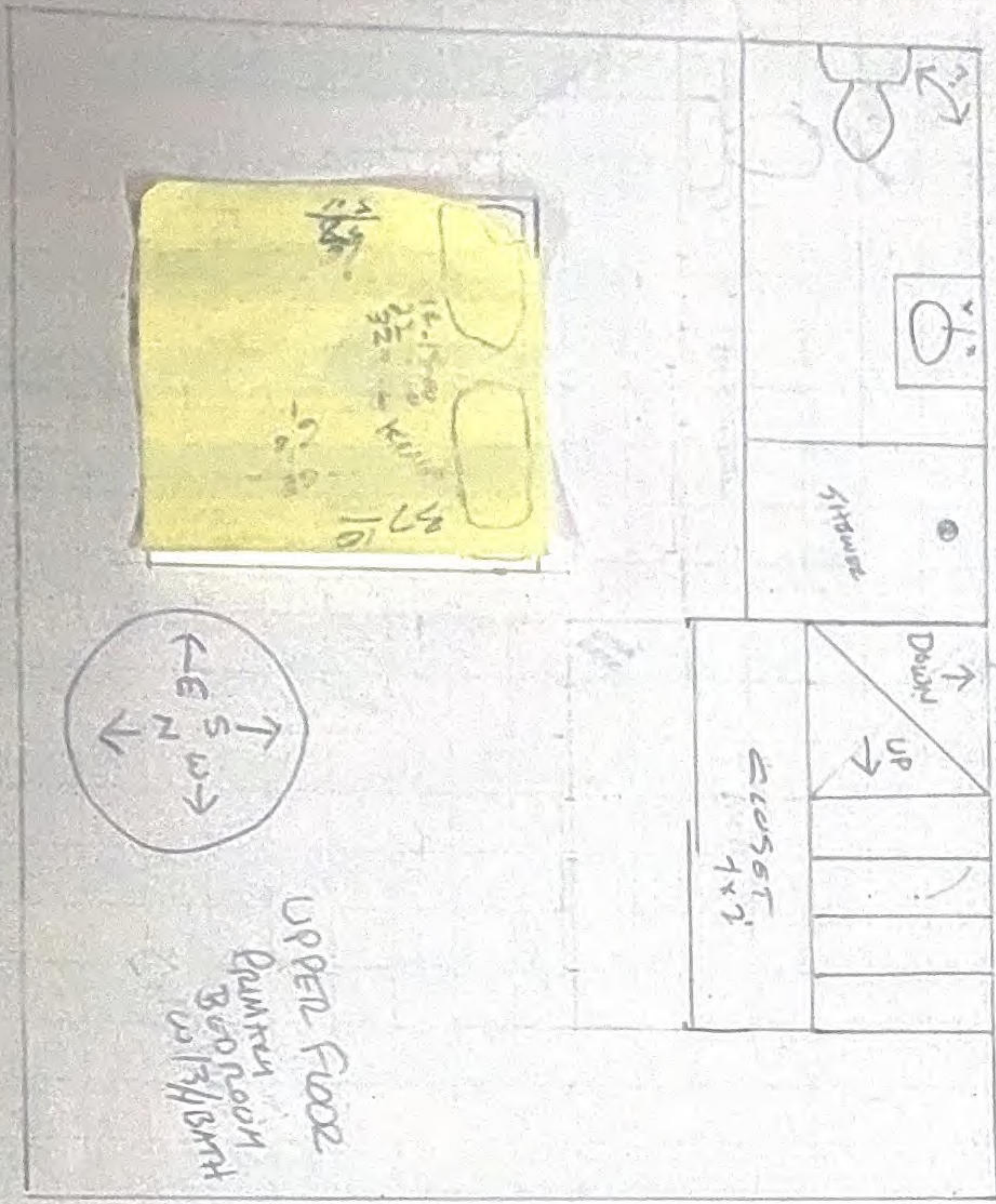
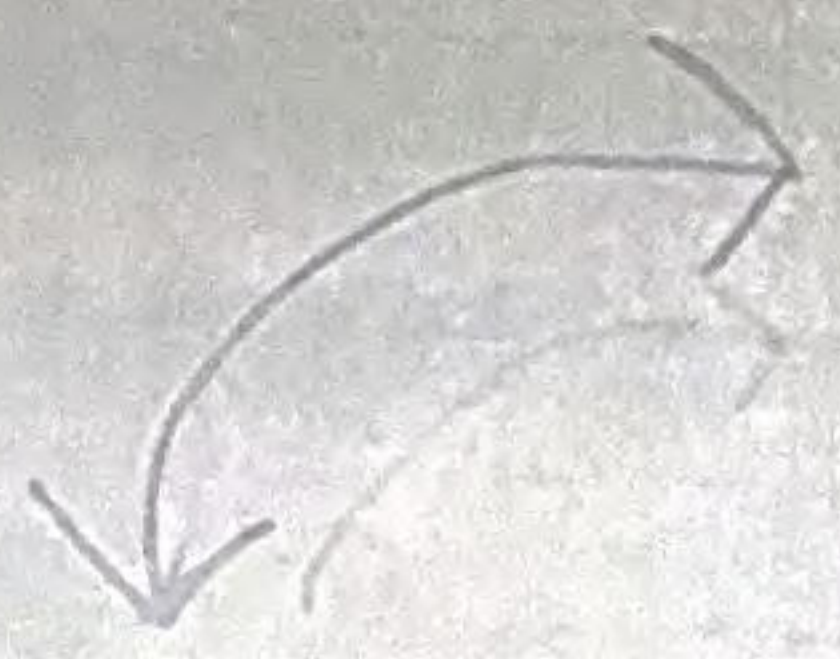
closet

Queen

BATH -
 LAUNDRY -
 UTILITY
 closet
 9 x 13 ft

RAMBLER
 7 x 12

STORAGE
 UNIT/DOOR



← 2nd Floor Bedroom
 298 sq ft (Does not count)
 58.5 ft



Lot Buildable 1621.45 sq ft
 This Footprint 1279 sq ft
 Various HIGHLIGHT Areas
 (ORIGINAL STRUCTURE)

1 ft

10 ft

16 ft

26 ft

29.5 ft

10 ft

RAMBLER UPPER BEDROOM

PLAT OF SUNSET BEACH

BAY PORT, FAIR HAVEN TP. HURON COUNTY, MICH.

SURVEYED AND PLATTED. JUNE & JULY 1923 FOR BAY PORT RESORT ASSOCIATION.

SCALE 1-INCH = 100' FEET.

0 50 100 200 300 400 500 FT.
JOHN E. REEF, REGISTERED CIVIL ENGINEER, SAGINAW, MICH.

KNOW ALL MEN BY THESE PRESENTS

KNOW ALL MEN BY THESE PRESENTS.
That we James B. Hill & Earl W. Stead as proprietors and Nellie
H. Hill and Anna Bertha Stead the wives of said proprietors have
caused the land embraced in the annexed plat to be surveyed
and out of the same to be taken as **SUNSET BEACH PAY PLANT**
containing **NINE** **ACRES** **OF** **LAND** **IN** **CLATSOP** **COUNTY**, **OREGON** and that the streets, alleys and foot
paths as shown on said plat are hereby dedicated to the use of the public.

Signed and sealed in Presence of

<i>E. Mues</i>	<i>James B. Hill</i>
<i>L. E. Gaudin</i>	<i>Eric H. Stahl</i>
	<i>Police Th. H. H.</i>
	<i>Anna B. B.</i>

NOTE- ALL DIMENSIONS ARE GIVEN IN FEET & DECIMALS THEREOF

N. 2°32'E. 638.0

STATE OF MICHIGAN) s.s.
COUNTY OF MICHIGAN)

COUNTY OF HURON
On this 24 day of July 1923 before me a Notary Public
in and for said County personally came the above named James
Hill and Earl H. Salseda and Nellie H. Hill and Anna Gerlach
and their wives known to me to be the persons making execute
the above declaration and acknowledged the same to be their
free act and deed.

My commission expires - Mar 14 - 1925

DESCRIPTION OF LAND PLATTED

[illegible]

SURVEYORS CERTIFICATE

I hereby certify that the plat hereon delineated is a correct one and that permanent monuments consisting of round iron gas pipe 1 inch in diameter and 18 inches in length have been placed at points marked thus: 0 on all of all angles in the boundaries of the land plat and at intersections of streets or streets and alleys or alleys and foot paths.

John P. Teft
Registered Civil Engineer

CERTIFICATE OF MUNICIPAL APPROVAL

This plot was approved by the Township Board of the
Township of Fair Haven at a meeting held
July 21, 1923.

John H. Hume
Township Clerk

CERTIFICATE OF APPROVAL BY COUNTY BOARD
This plat was approved on the 23rd day of July,
1923

CERTIFICATE OF APPROVAL BY COUNTY BOARD
This plat was approved on the 23rd day of July, 1903.

Jesse Cornell
Judge of Probate
W. L. Clark
County Clerk

Laura Hall
County Treasurer

COUNTY TREASURERS CERTIFICATE RELATING TO TAXES. Office of County Treasurer, Huron County.
I, *Laura Hall*, Treasurer of Huron County, Michigan, do hereby certify that I have held all the State, or the lands described above and that there are no tax liens or claims against said lands for the years preceding the day of *July*, 1928 and that the taxes for said year have been paid in full by the owner thereof. In witness whereof, I have hereunto set my hand and the seal of this office. This certificate was duly given to *James J. Smith*, collector by me.

Leura Hill
COUNTY TREASURER

Person *James*

Paul of Sunset Beach

Made from about 10"

Guy 1st Plate

58

Curl II Taach

FILED IN AUDITOR GENERAL'S OFFICE

Aug 11-1925

Geo. L. Harris

THESE OFFICIALS, BELONGING TO
THE OFFICE OF THE MAP OF PLANS
AND THE DEPARTMENT OF DECKS
ON BOARD.

Aug 6, 1973

John A. Smith
MAY 17 1902

Parcel Number: 3208-136-277-00

Jurisdiction: FAIRHAVEN

County: HURON

Printed on

08/28/2024

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
KLEES HEIDI B & ETAL	GIBBARD RICHARD W	0	06/19/2009	QC	32-SPLIT VACANT	1292:795	DEED	0.0

Property Address	Class: RESIDENTIAL-IMPRO	Zoning:	Building Permit(s)	Date	Number	Status		
9853 POPLAR ST	School: ELKTON PIGEON BAYPORT LAKER SD	DECK/PORCH	07/12/2004	04-001305				
Owner's Name/Address	P.R.E. 0%							
GIBBARD RICHARD W	MAP #: 10 36 152 003							
9876 LAKESIDE DRIVE	2025 Est TCV 66,800 (Value Overridden)							
BAY PORT MI 48720	Improved X Vacant	Land Value Estimates for Land Table .						
Tax Description	Public Improvements	* Factors *						
Sec 36, Town 17N, Range 9E. LOT 28	Dirt Road	Description Frontage Depth Front Depth Rate %Adj. Reason Value						
SUNSET BEACH PLAT.	Gravel Road	0.160 Acres 0 100 0						
Comments/Influences	Paved Road	0.16 Total Acres Total Est. Land Value = 0						
Liber/Page(s): 407:0130, 704:0515	Storm Sewer							
	Sidewalk							
	Water							
	Sewer							
	Electric							
	Gas							
	Curb							
	Street Lights							
	Standard Utilities							
	Underground Utils.							
	Topography of Site							
	Level							
	Rolling							
	Low							
	High							
	Landscaped							
	Swamp							
	Wooded							
	Pond							
	Waterfront							
	Ravine							
	Wetland							
	Flood Plain							
	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value	
	Who	When	What	2025	33,400	0	33,400	32,523C
				2024	33,400	0	33,400	32,523C
				2023	31,100	0	31,100	30,975C
				2022	29,500	0	29,500	29,500S

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*** Information herein deemed reliable but not guaranteed***

ARTICLE XIX. BOARD OF ZONING APPEALS Continued;

SECTION 19.05 DUTIES AND POWERS Continued:

b. Interpretation. The Board of Appeals shall have the power to: Interpret, upon request, the provision of this Ordinance in such a way as to carry out the intent and purpose of the Ordinance; Determine the precise location of the boundary lines between zoning districts; Classify a use which is not specifically mentioned as part of the use regulations of any zoning district so that it conforms to a comparable permitted or prohibited use, in accordance with the purpose and intent of each district; Determine the off-street parking and loading space requirements of any use not specifically mentioned in Section 14.05.

c. Variances. The Board of Appeals shall have the power to authorize, upon an appeal, specific variances from such requirements as lot area and width regulations, building height and bulk regulations, yard and depth regulations, and off-street parking and loading space requirements, PROVIDED the request for variance complies with the following STANDARDS FOR GRANTING A VARIANCE:

1. Whether strict compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonable prevent the owner from using the property for a permitted purpose, or would render conformity with such restrictions unnecessarily burdensome.

2. Whether a grant of a variance would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property and be more consistent with justice to other property owners.

3. Whether the plight of the owner is due to unique circumstances of the property and not to general conditions in the area.

4. Whether the problem is self-created. (If the owner created the problem from which relief is sought, then no variance is warranted).

These standards require the petitioner to demonstrate a practical difficulty unique to the property (not the petitioner) in order to qualify. In making a decision, the Board of Appeals must insure the "spirit of the ordinance is observed, public safety secured and substantial justice done."

d. Rules. The following rules shall be applied in the granting of variances:

1. The Board of Appeals may specify, in writing, such conditions regarding the character, location, and other features that will in its judgement, secure the objectives and purposes of this Ordinance. The breach of any such condition shall automatically invalidate the variance granted.

ARTICLE XIX. BOARD OF ZONING APPEALS Continued:

SECTION 19.05 DUTIES AND POWERS Continued:

d. Rules continued.

2. Any conditions or modifications desired by the Board of Appeals shall be recorded in the minutes of the appropriate Board of Appeals meeting. The Board of Appeals may, as it deems necessary to promote the purpose of the Ordinance, require landscaping, wall, fences, drives, lighting, sidewalk, drainage, and other improvements. As used in this section, "improvements" means those features and actions which are considered necessary by the Board associated with granting approval, to protect natural resources, or the health, safety, and welfare of the residents living in the general vicinity of the appeal.

To insure compliance with the provisions of this section and any conditions imposed hereunder, the Board may require a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the Board covering the estimated cost of improvements associated with an appeal which shall be deposited with the Clerk of the County to insure faithful completion of the improvements. The performance guarantee shall be deposited at the time of issuance of the permit authorizing the activity or project. Deposit of the performance guarantee is not required prior to the issuance of said permit. The County may return any unused portion of the cash deposit to the applicant in reasonable proportion to the ratio of work completed on the required improvements as work progresses.

3. Each variance granted under the provisions of this ordinance shall become null and void unless:

The construction authorized by such variance or permit has been commenced within twelve (12) months after the granting of the variance.

The occupancy of land, premises, or buildings authorized by the variance has taken place within two (2) years after the granting of the variance.

4. No application for a variance which has been denied wholly or in part by the Board of Appeals shall be resubmitted for a period of one (1) year from the date of the last denial, except on the grounds of newly discovered evidence or proof of changed conditions found upon inspection by the Board to be valid.

5. Variances may be granted for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the Michigan Historic Markers listing of historic sites, or any other state register of historic places without regard to any special requirements of this section governing variances when said structures are located wholly or in part within the flood hazard areas.

ARTICLE XIX. BOARD OF ZONING APPEALS Continued:

SECTION 19.05 DUTIES AND POWERS Continued:

e. **Temporary Permits:** Permit, upon proper application, temporary uses, not otherwise permitted in any district, not to exceed twelve (12) months with the granting of twelve (12) month extensions being permissible, which do not require the erection of any capital improvement of a structural nature.

The Board of Appeals, in granting permits for temporary uses, shall do so under the following conditions:

1. The granting of the temporary use shall in no way constitute a change in the basic uses permitted in the district nor on the property wherein the temporary use is permitted.
2. The granting of the temporary use shall be granted in writing, stipulating all conditions as to time, nature of development permitted and arrangements for removing the use at the termination of said temporary permit.
3. All setbacks, land coverage, off-street parking, lighting and other requirements to be considered in protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the County of Huron, shall be made at the discretion of the Board of Appeals.
4. In classifying uses as not requiring capital improvement, the Board of Appeals shall determine that they are either demountable structures related to the permitted use of the land, recreation developments such as but not limited: golf driving ranges and outdoor archery courts, or structures which do not require foundations, heating systems or sanitary connections.
5. The use shall be in harmony with the general character of the district.
6. No temporary use permit shall be granted without first giving notice to owners of adjacent property of the time and place of a public hearing to be held as further provided for in this Ordinance.

SECTION 19.06 DECISIONS: In consideration of all proposed variances to this Ordinance, the Board shall, before granting any variance from the Ordinance in a specific case, first determine that the proposed variance will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, or morals or welfare of the inhabitants of the County of Huron. The concurring vote of the majority of the members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator, or to decide in favor of the applicant any matter upon which it is authorized by this Ordinance to render a decision. Nothing herein contained shall be construed to give or grant to the Board the power or authority to alter or change this Ordinance or the Zoning map, such power and authority being reserved to the County Board of Commissioners of the County of Huron.

MICHELSON DIANE R
51805 DW SEATON DRIVE
NEW BALTIMORE, MI 48047

MC KINSTRY PHYLLIS LE & ETAL
9894 LAKESIDE DRIVE
BAY PORT, MI 48720

MARS RUBEN H II & KIMBERLEE A
9178 LEWIS ROAD
VASSAR, MI 48768

DAVID ANTHONY R & SUSAN L
42407 PARK RIDGE ROAD
NOVI, MI 48375-2660

HSIUNG CHING-KUO & LI-MING
5940 NILES DRIVE
TROY, MI 48084

GIBBARD RICHARD W
24742 TABLE MEADOWS RD
AUBURN, CA 95602

SHEPARD SUSAN L
9872 LAKESIDE DRIVE
BAY PORT, MI 48720

SHEPARD SUSAN L
9872 LAKESIDE DRIVE
BAY PORT, MI 48720

KOHR JEFFREY W
9864 LAKESIDE DRIVE
BAY PORT, MI 48720

NAGY TODD W & JENNIFER M
42216 MCBRIDE AVENUE
BELLEVILLE, MI 48111-1460

FORD FAMILY COTTAGE TRUST
12363 N STATE RD
OTISVILLE, MI 48463

FORGE WILLIAM C III & JANET &
913 SUNNY BROOK
ROYAL OAK, MI 48073

BLAKE CHARLENE C & JACLYN F
2324 CLARK ROAD
LAPEER, MI 48446

PAPE JOSEPH V JR TRUSTEE
10100 CAPITAL STREET
OAK PARK, MI 48237-3130

NAGY BILL & ANTOINETTE TRUSTEES
23700 WALTZ ROAD
NEW BOSTON, MI 48164

CONTWAY MICHAEL J & JANET M
9852 WOODWARD
BAY PORT, MI 48720

HARDER JAMES G & JANICE E LE/TRUST
9861 LAKESIDE DRIVE
BAY PORT, MI 48720

MARS RUBEN H III & KIMBERLEE
9178 LEWIS ROAD
VASSAR, MI 48768-9644

DESROCHERS DAVID R & PEGGY L
PO BOX 124
BAY PORT, MI 48720

SCHOOLEY PAMELA
9766 SPRUCE STREET
BAY PORT, MI 48720

WISE DINA M
9880 WOODWARD DRIVE
BAY PORT, MI 48720

ROWLEY ROBERT & MARY ANN TRUST
77577 MEMPHIS RIDGE
RICHMOND, MI 48062

MURDOCK DAVID L & CHRISTINA M
22650 WEST HARRIS ROAD
BRANT, MI 48614

SURDOCK ROBERT M JR & JENNIFER I
20770 WEST CUPP ROAD
ELSIE, MI 48831

LUCKE VERNON & CAROL LE/TRUST
1225 MOHAWK AVENUE
ROYAL OAK, MI 48067

LUCKE VERNON & CAROL LE/TRUST
1225 MOHAWK AVENUE
ROYAL OAK, MI 48067

MILLER SALLY A & MILLER RONALD A
8445 BELL ROAD
BIRCH RUN, MI 48415

SWANSON THERESA & THOMAS JAMES &
7437 E CARPENTER ROAD
DAVISON, MI 48423

HETRA STEVE & NICOLE
60616 MIRIAM DRIVE
WASHINGTON, MI 48094

HAMEL JODI K
685 ORR STREET
BAY PORT, MI 48720

HAMEL JODI K
685 ORR STREET
BAY PORT, MI 48720

BAY PORT LLC
1506 MAGAZINE ST UNIT 1
NEW ORLEANS, LA 70130

KERSON CATHERINE & HECK CHRISTINE
1717 BROADWAY BOULEVARD
FLINT, MI 48506-4431

KRENZ BETH ANN
9860 WOODLAND
BAY PORT, MI 48720-0194

REESE GREGG & SANDRA TRUST
11308 STONYBROOK
GRAND BLANC, MI 48439-1010

SHANLEY LAWRENCE & JULIE TRUST
554 SHERMAN STREET
ALLEGAN, MI 49010

PAUPST ANDREW A & MARGARET A
9851 WOODWARD DRIVE
BAY PORT, MI 48720

HILL RYAN & LESLIE
60383 MOJAVE LANE
WASHINGTON, MI 48094