

GREEN LAKE TOWNSHIP ZONING BOARD OF APPEALS
GOLDEN FELLOWSHIP HALL
9700 RILEY ROAD, INTERLOCHEN, MI
WEDNESDAY, October 11, 2023

MINUTES

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE: Was recited by all.
3. ROLL CALL: Board members present were: E. Wilson, Dowlan, Haight, Marek and C. Wilson. Also present were Alycia Reiten, Planning and Zoning Director and Mary Jo Barck, Recording Secretary.
4. APPROVAL OF AGENDA: **Motion by Chair, supported by Marek to amend the agenda removing item 4. Election of Officers. Motion Carried.**
5. APPROVAL OF MINUTES: Tabled until next regular scheduled meeting.
6. CORRESPONDENCE: Haggard's Plumbing and Heating letter of support ZBA 23-008.
7. CONFLICT OF INTEREST STATEMENT: None on this date.
8. NEW BUSINESS:

Public Hearing ZBA 23-008 – A request for the granting of a variance Article 8 Zoning Districts, 8.6 Table of Dimensional Regulations, water's edge setback 50 feet, located at 5593 Lakeview Drive, Interlochen, MI and owned by J Allan & Maryellen Ackroyd. The applicants are requesting a variance of 50 feet to the water's edge (wetlands) setback to build an attached garage.

Ben Fisher

960 Industrial Circle, Traverse City

Mr. Fisher made a presentation on behalf of the property owners, J Allan and Maryellen Ackroyd. A site plan provided detail of the proposed new home and a full survey was prepared and provided by Mansfield and Associates, indicating wetland area. The homeowner is requesting to demo the existing home and replace with a modest 1,500 square foot home, featuring an attached garage. The existing home encroaches on all 4 sides. The home sits low on grade and will flood with heavy rain; hallways are narrow and the ceiling height is low. The new home will meet all code requirements. In addition to the demo, the septic tank and field will be relocated to a yet to be determined location from the health department.

Haight asked specifically where the wetlands are located in relation to the proposed new home. Mr. Fisher indicated the area on the site plan.

Marek said after visiting the site his perception changed on his thought process. Although the Ackroyd's have additional acreage, the terrain is uneven and treed. Moving to that location would mean the loss of a wooded area and its vegetation, which could create drainage issues. Marek asked about water mitigation in the new home. Mr. Fisher replied it would need to be built up but spillways and erosion control will be in place.

Wilson remarked building up the land mean a slab foundation? Mr. Fisher said it is on a slab. Mr. Wilson asked what year the existing home was built. Mr. Fisher replied 1969.

OPEN PUBLIC HEARING: 6:13 p.m.

Paul and Lynn Ritter
4959 Lakeview
Mr. Ritter said he and his wife are neighbors and attending tonight's meeting to show their support for this project.

Paul Pepera
4959 Lakeview
Mr. Pepera is in support and this will be a nicer home and more owner friendly. It also will not be as close to the lake. He also appreciates the moving the current septic location. It is a modest home for his family's benefit.

Marsha Gresso
5634 Lakeview
Mrs. Gresso and her husband are both in support of this project.

CLOSE PUBLIC HEARING: 6:15 p.m.

DISCUSSION:

Chair polled the members for comment.

Marek is glad he made a visit to the property; it has helped tremendously with his opinion.

Chair commented the Ackroyds could have rebuilt on the same foundation, which is closer to water. He asked Mr. Ackroyd when the home was purchased and it was answered, 20 years ago.

Review of Article 15, Section 15.4 Variances.

Strict Compliance:

Marek stated a plan to locate the proposed new home further into the parcel not only is a burden, but may create additional erosion by removing top soil and vegetation due to its

hilly structure, but also removal of a large number of trees. Dowlan agreed that tree removal would be substantial – even requiring removal for a new driveway.

Substantial Justice:

Chairman believe substantial justice has been met. All neighbors are in agreement. He added if the house is moved back to meet the setbacks, increased runoff would be created and the home would still flood.

Lesser Relaxation:

Chairman commented the size of the home proposed is modest, of typical size – not a large home. He added he lives in a 1,600 square foot house and has to go outside to change his mind.

Unique Circumstances:

Chair said this was covered in the first item, burdensome. Marek added the property also has unique topography.

Strict Compliance:

In this case, the Chair commented, the property owner is actually getting further from the waterfront setback to the lake and only slightly closer to the wetland. Marek said the wetland setback was not in effect. The Chair added the water levels could also have been lower. Wilson asked when the waterfront setback was put in place, staff replied 1970. Wilson then commented the house was built in 1969. Haight asked if there were plans to split the lot in the future, Mr. Ackroyd said none.

DECISION:

Motion by Marek, supported by Chair to approve ZBA 23-008, having met all requirements of 15.4 Variances. Roll Call Vote: E. Wilson – yes, Dowlan – yes, Haight – yes, Marek – yes, C. Wilson – yes. Motion Carried 5-0.

9. OTHER BUSINESS:

2024 Meeting Schedule. **Motion by Marek, supported by Chair to approve the 2023-2024 meeting schedule as presented. Motion Carried.**

10. PUBLIC COMMENT:

None

11. BOARD COMMENTS:

12. ADJOURNMENT: Motion by Chair to adjourn that meeting at 6:41 p.m., supported by Wilson. Motion Carried unanimously on voice vote.

CHRIS HAIGHT, SECRETARY
GREEN LAKE TOWNSHIP ZONING BOARD OF APPEALS

MARY JO BARCK, RECORDING SECRETARY
GREEN LAKE TOWNSHIP ZONING BOARD OF APPEALS

NOTE: THESE MINUTES ARE SUBJECT TO AMENDMENT AND/OR CORRECTION
PRIOR TO THEIR ACCEPTANCE.