

GREEN LAKE TOWNSHIP ZONING BOARD OF APPEALS  
GOLDEN FELLOWSHIP HALL  
9700 RILEY ROAD, INTERLOCHEN, MI  
WEDNESDAY, DECEMBER 14, 2022

MINUTES

1. CALL TO ORDER: By Acting Chair Ed Wilson at 6:00 pm.
2. PLEDGE OF ALLEGIANCE: Was recited by all.
3. ROLL CALL: Board members present were: E. Wilson, Dowlan, Haight. C. Wilson and Marek were absent and excused. Also present were Alycia Reiten, Planning and Zoning Director and Mary Jo Barck, Recording Secretary.

Wilson notified the audience that due to attendance, the three members seated must all vote in favor of each request in order to pass. It is their choice to have cases reviewed this evening or in January 2023, which might have full attendance.

4. APPROVAL OF AGENDA: Moved by Haight and supported by E. Wilson to approve the agenda as presented. Carried.
5. APPROVAL OF MINUTES: Moved by Haight and supported by Dowlan to approve the Minutes of October 12, 2022, as presented. Carried.
6. CORRESPONDENCE:  
E. Wilson stated a letter of support for each agenda item was received from Haggard's Plumbing and Heating of Charlevoix.
7. CONFLICT OF INTEREST STATEMENT: None on this date
8. NEW BUSINESS

- a. ZBA 20-019 – A request for an extension of a previously approved variance to Article 8 Zoning Districts, 8.7 Table of Dimensional Regulations, front yard setback 35 feet, located at 4689 State Park Highway, Interlochen, MI and owned by Mitten Property Management for a variance of 20 feet to the front yard setback for the construction of a house and deck.

Applicant, Mitten Property Management, Jeet Loomba and Joe Hardy, Molon Excavating explained the retaining wall took longer than anticipated, however they have completed the foundation for the home and framing will start this week. **Motion by Haight, supported by E. Wilson to approve a one-year extension on ZBA 20-019, a variance of 20 feet front yard setback for the construction of a house and deck. Roll Call Vote: Haight – yes, Dowlan – yes, E. Wilson – yes. Motion Carried Unanimously.**

- b. ZBA 22-003 - A request for an extension of a previously approved variance to Article 8 Zoning Districts, 8.6 Table of Dimensional Regulations, front yard setback 35 feet located at 3857 E. Shore Drive, Grawn, MI and owned by Jordan and Gail Lee for a variance of 6 ft. 1 in. to the front yard setback for the construction of a detached garage.

Mr. and Mrs. Lee said the project has been delayed due to their inability to contract many of the trades necessary for construction. **Motion by E. Wilson, supported by Dowlan to grant a one-year extension for ZBA 22-003, a 6 ft.-1 in to the front yard setback for the construction of a detached garage. Roll Call Vote: Haight – yes, Dowlan – yes, E. Wilson – yes. Motion Carried Unanimously.**

- c. **Public Hearing** ZBA 22-012 – A request for the granting of a variance to Article 8 Zoning Districts, 8.6 Table of Dimensional Regulations, water’s edge setback 50 feet, and a variance to Article 4 General Provisions, 4.11 Accessory Buildings and Structures, B. Table of Dimensional Restrictions for Accessory Structures, maximum detached accessory structure 1,200 sf, located at 4462 Lakeview Dr, Interlochen, MI and owned by The Jeffrey E. Franklin Trust. The applicant is requesting a variance of three feet to the water’s edge for a building addition and a variance of 336 sf to the maximum allowable size of a detached accessory structure for an addition to the garage.

Applicant, Jeff Franklin presented drawing and site plans for the requested variances. The home has a flat roof, which need to be replaced. A foundation is to be rebuilt in what was a porch, later enclosed but without the proper footings. The support columns of the original covered porch area are also deteriorating due to lack of concrete at their base. The applicant would like to put a pitched roof on the home and extend the existing overhang across the entire front of the home. A portion will project into the setback, but not go any closer than the existing overhang, effectively extending the existing 4-foot overhang across the entire front (waterfront) of home.

Haight asked when the original porch was altered to a three-season room. Mr. Franklin thought it was 1975 and fully enclosed as a room in 1984. He added the posts are 47 years old.

E. Wilson asked if he purchased the home. Mr. Franklin said he purchased it from family. His father built the home in 1957 and his step-dad added a non-connecting addition in 1985.

Haight asked if a variance was requested when the three-season room was enclosed. Mr. Franklin said the only variance was for overall reconstruction, connecting the buildings and for foundation and not for the eaves.

E. Wilson asked what the proposed use of the space is. Mr. Franklin said a hobby room, allowing for his wife's quilting equipment to be taken out of storage.

Haight asked Mr. Franklin if he had considered extending the home on the roadside to avoid the need for a variance. Mr. Franklin said the leach fields are between the house and the garage – no space to build in that direction. Mr. Franklin added that the request is to place a new roof, replace the footings and only the overhang will be in the setback. Going up is not a solution as it would not go with the character of the home, which is a mid-century modern.

E. Wilson asked Mr. Franklin to present his case for the second variance. Mr. Franklin will be adding to his existing garage. He went over the plans presented with the Board and explained the additional 336 sq. feet will put the garage over the square foot limit for his property. Wilson asked if he could go up to gain the extra square space. Mr. Franklin said he does not want to alter the garage and make it look like a barn. Haight asked if he was considering a commercial use for the garage, Mr. Franklin said no. Wilson re-asked the question with specifics; boat business, air BnB. Mr. Franklin said no, there is no plumbing and it is just for family storage.

E. Wilson opened the Public Hearing at 6:44 p.m.

No Remarks from Audience

E. Wilson closed the Public Hearing at 6:10 p.m.

E. Wilson began conversation with overview of the five items to be considered under Article 15.4 Variances.

E. Wilson said he feels conformity would be burdensome. Dowlan agreed.

Haight, to keep the structure intact, roof snow bearing, and no foundation – the property needs to be restored and a portion is already in the setback.

Item 2, Substantial Justice, E. Wilson said there has been no response from neighbors.

“Lessor Relief” item 3, E. Wilson does not believe the roof and footings can be achieved another way. Haight added additions to cabins are all over the area.

All members agreed that item 4 – unique circumstances to exist for the property.

Haight said he feels Item 5 – was actually created by applicant's predecessors.

Wilson asked what year was the garage built, Mr. Franklin believes late 70's or early 80's. The lot is 35,500 square feet, which allows for 8,800 total ground coverage, he is

not even at half that amount. The garage will be 24x26 with the variance, E. Wilson responded to that statement by stating the actual square footage lost then is 16 square feet.

E. Wilson polled the members on the request for a garage extension, over the allowable square footage. Dowlan asked if the garage addition was just for storage, Mr. Franklin said yes. No further questions were received from the members.

**Motion by Haight, supported by Dowlan to grant a variance of three feet to the water's edge for a building addition, having met the criteria under 15.4 Variances. E. Wilson asked for a Roll Call Vote: Haight – yes, Dowlan – yes, E. Wilson – yes. Motion Carried Unanimously.**

Haight stated the variance of 336 sf to the maximum allowable size of a detached accessory structure for an addition to the garage he cannot support. Relief could come from a second story, which would provide the requested space without the variance.

**Motion by E. Wilson, supported by Dowlan to deny the requested variance of 336 sf to the maximum allowable size of a detached accessory structure. He cited the discussions of the standards of 15.4 showed denial did not prevent the owner from using the property, nor is it burdensome. E. Wilson added the denial doesn't interfere with substantial justice to the applicant. Roll Call Vote: Haight – yes, Dowlan – yes, E. Wilson – yes. Motion Carried Unanimously.**

9. OTHER BUSINESS:

a. 2023 Proposed meeting schedule:

**Motion by Haight, supported by Dowlan to approve the 2023 Zoning Board of Appeals meeting dates as presented. Motion carried unanimously.**

10. PUBLIC COMMENT:

11. BOARD COMMENTS:

12. ADJOURNMENT: By E. Wilson at 7:16 p.m.

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.