GREEN LAKE TOWNSHIP ZONING BOARD OF APPEALS

GOLDEN FELLOWSHIP HALL

 9700 RILEY ROAD, INTERLOCHEN, MI

AUGUST 12, 2020

MINUTES

1. CALL TO ORDER: By Chairman Volkening at 6:05 pm.
2. PLEDGE OF ALLGIANCE: Was recited by all.
3. ROLL CALL: Board members present were: Volkening, Wilson, McDonald, Baldwin and Marshall. Haight attended via Webex. Also present was Alycia Reiten, Planning and Zoning Director and Ronda Robinson, Recording Secretary.
4. APPROVAL OF AGENDA: Moved by Baldwin and supported by McDonald to approve the agenda, as presented. Carried.
5. CONFLICT OF INTEREST STATEMENT: None.
6. APPROVAL OF MINUTES*:* Moved by Volkening and supported by McDonald to approve the Minutes of June 10, 2020, as written. Carried.
7. CORRESPONDECE: Haggard’s Plumbing and Heating: Don Thomson
8. NEW BUSINESS
9. ZBA 20-010 – A request for the granting of a variance to Article 4 General Provisions, 4.11 Accessory Buildings and Structures, E. Accessory buildings having a floor area less than two hundred (200) square feet shall comply with the front yard setback required for primary structures and a variance to Article 4 General Provisions, 4.13 Fences, B. Dimensional Standards fences over four feet equal to setback for primary building or front building line, whichever is less, located at 116 S. South Long Lake Road, Traverse City, MI and owned by Jeff and Cara Oswald. The applicants are requesting a variance of 26 feet from the front yard setback of 35 feet for a shed and a variance of 28 feet from the front yard setback of 35 feet for a fence.

Public Hearing opened at 6:08 pm.

Jeff Oswald, 116 S. South Long Lake Road, explained that before the shed and fence were installed they talked to the prior Zoning Administrator and he told them to stake the proposed areas and if there was a problem he would be in contact. The orange stakes were up until the shed was installed in November of 2017 and the fence was installed in June of 2018. They believe they did their due diligence. Reiten contacted them because the fence and shed do not meet the Ordinance’s requirements and there was no land use permit issued.

Public Hearing opened to Public comment by Volkening at 6:17 pm

Terry Jo Pierce at 100 S. South Long Lake Road, has no problem with the fence, it replaced a 30-year-old wooden fence and the shed was built to look like the applicants’ house.

Public Hearing closed to Public comment by Volkening at 6:19 pm.

Volkening stated that the shed is in line with the surrounding homes. McDonald said a large setback is created by the right of way.

Motion by McDonald and second by Wilson to grant the requested Variances, ZBA 20-010, for the reasons that the practical difficulties of the property would make this alteration unnecessary burdensome. The Variances will do substantial justice to the applicant and other property owners in the area. The road right of way is unique and accomplishes the needed green belt. The need for the Variances were created by the Township and not the applicants. Roll Call: Yes-Wilson, McDonald, Baldwin, Haight, Volkening. No-0. Carried.

1. ZBA 20-011 – A request for the granting of variances to Article 8 Zoning Districts, 8.7 Table of Dimensional Regulations, front yard setback, located at 3684 Central Park Drive, Grawn, MI and owned by Daniel and Tracy Pelton. The applicants are requesting a variance of 11 feet 7 inches from the front yard setback of 35 feet for an attached garage and a variance of 8 feet from the front yard setback of 35 feet for a deck.

Public Hearing opened at 6:31 pm.

Daniel and Tracy Pelton, 3684 Central Park Drive, explained that they wish to build a new attached garage onto their small home and turn the existing garage into living space. The proposed garage would be a continuance of the current building façade already established on the property. The existing garage was built in 1950 and sits in the setbacks. The existing driveway may be used depending on the Road Commission. It is the only spot on the lot that would work for the proposed garage, and it is not intrusive.

Public Hearing opened to Public comment by Volkening at 6:37 pm.

Tim McCardel, 3785 Peninsular Shores, Interlochen, MI, looked at the site plan and said he has no problem with the requested Variances.

Public Hearing closed to Public comment by Volkening at 6:37 pm.

Motion by Volkening and second by Wilson to approve ZBA 20-011 due to the practical difficulties of having front yard setbacks on two sides of the lot and the fact that the road right of way provides a desired greenbelt. The lot is smaller than the 1-acre minimum requirement in the Lake Residential district. The proposed garage would be built in alignment with other houses in the area. Roll Call: Yes- Wilson, Baldwin McDonald, Haight, Volkening. No-0. Carried.

1. ZBA 20-012 – A request for the granting of variances to Article 8 Zoning Districts, 8.7 Table of Dimensional Regulations, front yard setback; a variance to Article 8 Zoning Districts, 8.7 Table of Dimensional Regulations, Note N, Minimum Side Setback Requirement in the Residential Districts – The minimum side yard setback in the Residential Districts shall be fifteen (15) feet or ten percent (10%) of the lot width, whichever is less, provided that no side yard shall be less than seven (7) feet and a variance to Article 4 General Provisions, 4.11 Accessory Buildings and Structures, E. Accessory buildings having a floor area less than two hundred (200) square feet shall comply with the front yard setback required for primary structures, located at 4953 State Park Highway, Interlochen, MI and owned by Alice Matteson. The applicant is requesting a variance of 13 feet from the front yard setback of 35 feet from State Park Highway and a 10 foot variance from the front yard setback of 35 feet from Stratford Road for a front porch; a variance of one foot three inches (1’ 3”) from the side yard setback of 10% of the lot width of 11.2 feet for a garage addition and 31 feet from the front yard setback of 35 feet from Oak Trail for a shed.

Public Hearing opened at 6:53 pm.

Alice Matteson explained that the shed is deteriorating, and she needs to build a new one. She would like to add 9 feet to the garage to accommodate 2 cars. Also, the front porch needs to be replaced and expanded because of its poor condition and the fact that there is not room enough to fully open the front door. There is no other place on the property to relocate the shed. The lot is very small, less that a third of an acre, and with roads on three sides of the property the setbacks are difficult to work within.

Wilson said Oak Trail is not really a road and they would be conforming with other properties in the area and would not be blocking any views.

Public Hearing opened to Public comment by Volkening at 6:55 pm.

No Public Comment.

Public Hearing closed to Public comment by Volkening at 6:56 pm.

Motion by Wilson and second by Baldwin to approve ZBA 20-012 as request considering the fact that Oak Trail will never be made into a road, that the small lot has difficult angels to work with, the existing porch is a safety hazard, the proposed site plan will function better and none of the improvements will impact the neighbors. Roll Call: Yes- Wilson, McDonald, Baldwin, Haight, Volkening. No-0. Carried.

1. ZBA 20-013 – A request for the granting of a variance to Article 8 Zoning Districts, 8.7 Table of Dimensional Regulations, front yard setback, located at 8678 Tuthill Road, Interlochen, MI and owned by Paulita Neal. The applicant is requesting a variance of one (1) foot from the front yard setback of 35 feet from State Park Highway for the roof overhang of a new home.

Public Hearing opened at 7:03 pm.

Reiten explained that the property owner is waiting for final approval to obtain their occupancy permit. The roof overhang encroaches into the front yard setback by one foot. The lot is a corner lot and when Township staff issued the permit for the home the set back from State Park Highway was measured as a side yard instead of a front yard. The permit was issued in error.

Public Hearing opened to Public comment by Volkening at 7:08 pm.

No Public Comment.

Public Hearing closed to Public comment by Volkening at 7:09 pm.

Motion by Volkening and second by Baldwin to approve the 1-foot Variance, ZBA 20-013, because of the oversite by the Township on State Park Highway and it being a very small lot. Roll Call: Yes-Wilson, Baldwin, McDonald, Haight, Volkening. No-0. Carried.

1. OTHER BUSINESS: None.
2. PUBLIC COMMENT: None.
3. BOARD COMMENTS: There will be a ZBA meeting next month.
4. ADJOURNMENT: Volkening adjourned the meeting at 7:11 pm.

CHRIS HAIGHT, SECRETARY

GREEN LAKE TOWNSHIP ZONING BOARD OF APPEALS

RONDA ROBINSON, RECORDING SECRETARY

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