GREEN LAKE TOWNSHIP ZONING BOARD OF APPEALS

GOLDEN FELLOWSHIP HALL

 9700 RILEY ROAD, INTERLOCHEN, MI

NOVEMBER 13, 2019

MINUTES

1. CALL TO ORDER: By Vice Chair Myers at 6:00 pm.
2. PLEDGE OF ALLGIANCE: Was recited by all.
3. ROLL CALL: Board members present were: McDonald, Myers and Marshall. Jackowski and Volkening were absent. Haight was absent and excused. Also present was Alycia Reiten, Zoning Administrator & Planner, and Ronda Robinson, Recording Secretary.
4. APPROVAL OF AGENDA: Moved by McDonald and supported by Marshall to approve the agenda, as presented. Carried.
5. CONFLICT OF INTEREST STATEMENT: None.
6. APPROVAL OF MINUTES*:* Moved by McDonald and supported by Marshall to approve the minutes of the meeting held on October 9, 2019, as presented. Carried.
7. NEW BUSINESS:
8. PUBLIC HEARING: ZBA 19-008-A request for the granting of variances to the Table of Dimensional Regulations Article 8.7 of the Green Lake Township Zoning Ordinance on the property located at 4960 Lakeview Drive, Interlochen, MI and owned by Dave and Tammie Rousseau. The applications are requesting relief from the minimum thirty-five-foot front yard setback requirement, relief from the minimum water’s edge setback of fifty feet and relief from the maximum lot coverage of twenty five percent of the Lake Residential District. The proposal is to allow for the construction of an accessory structure that will encroach five feet into the required front yard setback four feet two inches into the required water’s edge setback and exceed the maximum allowable coverage by 252 square feet.

Dave Rousseau reviewed the proposed site plan for the Board. He explained that it is a small lot and they are trying to maximize the space. The Township’s setbacks have been changed since the house was built. The proposed structure would not encroach past the existing garage.

Opened Public Hearing to Public Comment at 6:14 pm by Myers.

No public comment.

Closed Public Hearing to Public Comment at 6:15 pm by Myers.

Action by Board:

Motion by McDonald and support by Marshall to deny all three variances, as requested. A fully functional garage could be built on the lot without a variance. Roll Call Yes-Marshall, McDonald, Myers. Carried.

1. PUBLIC HEARING: ZBA 19-009-A request for the granting of variances to the Table of Dimensional Regulations Article 8.7 of the Green Lake Township Zoning Ordinance on the property located at 4102 Peninsular Shores, Interlochen, MI and owned by William and Linda Kluzak Trust. The applications are requesting relief from the minimum water’s edge setback of fifty feet of the Lake Residential District. The proposal is to allow for the construction of a deck that will encroach seven feet into the required water’s edge setback.

William Kluzak explained that when they started to resurface the deck they could see the deck was rotting. While they were repairing it, they decided to make it a little larger so they could safely enjoy the lake. They have started the deck already; they didn’t know they needed a variance but stopped the construction when told they needed to apply for a variance. The lot is unique because of the steep grade and the angle of the lakeshore.

Opened Public Hearing to Public Comment at 6:29 by Chair Myers.

 No public comment.

Closed Public Hearing to Public Comment at 6:30 by Chair Myers.

McDonald mentioned it was built prior to Zoning, the lot is smaller than the one-acre lot the Ordinance assumes and there is a slope issue.

Action by Board:

Motion by McDonald and support by Marshall to grant ZBA 19-009 because of practical

difficulties and special circumstances peculiar to the land, literal interpretation would deprive the applicants of rights commonly enjoyed by property owners in the same zoning district. The special conditions are not self-created, the variance would not alter the essential character of the area and the variance would be in harmony with the intent of the Ordinance. The Variance would not be determinantal to the public health, safety or welfare of the residents and it is a reasonable request. The reasons set forth in the application justify the granting of the Variance. Carried.

1. PUBLIC HEARING: ZBA 19-010-A request for the granting of variances to the Table of Dimensional Regulations Article 8.7 of the Green Lake Township Zoning Ordinance on the property located at 10345 Diamond Park Road, Interlochen, MI and owned by David Gustafson. The application is requesting relief from the minimum water’s edge setback of fifty feet of the Lake Residential District. The proposal is to allow for the construction of a deck that will encroach twenty-nine feet into the required water’s edge setback.

Brook Stevens, 3574 Manchester Road, Traverse City, is the applicants’ daughter. The purpose of the proposed variance is to add an entrance, exit and deck on the waterside of the family cottage. A drunk driver drove into the cottage and damaged it. The lot has some unique circumstances and the water’s edge keeps creeping closer to the structure. They are asking for a total of 268 feet of decking. It would be 12 feet wide and 6 inches off the ground, made of wood construction. On one side of the cottage is a boat launch and on the other side the neighbor has a deck at a similar distance from the water. The work will be completed by a professional and the deck will be esthetically pleasing and enhance the area. Currently there is no exit or entrance on the water side.

Open Public Hearing to Public Comment at 6:40 pm by Chair Myers.

 No public comment.

Closed Public Hearing to Public Comment at 6:40 pm by Myers.

 McDonald stated the cottage was built prior to zoning, the lot is small and the shore line cuts in.

Action by Board

Motion by McDonald and support by Marshall to approve ZBA 19-010 based on the facts that

there are practical difficulties and special circumstances peculiar to the land and structure. Literal interpretation would deprive the applicants of rights commonly enjoyed by property owners in the same zoning district. The special conditions are not self-created, the variance would not alter the essential character of the area and the variance would be in harmony with the general purpose and intent of the Ordinance, would not be determinantal to the public health, safety or welfare of the residents and it is a reasonable request. The reasons set forth in the application justify the granting of the Variance. The variance is the smallest one that will make possible a reasonable use of the land. Carried.

1. CORRESPONDENCE: None.
2. OLD BUSINESS: None.
3. OTHER BUSINESS:
4. Proposed 2020 meeting schedule

Motion by Myers and second by Marshall to approve the proposed 2020 meeting schedule with the change to the November meeting. Carried. Attachment A

1. PUBLIC COMMENT: None.
2. BOARD COMMENTS:

Myers said she would like to step down when a replacement is found.

1. ADJOURNMENT: Myers adjourned the meeting at 6:54 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.

Attachment A

**2020 Zoning Board of Appeals Proposed meeting schedule.**

The Zoning Board of Appeals meets the 2nd Wednesday @ 6:00pm at Golden Fellowship Hall. There is a holiday conflict for the 2020 schedule which has been identified and suggested moved to alternate date.

January 8, 2020

February 12, 2020

March 11, 2020

April 8, 2020

May 13, 2020

June 10, 2020

July 8, 2020

August 12, 2020

September 9, 2020

October 14, 2020

November 18, 2020 – regular meeting date would be Nov 11, Township offices closed for Veteran’s day

December 9, 2020