GREEN LAKE TOWNSHIP ZONING BOARD OF APPEALS

9700 Riley Road, Interlochen, MI

6:00 p.m., Wednesday October 9, 2019

MINUTES

1. CALL TO ORDER: By Chairman Volkening at 6:00 pm.
2. PLEDGE OF ALLGIANCE: Was recited by all.
3. ROLL CALL: Board members present were Myers, McDonald, Volkening and Marshall. Haight and Jackowski were absent and excused. Also present was Mary Jo Barck, acting as Recording Secretary.
4. APPROVAL OF AGENDA: Moved by McDonald supported by Marshall to approve the agenda. Carried.
5. CONFLICT OF INTEREST STATEMENT: None.
6. APPROVAL OF MINUTES*:* Moved by McDonald and supported by Myers to approve the minutes of the meeting held on September 11, 2019. Carried.
7. PUBLIC HEARING:

OPEN PUBLIC HEARING by Volkening at 6:06 pm.

**ZBA 19-006**: A request made by Nick and Jamie Grant for the granting of a variance from the minimum thirty-five-foot (35’) front yard setback requirement of the R1 – Residential District. The proposal is to allow for the construction of a deck on the north side of the house that will encroach nineteen feet six inches (19.5’) into the required front yard setback of Wilcox Street.

Chairman Volkening asked if the applicant was present and if they would like to speak during this hearing. Mrs. Grant provided information she feels is relevant to the granting of the variance. She stated renovations to both the front and the back of home are being planned which includes enlarging an existing deck. She further stated that when the property was purchased there was a wetland reserve of 5 acres behind the home limiting any addition to the side and front of home. Mr. Grant added the side is the only area which will allow a deck as it has entry door and the other side is where bedrooms are located. They prefer not to go shorter as that would require stairs. Mrs. Grant made the following points; the changes keeps in character with the area and the home already encroached when purchased in 2009. Mr. Volkening asked if she is referencing Wilcox Street, Mr. Grant said yes. Mr. McDonald asked if Wilcox street is being used, Mr. Grant said no. Mr. Grant said he has learned it was used as a road for farmers to access the rail depot. Mr. Volkening asked for clarification the property in question is actually on 633. Mr. Grant stated their address is 633 and Wilcox is actually landlocked. Ms. Reiten added that Wilcox is a platted paper road. Mr. Volkening asked if the building addition met setback and Ms. Reiten stated it does and that permit has been granted-the deck is a separate request. Mr. Volkening asked the distance from the front porch to Wilcox. Ms. Reiten answered it is 17 feet from Wilcox creating an 18-foot encroachment.

Mr. Volkening asked if the Board if they had further questions for the applicants.

With no further questions the Public Hearing was closed at 6:11 p.m.

Motion by Mr. McDonald to grant variance as requested, unique and special conditions including wetlands which makes the house preconditioned and will not change the character of neighborhood and is in harmony with existing buildings. Motion seconded by Mr. Marshall. Roll Call Vote, Marshall-yes, McDonald-yes, Volkening-yes, Myers- yes. Motion carried. Mr. Volkening expressed his wishes on the project to the Grants.

OPEN PUBLIC HEARING by Volkening at 6:13 p.m.

**ZBA 19-007** A request made by Benjamin Vernia and L. Carol Ritchie for the granting of variances from the minimum thirty-five-foot (35’) front yard setback requirement and from the minimum fifteen feet (15’) or ten percent (10%) of the lot width but never less than seven feet (7’) side yard setback requirement in two (2) locations of the LR – Lake Residential District. The proposal includes a variance of five feet (5’) to the west into the required front yard, three feet eight inches (3’8”) to the south for the front corner into the required side yard setback and three feet eight inches (3’8”) to the south for the rear corner into the required side yard setback.

Chairman Volkening asked if the applicant was present. Mr. Benjamin Vernia stood and identified himself as the applicant and owner of 4697 State Park Highway and also of 4690 State Park Highway, which is not waterfront. Mr. Vernia referenced attachment A which was included in the packet to the members for this meeting. The home was purchased in 2007 with the intention to knockdown and rebuild. The 2008 recession changed their minds and they began to like the home as it was built. Mr. Vernia stated the home maintenance has been concentrated to 2 wings and replacing those portions makes better sense. The wings are also very small and not well insulated. He is asking for this variance to accommodate space for an upgraded, larger kitchen, bath and utility which include utility and sewer. The plan, he commented, also preserves the old character of the house. The house has existed on the site since before the zoning ordinance went into effect. Mr. Volkening has visited the site and asked if a new roof is planned, applicant responded yes. Mr. Volkening also asked about the drain field. Mr. Vernier said is does pump under the road to their off-water parcel.

Mr. Volkening inquired if the north wall could be extended or if it is too tight. Mr. Vernia answered that would mean breaking into the main structure wall, which is the oldest part of the building, changing its character. Ms. Myers asked what type of construction the new porch will be, it was answered as regular construction – not concrete. Mr. Volkening asked what the current south lot line distance is, Ms. Reiten stated it is approximately 4 feet which requires a 3-foot 8-inch variance. Mr. Volkening asked if any correspondence had been received regarding this request and “no” was answered by Ms. Reiten. Mr. Vernia did speak with his neighbors and explained the proposed project.

PUBLIC HEARING CLOSED AT 6:28 p.m.

Ms. Myers commented that everything is so tight in that neighborhood. Mr. Volkening shared a lot of those homes were built in the 1940’s and the hill is also a challenge to these projects. Ms. Myers said this is not an extraordinary request.

Motion by Mr. McDonald to approve variance as requested, which meets conditions of variance ordinance. Odd, grandfathered lot with unique and circumstance and other lots in the area have likewise been granted similar variances. This was not caused by the owner and neighbor south of this parcel is closer to the water than should be. This is a minimal request. Motion seconded by Ms. Myers. Roll Call Vote, Marshall-yes, McDonald-yes, Volkening-yes, Myers- yes. Motion carried. Mr. Volkening thanks Mr. Vernia for his attendance.

1. CORRESPONDENCE: None.
2. OLD BUSINESS: Update on a proposal to amend Article 15 Board of Appeals, 15.4 Variances, introduction paragraph and section A. Section B through F remain unchanged.

Mr. Volkening thanked Mr. McDonald for the great work on this amendment. Mr. McDonald stated that everyone likes this new language better. One change was made to Section C and another may be needed to drop the 2nd half of section D. Other than that, it is short and sweet. Mr. Volkening said this is informational only and he will keep the members apprised as the changed is finalized.

1. PUBLIC COMMENT: None.
2. BOARD COMMENTS: None.
3. ADJOURNMENT: Motion by Ms. Myers, supported by Mr. Volkening to adjourn the meeting at 6:39 p.m. Motion carried.

JUDY MYERS, SECRETARY

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RONDA ROBINSON, RECORDING SECRETARY

MARY JO BARCK, ACTING RECORDING SECRETARY OCTOBER 9, 2019

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