

ONEKAMA TOWNSHIP  
ZONING BOARD OF APPEALS  
SPECIAL MEETING AND PUBLIC HEARING  
WEDNESDAY JANUARY 16, 2019 3; P.M.

The meeting was called to order at 3:05 p.m. by Chairman Tom Gerhardt.

The Pledge of Allegiance was said.

Present: Joann Hilliard alternate for Jim Trout absent, Dennis Beebe, Tom Gerhardt, Zoning Administrator Larry Thompson, and Recording Secretary Mary Kuipers. Also present was alternate Jim Pomeranski, and applicant John Stevenson.

MINUTES; Motion by Hilliard, second by Gerhardt to accept the minutes of the October 25, 2018 Special meeting and Public hearing.. Motion carried.

ELECTION OF OFFICERS: Motion by Beebe, second by Hilliard, to reinstate present officers for 2019. Motion carried. Officers are: Tom Gerhardt, Chairman, Dennis Beebe, Vice Chairman, James Trout, legal secretary, and Mary Lou Milliard, Recording secretary.

PUBLIC HEARING: Case No. 11619 , Parcel # 51-11-290-309-00, Lots 1,2,3 Block 76 and part of 4, Portage Park Addition, Onekama Township. Owner, John Stevenson, 10578 N. Long Lake Road, Traverse City; MI 49685. Property is located at 3028 Portage Point Drive, Onekama.

PURPOSE OF HEARING: Gerhardt explained the purpose of the hearing is to receive input for a variance request from John Stevenson, 10578 N. Long Lake Rd. Traverse City MI, 49685. If granted, the variance would permit construction of a garage located in front of the main dwelling located at the home at 3028 Portage Point Dr.

ZONING ADMINISTRATOR'S PRESENTATION: The home is placed very close to the rear property line, leaving no area for a 30 x 35 ft, 1035 sq ft garage. Also placement of well, septic, and a small existing accessory building prevents structure to be constructed alongside dwelling.

A DEQ Permit, HNH-AO2M-9BXJP, has been received and all neighbors within 300 feet have been notified.

If the variance is approved, a land use and a Soil and Erosion permit will be required.

Beebe: Requested more factual information, a survey. He stated that only one accessory building is allowed on property. Beebe also asked if this parcel was lakefront property.

Thompson: Said that he didn't think the property was lake front. Exact measurements are not necessary until a land use permit is requested.

Stevenson: stated that he doesn't think that this parcel is lake front because he gets two separate tax bills.

PUBLIC COMMENT IN SUPPORT; Alice Mesores, Margaret Cloutier, and Denise McCarthy were gave positive support for the request.

PUBLIC COMMENT IN OPPOSITION: None

CORRESPONDENCE: An email received from Jim Trout to Thompson dated January 11, 2019 was read and is attached.

PUBLIC HEARING ADJOURNED

REGULAR MEETING ~~OPENS~~

#### FINDING OF FACTS

The following statements are based on the standards imposed on the ZBA when reviewing an appeal for a Variance in accordance with Section 9603 of the Ordinance.

1. Do special conditions exist which are peculiar to the land, structures or building involved and which are not applicable to other land, structures and building in the same district? Gerhardt, yes. Beebe, yes. Hilliard yes.
2. Will literal interpretation of Section 4204 c of the ordinance as related to a front yard setback deprive the owner of rights commonly enjoyed by other properties in the same district? Gerhardt, yes. Beebe, no. Hilliard, yes.
3. Are the special circumstances and conditions the result of actions by applicant and considered self created? Gerhardt, no. Beebe, yes. Hilliard, no.
4. Will granting the variance alter the essential character of the area? Gerhardt, no. Beebe, no. Hilliard, no.
5. Does conforming to the zoning requirements create a practical hardship? Gerhardt, yes. Beebe, yes. Hilliard, yes.

MOTION; Hilliard moved Gerhardt seconded to grant the variance as presented based on the Findings of Fact. Gerhardt, yes, Hilliard, yes, Beebe, no. Motion carried.

THOMPSON; Questions could have been answered before the meeting with a phone call.

ADJOURN; 4:20 p.m.

Submitted by:

Mary J Kuipers  
Acting recording secretary

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Tom Gerhardt, Chairman



Vice Chairman Dennis Beebe  
acting for secretary Jim Trout