**TORCH LAKE TOWNSHIP**

**ZONING BOARD OF APPEALS REGULAR MEETING**

**APPROVED 5-0 WITH CORRECTION**

**April 20, 2022**

**Community Services Building**

**Present:** L. Andersen, C. Impellizzeri, D. Nussdorfer, B. Hawkins, M. Jakubiak

**Alternates:** K. Graves, M. Petersen

**Others**: J. Petersen

**Recording Secretary:** Veronica Beitner

**Audience:** 3

**1. Call to Order** at 6:59 pm by L. Andersen followed by the Pledge of Allegiance

**2. Record Members Present:** M. Jakubiak, D. Nussdorfer, L. Andersen, C. Impellizzeri, B. Hawkins, M. Petersen, K. Graves

**3. Public Comment:** None

**4. Any Conflicts of Interest of agenda items:** None

**5. Approval of Agenda:** L. Andersen adds Report from the Planning Commission to Agenda #10 and those items following to follow suite. (M/S) M. Jakubiak/D. Nussdorfer motion to approve with changes. Passed 5-0.

**6. Approval of January 19 , 2022 ZBA Meeting Minutes: (**M/S) L. Andersen/M. Jakubiak motion to approve the minutes as corrected. Item 3 word should be “comment”, Item 4 motion seconded by C. Impellizzeri. Passed 5-0.

**7. ZBA Appeals Checklist/Guideline – review revision:** L. Andersen provided background to development of form to be utilized by members. Form reviewed line by line with prior case used as example.

**Notes** section: clarification requested from J. Petersen regarding examples of “attached conditions”. Discussion ensued including requirements as part of Motion. **General Finding of Fact** section: Zoning Administrator will provide for members to review.

**Criteria to Substantiate a Practical Difficulty** section is the ZBA members opportunity to evaluate Findings of Facts with criteria that comes directly from Torch Lake Township Zoning Ordinance. Clarifications discussed per each criterion listed in sections A-D.

A4 should have a comma after “land.”

B (section) utilized previous case example for understanding.

C (section) criteria wording reviewed due to awkward phrasing and allow for consistent understanding.

D (section) no specific questions to this section. B. Hawkins added comments from case example to assist in understanding of section criteria.

Additional Finding of Fact reviewed briefly again utilizing case study.

**Notes/Questions** briefly reviewed.

Final thoughts from members: The form will assist in site visits and assist in deliberations during the Public Hearings.

J. Petersen reminds members of requirements that the entire form must be completed in each case, regardless of early findings that may negate the application request. L. Andersen notes that this form is for Dimensional Variances. She will continue to work with Zoning Administrator’s on other case types such as interpretations.

**8. Discussion of ZBA Workshop training/other suggestions:** C. Impellizzeri brought up utilizing the drop-down screen to display for the public the general format that will be followed during the Hearing as well as Procedural rules. Discussion ensued. Suggestion to add the agenda to screen and conserve paper copies which was well received. B. Hawkins brought up concern of multiple screen information. Further review with the Zoning Administrator will be conducted. L. Andersen brought up concern regarding the Alternate’s role in meeting and ability to participate in next meeting review of minutes. Discussion ensued. Supervisor Cook provided explanation of criteria to abstain as well as ability to ask the alternate to submit any comments/corrections to the minutes to the Chair prior to the meeting. Supervisor Cook will seek input from Township Attorney.

**9. Zoning Administrator’s Report:** Report provided in packet. With season change, expectation that office will be getting busier. D. Nussdorfer asks for update on specific complaint of report.

**10.Planning Commission Representative Report:** B. Hawkins reports that they last met on March 8, 2022. Reviewed correspondence from Antrim County notifying their intent to plan on their Master Plan. Discussed High Water level mark to establish a common and not changing reference point for establishing setbacks. This will be an ongoing discussion. Discussed Township Master Plan review with input from S. Kopriva. Discussed Annual Report which will be presented soon. Discussed criteria for Zoning Amendments Approval criteria which will be ongoing review and discussion. Two meetings scheduled for May on the 10th and 11th. J. Petersen states May 10, 2022 will hear 31 Scoops Special Use Permit Application for adding non-motorized water toys to rent as part of their services and Torchport Airpark Memorial weekend Pancake breakfast, fly in, camping and fireworks similar to last year. On May 11, 2022 Dollar General will be on agenda. The applications will be available for review one week prior to the scheduled meetings. D. Nussdorfer asked general question if any entity that comes into Township and meets requirements, is there any mechanism to still oppose due to overwhelming public opposition. Important to remember the Planning Commission still has the responsibility to determine if the request meets the characterizations of the Master Plan. All residents/citizens are encouraged to utilize Public Comment sections on the agenda.

May, 2022 meeting cancelled.

**11. Comments/Concerns of the Public:** None

**12. Adjournment: (**M/S) D. Nussdorfer/C. Impellizzeri motion to adjourn at 8:00 pm. Passed 5-0.