TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

Community Service Building

Zoning Board Meeting

APPROVED Minutes AS PREPARED 5-0

May 8, 2019

**Present:** Chairman: Dave Barr, Members: Cole Shoemaker, Bob Cook, Mark Jakubiak, Greg Sumerix

**Alternates:** Jim Meinke, Jim Gainey

**Absent:** Jacqueline Petersen

**Others:** Deb Graber - Zoning Administrator

**Recording Secretary:** Deborah Graber

**Audience**: None

**1. & 2. Call to Order Regular Meeting / Record Members Present:**

Meeting called to order at 7:00 pm by Dave Barr

Roll call conducted by Barr

**3. Approval of Agenda;**

Motion by Jakubiak to approve the agenda; seconded by Barr, Barr called for further discussion and roll call vote; 5/0 motion carried

**4. Approval of last ZBA Draft Meeting Minutes (April 10, 2019)**

**Corrections:** Item #8 Added Motion from Dave Barr that applicant has met items 1, 2, 3 & 4 of the Variance Appeal #2019-1 and is approved; seconded by Meinke. Roll call vote 5/0 motion carried 5/0. Items #10 and #11 were missing in the numbering; all items adjusted 12 to 10; 13 to 11; 14 to 12; 15 to 13 & 16 to 14.

Motion by Gainey to approve the draft meeting minutes with corrections; seconded by Jakubiak, Barr called for further discussion and roll call vote; 5/0 motion carried

**5. Conflict of interest to agenda items**

Barr polled all ZBA members asking if any conflict of interest and or recusal issues existed and there were none stated.

**6. Communications Received**

Barr asked Cook if any communications had been received and there were none

**7. Public Comment**

Barr called for public comment and none was given

**8. Post discussion of Appeal #2019-1 at 2332 Birchview Drive seeking a setback variance to construct a 60’x2’x30” above ground retaining wall that would be in the setback on the south side of the property encroaching on the setback by 8’.**

Barr reviewed the Rules of Procedure Article VII for the variance request hearing. Discussions among members regarding how each parcel is judged based on the four criteria. Cook stated a need for a consistent thought process and concern of the type of precedence set with the approval of a variance. Judge how to apply actions of individuals. Conforming lots versus non-conforming lots and how they are judged. Discussion of “wants” versus “needs”.

**9. Report on Matters of Interest to the ZBA from the PC**

Shoemaker referred to two Agriculture Zone Special Use hearings to be held next week; one on Private Events and one for a Bed and Breakfast.

**10. Report from Zoning Administrator**

Graber distributed an updated *Checklist for April 2019* and TLT 2019 Land Use Permits spreadsheet. Three civil infractions filed with Antrim County. Blight issues are resolving. Violations, complaints, on-going permit status, and current zoning applications were summarized. New verbal request from David Templin for a new garden or possibly a greenhouse on his property west of his garage. He has not yet provided the details.

**11. Miscellaneous Administrative Matters**

Graber and Cook updated the group as to the status of the Templin matter. The Templin case will hold a Settlement Conference on June 4, 2019. No progress at the April 29, 2019 mediation.

**12. Summary of Action Items to be taken on or before the next ZBA Meeting May 8, 2019**

One new variance is on the docket for June 12, 2019 meeting. Packets handed out at tonight’s meeting. ZBA 2019-02 Flynn – rear setback variance requested. Review Signs section of the Zoning Ordinance. Possible new appeal coming for a LED sign with movement.

**13. Comments / Concerns of the public**

Barr called for, and none were offered

**14. Adjournment**

With nothing further, a motion was made by Barr to adjourn, the motion was seconded by Cook, Barr called for further comment and vote; passing 5/0. The meeting was adjourned at 8:27 pm