TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

Community Service Building

Zoning Board Meeting

Approved Meeting MInutes 1.15.25

**Present:**

Andersen, Swanson, Clarke, Andersen, Nussdorfer, Impellizzeri

**Absent:** Wynkoop, Graves

**Audience:**

**Others:** S Kopriva, Zoning Administrator

**Recording Secretary:** Jacqueline Petersen

1. Meeting called to order by Andersen at 6pm, roll call taken and pledge recited
2. Andersen/Clark to approve agenda for 1.15.25 vote: 5/0 passed
3. Nussdorfer/Clarke to approve Meeting Minutes as presented from 11.20.24 5/0 passed
4. No Conflicts of interest
5. Public Comment-none
6. Communications-none
7. Hearing of Case

Andersen opened the public hearing and reviewed the procedures of the hearing.

1. ZBA 2025-01 requested by Glenn Loy; parcel #05-14-575-008-00, a residentially zoned (R1) parcel, located at 4649 N East Torch Lake Drive for a retaining wall and fill to be placed approximately 20 feet into the required 50 foot setback in the Waterfront Overlay District.
   1. Presentation by Applicant

Loy presented his request to the ZBA. He outlined with visual aids, his perceived need for water drainage and soil erosion as it pertains to his property and its relevance to the Torch Lake Township Shoreland Protection Strip Ordinance. He cited wording from the criteria section of the ordinance, used to decide on his request. He outlined with the visual aids the current drainage, cemetery run off which affects his property from the east. He also outlined a visual aid of where he’d like to place rock walls, a fire pit, a ground level patio and a set of rock stairs to access the beach. He points out that his permit to build his home was issued under the provision of the old Zoning Ordinance, which had no regulations for shoreline activity. He expressed the limitations imposed on his property by the regulations of the new ordinance were too restrictive and the halting of his project is counter productive to preventing erosion and directing water run off. He was unaware of the new Zoning Ordinance shoreline regulations until he was contacted by the township, telling him he needed to comply. His home is completed and he has consulted with Kyle Williams, former Soil Erosion officer for the Antrim County Soil Conservation District regarding Antrim County’s requirements at his shoreline, in respect to the rock wall project, for which he is asking a variance. He was installing the rip rap recommended by Williams when he had to shut down the job. The home was permitted in July 2023, construction began in March 2024 and was well underway when the new Zoning Ordinance took effect in September 2024. He was notified in November 2024 that his landscape plan did not satisfy the requirements of the new ordinance. Loy reiterated how the condition of the lawn was left, and a variance is required to restore it. He feels he needs to protect the bank and that denying him variance, goes against the spirit of what the ordinance intended. Loy also commented that his neighbors, with similar if not exact topography have all installed rock walls to prevent erosion before the new ordinance went into effect.

H. Presentation by Staff

The board members asked questions of Mr. Loy for clarification such as exact distance of the variance he is requesting, what would be placed inside the setback and or variance area (rock walls, stairs, ground level patio, firepit etc,(and materials proposed) including the distance from the water they are proposed to exist, (exact location and sizes of all items is required) (use a survey if necessary). Next, describe in detail the turn around area on the bank for truck to service well. Lastly, what other efforts would professionals recommend instead of the rock walls to mitigate soil erosion. The staff also discussed and asked questions regarding procedure and the new ordinance with Zoning Administrator & Township Planner Sara Kopriva.

I. Public Comment

Bob Cook Dragonfly Lane, Kewadin- Cook presented that in drafting the ordinance, when it came to greenbelts and establishing shoreline restrictions, properties with this topography on the east side of Torch were not considered. and that having taken into consideration the majority of the TLT shoreline doesn’t require such efforts of soil erosion control, this property is unique and this should be considered.

J. Deliberation of ZBA- The board discussed the matter and ultimately decided to request more information from Loy. They would like provided more information as listed above. Andersen polled the board for thoughts regarding tabling the discussion. Andersen / Clarke to table the discussion regarding ZBA 2025-01 Loy until more information is available and the ZBA can reconvene. Vote was taken 5/0 passed

K. Miscellaneous Business

L. Public Comment

M. Summary of Action items before next ZBA Meeting - Sara to put newly updated Rules and Procedures into ZBA Box

Next meeting: 2.19.25

1. Adjournment

Andersen/Impellizzeri to adjourn: vote 5/0 adjourned at 7:42pm