

GREEN LAKE TOWNSHIP ZONING BOARD OF APPEALS  
HELD VIA WEBEX  
DECEMBER 9, 2020

MINUTES

1. CALL TO ORDER: By Chairman Volkening at 6:11 pm.
2. PLEDGE OF ALLGIANCE: Was recited by all.
3. ROLL CALL: Board members present virtually were: Wilson, Volkening, McDonald, Haight and Baldwin. Also present virtually were Alycia Reiten, Planning and Zoning Director and Ronda Robinson, Recording Secretary.
4. APPROVAL OF AGENDA: Moved by McDonald and supported by Volkening to approve the Agenda, as presented. Carried.
5. APPROVAL OF MINUTES: Moved by Volkening and supported by Wilson to approve the Minutes of November 4, 2020, as presented. Carried.
6. CORRESPONDENCE: Five letters of support for the five cases on the Agenda from Haggard's Plumbing and Heating, dated November 23, 2020.
7. CONFLICT OF INTEREST STATEMENT: None.
8. NEW BUSINESS
  - A. PUBLIC HEARING: ZBA 20-020-A request for the granting of a variance to Article 4 General Provisions, 4.13, B. Dimensional Standards, front yard setback 35 feet and Article 4 General Provisions, 4.13 Fences, C. General Regulations-1. Barbed wire fences and electric fences shall not be permitted, located at 9669 US Hwy 31, Interlochen, MI and owned by DTE Gas. The applicant is requesting a variance of 23'8" to the front yard setback for a seven-foot fence including one foot of barbed wire.

Rebecca Taylor, DTE Gas, explained that they plan on upgrading the station with a redundant pipeline, as a safety net, in case the first line goes down or requires maintenance. The station was built in 1981. The fence is necessary to keep people away from the above ground lines and would need to be pushed towards the highway to complete the upgrade. US 31 has a large right of way. The fence planned is the industrial standard and the new fence section would have slating to improve the appearance.

OPENING PUBLIC HEARING TO PUBLIC COMMENT by Volkening at 6:23 pm.

No Public Comment.

CLOSED PUBLIC HEARING TO PUBLIC COMMENT by Volkening at 6:23 pm.

ACTION ON ZBA 20-020: Motion by McDonald and second by Baldwin to approve ZBA 20-020. Roll Call: Yes-Wilson, Baldwin, McDonald, Haight, Volkening. No-0. Carried.

- B. PUBLIC HEARING: ZBA 20-021- A request for the granting of a variance to Article 4 General Provisions, 4.13, B. Dimensional Standards, rear yard setback 15 feet and Article 4 General Provisions, 4.13 Fences, C. General Regulations-1. Barbed wire fences and electric fences shall not be permitted, located at 6158 US Hwy 31, Grawn, MI and owned by DTE Gas. The applicant is requesting a variance of 7'8" to the rear setback for a seven-foot fence including one foot of barbed wire.

Taylor explained that this request is similar to the first case. They want to add an 8-inch main line value for redundancy. The project is going as scheduled and they expect to have the upgrade completed in 2021.

Haight wants the slates to be added all the way around the station and to be maintained. He wants this condition added to 20-020 and 20-021.

Michael Palermo, Project Manager DTE, stated that the slates were only intended for the new fence sections, but they can add it to the existing fence line also.

OPENING PUBLIC HEARING TO PUBLIC COMMENT by Volkening at 6:32 pm.

No Public Comment.

CLOSED PUBLIC HEARING TO PUBLIC COMMENT by Volkening at 6:32 pm.

ACTION ON ZBA 20-021: Motion by Volkening and second by Wilson to approve ZBA 20-021 with the addition of slating along the whole fence line. Roll Call: Yes-Wilson, McDonald, Haight, Baldwin, Volkening. No-0. Carried.

- C. PUBLIC HEARING: ZBA 20-022- A request for the granting of a variance to Article 4 General Provisions, 4.13, B. Dimensional Standards, front yard

setback 35 feet, located at 10936 Cedar Hedge Trail, Interlochen, MI and owned by Andrii and Olena Grechishkyn. The applicant is requesting a variance of 16 feet to the front yard setback for a six-foot privacy fence along the east and west property lines.

Through an interpreter the applicants explained that they have a sick son who is confined to a wheelchair. He enjoys spending time in the yard but since the construction began on the neighboring house, he has not felt comfortable in the yard because of his lack of privacy. They constructed a six-foot-high privacy fence and their son feels protected and has been going outside again.

Baldwin explained that he now is aware that he knows the applicants and their son. He asked to excused himself from this case.

Motion by Volkening and support by Wilson to accept Baldwin's request to be excused from this case. Roll Call: Yes-Haight, Volkening, Wilson, McDonald. No-0. Carried.

OPENING PUBLIC HEARING TO PUBLIC COMMENT by Volkening at 6:44 pm.

Craig Kellogg, 741 Mulberry Drive, said he worked on the project next door to the Grechishkyns and stated that with the elevation of the new house the neighbors do have a direct view of the applicant's yard.

CLOSED PUBLIC HEARING TO PUBLIC COMMENT by Volkening at 6:45 pm.

Reiten said she noticed the addition of the fence and sent a letter to the applicants.

Volkening mentioned that the last two section of fence could be cut down to four feet.

ACTION ON ZBA 20-022: Motion by McDonald and second by Haight to approve ZBA 20-022, as presented. They have practical difficulty because strict compliance with the Ordinance would be unnecessary burdensome. The Variance would provide substantial justice to the applicants and others in the area. A lesser Variance would not give substantial relief to the applicants. There is a unique circumstance because the neighboring house was built at an angle, which the applicants had no part in. Roll Call: Yes-Wilson, McDonald, Haight, Volkening. No-0. Carried.

D. PUBLIC HEARING: ZBA 20-023- A request for the granting of a variance to Article 4 General Provisions, 4.11 Accessory Buildings and Structures, B.

Dimensional Restrictions for Accessory Structures Parcels 2 acres and over: 1,200 square feet of 100% of the footprint of the primary building, whichever is greater, located at 741 Mulberry Drive, Traverse City, MI and owned by Craig Kellogg. The applicant is requesting a variance of 732 square feet for a recently constructed accessory structure.

Kellogg explained that he recently constructed an accessory building and then moved it to comply with an easement he found out about after the fact. He added a lean-to onto the structure. He would like to keep the lean-to and the section on the back of the building because he needs the storage. The parcel is 34 acres and can not be developed. He does not wish to add anymore buildings to the parcel.

Volkening reviewed that the applicant can have three detached accessory buildings on the parcel, each up to 1200 square feet. Kellogg has two now. Without the side lean-to and northern addition, the building would comply with the Ordinance.

OPENING PUBLIC HEARING TO PUBLIC COMMENT by Volkening at 6:59 pm.

No Public Comment.

CLOSED PUBLIC HEARING TO PUBLIC COMMENT by Volkening at 7:00 pm.

ACTION ON ZBA 20-023: Motion by McDonald and second by Wilson to approve ZBA 20-023, as requested, with the condition that no additional detached accessory buildings will be added to the property and that the two existing accessory building will not be increased in size. Roll Call: Yes-Wilson, McDonald, Baldwin, Haight. No-Volkening. Carried.

- E. PUBLIC HEARING: ZBA 20-024- A request for the granting of a variance to Article 4 General Provisions, 4.11 Accessory Buildings and Structures, D. An accessory structure not attached to a primary structure shall be located no less than 10 feet from the primary structure to allow access for emergency services, located at 6176 US 31, Grawn, MI and owned by Joseph Prieskorn. The applicant is requesting a variance of seven feet from the primary structure for a recently constructed accessory structure.

Prieskorn explained that he built a shed to store hand tools and supplies but did not realize there was a distance requirement from the main structure. It is the best location for this purpose.

McDonald asked if the intent is to keep the one side open. Answer was yes.

OPENING PUBLIC HEARING TO PUBLIC COMMENT by Volkening at 7:14 pm.

No Public Comment.

CLOSED PUBLIC HEARING TO PUBLIC COMMENT by Volkening at 7:14 pm.

The Board members agreed that if the variance request is caused by a fire concern access for firefighting would not be a problem

ACTION ON ZBA 20-024: Motion by Wilson and second by Haight to approve ZBA 20-024, as requested. The building is not an eyesore and is one of the better ways to secure and store tools. Roll Call: Yes-Wilson, McDonald, Baldwin, Haight. No-Volkening. Carried.

9. OTHER BUSINESS: None.

10. PUBLIC COMMENT: None.

11. BOARD COMMENTS:

There will be an organizational meeting in January with maybe one case.

McDonald will step aside and let another Trustee have the seat on the ZBA, if there is any interest. Haight and Volkening said they would miss McDonald's expertise.

Merry Christmas wishes were exchanged with hopes that soon the Board can meet in person.

12. ADJOURNMENT: Volkening adjourned the meeting at 7:22 pm.

CHRIS HAIGHT, SECRETARY  
GREEN LAKE TOWNSHIP ZONING BOARD OF APPEALS

RONDA ROBINSON, RECORDING SECRETARY  
GREEN LAKE TOWNSHIP ZONING BOARD OF APPEALS

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