

# Little Traverse Township Zoning Board of Appeals

August 4, 2022

5:30 PM

## MINUTES

FILE COPY

Vice Chairman Johnson called the meeting to order at 5:30 PM.

**Roll Call:** **Present:** Travis Johnson & Joe Chattaway.

**Absent:** Joe Leach

**Staff present:** Bill Dohm, Supervisor,

**Also present:** Phillippe Tardivet and Dan Gorman, Applicants, and Shirley Snyder

**Agenda:** Mr. Dohm presented the agenda. Vice Chairman Johnson asked if there were any additions or changes. There were none. Upon a **motion** by Mr. Chattaway, with support from Mr. Johnson, the agenda was approved by unanimous voice vote of members present, (*attachment page 6*).

**Minutes:** Following review of the minutes of June 30, 2022, a **motion** to approve the minutes as presented was made by Mr. Johnson, and seconded by Mr. Chattaway, the motion was approved by unanimous voice vote of members present.

### **Case #A-03-2022:**

Conduct a Public Hearing on an application by an application by Phillippe Tardivet for a front yard set-back variance to add a covered front porch on a non-conforming residence at 2817 Bester Rd. The property is zoned R-1, and is a non-conforming zoning lot. The property is more particularly described in tax parcel #24-08-16-07-300-004.

Mr. Dohm advised that the Public hearing had been posted, published and mailed to all property owners within 300 ft. of the subject property as required. (*see attachment page 7*)

**5:35 PM:** <sup>Vice</sup> Chairman <sup>Johnson</sup> ~~Leach~~ opened the public hearing.

Mr. Dohm presented a Memorandum of Factfinding prepared by Beckett & Raeder dated 07.19.2022 containing considerations that could be made for a final decision, (*see attachment page 8-12*)

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Upon review of the factfinding, Vice Chairman Johnson asked Mr. Tardivet if he had anything to add. Basically, he concurred with the factfinding memo, and added that he simply wanted to cover the existing porch to protect it from the elements along the same front lines of the existing house.

Vice Chairman Johnson asked if there was any correspondence, or further public comment. There was none.

**5:45 PM:** There being no further public comment, Vice Chairman Johnson declared the Public Hearing closed.

Mr. Chattaway made a motion that due to the findings of fact as stated above, (*see final decision attached pages 13-15*), I, Joe Chattaway, move to approve Case A-03-2022 Tardivet, ZBA Variance Application, dated June 21, 2022, to construct a roof over an existing outdoor porch without expanding the front yard setback non-conformity for property located at 2817 Bester Road, Tax ID 08-16-07-300-004.

Upon a second by Mr. Johnson, the motion was unanimously approved by the following roll call vote:

Mr. Chattaway – Yea

Mr. Johnson - Yea

Mr. Leach – Absent

The motion was declared adopted by Vice Chairman Johnson.

**5:48 PM:** Vice Chairman Johnson called a recess to have the final decision typed for approval and signature.

**5:55 PM:** Vice Chairman Johnson called the meeting back to order.

The final decision was then reviewed by the Board for signature. Upon a motion by Mr. Chattaway, with support by Mr. Johnson, the final order was approved by a unanimous roll call vote of those present, and signed as part of these minutes, (*see page 13-15*).

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**Case A-04-2022**

Conduct a Public Hearing on an application by Gorman Design Associates for Dr. Matthew Romano for both front yard and both side yard set-back variances, as well as an increase in lot coverage variance, to replace an existing non-conforming cottage at 1993 Pennsylvania Ave. The property is zoned RR, and is a non-conforming zoning lot. The property is more particularly described in tax parcel #24-08-16-17-176-039.

Mr. Dohm advised that the Public hearing had been posted, published and mailed to all property owners within 300 ft. of the subject property as required. (*see attachment page 7*)

**6:05 PM:** Vice Chairman Johnson opened the public hearing.

Mr. Dohm presented a Memorandum of Factfinding prepared by Beckett & Raeder dated 07.19.2022 containing considerations that could be made for a final decision, (*see attachment pages 16 - 20*) He provided a letter, and entered it into the record, from the Wequetonsing Land Owners Association (WLOA) supporting the case.,(*see attachment page 21*). He also provided a copy of the Emmet Co. Road Commission driveway permit, (*copy on file*).

Upon review of the factfinding, Vice Chairman Johnson asked Mr. Gorman if he had anything to add.

Mr. Gorman advised that the setback definitions for the WLOA differ from the Twp. zoning regarding roof line vs. footprint, as well as side lot lines vs. front lot lines.

Vice Chairman Johnson asked if there was any further public comment. There was none.

Chairman Johnson expressed concern about the North West corner of the structure extending so far into the setback. His concern focused on the eve overhang. He asked if there could be a change made to accommodate a lesser variance due to the critical location of public streets.

Mr. Gorman responded that he could shift the entire project slightly to the east to better even out the side yards.

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Mr. Dohm asked if the current plan being reviewed was the exact plan that the WLOA had approved. Mrs. Snyder indicated it was, except the red area showing a carport was removed on their copy and not on ours. The carport does not exist. Mr. Gorman advised it did not change the plan, but he would make that change on a revised rendition.

**6:25 PM:** There being no further public comment, Vice Chairman Johnson declared the Public Hearing closed.

Following discussion by the Board, Mr. Chattaway made the following statement: Based on the above, the Board finds that granting the variance would be in harmony with the spirit of the ordinance, allow public safety and welfare to be secured, and substantial justice to be done. He then made the following motion:

Due to the findings of fact as stated above, *(see final decision attached pages 22-24)* I, Joe Chattaway, move to approve Case A-04-2022 Romano ZBA Variance Application dated July 6, 2022, as signed for a front setback variance of 34-1/2 feet, a west-side setback variance of up to 5 feet, and an east-side setback variance of up to 5 feet in order to add a new cottage at 1993 Pennsylvania Avenue, Plat of Roaring Brook, tax ID 08-16-17-176-039. A corrected site plan shall be provided before issuance of the zoning permit.

Upon a second by Mr. Johnson, the following roll call vote took place:

Mr. Chattaway – Yea

Mr. Johnson - Yea

Mr. Leach – Absent

The motion was declared adopted by Vice Chairman Johnson.

**6:30 PM:** Vice Chairman Johnson called a recess to have the final decision typed for approval and signature.

**6:40 PM:** Vice Chairman Johnson called the meeting back to order.

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The final decision was then reviewed by the Board for signature. Upon a motion by Mr. Chattaway, with support by Mr. Johnson, the final order was approved by a unanimous roll call vote of those present, and signed as part of these minutes, (see page 22-24).

**Open Discussion for items not on the agenda:**


Public Comment or Correspondence received. There was none.


**Report by Planning Commission Representative:** There was none.

**Report by Twp. Board Members:** There was none.

**Adjourn:** There being no further business to be brought before the Board, the meeting was declared adjourned by Vice Chairman Johnson at 7:00 PM.

Respectfully Submitted,

  
\_\_\_\_\_  
Joe Chattaway, Secretary

  
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William P. Dohm  
Recording Secretary  
  
10-13-2022  
\_\_\_\_\_  
Date Approved