

# MELROSE TOWNSHIP ZONING BOARD OF APPEALS MINUTES OF OCTOBER 21, 2020

CALL TO ORDER: The meeting was called to order at 7:00pm by Ch. Errol Lee

ROLL CALL: Members Present: Ch. Errol Lee, Bart Wangeman, David Beier, Todd Reeves. Lyon Stephens and Zoning Administrator Randy Frykberg. Guest present was Travis Catt, representing Vistas of Walloon.

APPROVAL OF AGENDA: Bart moved to approve the agenda and Todd seconded. ALL AYES, motion carried.

APPROVAL OF MINUTES OF JULY 1, 2020: Dave moved to approve the minutes of 7/1/2020 and Bart seconded. ALL AYES, motion carried.

PUBLIC HEARING FOR: **Case # ZBA #3-2020 John and Meridith Alterie Lot 5 in Vistas of Walloon (Tax ID #15-010-725-005-00)**

Frykberg presented highlights from his memorandum regarding this case. There is a turnaround at the end of Oak Bluff Drive, a private street, that utilizes property that would be the corner of the lot. The proposed attached garage is 35' from the curve of the right-of-way for this turnaround. On October 2, 2020, a notice of this Public Hearing was mailed to 10 property owners within 300' of this lot and a notice of this hearing was published in the Petoskey New Review on October 3, 2020.

Travis Catt agreed with what was presented and had nothing, at that time, to add.

David Beier commented that the topography is not unique, the house could be reconfigured and would not need a variance. Others on the board expressed that the turnaround caused a hardship and is unique.

Bart questioned that, because Oak Bluff is a private road, there may be an Association. If a variance is granted, would it go against Association rules? There is no association.

Bart stated that he believes that the side setback lines continue until they intersect with the front and rear lot lines. The board agreed and determined that:

**The ZBA finds that for lot 5 in the Vistas of Walloon, the south side setback line is a straight line 10' from the property edge and continues until it intersects with the front 50' setback line that is parallel to Oak Bluff Dr.**

**Due to the above Finding of Fact, DAVE BEIER moved that the lot is buildable without a variance due to the lot line configuration and setbacks. BART WANGEMAN Seconded. ALL AYES. MOTION PASSED.**

Lyon Stephens left for a First Responder call at 8:15 pm.

Bart reported that at the last Planning Commission on September 28, 2020, the PC approved a site plan for a mixed-use building in the Village. The proposal was for a structure very similar to the one proposed by Jonathan Borisch last year, but the building was moved back from the road and the mechanical equipment and elevators will be situated below the 35' height limit so no variances will be needed. However, there were three conditions included in the approval and they will be reviewed at the Monday, October 26, 2020 PC meeting. Conditions are: Update the plan to recognize and ensure the access easement to the Irvin Burns building, recognize and ensure the easement for the existing sailboat sign, and preclude any unauthorized use of the boat launch parking lot for deliveries or parking.

Meeting Adjourned at 8:27 pm.

Recording Secretary: Randy Frykberg\_\_\_\_\_

Date:\_\_\_\_\_

ZBA Secretary: Todd Reeves\_\_\_\_\_

Date:\_\_\_\_\_