



**ACME TOWNSHIP ZONING BOARD OF APPEALS
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
July 14th, 2016 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE

ROLL CALL:

Members present:

Members excused:

Staff present:

A. APPROVAL OF AGENDA:

B. INQUIRY AS TO CONFLICTS OF INTEREST:

C. CORRESPONDENCE:

D. PUBLIC HEARINGS:

1. ZBA 2016-02: Non-Use Variance Request, 10751 Dumas St

E. ADMINISTRATIVE ACTION

1. Approve Zoning Board of Appeals draft minutes from the June 9, 2016

ADJOURN:



ACME TOWNSHIP ZONING BOARD OF APPEALS
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
July 14th, 2016 7:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE (7:00 p.m.)

ROLL CALL:

Members present: D. Hoxsie, L. LaSusa, J. Maitland (Vice Chair), J. Kuncaitis (Chair), T. Forgette

Members excused: none

Staff present: S. Winter – Zoning Administrator

A. APPROVAL OF AGENDA:

- Approved

B. INQUIRY AS TO CONFLICTS OF INTEREST:

- None

C. CORRESPONDENCE:

1. Letter submitted by Vern Steinfort (Applicant) dated June 21, 2016 detailing the proposed nonuse variance request to his neighbor, Steve VandeVeer. S. VandeVeer signed the letter acknowledging his support of the request. S. Winter read the letter into record and will incorporate it into the hearing packet.

D. PUBLIC HEARINGS:

1. ZBA 2016-02: Non-Use Variance Request, 10751 Dumas St
 - Kuncaitis read the Notice of Hearing into the record
 - Applicant Vern Steinfort of 6154 Plum Drive in the Orchard Shores Subdivision provided and overview of his nonuse variance request §7.2.1(c) to construct an accessory building in the front yard, as defined in the Ordinance, on the property located at 10751 Dumas Drive in the Orchard Shores Subdivision. The overview summarized the information provided in the Application and presented in the Staff Report included in these minutes.
 - Kuncaitis noted that only two neighboring properties would be affected by this location. Steinfort confirmed, noting that one neighbor, Gordie LaPointe, had submitted a letter of support of the request in the application and was present at the hearing, and presented a letter from the other neighbor, Steve VandeVeer, acknowledging his support. That letter has been included in these minutes (Exhibit D) and is referenced as item 1 under C. CORRESPONDENCE.
 - Winter read the letter from VandeVeer into the record.
 - Kuncaitis acknowledged that, presumably, the only reason this lot exists on Dumas Dr. as opposed to Plum Dr. is to meet the frontage requirements for a legal lot, and if the portion fronting Plum Dr. was able to be considered the front there wouldn't even be a need for this request.
 - LaSusa asked Steinfort if LaPointe's property was to the southwest and if VandeVeer's is across the street. Steinfort confirmed. Kuncaitis noted the VandeVeer's is elevated too.
 - Kuncaitis opened the hearing for public comment.
 - LaPointe noted he sent a letter both as a homeowner and the President of the HOA's Board of Directors supporting the request. He mentioned that the proposed location of the new house is consistent with the location of homes throughout the subdivision, pushed back as far as possible along the wooded ravine. Moving the house forward to have room for an accessory building in the back would obstruct views and be inconsistent with the other houses in the subdivision.
 - Winter noted this is the only house in the subdivision not on Plum Dr., providing a different lot orientation from all the other properties.
 - Maitland asked what the L-shaped property goes back towards the Bay. Steinfort stated that it was

- common ground, and that there was no walkway in that portion, per Maitland's inquiry.
- Kuncaitis inquired about the big mound to the east. Steinfort stated that it was common ground. LaPointe confirmed that there are no more buildable lots to the north or east of the subject property.
 - Kuncaitis closed the public comment period.
 - Kuncaitis referenced the Staff Report that indicated that all the Basic Conditions under §5.4.1 and one of the Special Conditions under §5.4.2 have been satisfied.
 - Winter recapped that there are two request to consider based on the application that was submitted: 1) a nonuse variance to allow an accessory building to be placed in the front yard of the subject property, and 2) to allow a setback of no less than 10 feet from the east property line along Dumas Dr.
 - Maitland asked if that what was requested, Steinfort and Winter confirmed. Winter noted the proposed location would be encroaching into the 30 feet front yard setback, as defined and designated.
 - Steinfort clarified the process he used to create preliminary site plan, using LaPointe's building footprint as reference and drawing out the proposed location of the accessory building to scale, with the dimensions of 40' x 40'. Winter confirmed the accuracy of the site plan.
 - Motion by Maitland to approve the variance request to allow the accessory building on the lot as proposed and to allow a 10-foot setback from the property lines due to lot configuration. Maitland verified that after reviewing the recommendations included in the Staff Report by the Zoning Administrator that all the Basic Conditions under §5.4.1 and one of the Special Conditions under §5.4.2 have been met that would allow the granting of the variance.
 - Second by LaSusa. Motion carries unanimously.

E. ADMINISTRATIVE ACTION

1. Approve Zoning Board of Appeals draft minutes from the June 9, 2016
 - Motion by Forgette, second by Maitland to approve ZBA minutes from June 9, 2016. Motion carries.

ADJOURN:

- Motion by Forgette to adjourn, Second by Hoxsie. Motion carries.



Planning and Zoning Staff Report

6042 Acme Road | Williamsburg, MI | 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

Date: June 27, 2016

Permit No.: ZBA 2016-02

Request: Non-use variance to build an accessory building in the front yard

Applicant: Vernon Steinfert
6154 Plum Dr
Williamsburg, MI 49690

Address: 10751 Dumas Dr
Williamsburg, MI 49690

Parcel No.: 28-01-565-012-00

Legal Description: LOT 12 ORCHARD SHORES SPLIT ON 12/21/2000 FROM 01-565-009-00;

Owner: Vernon L & Joan M Steinfert Trust

Aerial Map:



Area: Approximately two (2) acres

Zoning & Existing Use(s): R-1: One-Family Forest and Coastal

- The intent of this district is to provide predominately low density, single-family detached dwellings that harmonize with the natural resource capabilities of the District.
- Currently undeveloped, hay presently being grown
- Part of the Orchard Shores Subdivision

Setbacks:

Front: 30 feet
Side: 20 feet
Rear: 35 feet

Adjacent

Zoning:

North: R-1: One-Family Forest and Coastal – Orchard Shores Common Area
South: R-1: One-Family Forest and Coastal – Steven and Jean Vandever
East: R-1: One-Family Forest and Coastal – Orchard Shores Common Area
West: R-1: One-Family Forest and Coastal – Gordon and Veronica LaPointe

Relevant Sections of the Zoning Ordinance:

§7.2 SUPPLEMENTARY USE AND AREA REGULATIONS

§7.2.1 ACCESSORY BUILDINGS:

Authorized accessory buildings may be erected as part of the principal building or may be connected to it by a roofed-over porch, patio, breezeway, or similar structure, or they may be completely detached. If attached to the principal building, an accessory building shall be made structurally a part of it, and shall comply in all respects with the requirements applicable to the principal building under this Ordinance. An accessory building not attached and not made a part of the principal building shall:

- a. Not be nearer than ten feet from any other separate structure on the same lot,
- b. Not be erected in any minimum side yard setback,
- c. Not be erected in any front yard of any non-waterfront parcel,
- d. Not occupy more than 25% of a required rear yard,
- e. Not exceed one twenty-four feet in height, nor exceed the ground floor area of the main building within Residential Districts,
- f. Not be closer to the side yard lot line than the side yard setback of the principal building on a corner lot within Residential Districts.

AMENDED 01/05/10 EFFECTIVE 01/18/10 AS ZONING ORDINANCE AMENDMENT 004, AMENDED 04/08/2014 AS ZONING ORDINANCE AMENDMENT #031, EFFECTIVE 01/18/2014.

REPORT

The Applicant has requested a non-use variance to construct an accessory building on the northeast corner of the subject property located at 10751 Dumas Drive ("Property") in order to preserve the view shed of Grand Traverse Bay and Maple Bay Farm for the surrounding properties. This location would require a nonuse variance to allow the construction of the accessory building in the front yard (§7.2.1(c)) and within the 30-foot front yard setback (§6.13). A narrative of the application request was submitted by the Applicant with the application (**Exhibit A**). The Applicant has submitted a map of the lot and proposed development including the location of the primary building (residential, scaled to the neighboring home) and accessory building (**Exhibit B**).

The Property is part of the Orchard Shores Subdivision ("Subdivision"), situated atop a bluff along the Grand Traverse Bay. The Covenants and Restrictions of the Subdivision's Home Owner's Association (HOA) encourages all developments to be placed as far back as possible in order to preserve the open view sheds within the Subdivision. The subject property has a steep, forested grade that drops into a ravine along the rear third of the property (beginning along the wood line visible in the aerial imagery), limiting the extent to which a house, and accessory building compliant with §7.2.1, can be situated. Placing the house near the wood line would be consistent with the location of other properties within the Subdivision. The proposed location of the accessory building in the northeast corner would allow the preservation of the view sheds for the existing homes surrounding the property. Furthermore, two sides of the property are surrounded by the Subdivision's common area, and a letter of support has been attached to this report from the HOA's President supporting this application request, along with the Applicant's request letter to the HOA's Board of Directors (**Exhibit C**). The Property is the only private lot on Dumas Drive, and the only property in the Subdivision NOT situated on Plum Drive. The front yard was designated along Dumas Drive in order to satisfy the frontage requirements of the Acme Township Zoning Ordinance. The primary purpose of Dumas Drive is to allow access to the community drainage field, in addition to providing access to the Property. The intention is to install a driveway off of Dumas Drive near the intersection of Plum Drive, and then to install a barrier (chain, gate, etc.) across Dumas Drive to further limit access to the community drain field.

At this point the Applicant does not have a professional site plan and building elevations created for the development of the site. The outcome of this application request will dictate the final layout. The accessory structure referenced in this application is proposed to be 40' x 40' (drawn to scale in Exhibit B), or 40' x 50'. It is worth noting that all developments must be approved by the HOA's Architectural Committee and final site plans and elevations will be needed in order to apply for a Land Use Permit from Acme Township. Additionally, the Applicant is a current homeowner in the Subdivision and is familiar with the architectural standards and review process.

STAFF FINDINGS AND RECOMMENDATION

RECOMMENDATION:

Approval of the request is in accord with the development pattern within the Subdivision and is not contrary to the health, safety, or welfare of the community, particularly that of the surrounding property owners.

STANDARD FOR DETERMINATION:

§5.4 Nonuse Variance

The Zoning Board of Appeals shall have the authority to grant nonuse variances relating to the construction, structural changes, or alteration of buildings or structures related to dimensional requirements of the zoning ordinance or to any other nonuse-related standard in the ordinance, PROVIDED ALL of the BASIC conditions listed herein and any ONE of the SPECIAL conditions listed thereafter can be satisfied.

FINDING OF FACT:

Staff finds the following facts regarding nonuse variance request at the Steinfort Property:

§5.4.1 Basic Conditions: That any nonuse variance granted from this Ordinance:

- a. Is a result of practical difficulties which prevent carrying out the strict letter of this Ordinance. These practical difficulties shall be evaluated in terms of the use of the particular parcel of land, and cannot be solely economic in nature.

***SATISFIED:** The proposed location of the accessory building is based on the non-buildable ravine occupying the rear third of the Property and the result of the Subdivision's Covenants and Restrictions that encourage homes to be built as far back from the road as a possible.*

- b. Will not be contrary to the public interest or to the intent and purpose of this Ordinance.

***SATISFIED:** Almost all houses in the Subdivision have been placed as far back on their lot as possible along the wood line, many of which have accessory buildings in the side yard. The request does not appear to be contrary to public interest or the Acme Township Zoning Ordinance.*

- c. Will not cause a substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.

***SATISFIED:** The proposed location will preserve the property values in the immediate vicinity by maintaining the view sheds of Grand Traverse Bay and Maple Bay Farm. It is also consistent with the layout of other homes with accessory buildings in the Subdivision.*

- d. Is not where the specific conditions relating to the property are so general or recurrent in nature as to make the formulation of a general regulation for such conditions reasonably practical.

***SATISFIED:** This specific request is unique in that it is the only property in the Subdivision NOT on Plum Drive. The front yard designation along Dumas Drive is based on the Property's address and the location of the future driveway. As such, it is the only property in the Subdivision with its front yard not orientated along Plum Drive frontage.*

- e. Will relate only to property that is under control of the applicant.

***SATISFIED:** The accessory building will only be on the parcel in question.*

- f. Will not be permitted for a parcel of property that is not a Legal Lot of Record, as defined by this Ordinance.

***SATISFIED:** The parcel is a Legal Lot of Record.*

§5.4.2 Special Conditions: When ALL of the foregoing basic conditions can be satisfied, a nonuse variance may be granted when any ONE of the following special conditions can be clearly demonstrated:

Where there are exceptional or extraordinary circumstances or physical conditions such as narrowness, shallowness, shape, or topography of the property involved, or to the intended use of the property that do not generally apply to other property uses in the same zoning district. Such circumstances or conditions shall not have resulted from any act of the applicant subsequent to the adoption of this Ordinance.

SATISFIED: *This request is the result of the unique topography of the lot and being the only property on Dumas Drive, making its front, side and rear yard designations orientated differently than all other houses in the Subdivision.*

Where such variance is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.

NOT EVALUATED

§5.4.3 Rules: The following rules shall be applied in the granting of nonuse variances:

The Zoning Board of Appeals may specify, in writing, such conditions that will in its judgment, secure the objectives and purposes of this Ordinance. Any conditions imposed shall meet the requirements for conditions set forth the Michigan Zoning Enabling Act. Violation of conditions imposed shall nullify the variance.

No application for a nonuse variance which has been denied wholly or in part by the Zoning Board of Appeals shall be re-submitted for a period of one year from the date of the last denial, except on the grounds of newly discovered evidence or proof of changed conditions found upon inspection by the Zoning Board of Appeals to be valid.

CONCLUSION:

It is respectfully recommended that the Zoning Board of Appeals grant the request for a nonuse variance to allow an accessory building in the front yard as indicated on the submitted site plan and no closer than (10) feet from the property line along Dumas Drive for the property located at 10751 Dumas Drive, Williamsburg, MI 49690.

MOTION:

Motion to adopt the finding of the Zoning Administrator and grant a nonuse variance to construct an accessory building in the front yard and no closer than ten (10) feet to from the property line along Dumas Drive.

To: Acme Township Zoning Board of Appeals

June 21, 2016

From: Vern Steinfort

This is a request for a variance to Acme Township Zoning Ordinance, article 7.2 Supplementary Use and Area Regulations; 7.2.1.c Accessory Buildings, which states that accessory buildings 'Not be erected in any front yard of any non-waterfront parcel.' Reference parcel is located at 10751 Dumas Dr., Williamsburg, MI 49690. Parcel identification is 01-565-012-00

The parcel is located within Orchard Shores subdivision. Orchard Shores is a subdivision of 22 lots along Plum Drive which is the private road serving the community. Most of the lots are built on with just a few open lots. Dumas Drive is an unpaved access road that is the access to the community drain field and one building site at 10751 Dumas. The property on the other side of Dumas contains the huge mound of dirt excavated when Plum Drive was built and is all common ground for the benefit of the homeowners. Property to the North and West of the lot site is open land which is part of Orchard Shores common ground.

Most of the lot is open land and towards the back (West, Northwest) of the lot there is a wooded ravine which is the best location for a building site. The plan is to build a house on the ravine at the rear of the lot and set the accessory building to the Northeast corner of the lot which is adjacent to the pumping station for the drain field – see attached drawing.. Placing the buildings per this plan also leaves the center of the lot open (free of structures). The plan leaves the more open view for the neighbor across Plum Drive than if the house were built to the front of the lot and the accessory building to the back. The neighbor to the South is already shielded from the building site for the house with a grove of pines and trees on his lot. Attached find letters supporting this variance.

Regarding the construction of the accessory building. As mentioned earlier, the accessory building is planned to be similar in style and building materials to the house. The building restrictions are built into the CC&R's of the Orchard Shores HOA, Article VIII Building Restrictions, Section 8.3 Garages and Accessory Buildings which states: 'Any garage or accessory building shall be of construction and architectural type the same as or compatible with the residence.' Shown on the layout is the approximate building site for the accessory building and a representation of the house to be built on the ravine. We understand that regular building permits are required for the future buildings and approval of this variance simply would allow us to continue with the building plans. We have not completed the building plans for the house or accessory building as the design is dependent on approval of the variance.

We believe this plan is compatible with the design and atmosphere of Orchard Shores. Several other properties in Orchard Shores have accessory buildings.

We would appreciate your approval of this variance.

Vern Steinfort



Exhibit B

Exhibit B



ENCLOSURE
DEPT

ACME

To Show ASAP

Exhibit B

ZBA 7-11
475



0 180
Feet

To: Orchard Shores Board of Directors:
Gordie LaPointe
Bill Quinlan
Dean Frick

June 21, 2016

From: Vern Steinfort

Subject: Request for Variance for Building on Dumas Drive

As you know, we are planning to build on Dumas Drive and would like to place an accessory building to the Northeast corner in the area of the control station for the drain field and place the house back on the ravine near the woods.

As the attached info indicates, we need to have a variance to the ordinance which states that accessory buildings are to be behind the house. Our goal is to provide a good workable layout for us and also make the layout attractive to the neighborhood.

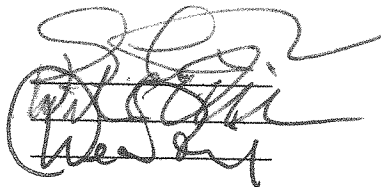
Please review and hopefully approve the plan. If there are any questions, feel free to call or see me directly.

Would like to have this complete by Wednesday, June 22 so that I can forward to Acme Township in preparation for the July 14 Zoning Board of Appeals meeting.

Thank you.

Vern Steinfort

Gordie LaPointe
Bill Quinlan
Dean Frick

Handwritten signatures of Gordie LaPointe, Bill Quinlan, and Dean Frick. The signatures are written in black ink and are somewhat stylized. Gordie LaPointe's signature is at the top, Bill Quinlan's is in the middle, and Dean Frick's is at the bottom.

To: Acme Township ZBA

June 22, 2016

Subject: Vern Steinfort's Request for a variance for Accessory building on Dumas Drive

The Orchard Shoes HOA Board of Directors strongly endorses Mr. Steinfort's request to construct his accessory building on the Northeast corner of his property. The positioning of his residence as far back on the property (to the West) as practical would make the placement of the home consistent with the adjacent 21 properties on Plum Drive as all property owners have been encouraged by the Orchard Shoes Architectural Committee to maximize the set back from the road in order to maintain the open view sheds within the subdivision.

Placement of the Steinfort home as far back as possible to the ridge, as we would recommend, would prohibit the placement of an accessory building behind the house as required by Acme ordinance due to the topology of the lot. Also the placement of the home further to the East in order to place an accessory building in the rear would block off more of the view shed of East Bay and the Maple Bay Farm from the adjacent properties and from the roadway.

A handwritten signature in black ink, appearing to read 'G. La Pointe', with a stylized, flowing script.

Gordie La Pointe

Orchard Shores HOA President



Zoning Board of Appeals – Application for Hearing/Appeal

Township of Acme, Grand Traverse County, Michigan

6042 Acme Road, Williamsburg, MI 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

Zoning Administrator: Shawn Winter Email: swinter@acmetownship.org

Please fill out the following application as completely and legibly as possible:

A. Applicant Information:

Applicant's Name: VERN STEINFORT

Applicant's Current Mailing Address: 6154 PLUM DR

City: WILLIAMSBURG State: MI Zip Code: 49690 Phone Number: 231-498-2268

B. Purpose of Hearing:

☐ Appeal from a Determination by the Zoning Administrator

☒ Apply for a Variance Permit as Authorized by Section(s) 7.2; 7.2.1.c of the Acme Township Zoning Ordinance

☐ Request Extension or Resumption of a Nonconforming Use

☐ Request an interpretation of the Zoning Ordinance

C. Property Information:

Property Address: 10751 DUMAS Parcel Number: 28-01-565-012-00

Property Owner's Name: VERN STEINFORT

Property Owner's Current Mailing Address: 6154 PLUM DR

City: WILLIAMSBURG State: MI Zip Code: 49690 Phone Number: 231-498-2268

Proposed Use/Change to Property: REQUEST VARIANCE TO ALLOW ACCESSORY

BUILDING IN 'FRONT' YARD

D. Please Attach the Following Documents:

☐ Site Plan/Plot Plan – drawn to scale, showing size and shape of buildings, accurate locations on lots, and accurate dimensions

☐ Elevation Drawings – showing the height of the structure(s)

☐ Additional Drawings/Information as Listed Below:

☒ Fees – include initial fee as required in the attached Fee Schedule

☐ Fee Escrow Policy Acknowledgement – signed form with initial fee deposit (if determined applicable)

↳ Not applicable

E. Affidavit:

The undersigned affirms that he/she is the Owner (owner, agent, lessee, or other interested party) involved in this petition and that the foregoing answers, statements, and information are in all respects true and, to the best of his/her knowledge, correct. By making this application, the undersigned grants all officials and staff of Acme Township access to the subject property as required and appropriate to assess site conditions in support of a determination as to the suitability of the proposed project and/or current or future special use permit and zoning ordinance compliance.

Signature of Owner/Agent: [Signature]

Date: 6-21-16

FOR TOWNSHIP USE ONLY

Application No.: ZBA 2016-02

Date of Advertising: _____

Date Received: 6/23/16

Date of Hearing: 7/14/16

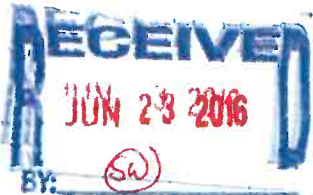
Fee Tendered: \$475.00

Action Taken: _____

NOTES

Architectural Review Committee reviews all new construction projects in the subdivision for compliance with the Orchard Shores HOA guidelines

- proposed accessory building approximately 40' x 40', or 40' x 50'
- required to be of similar style + building materials of primary building



(Updated 12/03/2015 SW)

T. C. RECORD-EAGLE, INC.
120 WEST FRONT STREET
TRAVERSE CITY MI 49684
(231)946-2000

ORDER CONFIRMATION

Salesperson: DENISE LINGERFELT Printed at 06/27/16 09:40 by dling

Acct #: 6	Ad #: 437897	Status: N
ACME TOWNSHIP	Start: 06/28/2016	Stop: 06/28/2016
CATHY DYE, CLERK	Times Ord: 1	Times Run: ***
6042 ACME ROAD	STDAD 3.00 X 4.65	Words: 270
WILLIAMSBURG MI 49690	Total STDAD 13.95	
	Class: 147 LEGALS	
	Rate: LEGAL	Cost: 103.75
	# Affidavits: 1	

Contact:	Ad Descrpt: LEGAL NOTICE ACME TOWNSH
Phone: (231)938-1350	Given by: EMAIL SHAWN WINTER
Fax#: (231)938-1510	Created: dling 06/27/16 09:37
Email: szollinger@acmetownship.org	Last Changed: dling 06/27/16 09:40
Agency:	

PUB	ZONE	EDT TP	START	INS	STOP	SMTWTFS
RE	A	97 W	06/28/16	1	06/28/16	SMTWTFS
IN	AIN	97 W	06/28/16	1	06/28/16	SMTWTFS

AUTHORIZATION

Thank you for advertising in the Record-Eagle, our related publications and online properties. If you are advertising with the Record-Eagle classifieds, your ad will begin running on the start date noted above.

Please be sure to check your ad on the first day it appears. Although we are happy to make corrections at any time, the Record-Eagle is only responsible for the first day's incorrect insertions. Also, we reserve the right to edit or reclassify your ad to better serve buyers and sellers.

No refunds or rebates will be issued if you cancel your ad prior to the stop date.

We appreciate your business.

(CONTINUED ON NEXT PAGE)

T. C. RECORD-EAGLE, INC.
120 WEST FRONT STREET
TRAVERSE CITY MI 49684
(231)946-2000

ORDER CONFIRMATION (CONTINUED)

Salesperson: DENISE LINGERFELT

Printed at 06/27/16 09:40 by dling

Acct #: 6

Ad #: 437897

Status: N

**LEGAL NOTICE
ACME TOWNSHIP
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the ACME TOWNSHIP ZONING BOARD OF APPEALS will hold a public hearing at their regular meeting on Thursday, July 14, 2016 at 7:00 p.m. in the Acme Township Hall, 6042 Acme Rd, Williamsburg, MI 49690 to consider the following:

An application by Vernon Steinfert, 6154 Plum Drive, Williamsburg, MI 49690 for a nonuse variance to construct an accessory building in the front yard portion of the lot located at 10751 Dumas Drive, Williamsburg, MI 49690, in order to preserve the view shed of Grand Traverse Bay and Maple Bay Farm for the existing homes surrounding the lot in the Orchard Shores subdivision. The property is more fully described as:

LOT 12 ORCHARD SHORES SPLIT ON 12/21/2000 FROM 01-565-009-00

Parcel No.: 28-01-565-012-00

The nonuse variance request will be considered pursuant to §§5.4, 6.6.2 (c), 6.13.2(i), 7.2.1 of the Acme Township Zoning Ordinance.

All interested parties are invited to attend and be heard at public hearings before the Zoning Board of Appeals.

After each public hearing, the Zoning Board of Appeals Appeals may make a decision at said meeting, or continue the matter to another date. In the case of hearings composed of multiple requests, the request may be granted or denied in whole or in part as to each individual request.

If you are planning to attend and require any special assistance, please notify Cathy Dye, Township Clerk, within 24 hours of the meeting at 938-1350.

Written comments may be directed to:

Shawn Winter, Zoning Administrator
6042 Acme Rd
Williamsburg, MI 49690
(231) 938-1350
swinter@acmetownship.org

June 28, 2016-1T

437897

300' Mailing List

GRAND TRAVERSE COUNTY
DENNIS ALOIA
400 BOARDMAN AVE
TRAVERSE CITY MI 49684

GRAND TRAVERSE REG LAND CONSERVANCY
SUITE D
3860 NORTH LONG LAKE RD
TRAVERSE CITY MI 49684

ROLLERT E DAVID
6442 MISSION RIDGE
TRAVERSE CITY MI 49686

URSUL DANIEL M & MARY I
1991 TALAMORE CT SE
GRAND RAPIDS MI 49546

HALLIDAY FAMILY AGREEMENT TRUST
6308 SINGLETREE LN
WILLIAMSBURG MI 49690

FRICK DEAN A & DEBRA A
6343 PLUM DR
WILLIAMSBURG MI 49690

LAPOINTE GORDON L & VERONICA R
6375 PLUM DR
WILLIAMSBURG MI 49690

STEINFORT VERNON L & JOAN M TRUSTEE
STEINFORT VERNON L & JOAN M TRUST
6154 PLUM DR
WILLIAMSBURG MI 49690

PALMER THOMAS E TRUST
P O BOX 821
ELK RAPIDS MI 49629

VANDEVEER STEVEN & JEAN A
6374 PLUM DR
WILLIAMSBURG MI 49690



**ACME TOWNSHIP ZONING BOARD OF APPEALS
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
June 9th, 2016 7:00 p.m.**

CALL TO ORDER

7:07 p.m.

ROLL CALL:

Members present: LaSusa, Forgette, Kuncaitis, Maitland
Members excused: Hoxsie (excused)
Staff present: Winter, Zoning Administrator

A. ELECTION OF OFFICERS

- Since it has been over a year since the last ZBA meeting, Chair Kuncaitis determined it was necessary to begin the meeting by electing officers to serve for the next year. It was noted that Larry Belcher unfortunately passed away, and that Dave Hoxsie would be taking his place on the Board.
- Motion by LaSusa, support by Maitland to retain Joe Kuncaitis as the ZBA Chair. Motion passed unanimously.
- Motion by Kuncaitis, support by LaSusa to nominate Jim Maitland as Vice Chair (co-Chair). Motion passed unanimously.

B. APPROVAL OF AGENDA:

- None

C. INQUIRY AS TO CONFLICTS OF INTEREST:

- None

D. CORRESPONDENCE:

E. PUBLIC HEARINGS:

1. ZBA 2016-01: Zoning Determination at 4946 E M-72
 - Kuncaitis read the public hearing notice into record. It was presented that the hearing request came from the Zoning Administrator, on behalf of the Township, as opposed to a private citizen request.
 - Kuncaitis discussed the nature of the determination request
 - Winter provided an overview of the staff report. The subject property was granted a rezone request to B-2: General Business in 2012 in order to be more compatible with the commercial uses allowed on the surrounding properties.
 - Zoning Ordinance Amendment 029 in 2014 deleted the B-2: General Business district from the Zoning Ordinance and reclassified the majority of the properties (all but five) as C: Corridor Commercial. When the Zoning Map was redrawn, the subject property was overlooked.
 - Winter recommends the subject property receive the C: Corridor Commercial designation due to the similarity in uses allowed are consistent with the form B-2: General Business.
 - Kuncaitis asked if the Zoning Ordinance Amendment 029 included language designating geographic extents of the district. Winter stated that it did not.
 - Motion by Maitland to designate the Andres' (subject) property C: Corridor Commercial based on the staff recommendation and standards for determining finding of fact. Support by Forgette. Motion carried unanimously.

F. ADMINISTRATIVE ACTION

1. Approve Zoning Board of Appeals draft minutes from the October 9, 2014
 - Winter informed the ZBA that the Planning Commission is in the process of rewriting the Zoning Ordinance.
 - Forgette asked if there was a review to determine if any other properties had been overlooked in the rezone process, similar to tonight's hearing. Winter stated that there had not been, aside from looking over the Zoning Map.
 - Motion by LaSusa to approved the October 9, 2014 draft minutes as presented. Forgette supports. Motion carries unanimously.
 - Winter explained that since the ZBA doesn't meet regularly due to low demand, all future meetings will be held on the regularly scheduled dates.

ADJOURN:

- Motion by Maitland, support by LaSusa to adjourn. Motion carries unanimously.
- 7:19 p.m.