

## WHITEFISH TOWNSHIP – ZONING BOARD OF APPEALS SEPTEMBER 09, 2022 – 7PM – TOWNSHIP HALL

**CALL TO ORDER:** \_\_7:00 pm\_\_

**PLEDGE OF ALLEGIENCE**

**ROLL CALL:**

ZBA CHAIRPERSON – GREG LEE

PRESENT  NOT PRESENT

CO-CHAIR / SECRETARY – PAUL QUINN

PRESENT  NOT PRESENT

MEMBER -BARB MILLER

PRESENT  NOT PRESENT

PLANNING COMMITTEE – SCOTT ERICKSON

PRESENT  NOT PRESENT

BOARD OF TRUSTEE – GLEN GOMERY

PRESENT  NOT PRESENT

**CHANGES TO AGENDA:**

YES  NO

**APPROVAL OF PREVIOUS MEETINGS MINUTES:**

YES  NO  NOT APPLICABLE

**OLD BUSINESS:**

1) NONE

**NEW BUSINESS:**

1) ZONING VARIANCE APPLICATION – 016-750-011-00

2) DISCUSS ZBA BYLAWS AND PROCEDURES

**PUBLIC COMMENT: AUDIENCE MEMBER**

Variance Application review - ReMax Representative – Whispering Pines lot(s). Representative provided details from a previous TWSP Board meeting. Representative states that mistakes were made in selling

the subject property prior to verifying whether or not the subject property needed to be split or not. Went against 2018 zoning rules. Whispering pines created in 1972 by Representative grandparents (Browns). Tax Assessor put it all under 1 number. Tabled until Township Board spoke to Township attorney. Defined as a legal lot when created. Now considered legally non-conforming lot. Wants ZBA to consider splitting parcel and lots. Should not have sold it prior to splitting it. A separate ReMax representative wants to perform a property split to make buyers whole.

**NEW BUSINESS:**

1) ZONING VARIANCE APPLICATION – 016-750-011-00

Variance Request – Lot 72, Tax ID 016-750-011-00 – Discussion about whether the Variance Application Form submitted is complete prior to holding a Public Hearing.

- Does the submitted form meet the time deadlines required by the zoning ordinance to be heard by the ZBA?
- Is the Variance Application complete so that a public hearing can be held?
- Do we understand who owns the subject property since the 3 lots are under 1 legal description?

Form Question - Section 1 asks for new parcel number to be assigned by the Applicant. Applicants advised that the ZBA does not assign parcel or tax ID numbers.

Form Question - Section 2 gives the names of the applicants but not a description of what the applicants are requesting.

The Applicant Representative noted that ZA did not assist the applicants in completing the Variance Application for the ZBA to consider. They could not locate that ZA individual.

Township Board advised Applicant to seek answers from the ZBA after consulting with Township attorney.

ZBA reviewed Section 1 and Section 2.

Motion made by Glen Gomery:

Give back the application to the applicant to resubmit with the proper information.

2<sup>nd</sup> by Paul Quinn

Discussion: Scott asks who the application should be given back to. Discussion about sending back to the Representative and Applicants. Glen Agrees to amend to add.

Give back the application to the applicant and representative to resubmit with the proper information.

Roll Call Vote:

ZBA CHAIRPERSON – GREG LEE	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
CO-CHAIR / SECRETARY – PAUL QUINN	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
MEMBER -BARB MILLER	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
PLANNING COMMITTEE – SCOTT ERICKSON	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
BOARD OF TRUSTEE – GLEN GOMERY	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

## 2) DISCUSS ZBA BYLAWS AND PROCEDURES

Draft Bylaw and Procedures submitted to the ZBA Board by Chairperson Greg Lee. Discussion on content of draft. Glen Gomery objects to items in the current draft.

ZBA tabled further discussion to allow ZBA members to further review and draft a new Bylaw and Procedures and/or edit the current draft submitted.

Glen Gomery to provide copies of another Township's Bylaws to all members for consideration.

Motion by Scott Erickson to table the proposed bylaws and procedures for the ZBA until the next meeting.

2<sup>nd</sup> By Glen Gomery.

Vote: [ 5 ] Yes [ 0 ] No

Motion Passed.

Motion to Adjourn by Paul Quinn.

2<sup>nd</sup> By Barb Miller.

Vote: [ 5 ] Yes [ 0 ] No

Motion Passed.

Meeting Adjourned: 7:15 pm