

Charter Township of Garfield  
Zoning Board of Appeals Meeting

Wednesday, August 21, 2019 @ 6:00pm  
Garfield Township Hall  
3848 Veterans Drive  
Traverse City, MI 49684

Chair Rick Smith called the meeting to order at 6:00pm.

**Board Members Present:** Lynn Fricke, Steve Duell, Kent Rozycki, Scott Swan, and Rick Smith

**Staff Present:** Zoning Administrator Michael Green

1. **Review and approval of the agenda and declaration of a Conflict of Interest**  
*Duell moved and Swan seconded to approve the agenda as presented.*

*Yeas: Swan, Duell, Rozycki, Fricke, Smith*  
*Nays: None*

2. **Minutes – July 17, 2019**  
*Fricke moved and Rozycki seconded to approve the minutes of July 17, 2019 as presented.*

*Yeas: Fricke, Swan, Duell, Rozycki, Smith*  
*Nays: None*

3. **Public Hearings**
  - a) **A request was made by Peninsula Construction on behalf of Active Brace & Limb for a variance from the setback requirements in Section 319.D of the Garfield Township Zoning Ordinance. The applicant is requesting a variance from the twenty-five (25) foot front setback requirement to build a medical office/lab. The request, if granted, would reduce the front setback from twenty-five (25) feet to thirteen (13) feet. The property is zoned C-O Office Commercial and is located at 5136 N. Royal Drive with a property number of 05-347-010-00. A previous request for waterfront variances was tabled at the July 17, 2019 meeting to allow the applicant to address concerns raised by Board members.**

Steve Richardson spoke on behalf of Peninsula Construction to present a revised request and address comments from Zoning Board of Appeals members. Richardson stated that his client looked into purchasing a portion of the adjoining property to the north as an alternative to seeking the

requested variance. However, the property owner was unwilling to split up their parcel. Richardson stated that his client is now asking for approval to locate the building fifteen (15) feet from the front property line. The revised request would eliminate the need for any waterfront or wetland variances as originally requested. Richardson illustrated to the Board that storm water drainage was designed to avoid the nearby stream and wetlands in the revised plan. Steve Duell stated that he would like to see a wetland report.

Smith closed the public hearing and opened the meeting for Board member discussion. Based on staff recommendation, Smith asked for a vote on each of the Approval Criteria from Section 454.E., including Practical Difficulty standards (a) through (e) and General Criteria (a) through (e). Board members voted unanimously in favor of all Practical Difficulty standards and General Criteria based on the staff findings in favor provided in the staff report to the Board.

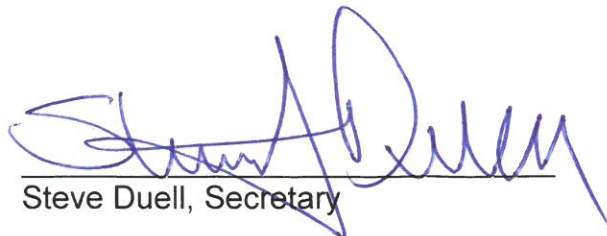
Based on the unanimous vote for each of the standards, Rozycki moved and Swan seconded a motion to approve ZBA Case # 2019-03 the requested front yard setback variance.

*Yeas: Fricke, Swan, Duell, Rozycki, Smith*  
*Nays: None*

4. **Other Business** – [none]
5. **Items for next agenda** – Green stated that he has received a variance application for next month's meeting.
6. **Public Comment** – Steve Richardson thanked ZBA for their guidance.
7. **Adjournment**

*Duell moved and Swan seconded to adjourn the meeting at 6:16 pm.*

*Yeas: Fricke, Swan, Duell, Rozycki, Smith*  
*Nays: None*

  
Steve Duell, Secretary