

**LONG LAKE TOWNSHIP ZONING BOARD OF APPEALS
LONG LAKE TOWNSHIP HALL
8870 NORTH LONG LAKE ROAD
TRAVERSE CITY, MI 49685**

**MINUTES
SPECIAL MEETING**

TUESDAY, DECEMBER 7, 2010

1. CALL TO ORDER – 6:00 P.M.
2. ROLL CALL Board members Max Bott, Mark Humitz, Howard Geerlings, Bill Kaupas, and Jim Johnson (Alternate) were present. Staff in attendance was Sara Kopriva, Zoning Administrator, Peter Wendling, Township Attorney and Lynette Ferman, Recording Secretary.
3. APPROVAL OF AGENDA Moved by Kaupas, supported by Humitz to approve the Agenda as presented. Motion carried.
4. CONFLICT OF INTEREST STATEMENT (Declare and cite agenda item)
There was no conflict of interest stated.
5. PURPOSE OF SPECIAL MEETING
 - A) WORK SESSION WITH TOWNSHIP ATTORNEY

The Board would like clarification from the Township Attorney on Section 23.4, Standards for Approval for granting a variance. The Board asked the Township Attorney whether or not they can make a decision if the applicant has not met all the criteria. The Township Attorney responded that according to the Zoning Ordinance, the applicant has to meet all the applicable criteria for the Board to grant a variance. The Board discussed the wording of the application and the wording of the Zoning Ordinance and determined there was a discrepancy between the two. The Zoning Administrator stated that she has already changed the wording of the application to reflect the wording of the Ordinance. Board member Kaupas stated that it needs to be made clear to the applicant that they need to meet all the criteria when applying for a variance. The Township Attorney stated that all the criteria are based on a combination of statute and case law on interpretation of zoning. The Township Attorney also stated that the

Board may use the same criteria to meet more than one of the Standards for Approval. There was discussion regarding General Findings of Fact, which are common to all cases, and the Findings of Fact which are specific to each case. The Township Attorney stated that a motion is not needed for each criteria as long as the Minutes reflect that a majority of the Board agrees that the criteria has or has not been met. There was discussion regarding the need for a variance being “self created” and practical difficulty creating the need for the variance.

6. PUBLIC COMMENT There was no public comment.
7. CORRESPONDENCE There was no correspondence.
8. ADJOURNMENT Moved by Kaupas, supported by Humitz to adjourn at 6:55 pm.

MAX BOTT, SECRETARY
LONG LAKE TOWNSHIP ZONING BOARD OF APPEALS

LYNETTE FERMAN, RECORDING SECRETARY
LONG LAKE TOWNSHIP ZONING BOARD OF APPEALS

NOTE: THESE MINUTES ARE SUBJECT TO AMENDMENT AND/OR
CORRECTION PRIOR TO THEIR ADOPTION