

**PENINSULA TOWNSHIP
ZONING BOARD OF APPEALS**

13235 Center Road
Traverse City MI 49686

AGENDA
May 9, 2013
7:00 p.m.

Call Meeting to Order

Roll Call

Adoption of the Agenda

Conflict of Interest

Public Input - for items not on the agenda

Correspondence

1. Request No. 801, Zoning R1-A

Applicant: Thomas Y. & Rosanne C. Bloomer, Trust, 3100 West Northfield Church Road, Ann Arbor, MI 48105

Property Address: 4242 Rocky Shore Trail, Traverse City, MI 49686

Requests: (1) a variance of 12.5 ft. from the required minimum 60 ft. setback from the Ordinary High Water Line; (2) a variance of 4.7% from the required maximum 15% lot area coverage; (3) a variance to eliminate the requirement under Section 7.10.11 of the zoning ordinance that approximately 1,500± feet of Rocky Shore Trail Road be improved in terms of grade, roadbed, shoulder, and pavement requirements. Variances requested for the proposed construction of a new single family residence.

Parcel code No. 28-11-111-021-50

*This item was adjourned at the regular meeting of February 14, 2013.

2. Request No. 806, Zoning R1-C

Applicant: Cindy L. Warner, 17850 Smokey Hollow Road, Traverse City, MI 49686

Owner: John F. DiLorenzo, 17898 Smokey Hollow Road, Traverse City, MI 49686

Property Addresses: 17898 & 17956 Smokey Hollow Road, Traverse City, MI 49686

The appeal raises the following issues: (1) whether the land use permit issued to Mr. DiLorenzo in September, 2010 to construct a new garage limited the second story to storage only and therefore his build out of the second story for occupiable space for residential use and his residential use of the second story is prohibited; (2) whether the permanent dock running from the upland 192 feet across the water below the ordinary high water mark is a structure requiring a land use permit and is required to meet the zoning ordinance's setback requirements; (3) whether Mr. DiLorenzo's installation of a bathroom on the second floor of the new garage shows no connection to the previously approved drain field and therefore is in violation of the zoning ordinance, which requires all structures/uses to comply with the rules and regulations of the Grand Traverse County Health Department; (4) whether Mr. DiLorenzo's use of the old garage as a two-bedroom guest house is unlawful because any prior nonconforming use as residential was abandoned or he has expanded the scope of the nonconformity; (5) whether the split rail fence installed at the common property line is required to meet the 3 foot setback requirement if it is to remain; (6) whether Mr. DiLorenzo's failure to obtain a land use permit to construct a covered porch on the primary residential dwelling should have resulted in the zoning administrator's prompt issuance of a notice of violation and there is no statute of limitations defense to the township's ability to require a land use permit.

Parcel Code Nos. 28-11-102-003-10 & 28-11-102-003-20

3. Approval of March 14, 2013 Minutes

4. Old Business - None

5. New Business – None

Adjournment

Peninsula Township has several portable hearing devices available for use during this meeting. If you would like to use one, please contact the Chairperson.