

**CHARTER TOWNSHIP OF ELMWOOD
ZONING BOARD OF APPEALS
REGULAR MEETING**

Wednesday December 4, 2024 at 6:30 PM

Location: Township Hall (10090 E. Lincoln Rd., Traverse City, MI)

ZBA Members:

Gary Bergstrom, Chair

Jeff April, Vice-Chair

Jim O'Rourke, Secretary

Jeff Beamsley

Bryan Currie

Randy Baidas-Alternate

- A. Call to order - 6:30 pm
- B. Roll Call
- C. Public Comment (Speakers to identify themselves by name and address, limited to 3 minutes each)
- D. Agenda Modifications/Approval
- E. Declaration of Conflict of Interest: *(Items on the Agenda)*
- F. Approval of Minutes: September 4, 2024
- G. New Business:
 - 1. **Extension Request** for Case # 2023-06 Request by TCWC Holding Company LLC at 9432 S Center Hwy, Parcel #45-004-008-009-20 for a 10-foot height variance to construct a 45-foot-high portion of the building for equipment used in distillation in the Agricultural-Rural Zoning District. Maximum height allowed is 35 feet per section 5.4 of the Elmwood Township Zoning Ordinance.
- H. Old Business:
- I. Comments from the Chair
- J. Comments from ZBA Members
- K. Announcements
- L. Public Comment (Speakers to identify themselves by name and address, limited to 2 minutes each)
- M. Adjourn - 8:30 pm or majority vote to extend meeting

**Charter Township of Elmwood
Zoning Board of Appeals Special Meeting
Elmwood Township Hall (10090 E Lincoln Rd)
September 4, 2024 at 6:30 PM**

A. CALL TO ORDER: Gary Bergstrom called the meeting to order at 6:30 p.m.

B. ROLL CALL: Jeff Beamsley, Bryan Currie, Gary Bergstrom, Jim O'Rourke, Jeff Aprill.
Absent: Randy Baidas.

C. PUBLIC COMMENT: None

D. AGENDA MODIFICATIONS: *MOTION BY JIM O'ROURKE, SECONDED BY GARY BERGSTROM TO APPROVE THE AGENDA AS PRESENTED. MOTION APPROVED 5-0*

E. DECLARATION OF CONFLICT OF INTEREST: None

F. APPROVAL OF MINUTES: 1) May 1, 2024 (re-approve with corrected start time): *MOTION BY JEFF APRILL, SECONDED BY JIM O'ROURKE TO APPROVE MINUTES OF MAY 1, 2024 AS REVISED. MOTION PASSED UNANIMOUSLY. 2) August 7, 2024 MOTION BY JEFF APRILL, SECONDED BY GARY BERGSTROM TO APPROVE MINUTES OF AUGUST 7, 2024 AS DRAFTED. MOTION PASSED UNANIMOUSLY.*

G. NEW BUSINESS: None.

1. Case #2024-03. Request by Roger Landis regarding property at 10989 S West-Bay Shore Dr, Parcel #45-004-016-040-00 for an 18' front yard setback variance to construct front porch. Proposed front porch would not encroach further into front setback than existing home.

Staff provided a brief introduction on the application. They relayed that a Land Use Permit application was filed and it was determined that the proposed covered entry is within the front setback.

Roger Landis of 10989 S West-Bay Shore Dr said that he is before the ZBA as he needs a covered entry so it stops the front walkway from icing up. He said he is a vet and needs the covered entry for health reasons and noted that the roof line will cover the window and door. Sally Krepps of Habitat for Humanity said that they are the ones doing the work. The original plan also included flooring and a rail, but that is out of budget at this time. The ZBA asked questions confirming when the home was constructed, construction materials, and confirming the roofline.

Public Comment was opened at 6:51pm.

Sharon Martin of 11058 S West-Bay Shore Dr said she is in favor of the project but didn't understand the 18' variance. Staff said that the required front yard setback is 30' and as the proposed entry would only be 12' off the front lot line, the variance request is 18'. The ZBA

reiterated that the roofline would not encroach further into the front setback than the existing structure.

No one else stepped forward to comment. **Public Comment closed at 6:54pm.**

The ZBA entered into deliberations and went through draft findings of fact. The Board determined to add a fact Basic Condition 1.d that The request is being made for safety reasons only and is specific to the property. And Basic Condition 1.g that Only a covered roof porch is proposed. The Board then found that Special Condition 2 was met.

MOTION BY JEFF BEAMSLEY, SECONDED BY GARY BERGSTROM TO APPROVE THE VARIANCE NECESSARY TO ALLOW THE CONSTRUCTION OF A COVERED FRONT ENTRANCE BASED ON THE PREVIOUSLY FOUND FINDINGS OF FACT. THE VOTE WAS UNANIMOUS.

H. OLD BUSINESS: None

I. COMMENTS FROM THE CHAIR: None.

J. COMMENTS FROM ZBA MEMBERS: Jim O'Rourke thanked staff for their work.

K. ANNOUNCEMENTS: Clarren relayed that at this time there are no new filings for the October meeting.

L. PUBLIC COMMENT: None

M. ADJOURN: *MOTION BY JEFF BEAMSLEY, SECONDED BY JEFF APRILL TO ADJOURN MEETING AT 7:16 PM. MOTION PASSED.*

11.14.24

Ms. Sarah Clarren
Planner and Zoning Administrator
Elmwood Township
10090 E Lincoln Rd
Traverse City, MI 49684

**Re: Traverse City Whiskey Co. – Variance extension request
9440 S. Center Highway
Traverse City, Michigan 49684**

Dear Sarah,

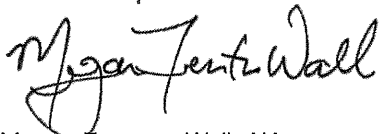
Traverse City Whiskey Co. (TCWC) was granted a variance last year at the October 11, 2023 Zoning Board of Appeals meeting, with the meeting minutes approved on January 3, 2024 and variance expiring on January 3, 2025 per Section 12.12.C. The variance allowed a dimensional variance for the distillation equipment required at the distillery, allowing for a 45' high appurtenance for their still equipment where the ordinance is 35' high maximum. This height is required for the column distillation of farm products and is an area roughly 400 sf (approx.. 20'x20') that is not occupied above floor level.

In the time since the variance was granted, construction documents for the project have been bid through TCWC's Construction Manager. Some construction has taken place to prepare the site for the distillery building, such as the sprinkler system water tank and associated pumphouse building and the storm water detention system. The ammonia chiller system, cooling tower, and all associated piping have been removed from the building exterior and roof, and other work includes roofing, deferred maintenance, and clean-up to prep for the distillery project. Some additional site-related demo and grading has also taken place under a separate permit. There have been many other actions taken that can be expanded upon if requested.

Despite those efforts and the substantial progress made, the distillery project has experienced delays for a variety of reasons. TCWC is ready to proceed further to complete construction, but with the holidays approaching, such construction may not be completed before January.

Accordingly, out of an abundance of caution, per Ordinance Section 12.7, we are respectfully asking the Zoning Board of Appeals for a one-year extension to the variance. On behalf of Traverse City Whiskey Company and our design team, thank you for your time and consideration. We seek to be a valuable and responsible asset to the area, and we're excited to work with the Township on this project.

Sincerely,
MATHISON | MATHISON ARCHITECTS



Megan Feenstra Wall, AIA,
Principal

