

WEST TRAVERSE TOWNSHIP
ZONING BOARD OF APPEALS

January 28, 2026 – 5:30 PM—**Approved meeting minutes**

1. Call to order

Chair Bartlett called the meeting to order at 5:30 PM.

2. Roll Call

Present: Jim Bartlett, Kristi Hollingsworth, David Berryman, Tom Cook, Ed Taylor

Absent: None

Visitors: Dan Gorman, Nate Gorman

Staff Present: Ken Lane, Planning & Zoning Administrator

3. Visitors—please sign in

Chair Bartlett requested that the public in attendance sign the sign in sheet.

4. Approve minutes of December 18, 2025

Motion by Berryman, second by Cook, to approve the December 18, 2025, minutes as presented. The motion was unanimously approved.

5. Discussion of any Conflict of Interest

It was determined that no members had a conflict with Case #ZBA-1-2026.

6. Old Business

None.

7. New Business

a. 2026 Election of Officers

Chair Bartlett stated that the ZBA needs to elect officers at the first meeting of every calendar year. He added that the term of each office is one year, and that officers may be reelected for subsequent terms for the same office.

Member Cook made a motion to nominate the following slate of officers: Jim Bartlett, Chair, David Berryman, Vice-Chair, and Tom Cook, Secretary. Member Berryman seconded the motion.

Chair Bartlett asked for other nominations. Hearing none, the motion was unanimously approved.

b. Case #ZBA-1-2026: Public Hearing—an application by Gorman Design Associates, Inc, Architect, on behalf of Melanie Murray, for a rear yard setback variance to construct an addition at 5213 Forest Beach Drive, Harbor Springs, MI 49740. The property is zoned R-1-A and is located in the W-1 overlay district. The property is more particularly described in tax parcel #24-16-15-15-126-016.

Chair Bartlett introduced the case and opened the public hearing at 5:33 PM. Aside from the applicants, there were no public in attendance.

Chair Bartlett asked for public comments. Hearing none, he closed the public hearing at 5:34 PM and asked Zoning Administrator Lane to offer his report.

Zoning Administrator Lane stated that the subject property is located in the R-1-A Zoning District and the W-1 Waterfront Overlay District. He added that the subject property is 0.18 acres in size, which makes it a nonconforming lot.

Zoning Administrator Lane stated that the setback requirements in the R-1-A District are a 40' front yard setback, which is the Lake side, a 40' rear yard setback, which is the road side, and a 10' side yard setback based on a reduction for the subject property allowed by Section 307.3 of the Township Zoning Ordinance. He added that a 60' setback from the highwater mark of the Lake is also required under the Waterfront Overlay District.

Zoning Administrator Lane stated that as provided within the submitted application and as depicted on the submitted site plan, the applicant is requesting a 22'5" rear yard setback variance to construct an addition with an attached garage. He added that the existing single family home on the subject property encroaches into the front yard setback by approximately 30', however it is his understanding that the boundary lines of the subject property may extend further toward the Lake than depicted on the site plan, so that encroachment may be less than 30'. He further added the addition is proposed for the rear yard, so the exact front yard encroachment is irrelevant to tonight's request. Zoning Administrator Lane stated that additionally the existing home encroaches into the west side yard setback by approximately 1'. He added that the proposed addition will not increase the existing setback encroachments.

Zoning Administrator Lane stated that the applicant has provided rationale for the requested 22'5" variance within the application. He added the applicant's rationale was also included within the analysis memo in the meeting packet.

Zoning Administrator Lane stated that a public hearing is required for tonight's case, and notice was published in the Harbor Light newspaper on January 8, 2026, and mailed to property owners within 300' of the subject property on January 8, 2026. He added two written comments in support of the request were received, one from Jennie Hylant and the other from Nancy Piotrowski, President of the Forest Beach Association. He further added that copies of those written comments were provided to ZBA members.

Zoning Administrator Lane stated that on pages 2-3 of the analysis memo, the variance standards under Section 804.3 of the Zoning Ordinance are provided. He added that staff findings are also listed, which provides my opinion as to whether the variance standards are satisfied. He further added that the ZBA can use, modify, or reject the staff findings during its deliberations.

Zoning Administrator Lane summarized the staff findings within the analysis memo, and stated that he believes that all of the variance standards under Section 804.3 of the Zoning Ordinance can be determined as satisfied. He added that sample motions are provided on page 3 of the analysis memo.

Chair Bartlett asked if the applicant would like to offer any comments.

Dan Gorman stated that the property owner is requesting a variance to allow for the construction of an attached garage and to accommodate her growing family. He added that he is available to respond to questions.

Chair Bartlett pointed out that the application requested a front yard setback variance, but what is actually needed is a rear yard variance because the front yard is the waterfront side in West Traverse Township. He added that both the front and rear yard setbacks are 40’.

Dan Gorman responded that he recognized that after the application was submitted.

Zoning Administrator Lane stated that the ZBA agenda, packet, analysis memo, and sample motions correctly identify the request as a rear yard variance.

Chair Bartlett stated that written support was submitted by a next door neighbor and the Forest Beach Association, and most of the homes in Forest Beach are nonconforming due to lot sizes.

Ed Taylor asked if many variance applications are received for similar reasons in Forest Beach, and if so, should the Zoning Ordinance be amended to address this.

Zoning Administrator Lane responded that one or two applications come in from Forest Beach each year on average, but not enough to warrant amending the R-1-A requirements in his opinion.

Ed Taylor asked what the basis was for applying a 40’ setback in the R-1-A District.

Zoning Administrator Lane stated that most likely when residential zoning districts were being established in the Zoning Ordinance, it was determined that a 40’ setback was appropriate for single family homes and those residential standards must apply uniformly across the Township, including on vacant lots and on nonconforming lots with existing homes.

Member Berryman asked if a PUD overlay might be appropriate for Forest Beach similar to Harbor Point.

Zoning Administrator Lane responded that he understands that the Forest Beach Association is aware of the process to establish a PUD overlay, but they have not pursued it.

Member Cook stated that the existing home on the property was constructed in the 1980s, so he questioned whether it is a hardship to impose the setback requirements on the subject property.

Zoning Administrator Lane stated that the majority of homes in Forest Beach predate the Township Zoning Ordinance, and the subject property was plated in its current configuration before the adoption of the Zoning Ordinance.

Chair Bartlett asked for further discussion or questions from the ZBA. Hearing none, he suggested that the staff findings of fact as provided in the analysis memo can be adopted by the ZBA.

Based on their deliberations, the ZBA adopted the following findings of fact:

1. The parcel is in the R-1-A Zoning District and the W-1 Waterfront Overlay District.
2. The parcel contains a single family home and is approximately 64’ wide and 0.18 acres in size.
3. The R-1-A District has a front yard (waterfront) setback requirement of 40’, a rear yard setback of 40’, and a side yard setback of 10’.
4. The applicant is requesting a rear yard (road side) setback variance of 22’5”.
5. The variance accomplishes substantial justice to the applicant as well as to other property owners in the district, or whether granting a lesser variance than requested would give

substantial relief to the property owner and be more consistent with justice to other property owners.

ZBA Finding: Satisfied.

Many properties in the Forest Beach Association exceed setback requirements required by the Zoning Ordinance. In part, this has been caused by retrofitting traditional zoning ordinance requirements onto a historical development pattern associated with a resort community.

Granting the variance will modify the zoning so that the property owner can update the existing home and construct an attached garage. Approved variances will allow this property owner to modify their home under the unique circumstances of the historic buildings and lot sizes in their neighborhood.

6. The variance will not cause any adverse effect to property values in the vicinity of the zoning district, or the Township.

ZBA Finding: Satisfied.

Neighboring properties are similar in size to the subject property and have similar structures architecturally with similar degrees of nonconformity compared with the applicant's proposal. The variance might enhance and preserve the neighborhood's built character and maintain architectural consistency. Letters in support of the variance were received from the adjacent property owner and the Forest Beach Association.

7. The variance affects only property subject to exceptional or extraordinary circumstances or conditions that do not generally apply to other property in the vicinity such as narrowness, shallowness, shape, water or topography and is not due to the applicant's personal or economic hardship.

ZBA Finding: Satisfied.

The subject property is a narrow nonconforming lot of record. Therefore, conditions may exist on the lot that prevent the construction of a modern single-family home while adhering to the setback standards in the R-1-A District. The imposition of Township Zoning Ordinance standards on a historic resort community creates an extraordinary circumstance.

8. Strict compliance with the regulations governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.

ZBA Finding: Satisfied.

The intent of the R-1-A Zoning District in part is to allow for the construction and use of cottages and seasonal home developments on lots in the district. The applicant has demonstrated that exceptional or extraordinary conditions exist on the lot that would prevent the construction of an attached garage while adhering to the setback standards in the R-1-A district.

9. The need for the requested variance has not resulted from any act of the applicant (self-created).

ZBA Finding: Satisfied.

The unique circumstances of the subject property are not self-created.

Based upon the adopted findings of fact, Chair Bartlett suggested that a motion may be in order.

Member Hollingsworth made the following motion:

Due to the findings of fact as stated, I move to approve Case# ZBA-1-2026, an application by Gorman Design Associates, Inc, Architect, on behalf of Melanie Murray, for a 22',5" rear yard variance at 5213 Forest Beach Drive, Harbor Springs, MI 49740, tax parcel #24-16-15-15-126-016, to allow for the construction of an addition and attached garage as described and depicted in the application dated December 22, 2025, and the site plans dated December 18, 2025, because the applicable standards of the West Traverse Township Zoning Ordinance have been met.

The motion was seconded by Member Berryman, and approved unanimously by roll call vote.

8. Set date for meeting to approve minutes of this meeting

Thursday, February 19, 2026, at 12:30 PM.

9. Public comments

None.

10. ZBA Comments

Chair Bartlett stated that the Township Board is holding a joint meeting with the Planning Commission and ZBA on February 10, 2026, at 6:00 PM. He encouraged members to attend the joint meeting.

Chair Bartlett noted that the year end Zoning Administrators report was included in the meeting packet as information for the ZBA.

11. Adjourn

Motion by Hollingworth, second by Berryman, to adjourn at 5:58 PM. The motion was unanimously approved.

Submitted by:

Ken Lane, Planning & Zoning Administrator