



**BOARD OF ZONING APPEALS  
MEETING MINUTES  
OCTOBER 5, 2023**

**CALL TO ORDER/ROLL CALL**

Vice-Chair Randy Duncan called the Thursday, October 5, 2023 meeting of the Board of Zoning Appeals to order at 6:30 p.m. Board Members also present included; Don DePalma, Ryan Brickner and Tyler Herrmann. Staff present included; Claudia Husak, Planning Manager; and Pam Friend, Administrative Assistant.

**APPROVAL OF MEETING MINUTES**

September 7, 2023 Meeting Minutes  
[09072023\\_BZA\\_Draft\\_Min.pdf](#)

MOTION: Board Member Brickner moved to approve the minutes of September 7, 2023. Board Member Herrmann seconded. Vice-Chair Duncan requested a roll call for passage. Motion passed.

VOTE:        Y – 4                N – 0                AB – 0

**HEARING OF VISITORS FOR ITEMS NOT ON THE AGENDA**

Vice-Chair Duncan opened the floor for visitors wanting to address the Board for items not on the agenda. Hearing none, he closed public comment.

**NEW CASES**

**VARIANCE REQUEST (2023-26V)**

**Applicant:** Market at Liberty Crossing, represented by Heather King, EMH&T

**Location:** 3952 West Powell Road

**Zoning:** PC, Planned Commercial District

**Request:** Review and approval of a variance to Code Section 1145.15 to reduce the required frontage from 160 feet to approximately 77 feet along Farmington Avenue to allow for a lot split to facilitate additional development within the shopping center.

[Market at Liberty - BZA Staff Report.pdf](#)  
[2023\\_26V Market at Liberty Application.pdf](#)

Ms. Husak presented the Staff Report and reviewed the seven (7) Standards the Board considers when reviewing a variance request. Staff found that all seven (7) Standards were met and therefore is recommending approval of the variance.

Todd Wyett, 808 E. Dickson Avenue, Charlevoix, MI 49720, the property owner, thanked the Board for their consideration of the variance request.

Board Member DePalma asked Ms. Husak about the frontage across the property, which Ms. Husak stated is the access point for the entire shopping center off of Farmington Avenue, which will remain shared access.

Board Member Herrmann thanked staff for a thorough presentation and feels it is a straightforward decision.

Board Member DePalma also commented with all standards being met he agrees it's an easy decision for the Board as well.

Board Member Brickner agreed with staff's analysis that all standards are met and the use is staying the same.

Vice-Chair Duncan agrees with all the standards being met and the request is more technical in nature.

MOTION: Board Member DePalma moved to approve the variance request to Code Section 1145.15 to reduce the required frontage from 160 feet to approximately  $\pm 77$  feet along Farmington Avenue to allow for a lot split to facilitate additional development within the shopping center. Board Member Brickner seconded. Vice-Chair Duncan requested a roll call for passage. Motion passed.

VOTE:            Y – 4            N – 0            AB – 0

#### **OTHER BUSINESS**

Ms. Husak informed the Board an application has been received for the next scheduled meeting, which will be on Thursday, November 2, 2023.

#### **ADJOURNMENT**

Board Member Brickner moved to adjourn the meeting at 6:45 p.m. Board Member Herrmann seconded. Motion adjourned by consensus.

MINUTES APPROVED: November 2, 2023

  
\_\_\_\_\_  
Randy Duncan,  
Vice-Chair  
11/02/2023  
Date

  
\_\_\_\_\_  
Pam Friend,  
Administrative Assistant  
11/2/2023  
Date