WHITEWATER TOWNSHIP ZONING BOARD OF APPEALS

Whitewater Township Hal, 5777 Vinton Road, Williamsburg, MI 49690
231-267-5141 Phone

REGULAR MEETING
APPROVED MINUTES

Thursday, June 25, 2026, 7:00 p.m.

CALL TO ORDER: Chairperson Boyd called the meeting to order at 7:01 p.m. The Pledge of Allegiance was recited.

ROLL CALL: Secretary Hoeksema called Roll.

Present:
Richard Boyd, Chair
Wendy Hoeksema, Secretary and Township Board Representative
Scott Trumbull, ZBA Board Member

A quorum was established.

Absent: Eric Gall, Vice Chair (excused)

ALSO PRESENT:
Zoning Administrator Deb Graber
Recording Secretary Kay Held

SET/ADJUST AGENDA: No changes.

1 **Board Action:** Mr. Trumbull made a motion to approve the June 25, 2026, Agenda as presented. Mr. Boyd seconded the motion. VOTE: YEAS: All. NAYES: None. Motion carried.

DECLARATION OF CONFLICT OF INTEREST: None.

PUBLIC COMMENT:

Ms. Debra Lytle: Believes 50% of STR survey questions were vague, ambiguous and not designed well to make determinations. It was a waste of taxpayer money.

She rewrote the survey to glean more appropriate information. Felt excluded as a property owner. It is ludicrous to ask about STRs when the Ordinance has excessive restrictions on private family campgrounds.

APROVAL OF MINUTES OF MAY 28, 2026, REGULAR MEETING:
Amendments: Yes.

Board Action: Mr. Boyd made a motion to approve the Minutes of the May 28, 2026, Regular Meeting as amended. Mr. Trumbull seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

PUBLIC HEARING: None.

OTHER MATTERS TO BE REVIEWED BY THE ZONING BOARD OF APPEALS:

Correspondence Received: None.

Zoning Board of Appeals By-Laws: The current order of procedures for a Public Hearing is structured with a presentation of the Applicant followed by the Zoning Administrator. The ZBA discussed consideration of reversing this order to hear from the ZA initially. ZA Graber responded in her experience, the Zoning Administrator provides the case history and details for the Board before the Applicant.

There was Board consensus to give the Applicant the choice of speaking first or second during the Hearing. No amendments were made to the By-Laws at this meeting.

Review Article 20 Zoning Board of Appeals:
The ZBA reviewed content and verbiage of Article 20 in its entirety as well as additional research information. They also noted inconsistencies between the By-Laws and Article 20 information. Secretary Hoeksema will edit the document for approval at the next ZBA at the next Regular Meeting.

REPORT FROM PLANNING COMMISSION REPRESENTATIVE – Mr. Trumbull:
Bundle #1of the Zoning Ordinance review has been forwarded to the Township Board by the Planning Commission. The PC has worked on this at length and with planners Giffels and Webster. Portions of the Ordinance for review include PUDs, Condominiums, Special Uses and Site Plan Review. Work on the Overlay District was postponed to July 1 for further content review.

STR surveys have been distributed. The proposed Winery/Cidery Ordinance is being reviewed by planners Giffels Webster and legal counsel.

REPORT FROM TOWNSHIP BOARD REPRESENTATIVE – Ms. Hoeksema:
The Township scheduled a Special Meeting for Tuesday, June 30, 2026, at 6:00 p.m. to discuss a Civil Infractions Ordinance and Enforcement Policy. It will be held at the Elk Rapids Governmental Center. The Township's attorney will be present to speak about the enforcement process.

REPORT FROM ZONING ADMINISTRATOR – Ms. Graber:
Zoning Administrator Graber's May 26, 2026, report was in the meeting packet. She additionally reported:

Nine new Planning and Zoning Permits were issued from the end of April through May 26. One Land Division was approved in May; two are pending. She anticipates issuing 10 permits in the month of June. Numerous complaints have also been received.

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The ZBA denied a variance request from the Olsens regarding building a non-compliance garage. The STR jury trial of 5/28/26 was adjourned/postponed, and the Township is awaiting a new trial date.

ZA Graber submitted a request to the Township Board to review the Land Use Permit stating the Treasurer's signature is required verifying taxes were paid. Ms. Graber attended a Planning and Zoning conference, learning a township cannot require that taxes are paid before issuing a Special Use or Land Use Permit, per the Michigan Zoning Enabling Act. Taxes are required to be paid prior to issuance of a Land Division Permit.

An appeal will come before the ZBA at its July meeting regarding an Island Lake Non-use Variance request.

She distributed educational material on "Proving a Practical Difficulty for a Dimensional Variance Request." It also covered "Self-created Issues."

PUBLIC COMMENT: None.

ADJOURNMENT:

Board Action: Mr. Trumbull made a motion to adjourn the meeting. Ms. Hoeksema seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

The meeting adjourned at 8:49 p.m.

Submitted by: Kay Z. Held, Recording Secretary