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**SPRING LAKE TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
FEBRUARY 23, 2017 – REGULAR MEETING**

Present: Rick Homan, Jack Ketchum, Larry Mierle, George Postmus, Tom TenCate

Absent: Doug Noren

Participants: Lukas Hill, Community Development Director

I. Call to Order

The meeting was called to order by Ketchum at 7:01 p.m.

II. Approval of Minutes

Homan moved to approve the minutes of the December 1, 2016 meeting as presented. Postmus seconded the motion, which passed unanimously.

III. Adopt Agenda

TenCate moved to adopt the agenda as presented. Postmus seconded the motion, which passed unanimously.

IV. Cooney – Waterfront Setback Determination – 15760 Willows Dr.

Ed Cooney presented his request. They want to build a home with an attached 2-car garage. The width of the garage determined the setback from Willows, to where the garage would fit in the building envelope. There are no plans drawn yet. He hopes to finalize the building envelope so a house can be designed. Cooney stated that after looking at the neighboring houses, he believes the waterfront setback should be one foot closer to Willows, making the request for 91.3 feet.

Ketchum asked if the marked area was the corner of the house. Cooney stated that the marking would be the end of the building envelope.

The public hearing was opened at 7:13pm.

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Randy Shanker, 15756 Willows Dr., stated that he is the neighbor to the east. He would like the waterfront setback enforced, as any house on that lot will impact his view. Homan asked if Shanker's basement extends toward the water. Shanker stated that it extends about 6 feet in front of the second story.

Hill stated that the setback is determined using the Ottawa County GIS, which is the best available tool. The setback determined by the average of the two neighboring setbacks of 107 feet would be behind the front of the existing house. Using this number would put a new house behind the two existing homes. Hill believes that the shoreline in the area is unusual or irregular, which allows the ZBA to determine the setback. Hill stated that for the Shanker home he used the foundation at its furthest point.

Mierle stated that when someone buys waterfront property they buy the existing view and new construction shouldn't impinge on the view. He stated he would like to draw a line from the corner of the Shanker house and the corner of the house to the west to mark the front of the building envelope, which would include any second-story decks.

Motion by Homan, support by Mierle, to close the public hearing at 7:30pm. The motion passed unanimously.

Hill stated that with the adjustment presented by the applicant at the meeting, the request is for a 91.3 foot setback for all structures. Hill would only allow ground-level patios or stairs beyond that setback. The stairs would be the minimum to meet the code.

TenCate asked the applicant to clarify that the main floor will be enclosed and that there will be a deck that is open above. Cooney stated that was correct.

Postmus stated that he believed that granting a variance to the side yard setbacks would help move the house closer to Willows.

The Commissioners reviewed the criteria in Section 356.

Motion by Postmus, support by Homan, to direct the applicant to move the house closer to Willows Dr. so that the waterfront edge of the foundation is 94 feet from the lake. The side yard setbacks for the northeast and northwest corners of the house are reduced to 5.5 feet with a minimum setback of 10 feet on the southeast corner and a minimum setback of 8 feet on the southwest corner.

A roll call vote was taken. The motion passed unanimously.

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V. Adjournment

Homan moved to adjourn the meeting at 8:20pm with support from Ketchum. With a unanimous vote, the motion passed.

Respectfully submitted,

Jack Ketchum, Secretary
Zoning Board of Appeals