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**SPRING LAKE TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
JUNE 28, 2018 – REGULAR MEETING**

Present: Ellen delaRosa-Pearn, Larry Mierle, George Postmus, Tom TenCate, Rachel Terpstra
Absent: Jack Ketchum
Participants: Lukas Hill, Community Development Director

I. Call to Order

The meeting was called to order by TenCate at 7:00 p.m.

II. Approval of Minutes

Postmus moved to approve the minutes of the May 24, 2018 meeting as presented. Terpstra seconded the motion, which passed unanimously.

III. Adopt Agenda

Terpstra moved to adopt the agenda with the addition of IVA Zoning Ordinance Interpretation. Mierle seconded the motion, which passed unanimously.

IV. Fewless – Authorization for Attached Garage Greater than 1500 Square Feet – 15465 Leonard Road

Chris Wilson, CB Wilson Construction, presented the request for Nathan Fewless. The proposed plans were adjusted based on comments from Commissioners at the May meeting. The garage doors have been moved to face away from Leonard. Landscaping has been added along Leonard to screen the house and garage. Two options were presented. The options are similar, but the garage doors are in different locations. The owner still would like a larger garage to store his items.

DelaRosa-Pearn asked why the living room in Option Two is shown as 2868 square feet when the total livable space is shown as 2438 square feet. Wilson stated that was an error, and the total livable space is correct.

Postmus asked about bathroom facilities and the vault on the first floor. Wilson stated that the theater area will have a bathroom and the vault is concrete block but will be enclosed within the framed house.

Terpstra asked about the garage door out the back side of Option One. Wilson stated it was 14 feet high.

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Postmus asked about the distance from the rear lot line for the house in Option One. Wilson stated it is 40 feet.

Mierle asked if a driveway permit was needed. Wilson stated they have received their permit from the county.

TenCate asked which option the applicant preferred. Wilson stated that Option One was preferred, but Option Two was acceptable.

Mierle asked whether the tennis court was a structure and whether it could be placed in the front yard. Hill stated it is not a structure; it is treated like a patio.

Mierle asked about fence height. Wilson stated the front yard fence will be four feet high with 50% visibility as required.

Postmus asked if the gate will be set back from the front lot line. Wilson stated it will be located further down the driveway.

Postmus asked about the fencing around the tennis court. Wilson stated it will be four to five feet high. Hill stated that any fencing must meet the fence requirements of the ordinance.

Postmus asked about the accessory building included in the site plan. Wilson stated it was included in previous submittals. The original intent was to keep the existing accessory building but when the house location was shifted the accessory building needed to be moved.

Postmus asked why the existing shared driveway is not being used. Fewless stated that he would prefer to give the owner of the lot behind her own driveway and not use the easement.

Motion by Terpstra, support by Mierle to remove the Fewless authorization request from the table for deliberation. The motion passed unanimously.

Commissioners discussed the options presented and reviewed the criteria in Section 322 C 13. Discussion centered on Section 322 C 13 b ii, which includes the requirement that the structure be consistent with other residential Buildings and Structures in the surrounding neighborhood. After discussion, Commissioners agreed that at least one proposed option met the requirement.

Motion by Postmus, support by Mierle, to approve the Fewless authorization request Option Two as presented for an attached garage greater than 1,500 square feet at 15465 Leonard Road as the application meets the review criteria in Section 322, C, 13, b, of the Zoning Ordinance with the following conditions:

1. The applicant complies with all verbal representations and all written representations to the Township.
2. The applicant complies with all applicable local and state laws related to new construction.

A roll call vote was taken: delaRosa-Pearn no, Mierle yes, Terpstra no, Postmus yes, TenCate yes. The motion was approved.

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IVA. Zoning Ordinance Interpretation

Hill asked Commissioners for an interpretation on lot lines for flag lots, relating to front lot lines. Specifically, Hill asked how a front lot line should be handled when the lot line adjoins another property's rear lot line. A front yard fence is only allowed to be four feet high, while a rear yard fence is allowed to be six feet high. Consensus of the Commissioners is that a front yard is defined, and for any lot, even flag lots, only front yard fences should be allowed in front yards.

V. Adjournment

Terpstra moved to adjourn the meeting at 8:04pm with support from Mierle. With a unanimous vote, the motion passed.

Respectfully submitted,

George Postmus, Secretary
Zoning Board of Appeals