

DRAFT

**SPRING LAKE TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
FEBRUARY 28, 2019 – REGULAR MEETING
BARBER SCHOOL, 102 W EXCHANGE, SPRING LAKE MI**

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

I. Call to Order

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

II. Approval of Minutes

Mierle moved to approve the minutes of the January 24, 2019 meeting as presented. Terpstra seconded the motion, which passed unanimously.

III. Adopt Agenda

Terpstra moved to adopt the agenda as presented. Mierle seconded the motion, which passed unanimously.

IV. Public Comment

A time for public comment was provided. There were no comments.

V. White- Variance and Authorization – 18370 N Fruitport Rd

Chad White presented his request for a large accessory building in his front yard. His parcel is landlocked due to previous splits. His front yard faces the neighbor's back yard. He is asking for the accessory building to be located on the only flat area of his property. He is also asking for a building that is larger and taller than permitted by right. The proposed accessory building is 24x46 feet, with a height of 21 feet.

Terpstra asked the size of the neighbor's garage. White stated that building is 30x40.

Mierle stated that a 26-foot building depth would be more useful and not have much additional impact.

Mierle asked about the roof pitch on the accessory building, which is higher than on the house. White stated that he wants a storage loft in the attic of the building, and the height is to allow him to stand upright in the center of the attic. If the building were two feet wider, the building height would be a little lower.

Hill stated that no letters were received for this application.

DRAFT

The public hearing was opened at 7:13pm. There were no comments. Motion by Terpstra, support by Mierle, to close the public hearing at 7:14pm. The motion was approved unanimously.

Commissioners reviewed the criteria in Section 112 I of the Zoning Ordinance for a variance related to the accessory building in the front yard.

Motion by Terpstra, support by Mierle, to approve the White variance request at 18370 N. Fruitport Road to construct an accessory building in the front yard, placed as indicated in the application, as the application meets all criteria in Section 112, I, of the Zoning Ordinance with the following conditions:

- a. The applicant will comply with all written representations to the Township, and all verbal representations as reflected in these minutes.

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

Commissioners then reviewed the criteria for accessory building authorizations per Section 306 F of the Zoning Ordinance.

Motion by Terpstra, support by Mierle, to approve the White authorization request at 18370 N. Fruitport Road to construct 1,200 (26ftx46ft) square feet of accessory building with a maximum height of 22 feet as presented as the application meets all criteria in Section 306, F, of the Zoning Ordinance with the following conditions:

- a. The applicant will comply with all written representations to the Township, and all verbal representations as reflected in these minutes.

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

VI. Miller – Waterfront Setback Determination – 15658 Connelly Ave

David Miller requested a waterfront setback determination for a deck which has already been constructed. The deck is 15x32ft. There is no railing because the height is low enough that a railing is not required.

Postmus asked if the deck was ground level. Miller stated it was raised 24 to 26 inches, and that a railing is not required until the height is 30 inches.

Hill stated that Mr. Yonker of 15656 Longview Ln sent a note, and emails were received from other neighbors. All communications were in support of the deck.

The public hearing was opened at 7:31pm. There were no comments. Motion by Terpstra, support by Mierle, to close the public hearing at 7:32pm. The motion passed unanimously.

Commissioners reviewed the criteria in Section 356 C of the Zoning Ordinance for a waterfront setback determination.

DRAFT

Motion by Terpstra, support by Mierle, to determine that the waterfront setback for open air decks, with no enclosures of any kind, is 94 feet from the ordinary high water mark. The deck may be expanded in the future only to the side, not any closer to the water. The waterfront setback for any enclosed structure on the site is 109 feet from the ordinary high water mark.

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

VII. Adjournment

Mierle moved to adjourn the meeting at 7:44pm with support from Terpstra. With a unanimous vote, the motion passed.

Respectfully submitted,

George Postmus, Secretary
Zoning Board of Appeals