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

Present: Ellen delaRosa-Pearn, Larry Mierle, George Postmus, Tom TenCate
Absent: Jack Ketchum, Rachel Terpstra
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 February 28, 2019 meeting as presented. Postmus seconded the motion, which passed unanimously.

III. Adopt Agenda

Postmus moved to adopt the agenda as presented. DelaRosa-Pearn seconded the motion, which passed unanimously.

IV. Public Comment

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

V. Baker – Variance to Reconstruct Nonconforming Aspect of Building – 18797 N Fruitport Rd

Joel Baker presented his request for a dimensional variance to reconstruct and maintain a nonconforming portion of his home. The garage is currently six feet from the adjacent side yard, and the area that is nonconforming is approximately four square feet. The house was built in 1965. The plan is to leave the foundation and enhance the house. There is quite a distance between the houses on the adjacent lots. There will be no change to the septic system.

Postmus asked about moving the garage lakeward.

DelaRosa-Pearn asked if the neighbors saw the plans. Baker stated they had.

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The public hearing was opened at 7:18pm. There were no comments. Motion by Postmus, support by delaRosa-Pearn to close the public hearing at 7:19pm. The motion was approved unanimously.

DelaRosa-Pearn stated she believes the variance is acceptable because the area that is not in compliance is small.

TenCate asked about the footings and extending the nonconforming aspect of the house.

Hill read the criteria for a variance, which the Commissioners considered.

Motion by Postmus, support by Mierle, to approve the Baker variance request at 18797 N. Fruitport Road to reconstruct a nonconforming portion of a structure as presented as the application meets all criteria in Section 112, I, 1, 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. Rose – Accessory Building Authorization – 14825 Boom Rd

Roger Rose presented his request for an accessory building that is larger and taller than allowed by right. The proposed accessory building is 1272 square feet, with a sidewall height of 16 feet and an overall height of 21 feet. The property is approximately 2.1 acres in size. The building will be styled like their home.

DelaRosa-Pearn asked if there would be heat or plumbing in the building. Rose stated it would have electricity only.

Mierle stated that the existing shed is a problem. Rose stated that he wants to move it to be in compliance. Mierle asked whether the shed should be removed and the new building made larger. Rose stated that the cost of that option is too expensive.

The locations of the power pole and the existing shed were discussed.

The public hearing was opened at 7:32pm. There were no comments. Motion by Mierle, support by Postmus, to close the public hearing at 7:33pm. The motion passed unanimously. Letters of support received from numerous neighbors and briefly discussed.

Commissioners reviewed the criteria in Section 306 F of the Zoning Ordinance for an accessory building authorization.

1. Motion by Postmus, support by Mierle, to approve the Rose request at 14825 Boom Road to construct 1,272 square feet of accessory building with an overall height of 21' and a sidewall

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height of 16 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 and verbal representations.

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

VII. Adjournment

DelaRosa-Pearn moved to adjourn the meeting at 7:52pm with support from Mierle. With a unanimous vote, the motion passed.

Respectfully submitted,

George Postmus, Secretary
Zoning Board of Appeals