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**SPRING LAKE TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
April 26, 2012 - REGULAR MEETING**

Present: Larry Mierle, Doug Noren, Ginger Brege, Jack Ketchum and George Postmus.

Absent: None

Participants: Lukas Hill, Community Development Director

1. Call to Order.

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

2. Approval of Minutes.

Ketchum moved to approve the minutes of the February 23, 2012 meeting. Mierle seconded the motion, which passed unanimously.

3. Adopt Agenda

Mierle moved to adopt the agenda. Ketchum seconded the motion, which passed unanimously.

4. Boersma - Determination of waterfront setbacks at 18051 N. Fruitport Road.

Dave Bolin, representing the Boersma's (Julie Boersma was present), explained that his client plans to raze the existing home and build a new home essentially on the same location. He stated that it the only reason a determination was needed is because the dwelling to the south was built extremely far from the water and therefore throws off the average waterfront setback. The applicant stated that the home will have a deck/porch and that it will be under a roof.

Noren opened the public hearing. With no comments being heard, Ketchum moved to close the hearing. It was supported by Postmus and passed unanimously.

The ZBA considered the review criteria in Section 356 of the Zoning Ordinance and found that the determination of the waterfront setback as illustrated on the site plan was compliant with the criteria. Ketchum moved to approve the proposed waterfront setback with the conditions:

1. Compliance with all verbal representations.
2. Compliance with all other federal, state and local laws and ordinances.

Mierle seconded the motion and it passed unanimously.

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5. VerBerkmoes - Variance request from Section 335.C.2 of the Zoning Ordinance to split off platted lots that will result in nonconforming lots at 15602 Vineyard.

Larry Mierle excused himself from the ZBA as he had a conflict of interest in the subject matter.

Larry Goldman, realtor representing the VerBerkmoes, stated that his client wished to split off three platted lots from his current lot that consisted of six platted lots creating two nonconforming lots that are under the one acre minimum lot size in the R-1 Zone. Hill presented a letter from the Township Attorney which that deemed it defensible to allow platted lots to be “re-divided” as long as the remaining lots are consistent with the existing lots in the neighborhood. Goldman stated that he believed that the two resulting lots are consistent with the neighborhood and the new vacant lot received approval from the health department for a private septic system. The two lots would both be 28,550 square feet each.

Noren opened the public hearing. With no comments being heard, Ketchum moved to close the hearing. It was supported by Postmus and passed unanimously.

The ZBA considered the factors for granting a variance and found the request to be compliant with all subject factors. Ketchum then moved to approve the variance request to create two nonconforming lots with dimensions 150’ x 190’ as presented based on the letter from the Township Attorney and the fact that the variance met all of the approval criteria. Brege seconded the motion and it passed unanimously.

6. Public Comment

There was no public comment.

7. Adjournment

Mierle moved to adjourn the meeting at 7:45PM with support from Brege. Motion passed unanimously.

Respectfully submitted,

Doug Noren, Chair
Zoning Board of Appeals