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**SPRING LAKE TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
February 23, 2012 - REGULAR MEETING**

Present: Larry Mierle, Doug Noren, and Ginger Brege.

Absent: Jack Ketchum and George Postmus

Participants: Lukas Hill, Community Development Director – Ron Bultje, Township Attorney

1. Call to Order.

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

2. Approval of Minutes.

Mierle moved to approve the minutes of the January 26, 2012 meeting. Brege seconded the motion, which passed unanimously.

3. Adopt Agenda

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

4. VanDam Waterfront Determination – Noren removed the item from the table and allowed Mr. Oppenhuizen (applicant) the opportunity to present the changes that occurred from last month's site plan. The applicant stated that he moved the building north approximately eight feet and reduced the side yard setbacks to six feet. He stated the house is now only five feet closer to the lake than the existing house. The applicant stated that the final design of the floor plan is under review. Hill stated that the proposed house and garage exceed the 25% lot coverage maximum. The applicant stated that this is not part of the variance request and that he will fix that issue prior to issuing a building permit. Mierle stated that he is concerned about how big the structure will be and thought it might be possible to consider a two story home to reduce lot coverage and viewshed impact. The applicant stated that they wish have all amenities on the first floor and are not sure about building a second story. Mierle added that not only is there loss of view by moving the home closer to the lake, adding width will also reduce views of the neighbor to the east. Van Dam stated that they moved the house back eight to nine feet and that is what they thought would satisfy the board. He further mentioned that no adjacent property owners are against the proposal nor did they show up to the public hearing. Mierle was concerned that the neighbor do not understand what the building will look like once it is completed and how significant the viewshed loss will be. Noren explained that there may not be consensus by the Board and they should consider whether or not they want a decision tonight or wish to request that the matter be tabled to March. The applicant stated that he felt they did what they were directed to do and that is what his client would prefer. Mierle stated again that he did not feel the

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neighbors truly understood what they would see when it is complete. Bultje stated that the neighbor to the east may be sincere about not being concerned about the proposed structure, but that in itself is not enough to allow the proposed structure. Bultje stated that decisions need to be objective even if neighbors are friends and cannot be made on personal preferences.

The applicant stated that the front 12 feet of the proposed home is going to be a covered porch which could help to reduce the impact. The ZBA members stated that they were not aware of the porch and that it makes a significant difference on their decision. The applicant confirmed there would be roof over the porch and presented an example of the porch they were considering. Mierle stated that the porch salvages the neighbors view.

Mierle moved to approve the Van Dam waterfront setback determination request as presented with the following conditions:

1. Compliance with all verbal representations.
2. A foundation survey is required at the footing inspection confirming building location matches that of the presented site plan dated 2/14/12.
3. The waterfront side of the home shall be improved with an open sided porch 12' x 28' in size. The porch may be screened.

Noren seconded the motion and it passed unanimously.

6. Public Comment

There was no public comment.

7. Adjournment

Brege moved to adjourn the meeting at 8:20PM with support from Mierle. Motion passed unanimously.

Respectfully submitted,

Doug Noren, Chair
Zoning Board of Appeals