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**SPRING LAKE TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
September 6, 2012 – SPECIAL 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 August 23, 2012 meeting. Mierle seconded the motion, which passed unanimously.

3. Adopt Agenda

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

4. Fox – Authorization for Waterfront Setbacks.

Doug DeHann, builder, presented the case for the Fox's. He stated that the home they plan to build on this site is similar to the new home he recently built on Vine Street. He stated that the subject site consisted of two lots that would be combined and the old home on the easterly lot would be demolished while they hoped to retain the existing detached garage. DeHann also stated that the lot is a corner lot resulting in two front yards and that the Leonard Road bridge makes the situation unique and limits the viewshed to the west. DeHann stated that part of the yard is in the floodplain and that any fill necessary would need to be approved by the DEQ and could likely be obtained through the minor permit process. DeHann stated there will be very few windows on the west side and the space between the new house and the house to the east will be dramatically increased. Mierle asked if there were regulated wetlands on site and Hill stated that his site inspection did not reveal what he thought would be regulated wetlands on or near the building site. DeHann stated that Peterson Environmental did not indicate the presence of regulated wetland on the building site. Postmus asked if the home was to have an open porch design. DeHann stated that it was. Postmus asked if utility locations were identified. DeHann was confident that utilities were not an issue.

Noren opened the public hearing. There were no comments from the public. Noren moved to close the public hearing with support from Mierle. Motion passed unanimously.

DRAFT

Mierle stated he was concerned about the condition of the accessory building. DeHann stated that he was not concerned and would improve the building as part of this process.

Ketchum moved to approve the proposed waterfront setback authorization as presented on the site plan as it complied with the criteria in Section 357 of the Zoning Ordinance with the following conditions:

1. The applicant comply with all verbal representations;
2. The applicant comply with all other federal, state and local laws;
3. The home on site will not be removed until construction on the new house begins;
and
4. A MDEQ permit is obtained for any fill in the Flood Zone.

Seconded by Postmus. Role call vote: All in favor of approval.

5. Public Comment

There was no public comment.

6. Adjournment

Mierle moved to adjourn the meeting at 7:33 PM with support from Ketchum. Motion passed unanimously.

Respectfully submitted,

Doug Noren, Chair
Zoning Board of Appeals