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**SPRING LAKE TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
August 28, 2014 – REGULAR MEETING**

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

Absent: Doug Noren and Dean Vanderstelt.

Participants: Lukas Hill, Community Development Director.

I. Call to Order

The meeting was called to order by Ketchum at 7:02 p.m.

II. Approval of Minutes

Postmus moved to approve the minutes of the July 24, 2014 meeting. Brege seconded the motion, which passed unanimously.

III. Adopt Agenda

Brege moved to adopt the agenda as written. Postmus seconded the motion, which passed unanimously.

IV. Ballantyne Variance Request, 17948 Hathaway Court

Peter Ballantyne presented the request for a variance for an accessory building in the front yard. He indicated they would like to build a 24-foot by 24-foot garage in the front yard of their 3-acre property. The spot was selected to accommodate the neighbors and to accommodate their own needs. The location is well-hidden, and minimizes the number of trees which need to be cut.

David TenCate, assisting the homeowners, presented more details on the variance request. They are proposing to build the garage behind the 30-foot setback. The property is on a private road, toward the end, and is not seen by many people.

The public hearing was opened at 7:14 pm.

Mike Lesnay, 17932 Hathaway Court, said the garage will go between the houses. He can't choose a better area. He bought the lot for the wildlife and woods. If the garage goes in back, he would have to look at it, and hopes the request is granted because it is the best location for him.

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Marnie Burgess, 17957 Hathaway Court, said there would be no impact visually if the garage is located in the front yard. The chosen area has the least impact on wildlife habitats.

Motion by Brege, support by Ketchum, to close the public hearing at 7:18pm. The motion passed unanimously.

The Board of Appeals reviewed the criteria for a dimension variance. They found that, with the exception of not being a substantial detriment to adjacent property, the conditions did not exist to allow the variance. Motion by Ketchum, support by Mierle, to deny the variance request by Peter and Edna Ballantyne to construct a new garage in the front yard as presented as they do not meet all of the standards of Section 112I of the Zoning Ordinance, specifically, they do not have exceptional or extraordinary circumstances, the variance is not necessary for the preservation and enjoyment of a substantial property right, the condition of the property is not of so general or recurrent a nature as to make reasonably practicable a general regulation for the condition, and any exceptional or extraordinary circumstances are self-created. With a roll call vote, the motion passed unanimously.

V. Adjournment

Mierle moved to adjourn the meeting at 8:02pm with support from Postmus. The motion passed unanimously.

Respectfully submitted,

Jack Ketchum, Acting Chair
Zoning Board of Appeals