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**SPRING LAKE TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
JULY 23, 2015 – REGULAR MEETING**

Present: Jack Ketchum, Larry Mierle, Doug Noren, George Postmus, Dean Vanderstelt.

Absent: None.

Participant: Lukas Hill, Community Development Director.

I. Call to Order

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

II. Approval of Minutes

Ketchum moved to approve the minutes of the June 25, 2015 meeting. Postmus seconded the motion, which passed unanimously.

III. Adopt Agenda

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

IV. TenCate Accessory Building, 15520 Howard St.

Tom TenCate presented his request for an accessory building on a vacant lot. He also owns a lot across the street, where his principal residence is located. TenCate is proposing to burden the titles for both lots so that the lots cannot be sold separately as long as there is an accessory building on the second lot.

Postmus asked about the building size, as the drawings are not clear. TenCate stated that he is requesting a 24-foot by 36-foot building with overhangs.

Mierle asked about burdening the title. TenCate stated he would have his lawyer draw up appropriate documents. He is unable to join the two lots because they do not touch. He has not burdened the title yet, because if the accessory building is not approved, he is able to build a house on the lot.

Vanderstelt asked about the plans for the rest of the current vacant lot. TenCate stated he was just going to do landscaping.

DRAFT

Postmus asked about the shed that was already on the site. TenCate stated the former owner put it up. Mierle stated that the current shed would have to be removed if the garage was approved. TenCate stated that was acceptable.

Postmus asked if TenCate could put a garage on the lot with his home. TenCate stated that with the 30-foot setback he cannot fit a 2-stall garage.

Noren asked if the garage would match the house. TenCate stated it would match.

The public hearing was opened at 7:16pm.

Gretchen Sheldon, 15569 Channel View, lives next to the lot where the garage is proposed. She stated there are two people who have not been allowed to construct a garage on the lot, and what has changed. Also, she was concerned about the height of the garage. Ketchum stated that the ZBA does not know the conditions of any previous requests, and that the height would not exceed 20 feet.

Tim Boelema, 15564 Howard, who also owns the Coffee Gallery building, has no issues with what TenCate wants to do.

Ed Lanning, 15530 Howard, has no issues with the plans.

An email was received from Brian and Patty Gerondale, 15510 Howard. They stated that they were totally supportive of the TenCate request.

Motion by Noren, support by Ketchum, to close the public hearing at 7:21pm. The motion was approved.

Hill stated that the size of the building was not included in the public hearing notice, because in the past the size request would have been directed to the Planning Commission. However, there was a recent Zoning Ordinance change that will have the ZBA review accessory building authorizations. TenCate will have to apply for a size variance because the proposed building is larger than allowed by right. The purpose of this public hearing is to determine whether an accessory building is allowed on a lot without a principle residence, and what the front yard setback would be. No variance to the side and rear setbacks could be granted because they were not included in the notice.

The Board reviewed the standards in Section 112 I for a dimension Variance.

Motion by Ketchum, support by Mierle, to approve the TenCate Variance request for an accessory building on a lot without a principle residence as presented. The following conditions apply:

- a. The applicant will enact a lot merger agreement satisfactory to the Township Attorney that will ensure the two lots owned by Mr. TenCate cannot be sold

DRAFT

separately as long as an accessory building exists on the north lot without a principle dwelling.

- b. The front yard setback for the accessory building is determined as 14.5 feet from the Howard Street right of way to the beginning of the building.
- c. If the applicant desires a building larger than 24 feet by 24 feet, he will obtain approval for an accessory building larger than permitted by right from the ZBA.
- d. The applicant will comply with any other local, state, and federal laws.
- e. The applicant will comply with all verbal representations.
- f. The time limit on this approval is one year to merge the lots, and an additional one year to construct the accessory building.

With a roll call vote, the motion passed unanimously.

V. Adjournment

Ketchum moved to adjourn the meeting at 7:59 p.m. with support from Mierle. The motion passed unanimously.

Respectfully submitted,

Jack Ketchum, Secretary
Zoning Board of Appeals