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**SPRING LAKE TOWNSHIP  
ZONING BOARD OF APPEALS MINUTES  
MARCH 23, 2017 – REGULAR MEETING**

Present: Rick Homan, Larry Mierle, Doug Noren, George Postmus, Tom TenCate

Absent: Jack Ketchum

Participants: 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**

Homan moved to approve the minutes of the February 23, 2017 meeting with one correction. TenCate seconded the motion, which passed unanimously.

**III. Adopt Agenda**

Mierle moved to adopt the agenda as presented. Homan seconded the motion, which passed unanimously.

**IV. Hilaski – Accessory Building Authorization – 17510 148<sup>th</sup> Ave.**

Terry Hilaski, property owner, presented his request. He is requesting an accessory building that is 1600 square feet, with a total height of 22 feet. The property is currently zoned R2, but was previously zoned RR. The applicant requested the zoning change several years ago in anticipation of splitting the property. However, he is now planning to keep the property as one lot. The accessory building he is requesting would meet the requirements for a building in the RR district. It will be a stick-built building that will look like the house. It will have 10-foot walls.

Hill stated for clarification that the reference to the 16-foot walls in the submitted plans is for the RR maximum height. The actual drawing of the accessory building shows 10-foot walls.

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Hilaski stated that he intends to put the building 30 feet from each lot line, rather than the 20 feet shown on the submitted drawings. Also, he has cleaned up all the scrap metal on the site.

Mierle asked about the purpose of the attic trusses and the intention for the attic. Hilaski stated that it was for storage of items that were not used often. The existing barn and chicken coop will be torn down. The existing 6x8 shed will be kept.

Postmus stated that he believes the existing shed is bigger, and is closer to 12x16.

Homan stated that he was concerned about the total square footage being requested. He would like the barn removed before the new building is started. Also, he asked if GIS was used for the placement of the building. Hilaski stated that the stakes were placed by a surveyor.

Homan expressed concern about the stumps and dirt piles on the property. Hilaski stated he would like to leave some of the stumps as a barrier to keep leaves from blowing onto his property. Homan stated he would prefer that the site be cleaned up. Also, he is concerned that at one time there was an intent to split the lot. If this building is approved and then the lot is split there will be a huge building on a small lot.

Hill stated that if the ZBA desires it can require a deed restriction on the property that prevents the lot from being split as long as the building is there.

Postmus asked about the addition to the house and when the building started. Hilaski stated it started in January and the intent is to finish the house before beginning the accessory building. The accessory building probably won't be started until the fall.

Mierle stated that the applicant is allowed 960 square feet total, including the other building. This is a huge building. Also, Mierle stated he doesn't like attic trusses because living quarters could be put in.

Homan asked about the allowable accessory buildings in the RR district. TenCate referred to the Zoning Ordinance and stated that up to 3 accessory buildings are allowed, with 1600 square feet total, 16-foot sidewalls and a 22-foot height.

Mierle stated the requested building is too big and sets a precedent.

Homan stated that the property hasn't changed, but the zoning did. Without the zoning change this building would be allowed.

Postmus stated that the commissioners need to consider other accessory buildings on the site.

Hill pointed out that the review criteria require a landscaping plan to be submitted with the site plan. However, Hill stated that there is sufficient existing screening so he directed the applicant to omit the landscaping plan.

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The public hearing was opened at 7:40pm. No comments were offered, and no letters were received. Motion by Noren, support by Mierle, to close the public hearing at 7:41pm. The motion passed unanimously.

The Commissioners reviewed the criteria in Section 306F. It was determined that a restrictive covenant shall not be required.

Motion by Mierle, support by TenCate, to approve the Hilaski Accessory Building Authorization at 17510 148<sup>th</sup> Ave as the application meets all criteria in Section 306F of the Zoning Ordinance with the following conditions:

- a. The total allowable footprint for all accessory buildings on the site shall not exceed 1200 square feet.
- b. A maximum of two accessory buildings will be allowed on the site.
- c. All tree stumps will be removed from the site.
- d. The applicant complies with all written representations to the Township, and all verbal representations as reflected in these minutes.

A roll call vote was taken. The motion passed unanimously.

**V. Adjournment**

Mierle moved to adjourn the meeting at 8:05pm with support from Homan. With a unanimous vote, the motion passed.

Respectfully submitted,

Doug Noren, Chairperson  
Zoning Board of Appeals