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**SPRING LAKE TOWNSHIP  
ZONING BOARD OF APPEALS MINUTES  
AUGUST 3, 2017 – SPECIAL MEETING**

Present: Larry Mierle, Doug Noren, George Postmus, Tom TenCate  
Absent: Jack Ketchum  
Participants: Lukas Hill, Community Development Director  
Crystal Bultje, Township Attorney

**I. Call to Order**

Noren called the meeting to order at 7:00 p.m.

**II. Approval of Minutes**

TenCate made a motion, supported by Mierle, to adopt the Zoning Board of Appeals minutes from June 22, 2017 as presented. The motion passed unanimously.

**III. Adopt Agenda**

Mierle made a motion, supported by TenCate, to adopt the agenda as presented. The motion passed unanimously.

**IV. Valk - Waterfront Setback Authorization Request - 15977 Baird Drive.**

Dr. James Valk presented the request for a waterfront setback determination. The request is to build an addition to an existing deck. The substructure is already there, as the construction has already started, given that applicant was unaware of the need for this process. The existing dwelling is positioned on the south side of Jerusalem Bayou near the point and the shoreline is irregular in this vicinity.

The applicant desires to extend a new deck system towards the lake that is attached to the dwelling in a manner that does not meet the average waterfront setback. The current average waterfront setback of the two adjacent dwellings is 74 feet, and the applicant desires to add an additional 10 feet to the deck, resulting in a 64 foot setback from the 582 contour.

The applicant stated he will not impede his neighbors' lake views. The applicant's neighbors are also in support of the applicant's request. His property is too far north to be in the way of Mr. Brown's view. The other property is higher than the applicant's, because the applicant's property is below grade, so again views will not be affected.

Postmus confirmed the neighbor's garage has no windows, so this application will not affect views from that garage.

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Mierle asked about the angle of the steps. The applicant answered that two or three steps will be on a landing, and the new steps will actually be closer to the dwelling.

Noren opened the public hearing at 7:22 p.m.

Dick Cochran spoke. He said he lives in Baird Farms. He asked if the U.S. Army Corps of Engineers should be involved in this. Mierle stated that was unnecessary as the structure is not in the water and it is above the floodplain.

Noren identified letters from both the applicant's neighbors, both of whom were in favor.

Motion by Mierle, supported by TenCate, to close the public hearing. The motion was passed unanimously at 7:24 p.m.

Mierle asked about the setback depth. Hill said that a 74 foot is the average, and that the applicant may encroach within 10 feet based on the GIS measurement.

Mierle stated he has no problem with this.

Noren said the line of sight for neighbors will not be affected.

The members reviewed the criteria in Section 356 of the Zoning Ordinance. Noren read the six factors aloud, and the members concluded that each factor was met or was inapplicable.

Motion by Postmus, supported by TenCate, to approve the Valk waterfront setback authorization of 64 feet from the 582 contour at 15977 Baird Drive as depicted on the submitted site plan, based upon compliance with Section 356.C of the Zoning Ordinance, for the reasons identified during discussion and included in the application, subject to the conditions that the applicant comply with the application and the site plan, with the verbal comments recorded in the minutes, and with all applicable federal, state, county and Township laws and ordinances.

Noren took a roll call vote, and the motion passed unanimously.

**V. Schroeder - Waterfront Accessory Structure Request - 15657 Littlefield Lane**

Mr. Schroeder presented his request. The applicant purchased the property in 2014 and has been remodeling since. The property is located on a very steep bluff. There are 62 steps on the old stairs leading down to the water, and they have to be replaced for safety. The applicant decided to request to build a deck on the beach as well with the step construction.

Two dwellings on either side of the applicant will not be impacted. There are large amounts of space and heavy vegetation between the applicant and his neighbors.

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The proposed deck will be so steep down the hill that it will not impact the neighbors' views at all.

Postmus asked what material the deck would be made of. The applicant advised it will be made of composite material to match the other deck on the property. The applicant stated there will also be railings and cable around the deck for safety.

Mierle asked if the existing deck will be removed. The applicant said yes, as will the poles.

Postmus asked about the trajectory of the stairs. The applicant stated that the stairs will follow the same path as the existing stairs.

Postmus asked if the deck will be elevated. The applicant said yes, maybe four or five feet.

Postmus asked if the deck height would eliminate some of the stairs. The applicant said yes.

Postmus asked more details about the deck. The applicant said the deck will be made of composite wood with cedar posts, cable wire, and rails for safety.

The public hearing was opened at 7:36 p.m.

There were no comments.

The applicant stated that he had told his neighbors not to bother writing in, but that they do not object.

Motion by TenCate, supported by Noren, to close the public hearing. The motion was approved unanimously at 7:36 p.m.

The members reviewed the criteria in Section 306 of the Zoning Ordinance.

TenCate stated he looked at the area from the water and that the dwellings on the bluff are not even visible from the water because of the steepness of the hill. He stated the deck will not impede the waterfront view for any of the properties.

Postmus asked if the applicant has any intent of putting in an accessory building? The applicant said no.

Noren asked if that could be added as a condition to this approval. Hill stated that is unnecessary because the applicant would have to come before the Zoning Board of Appeals to build such a building anyway.

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Noren read the six factors aloud, and the members concluded that each factor was met or was inapplicable.

Motion by TenCate, supported by Postmus, to approve the Schroeder waterfront accessory structure as depicted on the submitted site plan, based upon compliance with Section 306 of the Zoning Ordinance for the reasons identified during the discussion and included in the application, subject to the conditions that the applicant comply with the application and site plan, with the verbal comments recorded in the minutes, and with all applicable federal, state, county, and Township laws and ordinances.

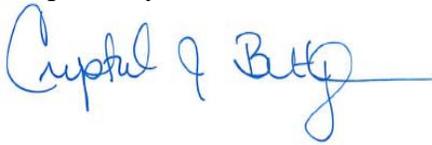
With a roll call vote, the motion passed unanimously.

Hill stated there probably will not be a second meeting this month.

**VI. Adjournment**

Mierle moved to adjourn the meeting at 7:45 p.m. Noren seconded the motion, which passed unanimously.

Respectfully submitted,



Crystal J. Bultje,  
Spring Lake Township Attorney and  
Recording Secretary