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**SPRING LAKE TOWNSHIP  
ZONING BOARD OF APPEALS MINUTES  
OCTOBER 26, 2017 – REGULAR MEETING**

Present: Jack Ketchum, Doug Noren, George Postmus, Tom TenCate, Rachel Terpstra  
Absent: Larry Mierle  
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**

Postmus moved to approve the minutes of the October 5, 2017 special meeting as presented. Ketchum seconded the motion, which passed unanimously.

**III. Adopt Agenda**

Ketchum moved to adopt the agenda as presented. Terpstra seconded the motion, which passed unanimously.

**IV. Lisowicz – Waterfront Setback Authorization – 18341 North Shore Estates**

Hill described the Lisowicz request. The request is for a waterfront authorization for a deck. The deck has already been constructed. Staff has determined that this is a unique situation due to a vacant lot to the north and an association easement to the south. Using the standard setback requirements would put the setback into the existing home. There was a lake side deck previously, but it was rebuilt and extended.

Chris Lisowicz stated that the existing deck was 50 years old and was unstable. The initial plan was to replace just the decking, but the substructure was deficient. The house is located on two lots (one parcel) and sits on a point. The deck isn't in the sightlines for existing homes, and he would like to keep the deck as it is.

TenCate asked which parts of the deck were added beyond the original deck. Lisowicz stated that the lower patio was existing. The stairs originally ran off the north side of the deck and were too steep. The steps were rebuilt on the existing terraced garden. A 14-foot by 22-foot section of deck was added to the original deck, extending toward the lake.

DRAFT

Ketchum asked if the large attached deck was all new, and if the 14x22 section is supported by columns. Lisowicz stated that it was all new, and the extension was supported by three columns. The top part of the new deck is four to six feet shorter than the original deck was.

The public hearing was opened at 7:21pm.

Mary Dolikian, trustee for the trust that owns the vacant lot to the north, stated she had her property surveyed in 2016. She is concerned about obstructing the view from the house that will eventually be built on the lot. She also asked for the definition of the most lakeward part of the house. Hill stated that it is measured from the corner of the foundation. The deck under discussion won't affect where the new house can be placed.

Motion by Noren, support by Ketchum, to close the public hearing at 7:35pm. The motion passed unanimously.

Ketchum asked about the white PVC pipe that could be seen. Lisowicz stated that it was for the roof drains. It was originally tile.

TenCate asked what the distance from the patio to the north lot line is. Lisowicz stated that it is at least 30 feet. The house is 75 feet from the lot line.

Ketchum asked if the DEQ has given a determination about required permits. Lisowicz stated that there was no DEQ visit, just an email stating that a permit wasn't required for rebuilding the deck. Hill stated he sent pictures of the site to the DEQ in August and has not received a reply.

Ketchum asked if the building inspector had been out. Lisowicz stated he has not been out. Hill stated there has been no determination of whether the deck meets code.

Postmus asked what kind of rails would be installed. Lisowicz stated they would be stainless steel supports with wires.

Terpstra asked about the old steps. Lisowicz stated they were off the side, but that the old deck wasn't rectangular.

Postmus asked if anything changed on the lower deck. Lisowicz stated that nothing had been changed there.

Ketchum stated he would like the building inspector to look at the deck and to receive information from the DEQ before making a final decision. He stated that rebuilding the old deck was acceptable, but the extension was a problem and the steps need to be reworked.

TenCate and Terpstra both stated that the addition and steps block the view from the neighboring lot.

Commissioners reviewed the criteria from Section 356 related to a Waterfront Setback Determination.

DRAFT

Motion by TenCate, support by Ketchum, to approve the Lisowicz waterfront setback authorization at the original westerly edge of the deck at 18341 North Shore Estates Road as the application meets all criteria in Section 356 C of the Zoning Ordinance, with the following conditions:

- a. The applicant obtains any required DEQ or Building Permits prior to December 1, 2017.
- b. The decks remain open air with no walls or roofs.
- c. 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. Grill – Accessory Building Authorization & Building Height Variance – 16571 144<sup>th</sup> Ave**

Grill presented his request for a house that will be higher than allowed. Due to the high water table, the grade needs to be raised. The grade will be raised about eight feet, but there is a large enough area that the slope will be gradual.

TenCate asked about the wall heights and roof pitch. Grill stated that the basement and first floor would have 9-foot walls, and the second floor would have 8-foot walls. The roof pitch is 12/12.

Terpstra asked how far the grading would be done in the front to get the slope. Grill stated he was planning to grade for 300 feet. The house is about 600 feet from the road. The grade can be extended as far as the culvert in the front.

Terpstra asked about the illustrations of the house elevations. Grill stated that the elevations were labelled wrong, and the elevation that is labelled south is really the east elevation.

Ketchum stated that he was concerned about the size of the 7-foot variance requested.

Postmus asked if there were houses in the Township that are taller than 35 feet. Hill stated that the definition was modified in 2010 to measure the height from the existing grade, rather than from the established grade. The intent is to prevent “mushroom” houses.

Postmus asked about subdividing the property and whether a restrictive covenant would be necessary if the variance is granted. Grill stated that he does not plan to subdivide, and has no problem adding a deed restriction.

Noren asked if there were any fire department issues with the height. Grill stated that the house will only be 34 feet tall from the established grade. Hill stated that there shouldn't be any fire department concerns as the proposed home is a standard 2.5 story structure, which is permitted by right within the Township.

DRAFT

The public hearing was opened at 8:16pm. There were no comments. Motion by Noren, support by Ketchum, to close the public hearing at 8:17pm. The motion passed unanimously.

TenCate asked if there were plans for an attic room. Grill stated there were no plans; the attic will just be trusses.

Commissioners reviewed the criteria in Section 112 I of the Zoning Ordinance and found that all the facts and conditions exist for a dimensional variance.

Motion by Postmus, support by Terpstra, to approve the building height variance as requested at 16571 144<sup>th</sup> Ave as the application meets all criteria in Section 112, I, of the Zoning Ordinance, with the following conditions:

- a. The applicant complies with all written representations to the Township, and all verbal representations as reflected in these minutes.
- b. The grade is extended as far as possible toward the culvert.
- c. The applicant place the property into a restrictive covenant prohibiting any future land divisions while the house is present on the subject property

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

Grill presented his request for a 4,768 square foot accessory building. This building is designed to look like a barn. The house is designed in a farmhouse style. This is a large lot, and the lot coverage will be less than that of a 5-acre parcel with a maximum-size accessory building. Laker Lockers storage is directly north of this lot. Their buildings are larger, so this barn is not out of proportion to the neighborhood.

Postmus asked why the request was for such a large barn. Grill stated that he looked at what he needs to store and added up what was needed.

Ketchum asked what the allowed accessory building size is for this zoning district. Hill stated that 2,400 square feet are allowed by right, and an authorization can be granted for up to twice that. This building would use all the square footage allowed on this site. UP to four accessory buildings would be allowed by right, with the largest allowable building being 1,600 square feet.

Postmus asked if it would be a metal façade. Grill stated that it would. The building will not be heated but will have electricity and water.

Ketchum stated that having multiple accessory buildings that total the same square footage as requested would not necessarily be more attractive than this building. A restrictive covenant on the property would be good so that there's not a large building on a small lot.

The public hearing was opened at 8:40pm. There were no comments. Motion by Noren, support by Ketchum, to close the public hearing at 8:41pm. The motion passed unanimously.

Noren asked if the drawing presented is to scale. Grill stated that it is.

DRAFT

TenCate asked if the renderings provided are what will be built, and whether there would be a residence in the building. Grill stated that the renderings are what will be built, and there will be no residence.

Postmus asked if this would set a precedent for large accessory buildings. Hill stated that a precedent is set for the exact situation, and that other situations are determined separately.

Hill stated that he did not ask for a landscaping plan because of the existing vegetation on the lot.

TenCate stated that the barn style of the accessory building is consistent with the house because the house is a farmhouse style. He stated that he did not believe that the house and accessory building must be exactly the same.

Ketchum asked about drainage around the building. Grill stated he intends to put gravel under the lean-to and along the eaves.

Commissioners reviewed the criteria in Section 306 F for an accessory building authorization.

Motion by Postmus, support by Ketchum, to approve the 4,768 square foot accessory building authorization at 16571 144<sup>th</sup> Ave as the application meets all criteria in Section 306, F, of the Zoning Ordinance with the following conditions:

- a. The applicant place the property into a restrictive covenant prohibiting any future land divisions while the accessory building is present on the subject property
- b. 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.

## **VI. Adjournment**

Noren moved to adjourn the meeting at 9:08pm with support from Ketchum. With a unanimous vote, the motion passed.

Respectfully submitted,

Jack Ketchum, Secretary  
Zoning Board of Appeals