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**SPRING LAKE TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
DECEMBER 19, 2019 – SPECIAL MEETING
BARBER SCHOOL, 102 W EXCHANGE, SPRING LAKE MI**

Present: Ellen delaRosa-Pearn, Jack Ketchum, Larry Mierle, George Postmus, Tom TenCate
Absent: Rachel Terpstra
Participant: Lukas Hill, Community Development Director

I. Call to Order

The meeting was called to order by Ketchum at 7:01 p.m.

II. Approval of Minutes

TenCate moved to approve the minutes of the December 5, 2019 meeting as presented. DelaRosa-Pearn seconded the motion, which passed unanimously.

III. Adopt Agenda

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

IV. Public Comment

A time for public comment was provided. There were no comments.

V. Maloney – Waterfront Setback Determination – 18067 N Fruitport Rd

Dennis Dryer, architect, presented the request for a waterfront setback determination. The average setback was calculated to be 127 feet. However, using this setback reduces the available building area significantly. Also, the shoreline at this property is irregular and faces both west and northwest. This irregularity makes applying the average setback calculation inappropriate.

Dryer marked the corners of the house a week before the meeting. The house was rotated from the original orientation approximately five feet toward the south to ensure the 50-foot setback is met. The provided site plan illustrated the rotated location. The house will be one floor except along the east side, where it will have two stories.

Mierle asked if the marked trees were to be removed. Dryer stated they would be removed. The neighbor to the south requested that a few pine trees be removed to improve his view, and also requested that additional trees be planted near the dining room for privacy. Dryer stated that this was acceptable.

Mierle asked if the stumps would be left after the trees were removed. Dryer stated that they would leave the stump and root structure to stabilize the hill.

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TenCate asked about the difference between marked trees being removed, and the submitted narrative stating that the lot would remain wooded. Dryer stated trees would be removed in the footprint of the house, but others outside the footprint would remain.

DelaRosa-Pearn stated she talked to the neighbor to the south who stated he has no problems with the plan as long as the tree issue is handled.

Dryer stated that the lot is challenging due to its triangular shape and the ravines on each side of the buildable area. Hill asked about lot coverage. Dryer stated that using only the main portion of the lot (not the driveway section) the lot coverage by the house is 11.9%.

Dryer stated that the house to the north is set quite far back, and the view to the south from that house is limited by trees and the ravine. Dryer stated they have a letter from this neighbor stating that he is fine with this plan.

TenCate asked if the waterfront setback could be different for each side of the house. Hill stated that all setbacks can be decided by the ZBA.

TenCate noted that if a line was drawn straight north from the house to the south, the subject house would be behind that line.

The public hearing was opened at 7:47pm. There were no comments. Motion by Mierle, support by TenCate, to close the public hearing at 7:48pm. The motion was approved unanimously.

The Board reviewed the standards for a waterfront setback determination.

TenCate asked about the height of the roof closest to the north property line. Dryer stated that the height is 20 feet.

Motion by TenCate, support by Mierle, to approve the Waterfront Setback Determination as presented in the site plan dated 12/18/19 at 18067 N Fruitport Road with the following conditions:

- a. The applicant will comply with any other local, state and federal laws.
- b. The applicant will comply with all verbal representations.
- c. The applicant will provide an as-built survey after the foundation is installed, before an occupancy permit is issued.

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

VII. Adjournment

Mierle moved to adjourn the meeting at 8:18pm with support from delaRosa-Pearn. With a unanimous vote, the motion passed.

Respectfully submitted,

George Postmus, Secretary
Zoning Board of Appeals