

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
TUESDAY, JUNE 28, 2016 – 7:00 P.M.

I. CALL TO ORDER

The regular meeting of the Grand Haven Charter Township Zoning Board of Appeals was called to order at 7:00 p.m. by Chair Robertson.

The Chair explained both the purpose and procedures of the ZBA.

II. ROLL CALL

Board of Appeals members present: Robertson, Loftis, Behm, Voss, Slater, and Rycenga (alternate)

Board of Appeals members absent: None

Also present: Superintendent Cargo

Without objection, Cargo was instructed to record the minutes for the meeting.

III. APPROVAL OF MINUTES

Without objection, the minutes of the March 22, 2016 meeting were approved.

IV. NEW BUSINESS

A. ZBA Case #16-02 – Dimensional Variance – Griffeth

Party Requesting Variance:	Paul & Michele Griffeth
Mailing Address:	18301 Hillside Drive, Grand Haven 49417
Parcel Number:	70-03-32-177-015
Subject Property Location:	18301 Hillside Drive

Paul & Michele Griffeth are seeking dimensional variances from Sections 21.02, 20.22.1.C, and 20.22.2.B of the Zoning Ordinance in order to construct an attached garage and retaining wall system (*After-the-Fact*). Both structures project into the required side and rear yards.

Cargo provided an overview of the application through a memorandum dated June 21st.

Following the initial discussions the Chair invited the applicant, and public, to speak:

Paul Griffeth – 18301 Hillside Drive:

- Apologized for replacing an existing walkway and installing a retaining wall system without a proper zoning permit.
- Noted that there is an existing retaining wall north of the proposed garage that helps define the setback.
- Noted that year-round residents within the area all have garages.

The Board discussed the four standards and noted the following:

- The lot is an existing lot of record that is undersized, and located within a Critical Dune Area within a steep elevation change. Noted that the applicant has all required State permits.
- The ZBA has established that a garage is a property right. However, the Board did discuss the size of the proposed garage structure and the enclosed foyer that was included and whether that should be allowed.
- The ZBA received no objections from surrounding property owners.
- This type of variance request could not be addressed through a text amendment to the Zoning Ordinance because of the unique conditions.

Standard No. 1 – Exceptional or extraordinary circumstances:

- Exceptionally small lot.
- Within Critical Dune Areas with a steep elevation change.

Approved without objection.

Standard No. 2 – Substantial property right:

- ZBA has established a precedence that a garage constitutes a substantial property right.
- Because there were no objections, the slightly larger garage than what is strictly necessary is allowed.

Approved without objection.

Standard No. 3 – Will not be a substantial detriment to adjacent parcels, or material impact on the intent and purpose of the Ordinance:

- No objections were received.

Approved without objection.

Standard No. 4 – Request is not of such a recurrent nature as to make reasonably practical the formulation of a general regulation:

- Exceptionally small size of parcel makes it difficult, if not impossible, to meet the R-1 setback requirements, which is not the case for the majority of properties within the Township.

Approved without objection.

Motion by Slater, supported by Behm to **approve** a dimensional variance from Section 21.02 for a 24' x 28' attached garage at 18301 Hillside Drive that will result in a Rear Yard setback variance of 40'-3" and Side Yard 2 setback variance of 7'-6". After-the-Fact dimensional variances from Sections 20.22.1.C and 20.22.2.B for a retaining wall system that will result in a Height variance of 2', a Rear Yard setback variance of 5', and a Side Yard 1 setback variance of 7'. Approval of this variance is based upon this Board's findings that all four standards have been affirmatively met.

Ayes: Behm, Loftis, Slater, Voss, and Robertson

Nays: None

Absent: None

V. REPORTS

- The Board reviewed a memo regarding the Spring Lake Village ZBA case regarding Electronic Message Boards through a memorandum dated June 21st.

VI. EXTENDED PUBLIC COMMENTS – None

VII. ADJOURNMENT

Without objection, the meeting was adjourned at 7:27 p.m.

Respectfully submitted,

William D. Cargo

Acting Recording Secretary