

AGENDA

Grand Haven Charter Township Zoning Board of Appeals
Tuesday, February 27, 2018 – 7:00 pm

- I. Call To Order
- II. Roll Call
- III. Approval of the October 24, 2017 ZBA Meeting Minutes
- IV. New Business
 - A. ZBA Variance Application No. 18-01 – Urbytes
 - B. Housekeeping:
 - i. Appointment of Officers
 - ii. Approve 2018 Meeting Date Schedule
- V. Reports
- VI. Extended Public Comments (*Limited To Four (4) Minutes Please*).
- VII. Adjournment

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
TUESDAY, OCTOBER 24, 2017 – 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 Vice-Chair Voss.

II. ROLL CALL

Board of Appeals members present: Voss, Loftis, Slater, Hesselsweet & Rycenga (alternate)
Board of Appeals members absent: Behm

Also present: Community Development Director Fedewa

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

III. APPROVAL OF MINUTES

Without objection, the minutes of the June 27, 2017 meeting were approved.

IV. NEW BUSINESS

A. ZBA Case #17-05 – Dimensional Variance – Job and Mika

Party Requesting Variance:	John Job and Mary Ellen Mika
Address:	2530 Hampshire Blvd, Grand Rapids, 49506
Parcel Number:	70-07-08-400-032
Location:	12905 Wilderness Trail

John Job and Mary Ellen Mika are seeking a side yard 1 setback dimensional variance of 10 feet and a side yard 2 setback dimensional variance of 15 feet to construct an elevated walkway from the dwelling to the Lake Michigan waterfront. Section 21.02 of the Zoning Ordinance requires a 15 foot minimum, with a 35 foot total side yard setback in the R-1 Single Family Residential Zoning District. Due to the narrowness of the lot the elevated walkway cannot meet the setback requirements, and without the walkway the applicant is unable to gain access to the waterfront due to the sharp elevation changes.

Fedewa provided an overview of the application through a memorandum dated October 20th.

Applicant was not present, so the Board discussed the four standards and noted the following:

- This variance application was approved by the ZBA in July 2015. However, that variance expired prior to obtaining a building permit. There are absolutely no changes to the requested elevated walkway.

Standard No. 1 – Exceptional or extraordinary circumstances:

- Unique shape
- Exceptional narrowness
- Extreme elevation change

Ayes: Voss, Loftis, Slater, Hesselsweet, Rycenga

Nays: None

Standard No. 2 – Substantial property right:

- Only access to waterfront is by way of an elevated walkway.
- DEQ does not permit a foot path due to potential erosion.

Ayes: Voss, Loftis, Slater, Hesselsweet, Rycenga

Nays: None

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

- The Board noted that no opposition was received from adjacent parcels.

Ayes: Voss, Loftis, Slater, Hesselsweet, Rycenga

Nays: None

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

- Case is unique, and does not present a concern that the situation will reoccur and make reasonable the formulation of a general regulation.

Ayes: Voss, Loftis, Slater, Hesselsweet, Rycenga

Nays: None

Motion by Slater, supported by Rycenga to **approve** a dimensional variance from Section 21.02 to allow a 5-foot wide elevated walkway at 12905 Wilderness Trail, which will allow the applicant to gain access to the waterfront. This will result in a Side Yard 1 and Side Yard 2 setback of 5-feet. Approval of this variance is based upon this Board’s findings that all four standards have been affirmatively met. **Which motion carried unanimously**, as indicated by the following roll call vote:

Ayes: Voss, Loftis, Slater, Hesselsweet, Rycenga

Nays: None

Absent: Behm

B. Appoint Chairperson

Fedewa provided an overview through a memorandum dated October 20th.

Without objection, Voss was nominated, and appointed, as the ZBA Chairperson.

Said appointment leaves a vacancy of the Vice-Chair position.

Without objection, Slater was nominated, and appointed, as the ZBA Vice-Chair.

V. REPORTS

A. Welcome New Member – Brock Hesselsweet

B. Next Zoning Ordinance Update Committee meeting is November 2nd at 6pm.

VI. EXTENDED PUBLIC COMMENTS – None

VII. ADJOURNMENT

Without objection, the meeting was adjourned at 7:12 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stacey Fedewa". The signature is written in black ink and is positioned above the printed name and title.

Stacey Fedewa

Acting Recording Secretary



Community Development Memo

DATE: February 22, 2018

TO: Zoning Board of Appeals

FROM: Stacey Fedewa, Community Development Director
Cassandra Hoisington, Assistant Zoning Administrator

RE: 18326 Holcomb Rd – Dimensional Variance Application No. 18-01

PARCEL INFORMATION

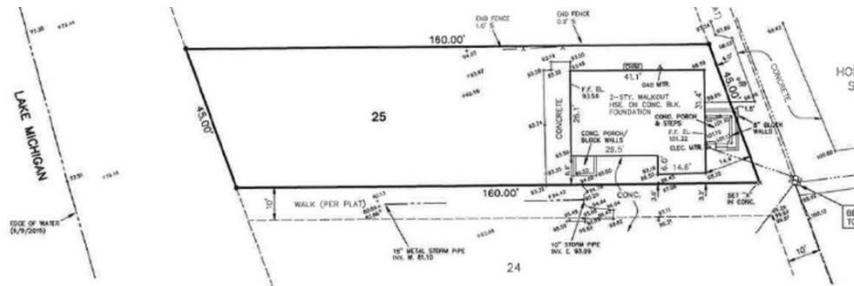
Owner	Mitchell & Susan Urbytes
Applicant	Jeff Swieringa, ReNew Construction
Property Address	18326 Holcomb Rd
Parcel Number	70-03-32-132-022
Lot Size	7,200 sqft (or 0.165-acres)
Lot Type	Legal Lot of Record
	Exceptionally Small & Narrow
	Critical Dunes
Zoning	R-1 Single Family Residential
Required Setbacks	Front – 50 feet
	Rear – 50 feet
	Side – 10' min, 23' combined
Requested Setbacks	Side 1 – 3 feet variance
	Side 2 – 7.75 feet variance



Location Map



Critical Dunes Map



Current Site Layout

REASON FOR ZBA APPLICATION

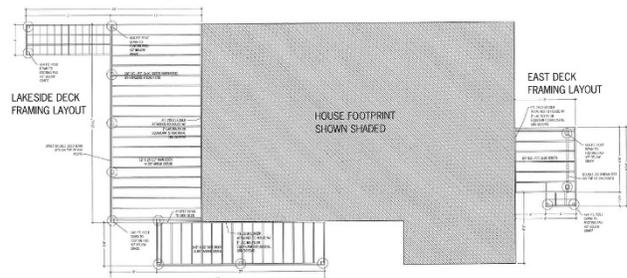
The applicants purchased the property in 2011, and are currently in the process up updating the house.

The applicant is requesting a variance from the required side yard setbacks in order to construct new decks abutting the west and south sides of the house. The proposed deck along the west wall of the dwelling will be 12' x 26' with associated 11' long staircase, resulting in a setback of 7.75' to the north, which is no greater than existing conditions, but would add more bulk. Also, the applicant is requesting a 6' x 22' deck along the south wall, which would result in a 3' setback. Similarly, this is no greater than existing conditions, but would add more bulk.



2011 Assessing Picture

Section 21.01.16 of the Ordinance allows for a reduced side yard setback for legally nonconforming lots in the R-1 district. A lot of this width is afforded a minimum setback of 10' with a total combined setback of 23'. Even with the reduced setbacks, this exceptionally narrow lot is unable to meet the minimum standards, and thus is requesting a variance.

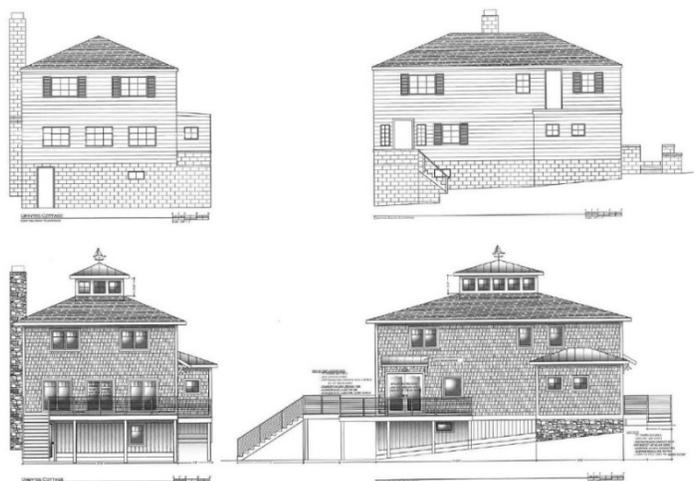


Proposed Deck Additions

PROPOSED PROJECT

Aside from the variance request, the property owner also intends to invest in additional improvements, which are described below:

- Decorative “crow’s nest” on top of roof.
- Replace windows, and siding.
- Update chimney masonry.
- Replace the existing porch on the east side of the house with an 8' x 8.5' deck (*this does not require a variance because Section 25.02.4, allows nonconforming structures to be replaced as long as it does not increase the nonconformity*).



The applicant possesses both DEQ and Soil Erosion permits.

VARIANCE STANDARDS

To authorize a dimensional variance from the strict applications of the provisions of this Ordinance, the ZBA shall apply the following standards and make an affirmative finding as to each of the matters set forth in the standards.

STANDARD 1

There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning classification.

The subject property is within the Critical Dune Area, and has an exceptionally small lot area (*7,200 sqft where 15,000 sqft is required; or 48% smaller in area*).

The ZBA will need to determine whether this standard is met.

STANDARD 2

The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity, provided that possible increased financial return shall not of itself, be deemed sufficient to warrant a variance.

The majority of homes along Lake Michigan have a series of decks that provide views. Due to the narrowness of the lot any and all decks would encroach into the required side yard. The ZBA will need to make a determination whether this standard is met given the circumstances of this case.

STANDARD 3

Authorization of such variance will not be of substantial detriment to adjacent property, and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community.

No correspondence was received for this application (*as of February 22nd*). The ZBA will need to make the determination whether this standard is met given the circumstances of this case and the findings on standards 1 and 2.

STANDARD 4

The condition or situation of the specific piece of property or the intended use of said property for which the variance is sought, is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such condition or situation, a part of this Ordinance.

The extreme narrowness of the lot makes general compliance with the zoning ordinance impractical. The ZBA will need to make the determination whether this standard is met.

SAMPLE MOTIONS

If the ZBA determines each standard has been affirmative met, the following motion can be offered:

Motion to approve a dimensional variance from Section 21.02 to allow a 12' x 26' deck with attached 11' long staircase, and 6' x 22' deck extension at 18326 Holcomb Road. This will result in a Side Yard 1 setback of 3-feet, and a Side Yard 2 setback of 7.75-feet. Approval of this variance is based upon this Board's findings that all four standards have been affirmatively met.

However, if the ZBA determines each standard has not been affirmatively met, the following motion can be offered:

Motion to deny the dimensional variance from Section 21.02 to allow the deck extensions at 18326 Holcomb Road. Denial of this variance is based upon this Board's findings that all four standards have not been affirmatively met.

Please contact me if this raises questions.

Clear Form

Print



GRAND HAVEN CHARTER TOWNSHIP

ZONING BOARD OF APPEALS APPLICATION

Fees

Request for Variance or Appeal	\$125
Special Meeting	\$250
Request for Interpretation	No Charge

Applicant/Appellant Information

Name Jeff Swieringa, ReNew Construction LLC
 Phone 616-510-0956 Fax _____
 Address 13861 Autumn Ave, Grand Haven, MI 49417
 Email Address jeff@renewify.net

Owner Information (If different from applicant/appellant)

Name URBYTES MITCHELL G-SUSAN M
 Phone 616-566-4048 Fax _____
 Address 1378 Spinnaker Ct., Holland, MI 49424
 Email Address urbytes@gmail.com

Property Information (Include a survey or scaled drawing)

Address 18326 Holcomb Rd.
 Parcel No. 70 - 03 - 32 - 132 - 022 Current Zoning R-1
 Lot Width 45 feet Lot Depth 160 feet
 Parcel Size .1787 acres Parcel Size 9965 sq. ft.
 Lot Type Typical Lot Corner Lot _____ Interior Lot _____

General Information (Check one)

- Application for Variance
- Request for Interpretation
- Notice of Appeal

VARIANCE REQUESTED (If applicable)

1. Attach a Narrative: Description of Request; Why it is needed; and Addresses each of the 4 Standards
2. Variance Requested From the Requirements of Section Number(s) 21.02
3. Relating to property line setbacks for proposed deck
4. Structure/Land Use (After Variance) _____
5. Overall Building Size (After Variance) _____
6. Setbacks from lot lines (After Variance):
 - a. Front Yard ~~unchanged~~ 85 feet
 - b. Rear Yard 85 ~~unchanged~~ feet
 - c. Side Yard #1 7.75 feet
 - d. Side Yard #2 3 feet

NOTE: Please provide a scaled drawing with details of your proposed work including the dimensions of any structure(s) (i.e. height, width & length), building materials, the setbacks to ALL property lines, and other existing structures on the parcel, and any other relevant information, as needed.

INTERPRETATION REQUEST *(If applicable)*

Description of requested interpretation(s) and relevant Section number(s):

APPEALS AND OTHER APPLICATIONS *(If applicable)*

Description of action being appealed or other matter which is basis of application.

GROUND FOR APPEAL OR OTHER APPLICATION *(If applicable)*

IF THE SPACE PROVIDED ON THIS APPLICATION IS INADEQUATE
PLEASE ATTACH ADDITIONAL SHEETS AS NEEDED

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.



Signature of Applicant

2/2/2018

Date

Signature of Zoning Administrator

Date

For Office Use Only

Date Received _____

Fee Paid? _____

JEFF SWIERINGA
CKD / OWNER
13861 Autumn Ave.
Grand Haven, MI 49417
616.510.0956
jeff@renewify.net

**Stacey Fedewa, Community Development Director,
and Zoning Board Members**

Grand Haven Charter Township
13300 168th Ave,
Grand Haven, MI 49417

RE: Request for Setback Variance for 18326 Holcomb Rd.

February 2nd, 2018

Dear Zoning Board Members:

My clients, Mitchell and Susan Urbytes, own the home at 18326 Holcomb Rd. in the R-1 Residential District. This property abuts Lake Michigan on the West side of the property.

We are requesting a variance because the zoning ordinance for this district code requires larger setbacks than we have available on this lot because of its exceptionally small lot size. My clients are investing in some exterior upgrades to their home and would like to add a deck to the lake side of their home. The DEQ permits have already been approved but it has been brought to our attention that a variance is necessary because of the setback requirements. Based on the 4 zoning standards detailed in Section 26.05, we have outlined below our reasons for this variance application:

1. This lot is exceptionally narrow. The survey shows a 45' width at the front but in actuality, the lot is only 42' wide if measured perpendicularly between the north and south lot lines. The existing home is already 31.5 feet wide and we would simply like to extend a deck behind the home to the west without any further encroachments on the side lot lines.
2. The variance is requested to allow the homeowners to fully enjoy their property rights on this lake front home. Without a deck on the lake side, lake views from the property are somewhat limited by the foredune. Adding the rear deck will allow the owners to enjoy the views that they invested in when they purchased this property. Furthermore, both adjacent properties have similarly sized decks on the west sides of their homes and the design that we have proposed will make this home more uniform with the designs of the adjoining properties.
3. As noted above, we do not want to encroach on the side property lines any more than the current house does. By simply adding the deck to the west side of the home, we would not be blocking any site lines or creating any other negative effects on the adjacent properties.
4. This lakefront property is somewhat unique in the narrowness of the lot based on today's standards. However, it is evident that similarly sized lots and homes along this stretch of Lake Michigan shoreline have been granted variances in the past for very similar reasons. A deck facing the lake is one of the most basic and yet most important components in lakefront living, even on very narrow lots.

We would like to begin construction soon and hope the Zoning Board can consider this request at its earliest possible date. Thank you for your consideration of this matter.

Respectfully,


Jeff Swieringa



**18326 Holcomb Hills
 Grand Haven, MI 49417**

**Elevations
 EAST & NORTH
 CONCEPTS**
 Scale : 1/4"=1'

Revisions

For Review	8/30/17
For Review	9/27/17
For Review	10/10/17
For Review	10/18/17
For Review	12/4/17

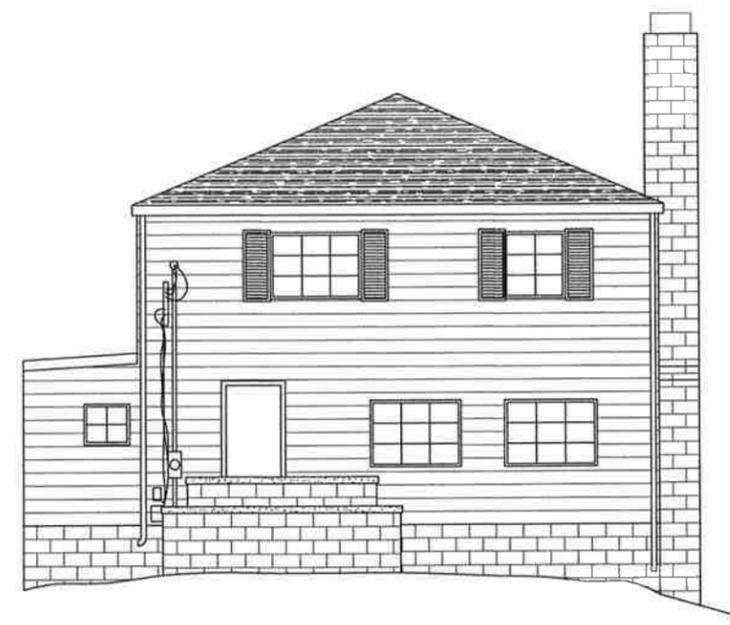
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 DRAWN BY: Jeff S.
 CHECKED BY: ---
 FILENAME: URB-01.dwg

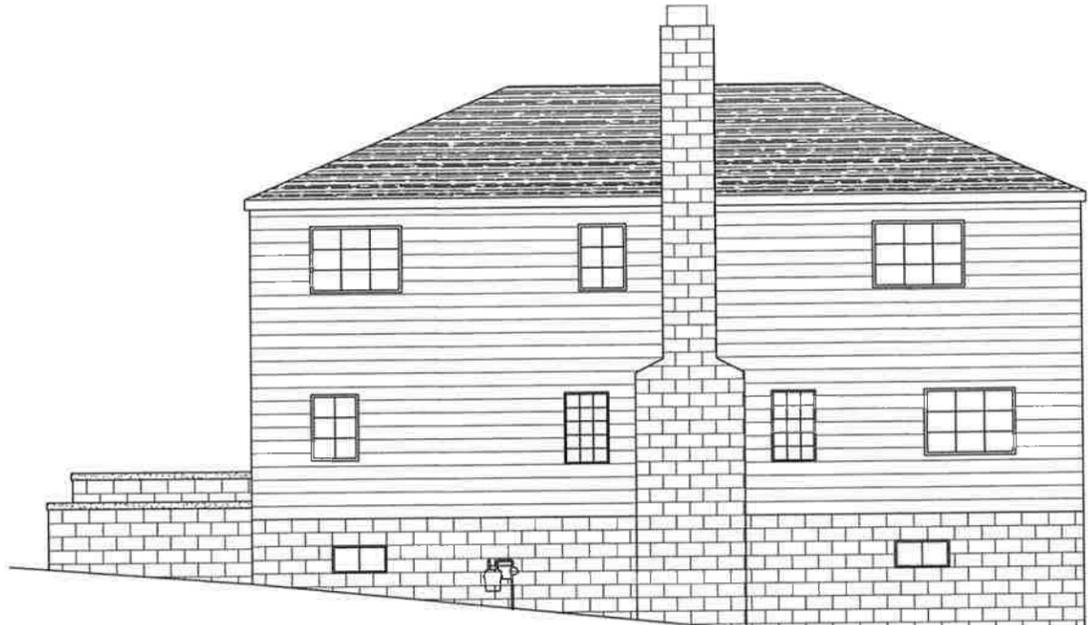


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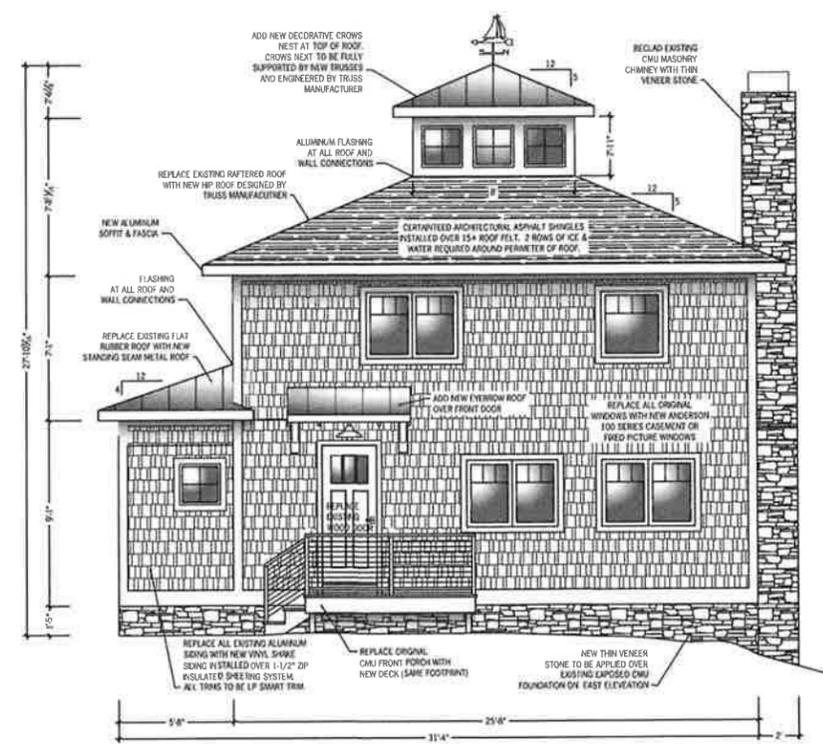
A-1



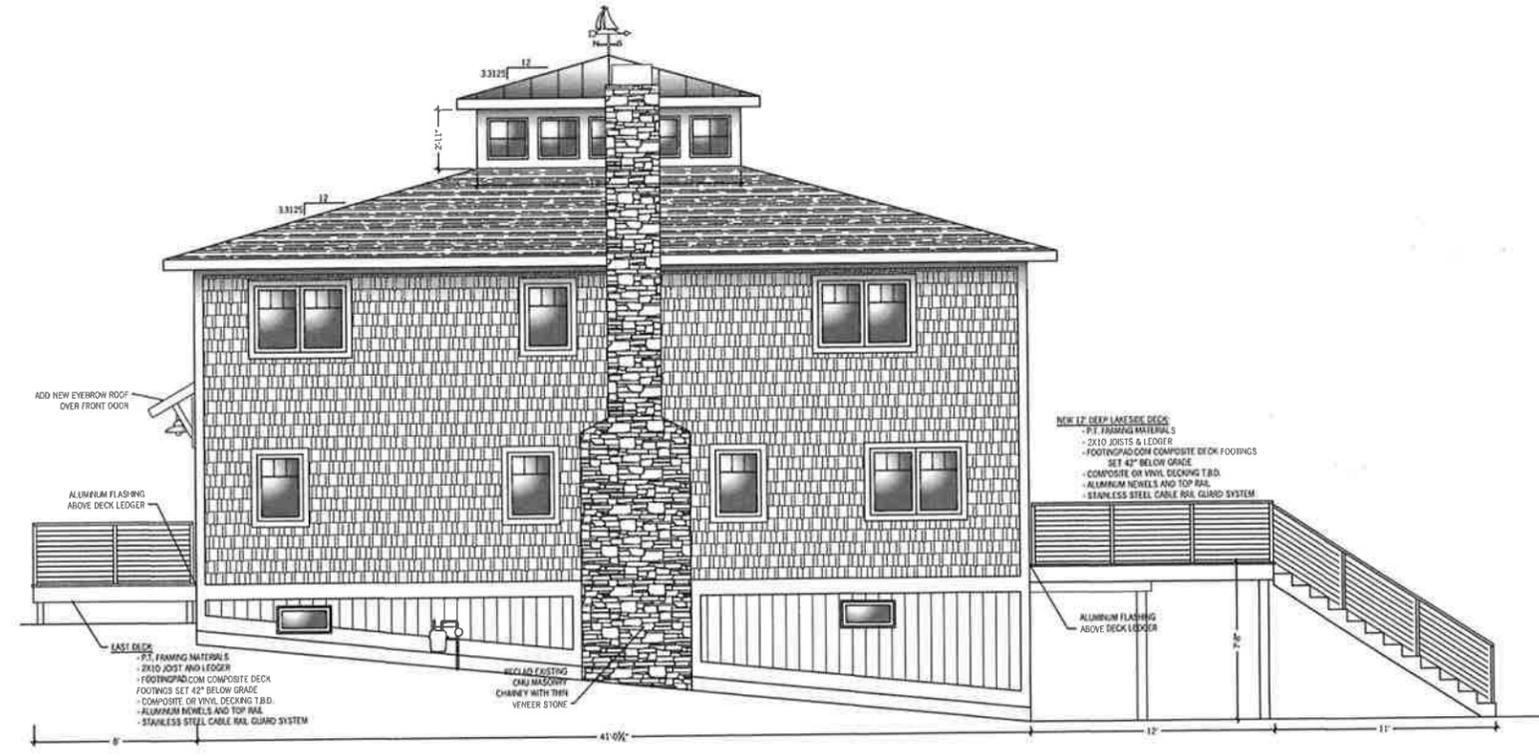
URBYTES COTTAGE
 EXISTING EAST ELEVATION
 Scale: 1/4" = 1'



URBYTES COTTAGE
 EXISTING NORTH ELEVATION
 Scale: 1/4" = 1'



URBYTES COTTAGE
 PROPOSED EAST ELEVATION
 Scale: 1/4" = 1'



URBYTES COTTAGE
 PROPOSED NORTH ELEVATION
 Scale: 1/4" = 1'

**18326 Holcomb Hills
Grand Haven, MI 49417**

**Elevations
WEST & SOUTH
CONCEPTS**

Scale : 1/4"=1'

Revisions

For Review	Date
For Review	8/30/17
For Review	9/27/17
For Review	10/10/17
For Review	10/18/17
For Review	12/4/17

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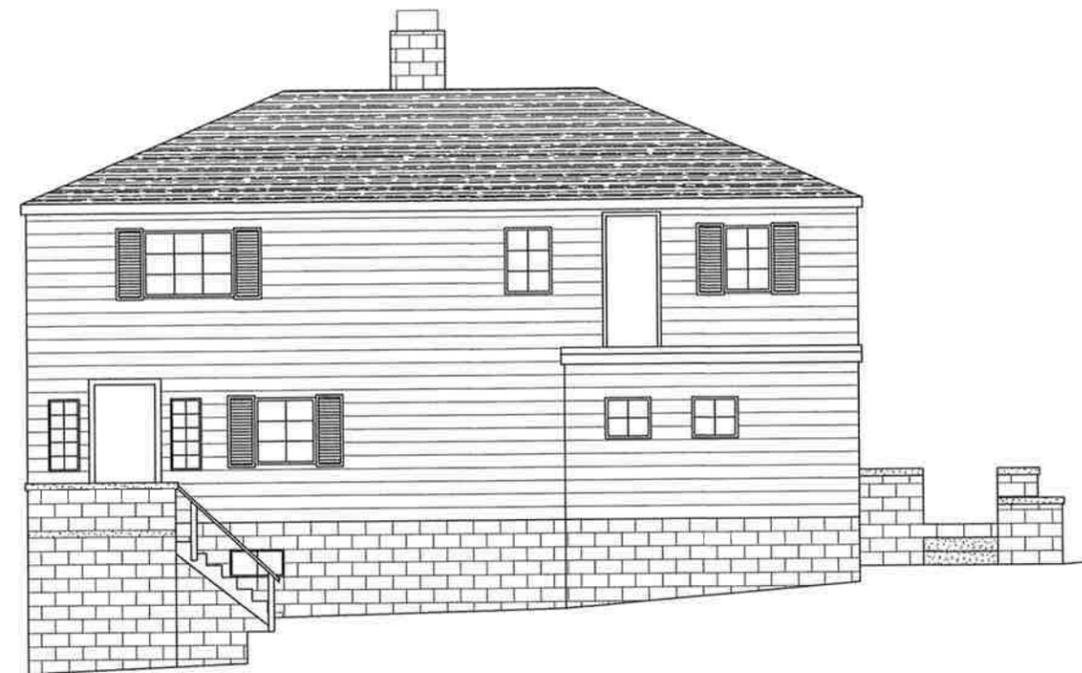


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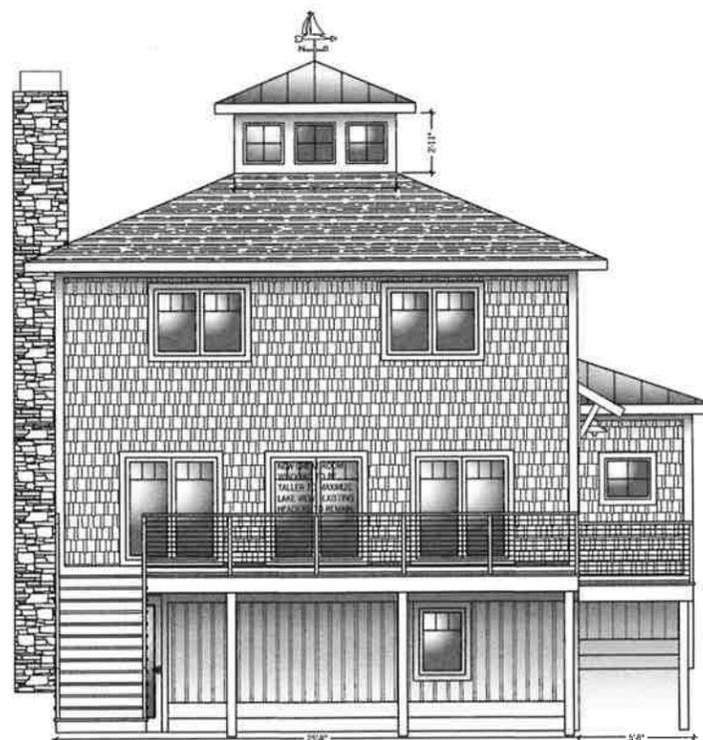
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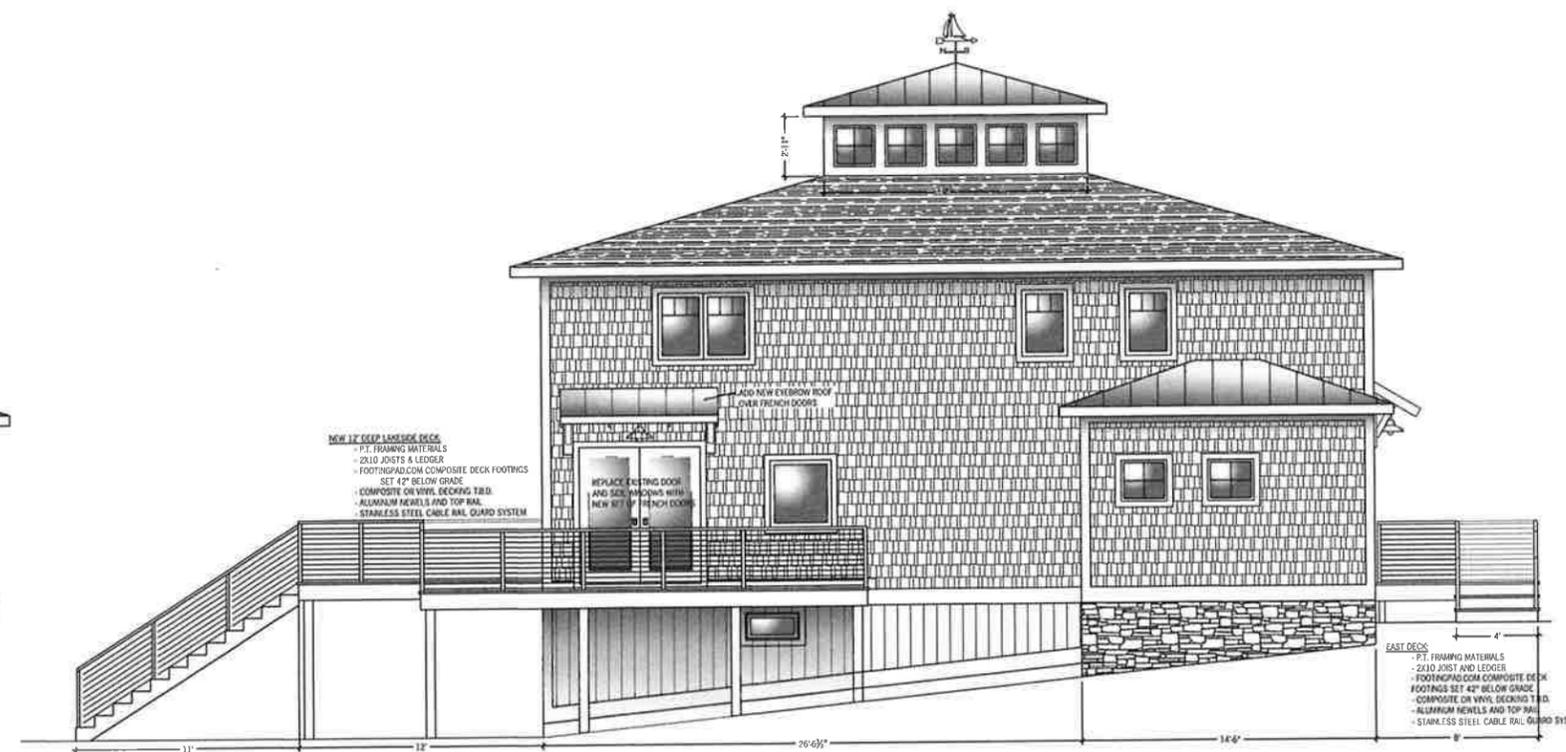
URBYTES COTTAGE
EXISTING WEST ELEVATION
Scale: 1/4" = 1'



EXISTING SOUTH ELEVATION
Scale: 1/4" = 1'



URBYTES COTTAGE
PROPOSED WEST ELEVATION
Scale: 1/4" = 1'



PROPOSED SOUTH ELEVATION
Scale: 1/4" = 1'

**18326 Holcomb Hills
Grand Haven, MI 49417**

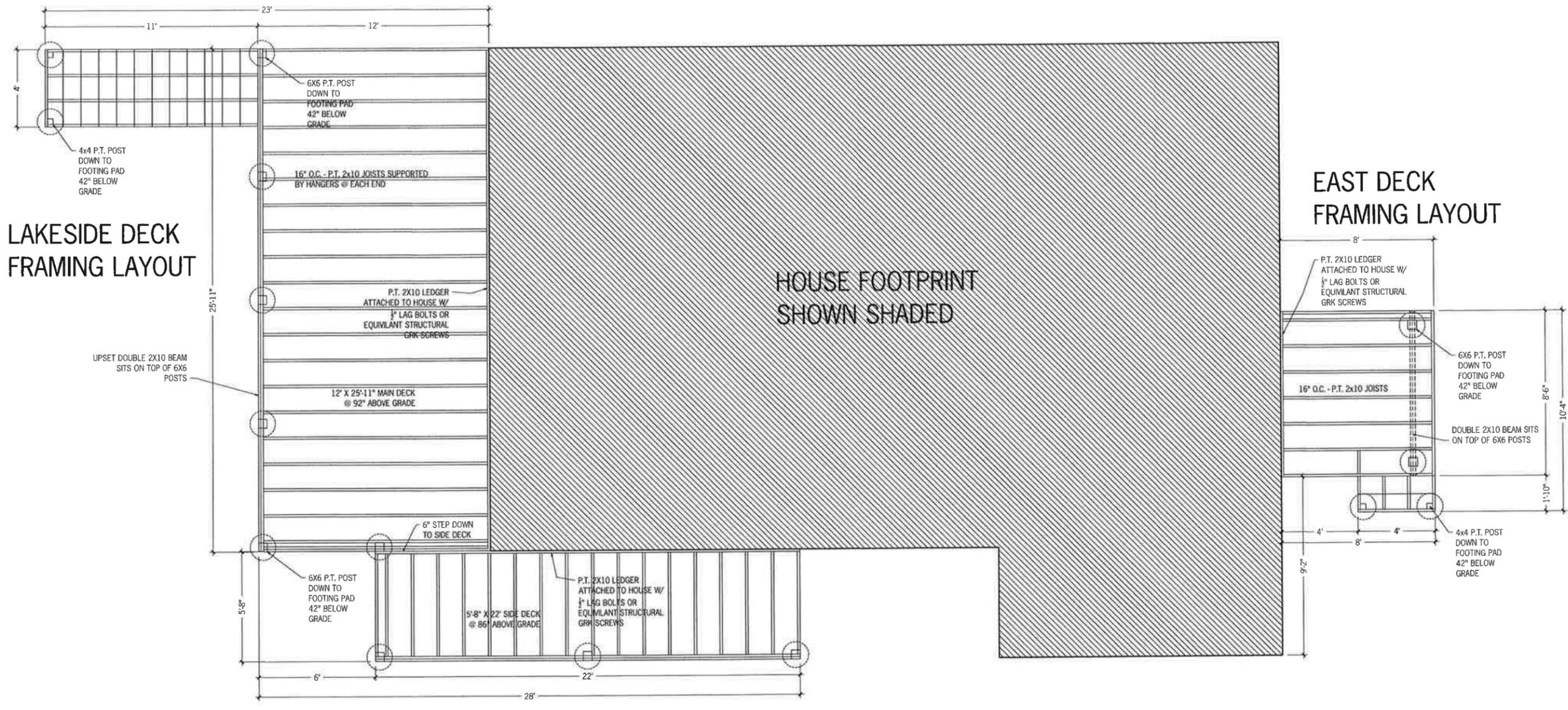
**Site Plan
NEW DECK
DETAILS**
Scale : 3/8"=1'

Revisions

For Review	8/30/17
For Review	9/27/17
For Review	10/10/17
For Review	10/18/17
For Review	12/4/17

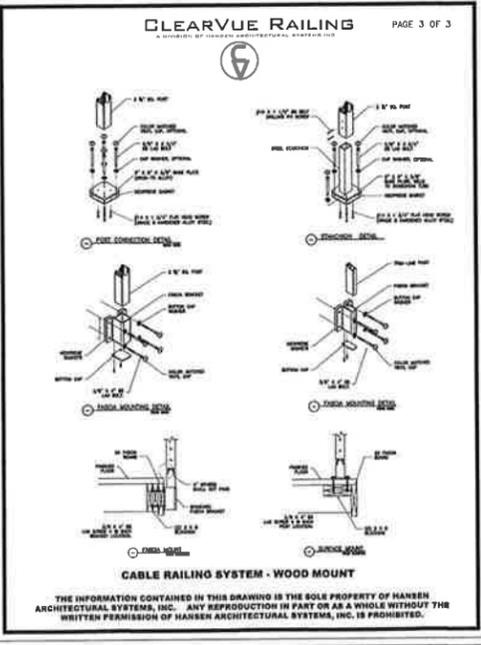
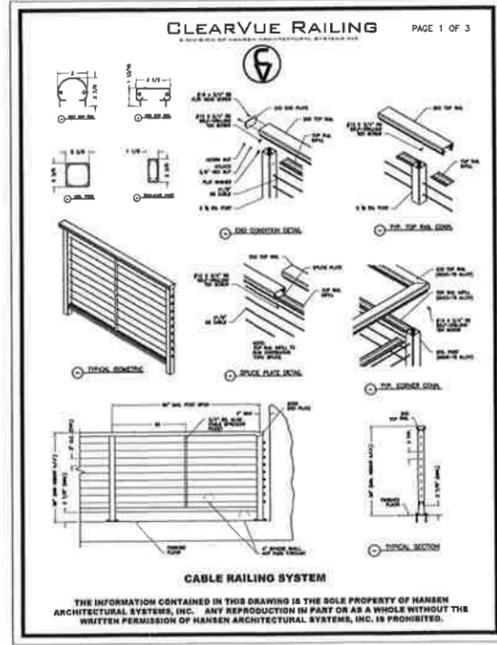
Project Data

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ISSUED:	
DRAWN BY:	JEIT'S
CHECKED BY:	
FILENAME:	URB-01.dwg



FootingPad.com
Published on Jan 29, 2016

FootingPad® meets the ICC-ES building code acceptance criteria (AC49). FootingPads® have been designed and engineered to replace concrete footings of equal diameter. They have been thoroughly tested by NTA Testing Laboratories and the ICC-ES Evaluation Services



**18326 Holcomb Hills
Grand Haven, MI 49417**

SITE PLAN

Scale : 3/32"=1'

Revisions

For Review	8/30/17
For Review	9/27/17
For Review	10/10/17
For Review	10/18/17
For Review	12/4/17

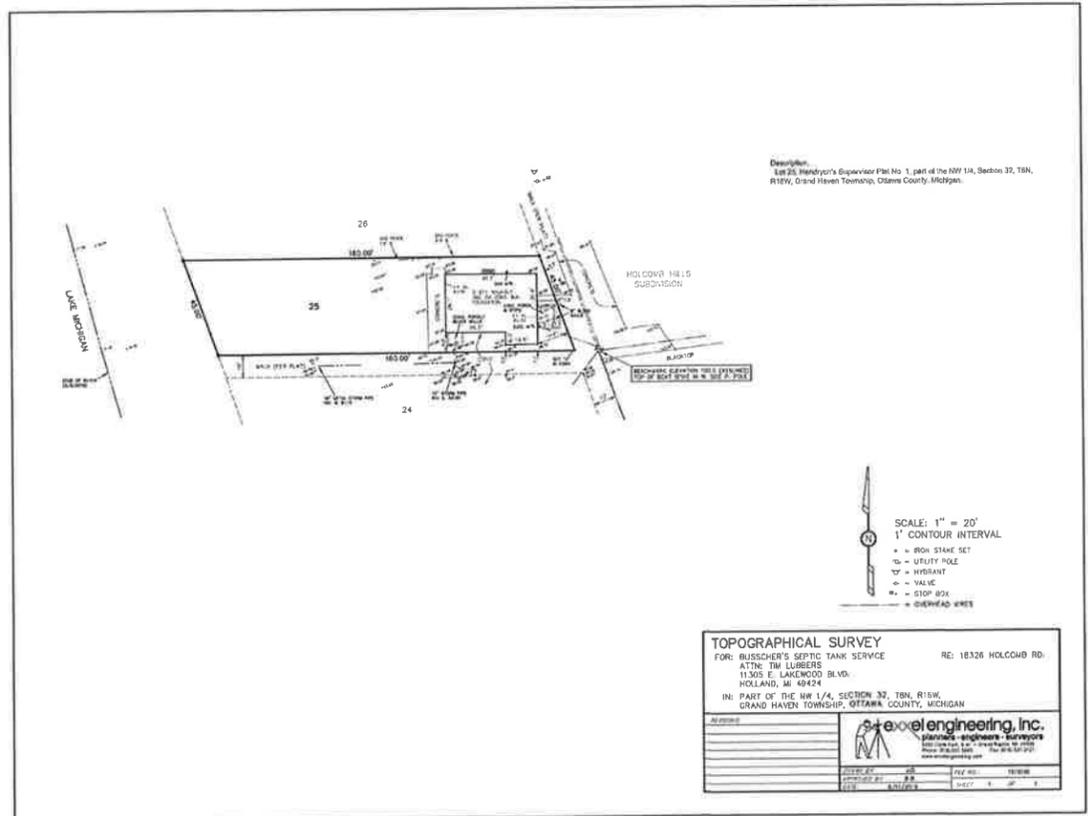
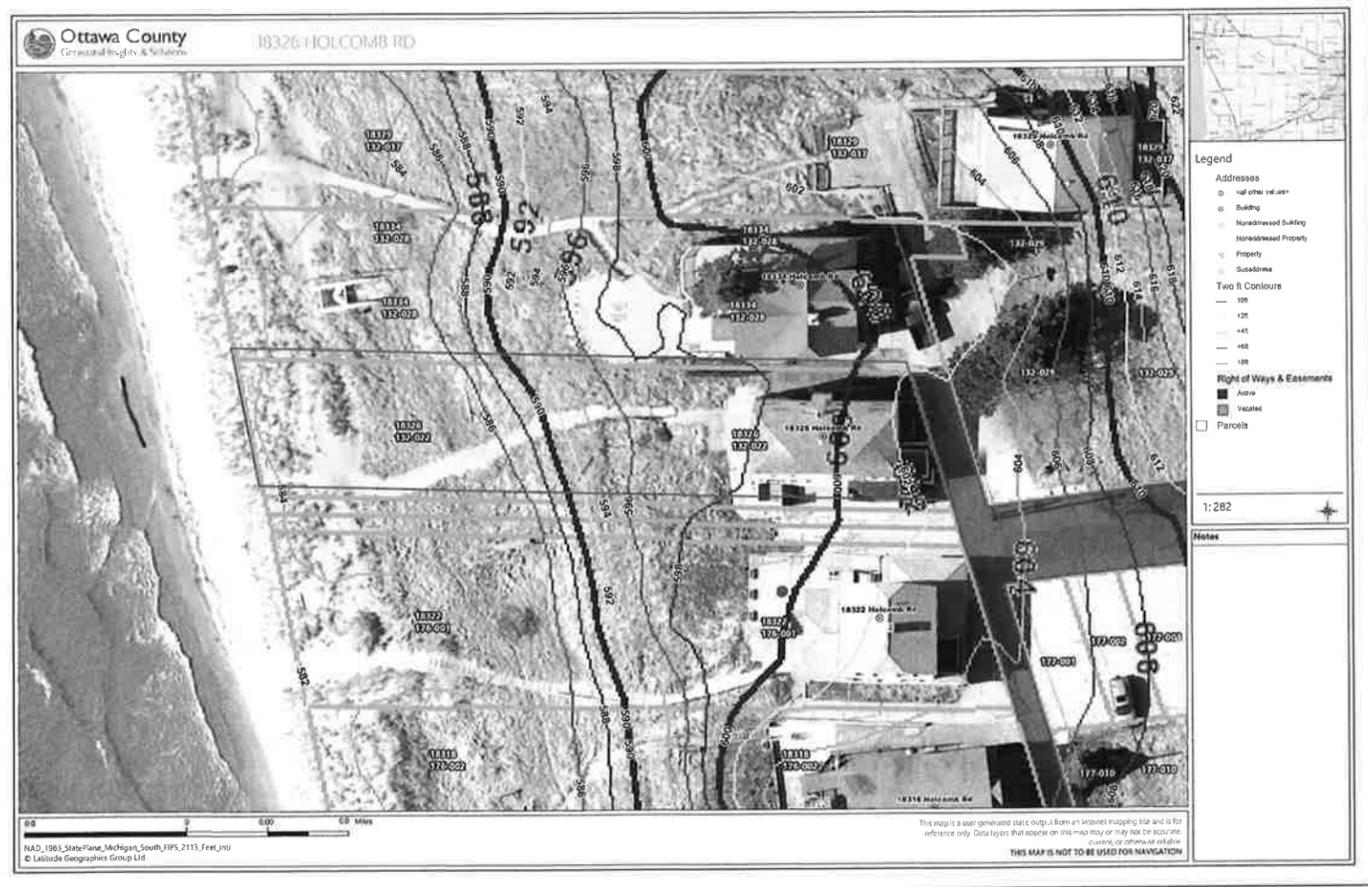
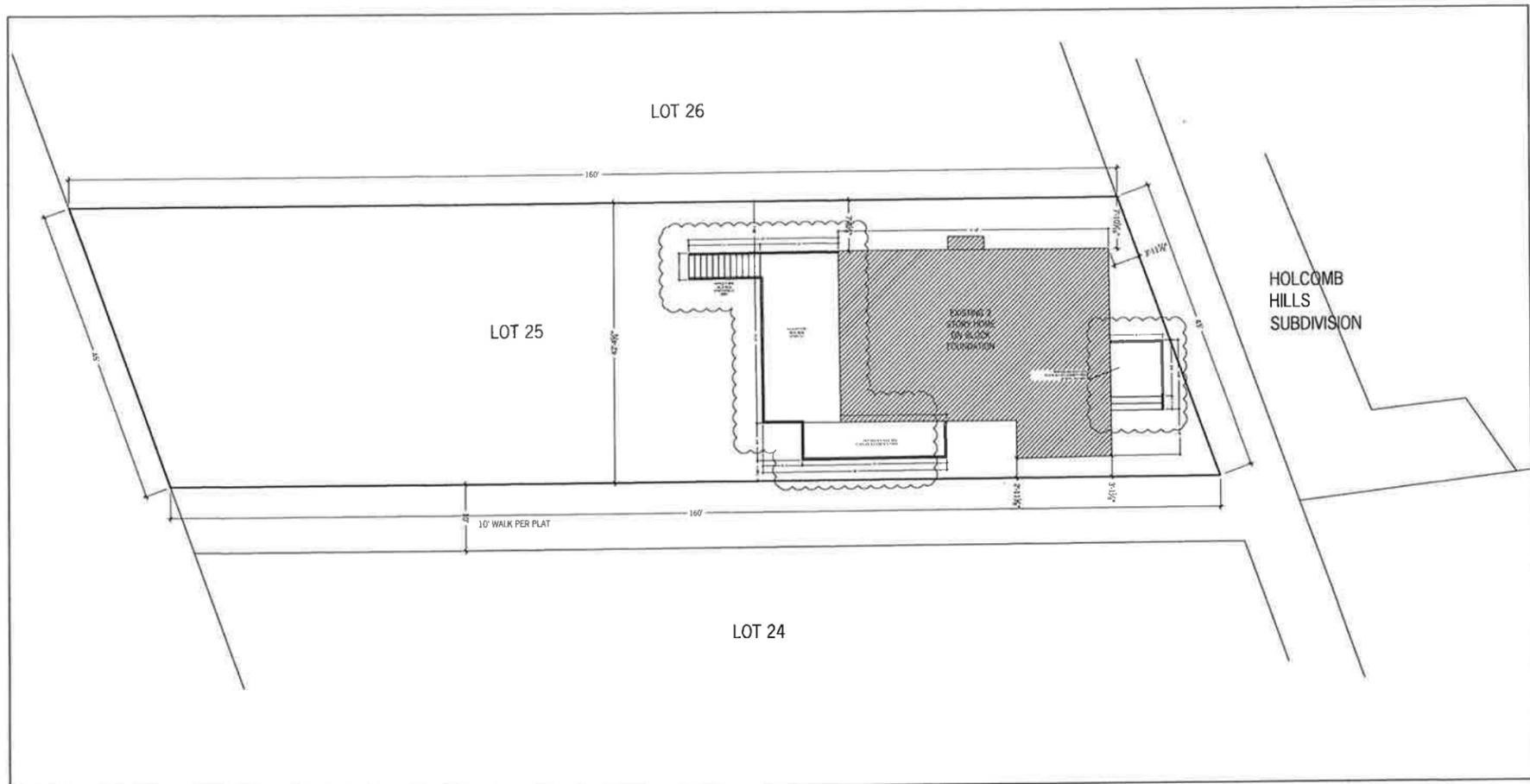
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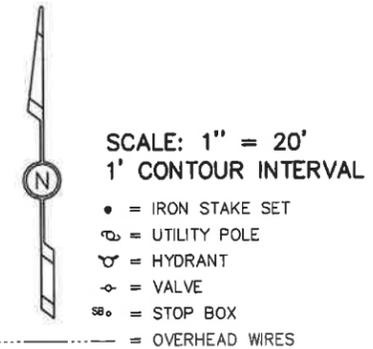
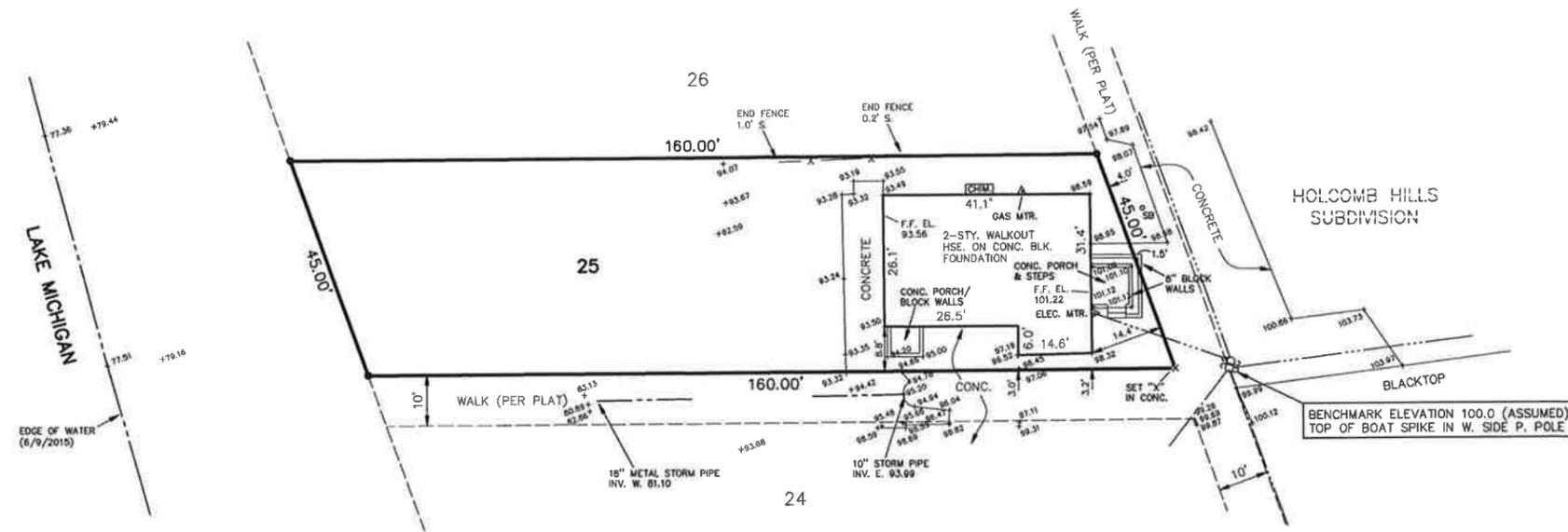


Page Number

A-4



Description:
 Lot 25, Hendrych's Supervisor Plat No. 1, part of the NW 1/4, Section 32, T8N,
 R16W, Grand Haven Township, Ottawa County, Michigan.



TOPOGRAPHICAL SURVEY	
FOR: BUSSCHER'S SEPTIC TANK SERVICE ATTN: TIM LUBBERS 11305 E. LAKEWOOD BLVD. HOLLAND, MI 49424	RE: 18326 HOLCOMB RD.
IN: PART OF THE NW 1/4, SECTION 32, T8N, R16W, GRAND HAVEN TOWNSHIP, OTTAWA COUNTY, MICHIGAN	
REVISIONS:	 exxel engineering, inc. planners • engineers • surveyors <small>5252 Clyde Park, S.W. • Grand Rapids, MI 49509 Phone: (616) 531-3690 Fax: (616) 531-2121 www.exxelengineering.com</small>
DRAWN BY: JJS	FILE NO.: 151509E
APPROVED BY: B.B.	SHEET 1 OF 1
DATE: 6/11/2015	



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: February 22, 2018
TO: Zoning Board of Appeals
FROM: Stacey Fedewa, Community Development Director
RE: 2018 Housekeeping Duties – Appointments & Meeting Schedule

APPOINTMENT OF OFFICERS

As required by the ZBA Bylaws the officers must be appointed annually. The current appointments are:

- Chairperson Voss
- Vice Chairperson Slater
- Secretary Loftis

If the ZBA wants the appointments to remain the same, the following motion can be offered:

Motion to nominate and reappoint the existing officers for their current positions.

2018 MEETING DATE SCHEDULE

The 2018 Meeting Date Schedule must be approved as well. Meetings are held on the 4th Tuesday of each month and begin at 7pm, except for December where the meeting is held on the second Tuesday because of the holidays.

Motion to approve the 2018 Meeting Date Schedule as presented.

**GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
2018 MEETING DATES**

Tuesday, January 23, 2018
Tuesday, February 27, 2018
Tuesday, March 27, 2018
Tuesday, April 24, 2018
Tuesday, May 22, 2018
Tuesday, June 26, 2018

Tuesday, July 24, 2018
Tuesday, August 28, 2018
Tuesday, September 25, 2018
Tuesday, October 23, 2018
Tuesday, November 27, 2018
Tuesday, December 11, 2018

All meetings will be held at the Township Hall, 13300 168th Avenue, Grand Haven and will begin at 7:00 p.m.

The Charter Township of Grand Haven will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seven (7) business days' notice to the Charter Township of Grand Haven. Individuals with disabilities requiring auxiliary aids or services should contact the Charter Township of Grand Haven by writing or calling the following:

Personnel Director
13300 168th Avenue
Grand Haven, MI 49417
(616) 842-5988