

AGENDA

Grand Haven Charter Township Zoning Board of Appeals
Tuesday, June 26, 2018 – 7:00 pm

- I. Call To Order
- II. Roll Call
- III. Approval of the May 22, 2018 ZBA Meeting Minutes
- IV. New Business
 - A. ZBA Variance Application No. 18-04 – Gaasch
 - B. ZBA Variance Application No. 18-05 – Kobel
 - C. 2017 ZBA Report
- V. Reports
- VI. Extended Public Comments (*Limited To Four (4) Minutes Please*).
- VII. Adjournment

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
MAY 22, 2018

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 Slater.

II. ROLL CALL

Board of Appeals members present: Slater, Behm, Loftis, Hesselsweet, & Rycenga (Alternate)
Board of Appeals members absent: Voss
Also present: Community Development Director Fedewa, and Assistant Zoning Administrator Hoisington.

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

III. APPROVAL OF MINUTES

Without objection, the minutes of the March 27, 2018 meeting were approved.

IV. NEW BUSINESS

A. ZBA Case #18-03 – Dimensional Variance – Fahndrich

Party Requesting Variance:	Diane Edward-Fahndrich
Applicant Address:	16917 Pierce Street
Parcel Number:	70-07-28-400-002
Subject Location:	16989 Pierce Street

Diane Edward-Fahndrich is seeking a dimensional variance to divide the subject property into 3-acre, and 17-acre parcels and encumber the 17-acre parcel with a conservation easement to prevent future development. The Rural Preserve (RP) district requires a minimum lot area of 10-acres.

Fedewa provided an overview of the application through a memorandum dated May 18th.

Following the initial discussions, the Vice-Chair invited the applicant to speak:

- Expressed her desire to preserve the existing natural features, and has been a goal of herself and her late father.
- Learned that a conservation easement could ensure the preservation goals are met.

The Board discussed the four standards and noted the following:

- This is certainly a unique case.
- Inquired how property taxes would be affected.
 - Per staff, taxes remain as-is, but if the property is ever sold at arms-length the values would uncap, except for the portion covered by the conservation easement. Thus, the Township would not experience any loss of property tax revenue.
- Confirmed the Land Conservancy of West Michigan would manage and enforce the easement, which would include a prohibition on additional land divisions and development.
- Land would remain privately owned. If sold in the future the conservation easement would continue to “run with the land” and encumber the property.
- Little Pigeon Creek has a very large floodplain and associated wetlands.
- Remaining 3-acre parcel would continue to be zoned RP and would be legally conforming because of the variance.
- Land divided into 3- and 17-acres for equitable distribution of assets from the estate of the applicant’s parents.
- It was noted the applicant is also including 15-acres of her own property to include in the conservation easement, bringing the total preserved area to 32-acres.
- Inquired if other conservation easements exist in the Township.
 - Per staff, yes—several exist and those that contain floodplain and/or wetland are included in the FEMA CRS Open Space Preservation category.
- It was strongly noted—if this variance is approved it will be a precedence setting case for the Township.

Standard No. 1 – Exceptional or extraordinary circumstances:

- Exceptional presence of floodplain and wetlands rendering the majority of the land unbuildable.
- A 10-acre/10-acre division would result in the northern parcel being landlocked, which may render it unbuildable as well.
- Per survey, the parent parcel is just shy of 330-feet in width and the RP district has a 1:4 depth to width ratio, so a true 10-acre/10-acre division would not meet that requirement.

Ayes: Slater, Behm, Loftis, Hesselsweet, Rycenga

Nays: None

Standard No. 2 – Substantial property right:

- Property would remain in its current condition. Thus, enabling the property owners to continue the necessary preservation and enjoyment of their substantial property right.
- The conservation easement would preserve the existing conditions of the property and protect the natural ecosystem that is present.
- Preserving this type of land in perpetuity is a goal identified in the Resilient Master Plan.

Ayes: Slater, Behm, Loftis, 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 natural condition of the property will remain intact in perpetuity with the encumbrance of a conservation easement. Thus, there will be no detriment or impact to adjacent residents.
- The Township’s prerogative of preventing dense development in a rural area is satisfied by the conservation easement because it prohibits future land divisions and development on the encumbered property.
- The request is consistent and supports the Statement of Intent for the Rural Preserve district, as stated in the Zoning Ordinance.
- Board noted that no correspondence was received.

Ayes: Slater, Behm, Loftis, 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:

- This type of unique request for a variance has never come in front of the Board before. It is highly unique, and mutually beneficial.
- This case will set a precedence that future variance requests to divide land that does not comply with minimum lot area requirements will result in the need to place a conservation easement over the property. It is highly unlikely a similar situation such as this will occur as it is a high burden to meet, and thus reinforcing the Township’s design requirements for each zoning district.

Ayes: Slater, Behm, Loftis, Hesselsweet, Rycenga

Nays: None

Motion by Loftis, supported by Behm, to **approve** a dimensional variance from Section 21.02 to approve a land division in the Rural Preserve district to result in 3-acre and 17-acre child parcels at 16989 Pierce Street. This approval is conditioned upon the 17-acres being encumbered by a conservation easement that prevents future development of the land. 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: Slater, Behm, Loftis, Hesselsweet, Rycenga

Nays: None

Absent: Voss

V. REPORTS

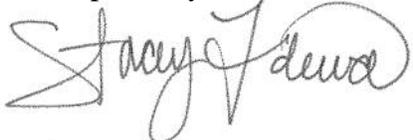
- Next Zoning Ordinance Update Committee meeting is June 28th at 6pm.

VI. EXTENDED PUBLIC COMMENTS – None

VII. ADJOURNMENT

Without objection, the meeting was adjourned at 7:28 p.m.

Respectfully submitted,



Stacey Fedewa

Acting Recording Secretary

Community Development Memo

DATE: June 20, 2018

TO: Zoning Board of Appeals

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

RE: 15195 Lakeshore Drive – Dimensional Variance Application No. 18-04

PARCEL INFORMATION

Owner/Applicant	Joy Gaasch
Property Address	15195 Lakeshore Drive
Parcel Number	70-03-32-226-006
Lot Size	0.43 Acres (18,630 sqft)
Lot Type	Corner Lot
Zoning	R-1 Single Family Residential
Required Setbacks for a 288 sqft Accessory Structure	Rear – 10 feet
	Side – 10 feet
	Dwelling – 25 feet
Requested Setbacks for a 288 sqft Accessory Structure	Rear – 5 feet
	Side – 5 feet
	Dwelling – 20 feet

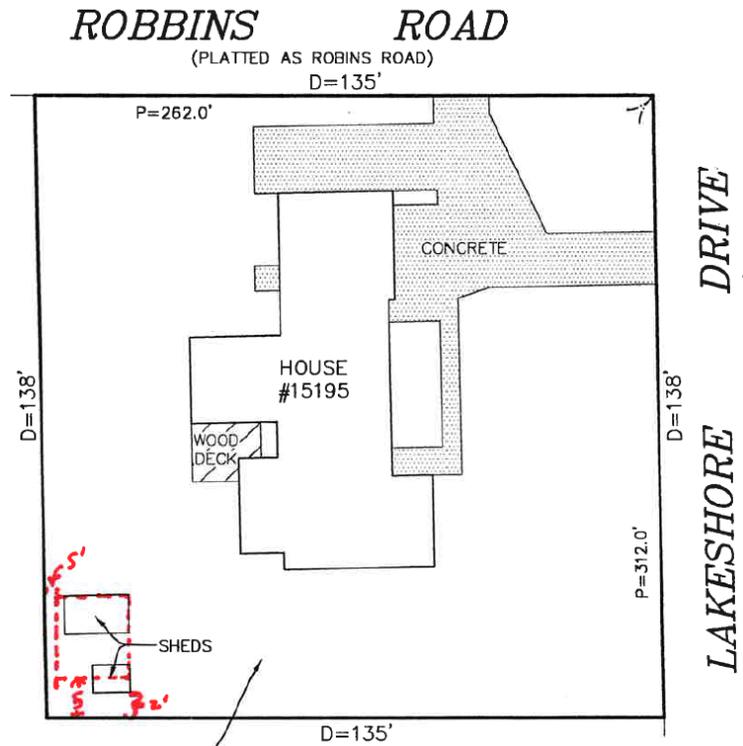


ZBA APPLICATION

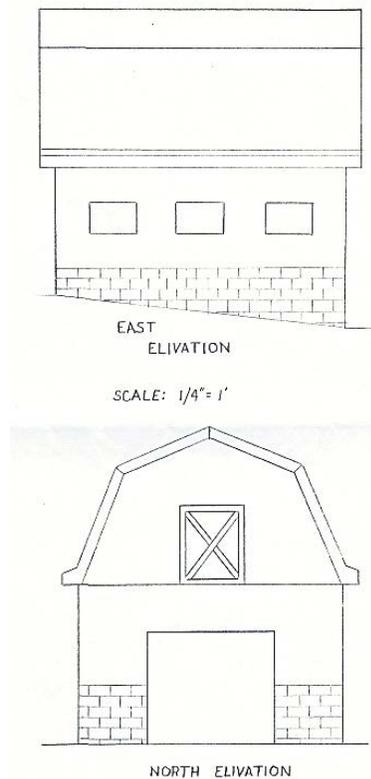
The applicant is requesting a dimensional variance from section 20.03.1.K.2 of the Zoning Ordinance for an accessory building. There are currently two legally non-conforming sheds on the property that are past their useful life. The applicant is proposing to replace these sheds with one shed that is 16' x 18' in size.

The applicant is requesting the dimensional variance due to the existing septic tank and drainfield, which encumbers the majority of the rear yard.

The applicant will provide information regarding the history of the private septic system, and has provided a rough sketch identifying the affected areas:



In addition, the proposed shed will resemble:



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 encumbered by the existing septic tank and drainfield in the rear yard. The ZBA will need to make a determination as to whether this standard is met given the circumstances of this case.

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.

A property of this size is entitled to one accessory building up to 600 sqft and a second shed up to 120 sqft. The applicant is proposing a 288 sqft building to store general lawn equipment. The ZBA will need to make a determination as to whether or not 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 June 21st*). Unafflicted property owners are able to achieve their property right of accessory buildings. The ZBA will need to make the determination as to 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.

Between the layout of this lot and the existing septic system, it is difficult, if not impossible, to meet the accessory structure setback requirements for buildings of this size in the Zoning Ordinance. This is not the case for the majority of properties within the Township. The ZBA will need to make the determination as to whether this standard is met.

SAMPLE MOTIONS

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

Motion to approve a dimensional variance from Section 20.03.1.K.2 for a 16' x 18' accessory building at 15195 Lakeshore Drive that will result in a Rear Yard setback of 5-feet, Side Yard setback of 5-feet, and a 20-foot setback from the dwelling. 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 as not been affirmatively met, the following motion can be offered:

Motion to deny a dimensional variance from Section 20.03.1.K.2 to construct an accessory building at 15195 Lakeshore Drive. Denial of this variance is based upon this Board's findings that all four standards have not been affirmatively met.

If the ZBA determines that more information is needed to make an affirmative finding, the following motion can be offered:

Motion to table the dimensional variance application for 15195 Lakeshore Drive, and direct the applicant and/or staff to provide the following information:

1. *List items.*

Please contact me prior to the meeting with questions or concerns.

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 Joy Gaasch
 Phone 616 402-1772 Fax _____
 Address 15195 Lakeshore Drive
 Email Address jgaasch@ameritech.net

Owner Information (If different from applicant/appellant)

Name _____
 Phone _____ Fax _____
 Address _____
 Email Address _____

Property Information (Include a survey or scaled drawing)

Address 15195 Lakeshore Drive
 Parcel No. 70-03-32-226-006 Current Zoning Residential
 Lot Width front lakeshore 138' feet Lot Depth 135' feet
 Parcel Size _____ acres Parcel Size 18,630 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) 20.03. K
3. Relating to _____
4. Structure/Land Use (After Variance) same
5. Overall Building Size (After Variance) 16' x 18' 288 sq ft
6. Setbacks from lot lines (After Variance):
 - a. Front Yard 112 feet
 - b. Rear Yard 5' feet
 - c. Side Yard #1 115' feet Robbins Rd
 - d. Side Yard #2 5' 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.

See Attached sheet

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.

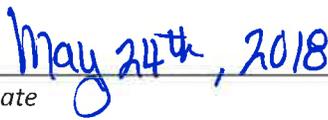
GROUND FOR APPEAL OR OTHER APPLICATION *(If applicable)*

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



Date

Signature of Zoning Administrator

Date

For Office Use Only

Date Received _____

Fee Paid? _____

RELEASE FORM

The undersigned has applied to the Grand Haven Charter Township Zoning Board of Appeals for a variance. The undersigned hereby authorizes the members of the Zoning Board of Appeals and appropriate Township staff members to inspect the property (*address stated below*) at reasonable times, in regards to the consideration of my request for a variance.

Joy Grasmich
Applicant's Signature

May 24, 2018
Date

Owner's Signature (if different from applicant)

Date

Property Address

ACTION TAKEN BY TOWNSHIP BOARD OF APPEALS

- () Application Approved
- () Application Denied

Description of variance granted or other action taken including conditions imposed, if any:

Grounds for Board action including findings as to standards and requirements prerequisite to imposition of conditions under ordinance:

Signature of ZBA Chairperson

Date

May 23, 2018

RE: Zoning Board of Appeals Variance Request

I am requesting a zoning variance from Section 20.03.k to construct an accessory building in the same area that currently has two legally nonconforming sheds that will be removed. Conditions that create extraordinary circumstances leading to this request are:

1.

- a) The backyard of the property has a large dry well system that was installed in 2006 covering the majority of the north portion of the back yard, the septic tank is in the center of the back yard and the old drain field/drywell is still connected to the septic system and extends west and south of the septic tank. A buildable space to meet current setbacks does not exist due to the shallowness of the back yard making it impossible to comply with the setbacks
- b) There is a slight elevation on the south end of the property to the east of the existing structures, but that area would not meet setback requirements due to the placement of the house on the lot.
- c) Zoning in 1954, when the house was constructed place the front yard on Lakeshore. The homes setback is compliant with the ordinance at that time, however, it greatly reduces space for an accessory building in the back yard.
- d) There is no change of use or development of the property immediately adjoining the property.

2. The existing sheds that I wish to remove are both past their useful life, are eyesores and are a concern as rodents are further destroying the wood structures. The replacement of this with a 288' accessory building with a cement floor will replace the current amount of storage in the two structures providing the space needed for storage of yard equipment and furniture. All the properties surrounding my property have outbuildings, barns or sheds.

3. Authorization of this variance will not be a detriment to adjacent property, it will be inside a privacy fenced backyard and will not materially impair the intent and purpose of this Ordinance or the public health safety, and general welfare of the community.

4. The condition or situation of this property or the current use is not of a general or recurrent nature that would require formulation of a general regulation to address this situation.

Attachments: Loan Inspection survey 2001
Ottawa County Health Department Record of Final Inspection Sewage System
Ariel showing Sewage System location
Site plan
Zoning Board of Appeals Application

MORTGAGE LOAN INSPECTION

This parcel is located in Grand Haven Township, Ottawa County, Michigan, and is described as follows:

North 138 feet of the East 135 feet of Lot 1, Stroud's Subdivision, as recorded in Liber 10 of Plats, Page 8, Ottawa County Records.

ROBBINS ROAD

(PLATTED AS ROBINS ROAD)

D=135'

P=262.0'

DRIVE

LAKESHORE

(PLATTED AS SHELDON ROAD)

D=138'

P=312.0'

D=135'

D=138'

30

LOT 1

2

OUT LOT NO. 1



SCALE: 1"=30'

I HEREBY CERTIFY THAT THIS INSPECTION PLAT SHOWS THE IMPROVEMENTS AS LOCATED ON THE PREMISES DESCRIBED, THAT THE IMPROVEMENTS ARE ENTIRELY WITHIN LOT LINES AND THAT THERE ARE NO ENCROACHMENTS, EXCEPT AS INDICATED.

THIS IS NOT INTENDED OR REPRESENTED TO BE A LAND SURVEY AND IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF ANY FENCE, BUILDING, OR OTHER IMPROVEMENT LINES. NO RESPONSIBILITY IS EXTENDED HEREIN TO THE PRESENT OR FUTURE LAND OWNER OR OCCUPANT. NOTICE IS HEREBY GIVEN THAT THIS INSPECTION REPORT TERMINATES NINETY DAYS FROM THE DATE SHOWN HEREON.

THE DESCRIPTION WAS GIVEN TO ME BY THE PERSON CERTIFIED TO, AND SHOULD BE COMPARED WITH THE ABSTRACT OF TITLE OR TITLE INSURANCE POLICY FOR ACCURACY, EASEMENTS, EXCEPTIONS, OR CONFORMANCE WITH THE LAND DIVISION ACT OR ANY LOCAL REQUIREMENTS, ORDINANCES OR LAWS.

LEGEND D. Described Dimension P. Platted Dimension



DRIESENKA & ASSOCIATES, INC.

Engineering
Surveying
Testing

Holland, MI Grand Rapids, MI Spring Lake, MI Whitehall, MI
Ph. 616-396-0255 Ph. 616-245-5710 Ph. 616-846-1960 Ph. 231-894-5186

FOR **DONALD KOSTER**

IN _____ OF SECTION _____ 32 T. 8 N., R. 16 W.

DATE 05-02-2001

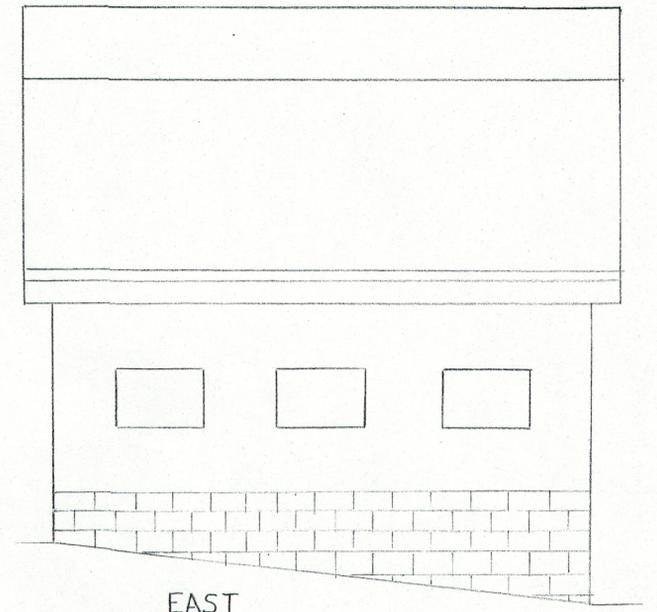
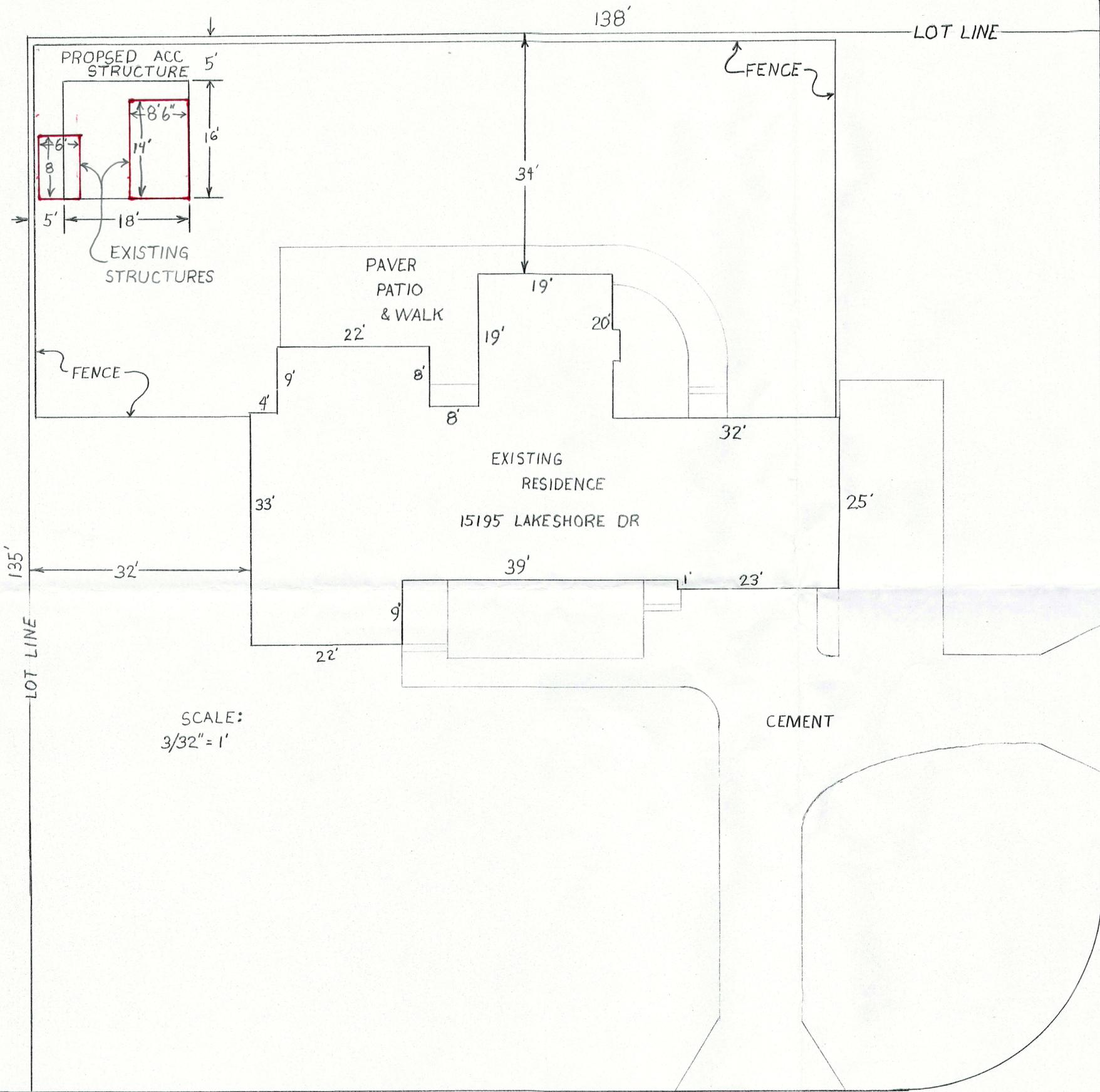
DRAWN BY JLO

SHEET 1 OF 1

JOB No. 0120303-5

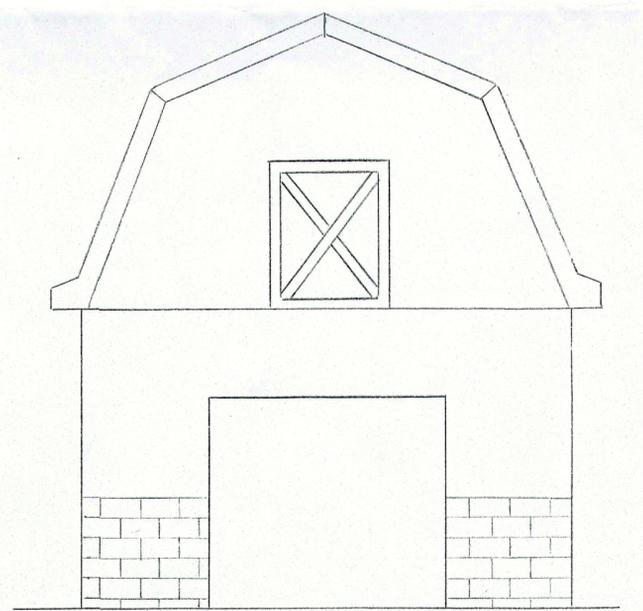
Matthew A. Traxler

P.S. No. 46694



EAST ELIVATION

SCALE: 1/4" = 1'



NORTH ELIVATION

ROBBINS RD.

LAKESHORE DR.

SCALE:	APPROVED BY:	DRAWN BY
DATE:		REVISED
		DRAWING NUMBER

RECORD OF FINAL INSPECTION SEWAGE DISPOSAL SYSTEM

Ottawa County Health Department
Environmental Health Division
12251 James Street Suite 200
Holland, MI 49424

Phone: 1-800-764-4111 x 5645
616-393-5645
Fax: 616-393-5643

GPS COORDINATES

1st septic tank _____
Disposal area (edge closest to house) _____
Well _____

Parcel # 70-03-32-226-006
Owned or Builder Joy Gnash

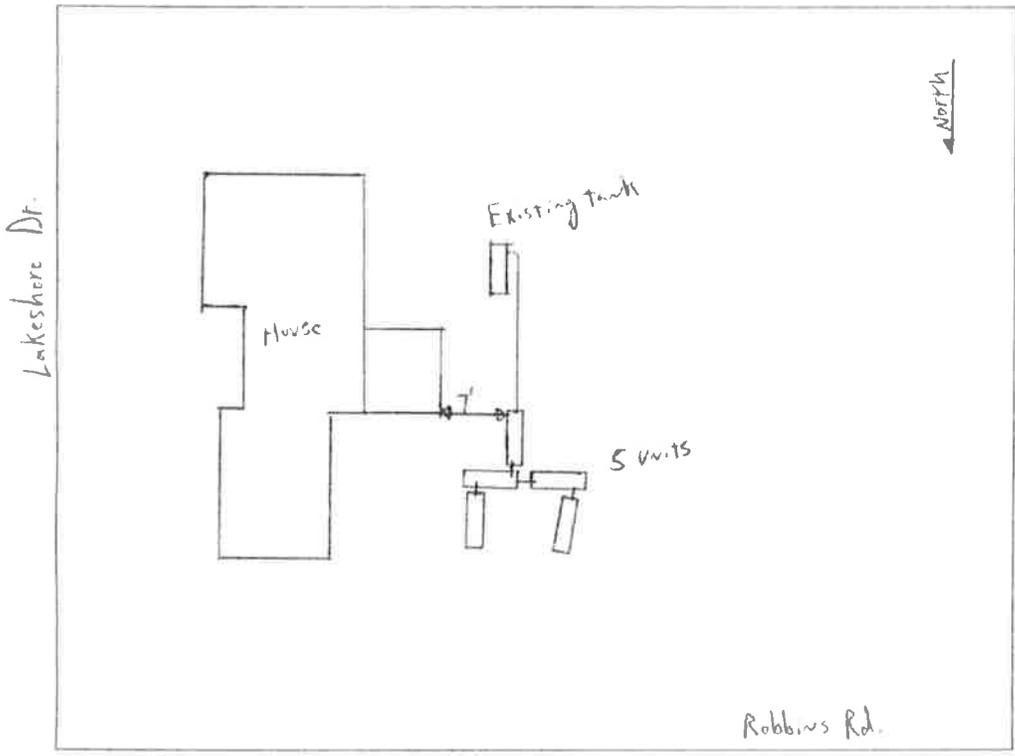
Township Grand Haven
Location 15445 Lakeshore Dr
City Grand Haven Zip 49417

Plat _____ Lot _____

Primary Treatment Existing
Septic tank
Secondary Treatment —

Installed by Busscher's
Send report to owner
Address _____
City _____ Zip _____

APPROVED <input checked="" type="checkbox"/>	DISAPPROVED <input type="checkbox"/>
Inspected by <u>Chris Busscher, REHS</u>	
Issuing Agency <u>CEHD</u>	
Date <u>5-3-06</u>	



REMARKS _____

IMPORTANT INFORMATION
Do not plant shrubs and trees on or close to the sewage disposal system.
The finished grading of the area over the sewage disposal system must be sloped to prevent water ponding over the sewage disposal system and must divert runoff away from the system.
Use light topsoil over the disposal area.
Only very light irrigating is suggested over the disposal area.
Footing drains, downspouts, and water treatment systems must not be connected to the sewage disposal system.
Do not place structures, paving, driveways, or swimming pools over the sewage disposal area.
The septic tank should be pumped every 3 to 5 years.
This record is not a guarantee of performance. Water use should always be minimized.

CONSTRUCTION PERMIT AND PLAN OF SEWAGE DISPOSAL SYSTEM

Ottawa County Health Department
 Environmental Health Division
 12251 James Street, Suite 200
 Holland, Mi 49424

Parcel # 70-03-32-226-006
 Water Supply: Private Municipal Septic: New Repair

NOTICE: Commercial/Industrial floor drains shall not be connected to this sewage disposal system. Residential floor drains must receive prior approval.

Phone: (616) 393-5645 Fax: (616) 393-5643

House Duplex () Apartment () Commercial () Industrial () Other ()

of Bedrooms _____ Living Area _____ Sq. Ft. Garbage Disposal () Whirl Pool () Basement Plumbing ()

of Apt. Units _____ (Max.) # Persons/Employees _____ (Max.) Discharge/Day _____ Gals.

Township GRAND HAVEN Lot # _____ Plat _____ Location 15145 LAKESHORE

Owner/Bldr JOY GAASH Address 15145 LAKESHORE
 City OH Zip 49417 Telephone # 419 402-1772

SOIL EVALUATION 0-5' SAND

(Should soil or site conditions differ from those indicated on this permit, contact this department immediately.)

GRADE ELEVATIONS USED BELOW ARE IDENTIFIED FROM: _____

SEASONAL HIGH WATER TABLE ELEVATION +4 FT. CONSTRUCT BOTTOM OF ABSORPTION SYSTEM NO LOWER THAN _____ FT. ABOVE/BELOW EXISTING GRADE

CONSTRUCTION REQUIREMENTS

VERIFY ALL ISOLATION REQUIREMENTS FOR TANK & ABSORPTION SYSTEM:

SEPTIC TANK(S):
 # OF TANKS _____ 1st Tank _____ Gals. 2nd Tank _____ Gals.

- 10 Ft - Property Line
- 10 Ft - Basement Wall
- 5 Ft - Foundation/Support Wall
- 5 Ft - Waterproof Retaining Wall
- 5 Ft - Other Waste Disposal Systems
- 50 Ft - Private Water Well
- 75 Ft - Semi-Public Water Well
- 10 Ft - Potable Water Line
- 15 Ft - Footing & Tile Drains (a)
- 10 Ft - Slopes & Drop Offs
- 25 Ft - Drainage Ditch (b)
- 10 Ft - Swimming Pools
- 50 Ft - Surface Water

Note: For repairs, existing tank(s) may be utilized if structurally sound and has a capacity of 800 gals.

DOSING TANK/SCREENED PUMP VAULT
 Capacity _____ Gals. Dose Volume _____ Gals.

Note: Audio/Visual Alarm Required.

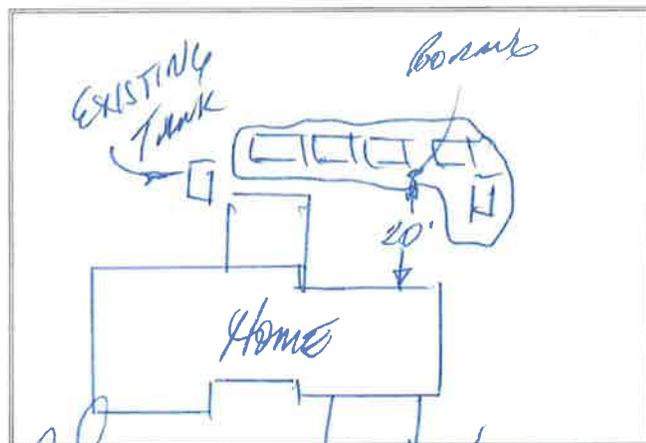
ABSORPTION SYSTEMS: PLEASE REFER TO THE ENVIRONMENTAL HEALTH CONSTRUCTION CRITERIA FOR ADDITIONAL REQUIREMENTS.

DRAIN BED: Total Bottom Area _____ sq. ft. Amount of 4" Conduit _____ ft.
 ABSORPTION TRENCH: Total Bottom Area _____ sq. ft. Amount of 4" Conduit _____ ft.
 BLOCK TRENCH: Total Bottom Area 350 sq. ft. Specs: 5 UNITS 7" WIDE TRENCH

OTHER REQUIREMENTS: _____

- REMOVE TOPSOIL AND FROM UNDER ABSORPTION SYSTEM & BERM AREA
- USE CLEAN, _____ SAND FOR ALL FILL
- PLACE _____ FT. OF SAND BERM AROUND DRAINFIELD AT 1:5 SLOPE
- INSTALL AN EFFLUENT FILTER
- INSTALL AN ALTERNATING VALVE
- ABANDON EXISTING WASTE DISPOSAL SYSTEM
- CONTACT DEPT. OF ENVIRONMENTAL QUALITY (616) 456-5071 FOR HIGH RISK EROSION CRITICAL DUNE PERMITS

INSPECTION IS REQUIRED BEFORE BACKFILLING. PLEASE REFER TO THE PARCEL # WHEN REQUESTING INSPECTION.



Sanitarian BOB MARK RS. Date Issued 4-14-06

THIS PERMIT EXPIRES TWO (2) YEARS FROM THE DATE OF ISSUANCE

NOTE: Since many factors contribute to the failure of a sewage disposal system, this department cannot guarantee any length of service from the sewage disposal system required by this permit.

06-140

PERMIT APPLICATION
SEWAGE DISPOSAL SYSTEM AND/OR PRIVATE WATER WELL

FOR OFFICE USE ONLY
 DATE REC'D 4-13-2006
 CHECK # 1002
 RECEIPT # 1025

FORM WILL NOT BE PROCESSED UNLESS COMPLETED, SIGNED AND RETURNED WITH REQUIRED FEE.

1-800-764-4111 ext 5645
 PHONE (616) 393-5645
 FAX (616) 393-5643

CASH, CHECK, MONEY ORDER
 MASTERCARD AND VISA - HOLLAND OFF

HOURS:	Coopersville	Tuesday and Thursday	8 - 12
	Grand Haven	Monday, Wednesday, Friday	8 - 12
	Hudsonville	Monday, Wednesday, Friday	8 - 12
	Holland	Monday through Friday	8 - 5

Please call before going to house.
 616 402-1772 (call)
 616 846-3165 (work)
 Back yard is fenced.

SEWAGE DISPOSAL SYSTEM

- | | |
|---|-------------------------------------|
| <input type="checkbox"/> Private (Single Family) NEW (\$175) | <input type="checkbox"/> Private (|
| <input checked="" type="checkbox"/> Existing Private (Single Family) REPAIR (\$175) | <input type="checkbox"/> Replacer |
| <input type="checkbox"/> Elevated Mound (\$400) | <input type="checkbox"/> Test/Mo |
| <input type="checkbox"/> Semi-Public NEW/REPAIR Discharging: | <input type="checkbox"/> Type II |
| Between 0 & 2,000 Gal./Day (\$175) | <input type="checkbox"/> Type III |
| Between 2,001 & 10,000 Gal./Day (\$200) | <input type="checkbox"/> Irrigation |
| Permit Renewal - no changes (\$ 25) | <input type="checkbox"/> Permit R |
| | **Required \$2 |

PERSON FURNISHING INFORMATION

Owner Bldr. Installer Well Driller
 Name Joy Graesch City Grand Haven
 Address 15195 Lakeshore Zip 49417
 Phone (616) 296-0341 cell 616 402-1772

SITE LOCATION

Property Tax Parcel # 70-03-32-226-006 Township: Grand Haven
 Address & Directions to proposed site Sworned of Lakeshore and Robbins Road

Subdivision Name _____ Lot# _____
 Property size: _____ Acres Road Frontage: 135 ft. (width) by 135 ft. (depth)
 **If less than 1 acre enclose a copy of the recorded deed.

****SEPTIC SYSTEMS ARE NOT ALLOWED WHEN MUNICIPAL SEWER IS WITHIN 200' OF BUILDING SITE. ****

SEWAGE DISPOSAL

SEMI-PUBLIC

SINGLE FAMILY RESIDENTIAL

Garbage Disposal proposed: Yes No
 Indoor Whirlpool/Hot Tub: Yes No
 _____ sq. ft. Basement, # of Bedrooms _____
 _____ sq. ft. 1st Floor, # of Bedrooms _____
 _____ sq. ft. 2nd Floor, # of Bedrooms _____

Proposed use: _____
 Commercial Industrial Institutional
 Other: _____
 Maximum # of persons/employees served per day _____

Please indicate what plumbing will be roughed in/already exists in the basement:
 Washer Laundry Tub Shower Unit
 Sink Toilet Sump Pit None
 Other: _____

Duplex # Bedrooms/Living Unit _____
 Apartment # of Living Units _____
 #Bedrooms per Unit _____
 NOTE: Scaled site & floor plan must accompany application.

WATER SUPPLY

Status of Utility Connection: Municipal Water Private Well _____ Proposed Well Depth _____ ft.
 To be installed by: Driller _____ Owner _____

NOTE: A site plan must be included for all new/replacement water wells.

NOTE: THE HOUSE LOCATION (4 CORNERS) MUST BE STAKED OUT ON NEW HOME SITES.

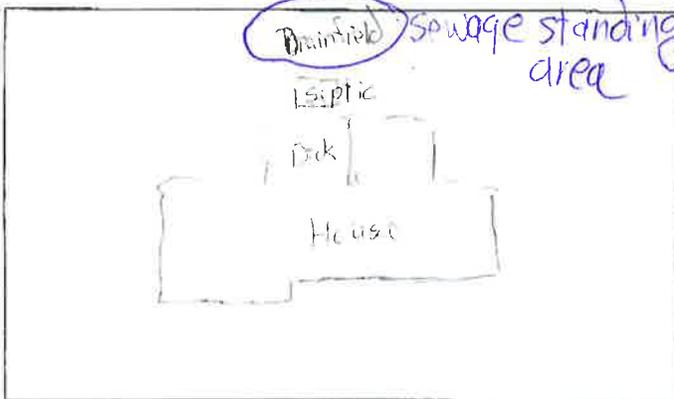
Please **SKETCH** with **DISTANCES** the location of:

REQUIRED SITE SKETCH

- House, Well, Public Water Line, Septic Tank, Drainage Area
- Streets, Other Sources of Contamination (i.e. gasoline/fuel oil tanks),
- Proposed or Existing Neighbor's Sewage Disposal System and Well

Joy Graesch
 Applicant's Signature

NOTE: THIS IS NOT A CONSTRUCTION PERMIT!



135'
 Robbins Road

135'
 Lakeshore

REAL ESTATE EVALUATION REPORT

On-Site Water Supply System and/or On-Site Sewage Disposal System

FH

Ottawa County Health Department
Environmental Health Division
12251 James Street, Suite 200
Holland, MI 49424-9661

Phone: (616) 393-5645
Fax: (616) 393-5643

Date Processed 5/4/01
Check No. 8018 Receipt No. 19
Date Report Sent 5/18/01

PROPERTY LOCATION

Address: 15195 LAKESHORE Parcel No: 70-03-32-226-006
City: GRAND HAVEN Township: GRAND HAVEN
Name of Owner: DON KOSTER Telephone: 616-842-4117
Address: SAME City: _____ Zip Code: 49417
Submit Report To: SAME Telephone: _____
Address: _____ City: _____ Zip Code: _____
Dwelling Occupied: Yes If yes, how long has it been occupied? _____
_____ No If no, how long has it been vacant? _____
Municipal Water Available: Yes _____ No If yes, is it utilized? YES
Municipal Sewer Available: _____ Yes No If yes, is it utilized? _____ If no, age of on-site SDS 42 yrs.

NOTE: Many portions and/or specifications of both the water supply and sewage disposal system may not be able to be determined or observed. Therefore, information as provided in this report is based only upon water quality analysis results and visual observation of the sewage disposal system area. Any other observations reported are included for informational purposes only. Since many interrelating factors contribute to the failure of a water well or sewage disposal system, acceptance does not imply total approval and cannot be considered as a guarantee by this department that continued successful operation is assured.

ON-SITE WATER SUPPLY

Sample Analysis by: MDPH Laboratory Approved Private Lab: _____

Water Analysis	Date Sampled	Results	MCL	Observations
Nitrates (NO ₃ as N)	_____	PPM (mg/l)	10PPM	Well Isolation: _____
Bacteriological (1st)	_____	Coliform Organisms	0 or ND	Type of Well: _____
Bacteriological (2nd)	_____	" " "	"	Well Location: _____
Bacteriological (3rd)	_____	" " "	"	_____

Other Comments: _____

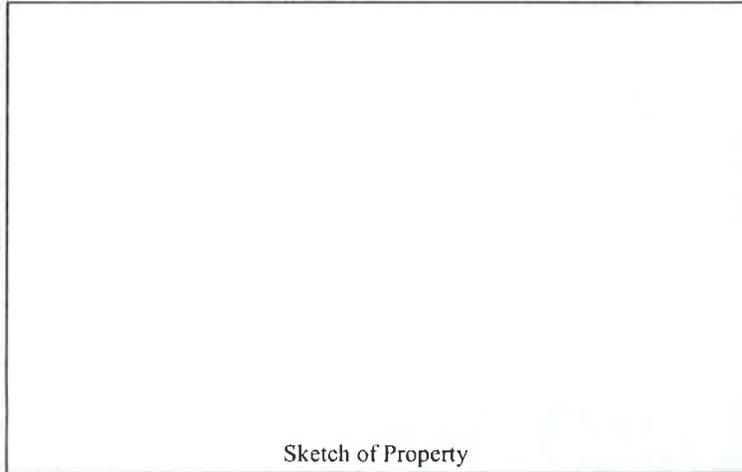
ON-SITE SEWAGE DISPOSAL SYSTEM

Record of Pertinent Information

Not Available
 Sewage Disposal Final
 Sewage Disposal Permit
 Well Final
 Well Permit
 Well Record/Log
 Real Estate Evaluation 6-28-92
Other: _____

Date of Inspection: 5-17-01

Visual Evidence of Malfunction: Yes No
Explanation of Malfunction: _____



Sketch of Property

Date tank last pumped: 4/10/01
 Stone wet/saturated
 Very little or no stone present
 Stone is coated with black sludge
 Subject to effects of high groundwater table and poor drainage
Other: _____

Observations noted during the Evaluation

System saturated & working under pressure
 Installed in slowly permeable soils
 Age of system exceeds normal life expectancy
 Very small absorption area compared to present requirements
 Evidence of tree roots
 System receives less than normal use
 Unconventional design/construction
 Portion of system appears to be under driveway/structure

Note: Items checked above may contribute to accelerated system failure.

EVALUATION RESULTS

WATER SUPPLY
 Acceptable
 Not Acceptable
 Unable to Sample

Comments: _____

SEWAGE DISPOSAL SYSTEM
 Acceptable
 Not Acceptable
 Unable to Determine Due to:
 Vacancy prior to inspection
 Septic tank pumped prior to inspection
 Lack of system location
 Impermeable soils

Date: 5-17-01

Sanitarian: Joshua Van Pelt
White - Health Department Copy
Canary - Realtor/Agent Copy
Pink - Owner/Client Copy
Gold - Health Department Copy

Ottawa County Health Dept.
Environmental Health Div.
12251 James St., Suite 200
Holland, MI 49424

REAL ESTATE EVALUATION
APPLICATION

FOR OFFICE USE ONLY
DATE REC'D 5/4/01
CHECK # 8018
RECEIPT # 19

Phone # (616) 393-5645
Fax # (616) 393-5643

**APPLICATION CANNOT BE PROCESSED UNLESS ALL
REQUESTED INFORMATION HAS BEEN PROVIDED
AND IS ACCOMPANIED WITH REQUIRED FEE.**

EVALUATION SERVICES REQUESTED	FEES
<input type="checkbox"/> BOTH On-Site Private Sewage Disposal & Water Supply Systems	\$ 97.00
<input checked="" type="checkbox"/> ONLY On-Site Private Sewage Disposal System	\$ 60.00
<input type="checkbox"/> ONLY On-Site Private Water Supply	\$ 62.00
<input type="checkbox"/> Additional Well Construction Evaluation	\$ 20.00

Amount Enclosed _____

This Evaluation is requested for Real Estate Sale Re-Financing

DEDUCT \$15.00 LAB FEE IF WATER WILL BE SAMPLED & ANALYZED BY PRIVATE LAB

PROPERTY LOCATION:

Property Tax Parcel #70- 03-32-226-006
Address Location 15195 Lakeshore
Township Grand Haven
Owner's Name Don Foster
Address 15195 Lakeshore
City Grand Haven Zip 49417
Owner's Phone 842-4117

SEND EVALUATION RESULTS TO:

Realty/Owner _____
Attention: _____
Address _____
City _____ Zip _____
Realtor's Phone () _____

SPECIAL INSTRUCTIONS OR INFORMATION:

Type of Structure: Single Family Home Duplex Apartment Commercial Business Industrial Bldg
Is structure currently occupied? Yes No If no, structure has been vacant since _____

Municipal Water Available Yes No If yes, is it utilized Yes No
Municipal Sewer Available Yes No If yes, is it utilized Yes No

ON-SITE SEWAGE DISPOSAL SYSTEM(S)

Current Number of Occupants 2 Age of System 12 years Is there any discharge to ground surface Yes No
Structure is served by One Two Three sewage disposal systems. Give recent date septic tank(s) pumped 4-10-01
There is plumbing in basement for Washing Machine Laundry Tub Shower Bath Tub Toilet Sink Not Applicable
If applicable, the fixtures in basement discharge to: _____

ON-SITE WATER SUPPLY SYSTEM

Water well is located in Basement Outside Yard Well Pit Is water treated? Yes No
If yes, type of treatment: Softener Nitrate Removal Unit(RO) Filtration Other _____

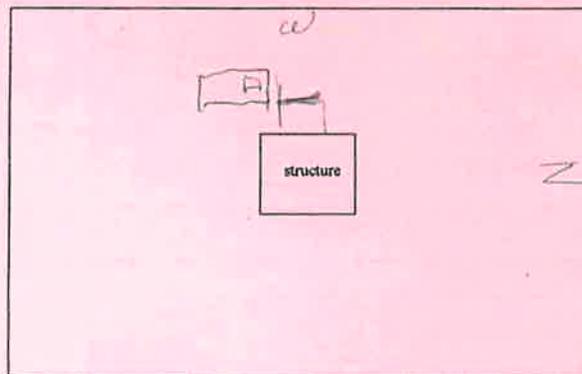
NOTE: For sampling purposes, water must be available at outside faucets.

IN THE BOX, PLEASE IDENTIFY AND SKETCH

THE LOCATION OF:

- SEPTIC TANK (S)
- SEWER(S) OUTLET FROM STRUCTURE
- SOIL ABSORPTION SYSTEM(S) / DRAINFIELD
- WATER - WELL (S)
- NEAREST STREET OR ROAD

**IMPORTANT - THIS FORM WILL BE
RETURNED IF THE REQUESTED SKETCH
INFORMATION IS NOT PROVIDED AND IS
NOT AVAILABLE IN OUR FILES.**



Completed by _____ (Signature)
8/00

COUNTY OF OTTAWA

SPECIAL DEPARTMENT RECEIPT

C.V.A. NO. 12 NCR

HEALTH DEPARTMENT

NAME OF DEPARTMENT

OFFICIAL RECEIPT

№ 197649

RECEIVED OF

Leonard Foster

DOUBLEDAY BROTHERS & CO. KILMARNOCK, MICH.

Wicks + others

100

DOLLARS ON ACCOUNT OF:

FOR WHAT	QUANTITY	UNIT	ACCOUNT	ACCOUNT NO.
<i>Food Extra Pines</i>				
<i>Parcel # 70-03-32-246-006</i>				
<i>ONE # 8018</i>				

DATE

5-3-01

SIGNED

M. J. Stewart

Ottawa County Environmental Health Dept. 12251 James Street, Suite 200 Holland, MI 49424 Phone: (616) 393-5645 FAX: (616) 393-0187	EVALUATION REPORT On Site Water Supply System and/or <input checked="" type="checkbox"/> Sewage Disposal System	Date Requested <u>06/23/92</u> Cash Receipt No. <u>25</u> Check No. <u>27280</u> Per _____ Date Report Sent <u>6-26-92</u>
---	--	--

PROPERTY LOCATION

Address 15195 LAKESHORE DRIVE Parcel No. 70-03-32-226-006 AF
 City GRAND HAVEN Township GRAND HAVEN
 Name of Owner BIRT HILSON Telephone 846-3249
 Address SAME City GRAND HAVEN Zip 49417
 Submit report to: STEVE HASS - CLYDE HENDRICK Telephone 847-6362
 Address 415 S. BEACON BLVD. City GRAND HAVEN Zip 49417

Dwelling occupied yes no If no, last known date of occupancy _____
 Municipal water available yes no If yes, is it utilized YES
 Municipal sewer available yes no If yes, is it utilized _____ If no, age of on-site SDS _____ yr.

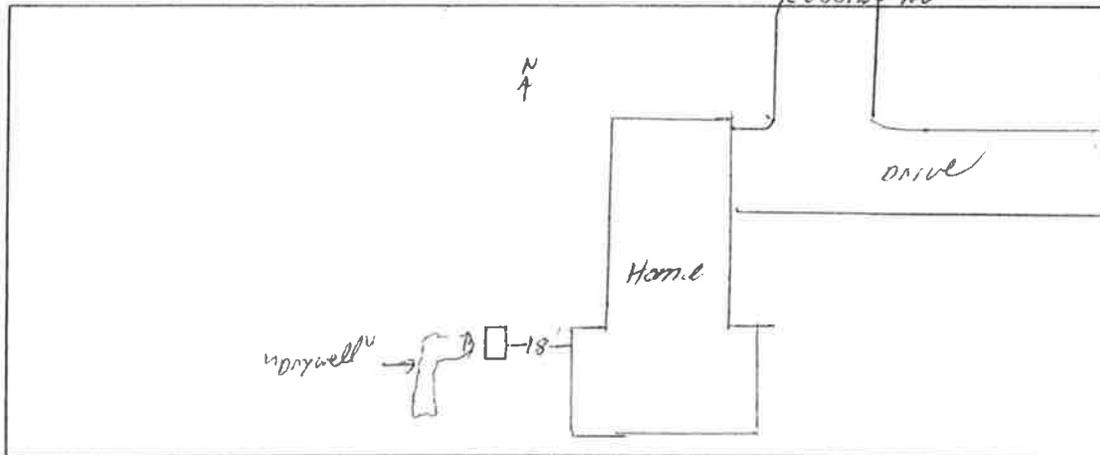
NOTE: Many portions and/or specifications of both the water supply and sewage disposal system may not be able to be determined or observed. Therefore information as provided in this report is based only upon water quality analysis results and visual observation of the sewage disposal system area. Any other observations reported are included for informational purposes only. Since many interrelating factors contribute to the failure of a water well or sewage disposal system, acceptance does not imply total approval and cannot be considered as a guarantee by this department that continued successful operation is assured.

ON-SITE WATER SUPPLY

WATER ANALYSIS	DATE SAMPLED	RESULTS	MAXIMUM CONTAMINENT LEVELS
Bacteriological		Coliform/100ml	0 Coliform/100ml
Nitrates (No ₃ as N)		PPM (mg/l)	10 ppm (mg/l)

Well isolation _____ (ft) Well Location _____
 Other comments: _____

ON-SITE SEWAGE DISPOSAL SYSTEM



Sketch of Property

Date of Inspection 6-25-92 Visual evidence of malfunction yes no If yes, explain _____
 Record of Permit and/or other pertinent information _____ Attached Not Available
 Comments Large Top of Stone Clean & dry. Dry well does not appear to be very

EVALUATION RESULTS

WATER SUPPLY <input type="checkbox"/> Acceptable <input type="checkbox"/> Not acceptable <input type="checkbox"/> Could not be evaluated (interference) Comments _____ _____ _____	SEWAGE DISPOSAL <input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Not acceptable <input type="checkbox"/> Unable to determine Comments _____ _____ _____
---	---

Sanitarian _____ Date _____

OTTAWA COUNTY HEALTH DEPARTMENT

Environmental Health Division

12251 James St., Suite 200

Holland, MI 49424

(616) 393-5645

FAX 393-0187

ATTENTION: THIS FORM MUST BE COMPLETED BY THE OWNER AND RETURNED TO THIS DEPARTMENT BEFORE EVALUATION OF THE PROPERTY WILL BE CONDUCTED. PLEASE FILL IN AS MUCH OF THE INFORMATION AS POSSIBLE.

EVALUATION REQUESTED

EXISTING ON-SITE WATER SUPPLY (INCLUDES LAB FEE) - \$55.00 DATE
EXISTING ON-SITE SEWAGE SYSTEM - \$40.00 RECEIPT# 25
WATER & SEWAGE EVALUATION (INCLUDES LAB FEE) - \$65.00 CHECK# 27280

Property Location

Send Completed Results To:

Parcel Number #70-03-32-226-006
Address Location 15195 Lakeshore Dr
Township Grand Haven
Owner's Name Birt Hilson
Address 15195 Lakeshore Dr
City Grand Haven Zip 49417
Owner's Phone 896-3249

Real Estate Firm Clyde Hendrik
Attention: Steve Hass
Address: 415 S. Beacon
City Grand Haven Zip 49417
Realtor/Agent's Phone 847-6362
Is Dwelling Occupied?? X yes No
If No, For How Long??

Municipal Water Available? X If yes, is it utilized? X How old is sewage system? ?
Municipal Sewer Available? NO If yes, is it utilized?

SEWAGE DISPOSAL SYSTEM

(Primary System) Number of Septic Tanks 1 Date Tanks Last Pumped ?
(Secondary System) Type of Disposal System (check below):

X Drainfield Dry Well Cesspool Sand Filter Lagoon
Absorption Trenches Block Trench Other (explain)

Is there plumbing in the basement for laundry, toilet, sink or shower? X Yes No.
If yes, where are they discharged? Explain pump to system

Are there footing drains connected to a sump pump pit? Yes X No. If yes, where does it discharge? Explain

Is there more than one (1) sewage disposal system serving the house? Yes X No. If yes please indicate location in the available site sketch below.

Does the system(s) have an above ground discharge? Yes X No. If yes, the discharge is to:

Ravine/Gully Swamp Ground Surface Other
Ditch Creek/River Field Drain Tile

WATER SUPPLY SYSTEM

X Municipal Water Private Well (Well depth feet)
(Put an "X" next to the appropriate location).

Basement Casing/Pitless Adapter in Yard Dug Well
Well Pit Buried Well Head in Yard Other(explain)

IS WATER TREATED? yes no Where are untreated taps located?
If yes, what type? Filtered Softener Nitrate Removal

In space provided, please indicate location of the following:

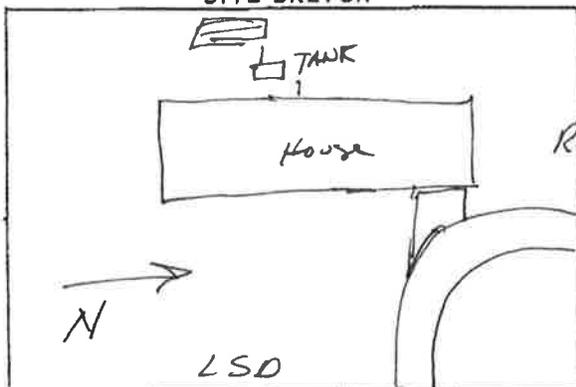
House Water Well
Septic Tank Distances from house
Disposal Systems
Directions (N, S, E, W)

Please attach any additional information you may have regarding the size and/or location of the Sewage Disposal System or Well.

PLEASE ENSURE SITE SKETCH IS COMPLETED.

12/89

SITE SKETCH



Ottawa County Health Department Environmental Health Division 119 S. Fourth Grand Haven, MI 49417 Phone: (616) 842-9410	EVALUATION REPORT On-Site Water Supply System and/or Sewage Disposal System	Date Requested <u>6/23/87</u> Cash Receipt No. <u>24731</u> Check No. <u>144</u> Per <u>CY</u> Date Report Sent <u>5/25/87</u>
---	--	--

PROPERTY LOCATION

Address 15195 Lakeshore Parcel No. 70-03-32-226-006
 City Grand Haven Township Grand Haven
 Name of Owner Herb Martin Telephone 399-9209
 Address _____ City _____ Zip _____
 Submit report to: SAME Telephone _____
 Address 114 Navajo City Holland Zip 49424
 Dwelling occupied yes Xno If no, last known date of occupancy 6 months
 Municipal water available Xyes no If yes, is it utilized YES
 Municipal sewer available yes Xno If yes, is it utilized _____ If no, age of on-site SDS yr.

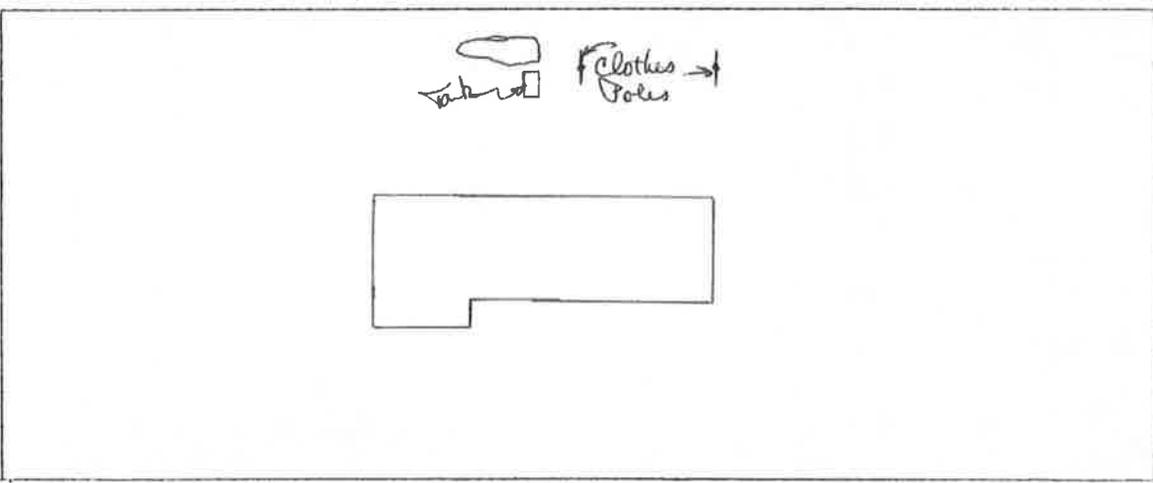
NOTE: Many portions and/or specifications of both the water supply and sewage disposal system may not be able to be determined or observed. Therefore information as provided in this report is based only upon water quality analysis results and visual observation of the sewage disposal system area. Any other observations reported are included for informational purposes only. Since many interrelating factors contribute to the failure of a water well or sewage disposal system, acceptance does not imply total approval and cannot be considered as a guarantee by this department that continued successful operation is assured.

ON-SITE WATER SUPPLY

WATER ANALYSIS	DATE SAMPLED	RESULTS	MAXIMUM CONTAMINENT LEVELS
Bacteriological		Coliform/100ml	0 Coliform/100 ml
Nitrates (No ₃ as N)		PPM(mg/l)	10 ppm (mg/l)

Well Isolation _____ (ft) Well Location _____
 Other comments: _____

ON-SITE SEWAGE DISPOSAL SYSTEM



Sketch of Property

Date of Inspection 6-25-87 Visual evidence of malfunction yes Xno. If yes, explain: _____

Record of Permit and/or other pertinent information _____ Attached _____ Not available _____
 Comments: System showed no apparent surface flow however an accurate evaluation can not be made of the sewage system when the house is occupied. Contact this Dept for a reevaluation when the home is occupied.

<u>WATER SUPPLY</u> <input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Not acceptable <input type="checkbox"/> Could not be evaluated (interference) Comments: _____	<u>SEWAGE DISPOSAL</u> <input type="checkbox"/> Acceptable <input type="checkbox"/> Not acceptable <input checked="" type="checkbox"/> Unable to determine Comments: _____
---	--

Greg Pierce
 Sanitarian

6-25-87
 Date

REAL ESTATE EVALUATION APPLICATION

Ottawa County Environmental Health
119 S. Fourth Street
Grand Haven, Michigan 49417

(616) 842-9410
(616) 459-2923
(616) 772-1880

For Official Use On

R15H

ATTENTION: THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT BEFORE EVALUATION OF THE PROPERTY WILL BE CONDUCTED.

Evaluation Requested

- Existing on-site Water Supply.....(\$ 20.00)
 Existing on-site Sewage Supply(\$ 20.00)
 Water & Sewage Evaluation(\$ 30.00)

Date 6/23/87
 Receipt # 74731
 Check # KA
 Per Ref
 Is Check Enclosed ??
 Please Bill Us

Is dwelling Occupied?? Yes No
 If no, for how long?? 6 MONTHS

Property Location

Parcel Number # 70-03-32-226-006
 Address Location 15195 LAKESHORE
 Township GRAND HAVEN
 Owner's Name HERB MARTIN
 Owner's Phone 616-399-9209

Send Completed Results To:

Real Estate Firm/Owner HERB MARTIN
 Attention: _____
 Address: 114 NAVAJO
 City: HOLLAND MI 49424
 Realtor/Agent's Phone # N/A

Municipal Water YES If yes, is it utilized?? YES
 Municipal Sewage NO If yes, is it utilized?? _____ How old is the Sewage System ??

SEWAGE DISPOSAL SYSTEM

(Primary System) Number of Septic Tanks 1 Date Tanks Last Pumped UNKNOWN
 (Secondary System) Type of Disposal System (check below):

- Drainfield Dry Well Cesspool Sand Filter
 Absorption Trenches Block Trench Lagoon Other (explain)

Is there plumbing in the basement for laundry, toilet, sink or shower? Yes _____ No. If yes, where are they discharged? Explain _____

Are there footing drains connected to a sump pump pit? _____ Yes No. If yes, where does it discharge? Explain _____

Is there more than (1) one sewage disposal system serving the house? _____ Yes No. If yes, please indicate location in the available site sketch below.

Does the system(s) have an above ground discharge _____ Yes No. If yes, the discharge is to:
 Ravine/Gully Swamp Ground Surface Other
 Ditch Creek/River Field Drain Tile

WATER SUPPLY SYSTEM

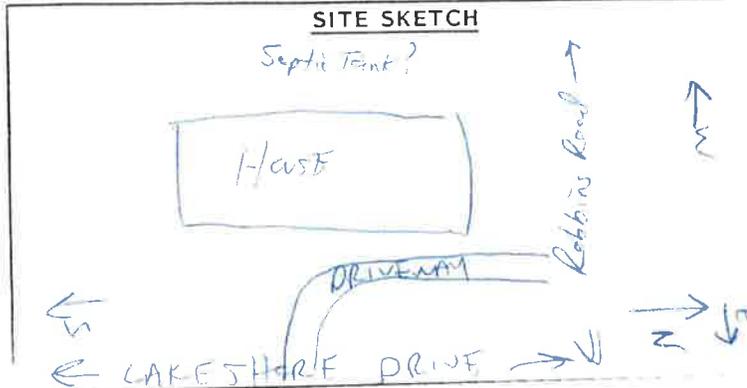
- Municipal Water _____ Private Well (Well Depth _____ feet)
 (Put an "X" next to the appropriate location.)
 Basement Well Pit Casing/Pitless Adapter in Yard Dug Well
 Buried Well Head in Yard Other (please explain)

In the space provided, please indicate location of the following:

- House Water Well
 Septic Tank _____ Distances from house.
 Disposal Systems Directions (N,S,E,W)

Please Attach any additional information you may have regarding the size and/or location of the SDS or Well.

SITE SKETCH





Previous Drain Field still connected

Septic Tank

Dry Well System installed May 2006 connects to Septic Tank

15195
226-006

ZBA APPLICATION

The applicant is requesting a dimensional variance from section 20.03.1.K.2 of the Zoning Ordinance to bring a legally nonconforming accessory structure into a conforming status via a variance. The request is necessary because the property owner is going to rebuild the existing house and staff cannot

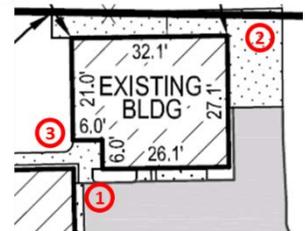


approve the site plan for the new house with the noncompliant setbacks of the accessory building.

To reiterate—the variance would allow buildings to remain in their current locations. Although the house will be rebuilt and have a larger second story, the footprint of the house will remain the same, and the house already conforms to the R-1 setback requirements. The issue here is, once you remove the house it has to comply with all setbacks, including the setback for an accessory building. That is why the variance is being requested.

A DEQ permit was obtained for the initial project, but as noted in the narrative, the applicant discovered the foundation was in poor shape and decided to repour the foundation before investing a significant amount of money in rebuilding the house.

Staff has confirmed with the DEQ that the applicant has submitted an amendment application. The DEQ is still waiting for the new septic permit, but their office said their initial review of the plans show a straight forward application and it does not raise any concerns.



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.

A portion of the subject property is within the Critical Dune Area, and the construction project is within the High Risk Erosion Area. Both structures are currently in existence. Applicant wants to rebuild the house without increasing the nonconformity and without disturbing additional sensitive landscapes. The ZBA will need to make a determination as to whether this standard is met given the circumstances of this case.

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 R-1 zoning district allows a single-family dwelling as a use permitted by right, and the size of the property entitles the owner to install two accessory buildings with a combined floor area of 960 sqft. The accessory building is an existing structure. The dwelling would be rebuilt on the same foundation and would continue to comply with the R-1 setbacks. The ZBA will need to make a determination as to 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.

Two items of correspondence have been received—one that objects, and the other giving support. The accessory building is an existing structure and the dwelling would be rebuilt on the same foundation, which does not increase the existing nonconformities. Also, if the dwelling did not have an attached garage, the ordinance would permit a 600 sqft accessory building to be located 6-feet from the dwelling. The ZBA will need to make the determination as to 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.

Property is subject to the High Risk Erosion Area, and if the dwelling was moved to a location that complied with the accessory building setbacks it would disturb other sensitive landscapes and then could be subject to Critical Dune Area regulations as well. Further, obtaining a compliant setback between the dwelling and accessory building would still not alleviate the side yard setback encroachment along the north property line. Thus, the nuances of this case based on the various decision-making methods make it unique. The ZBA will need to make the determination as to whether this standard is met.

SAMPLE MOTIONS

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

Motion to conditionally approve a dimensional variance from Section 20.03.1.K.2 to allow an existing 828 sqft accessory building remain in place at 11837 Garnsey Drive. This will result in a 6-foot setback from the dwelling and a 4'-3" setback from the side lot line. Approval of this variance is conditioned upon the applicant providing an amended DEQ permit that allows the dwelling to be reconstructed on the same footprint. 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 as not been affirmatively met, the following motion can be offered:

Motion to deny dimensional variance from Section 20.03.1.K.2 to allow an existing accessory building to remain in its current location at 11837 Garnsey Drive. Denial of this variance is based upon this Board's findings that all four standards have not been affirmatively met.

If the ZBA determines that more information is needed to make an affirmative finding, the following motion can be offered:

Motion to table the dimensional variance application for 11837 Garnsey Drive, and direct the applicant and/or staff to provide the following information:

1. *List items.*

Please contact me prior to the meeting with questions or concerns.

From: [Cassie Hoisington](#)
To: ["john ehler"](#)
Cc: [Stacey Fedewa](#)
Subject: RE: ZBA Variance Request - 11837 Garnsey Ave
Date: Thursday, June 21, 2018 3:33:00 PM

Hi John,

Thank you for the email. I appreciate you taking the time to provide our office with your comments and feedback.

I can understand your reasoning and desire to have the Township enforce both the local ordinances and the subdivisions restrictive covenants. However, legally, that is not possible. Section 27.06.1 of the Zoning Ordinance reads, "The Zoning Administrator shall not refuse to issue a permit when conditions imposed by this Ordinance are complied with by the applicant despite violations of contracts such as covenants or private agreements which may occur upon the granting of said permit."

For this reason, the Township can only focus on compliance with our local ordinances. That said, if there is a violation of the subdivisions restrictive covenants you can certainly work with the HOA and/or an attorney to require compliance. The only difference being, the covenants have to be addressed privately and not through the public realm of local government.

Lastly, I encourage you to discuss your concerns and questions with the property owners—by either visiting them at home, or attending the hearing and speaking with them before and/or after the meeting.

Rest assured your correspondence below will be provided to the Zoning Board of Appeals for them to read and take into consideration with their deliberations.

Again, thank you for your correspondence, and feel free to contact me if this raises further questions.

Best regards,

Cassie Hoisington
Grand Haven Charter Township
Assistant Zoning Administrator
choisington@ght.org
P:616-604-6340
F:616-842-9419

From: john ehler [mailto:johnehlertmd@hotmail.com]
Sent: Wednesday, June 20, 2018 5:07 PM

To: Cassie Hoisington <choisington@ght.org>

Subject:

Cassandra Hoisington, Assistant Zoning Administrator
20,2018

June

Grand Haven Charter Township

13300 168th Avenue

Grand Haven, Mi 49417

Ms. Hoisington,

We are in receipt of your Public Notice regarding the dimensional variance requested by Paul and Suzanne Kobel that would keep an existing 828ft-sq ft detached garage in its current location resulting in a 4.25-foot side yard setback where 15-feet is required; and a 6-foot setback from the house where 25-feet is required, which is in violation of Section 20.03.1.K.2 of the Zoning Ordinance.

This location is essentially the street side property line of our property at 11853 Garnsey Avenue, negatively impacting both the appearance and the value of our property.

It should also be noted that detached garages are not permitted in the Juniper Hills Subdivision per the Covenants of the Juniper Hills Association.

We believe that the Juniper Hills Covenants and Grand Township Zoning Ordinances should apply equally to all parties.

Therefore this request for a dimensional variance should not be granted.

Sincerely, John and Rosanne Ehlert

Cassandra Hoisington, Assistant Zoning Administrator
Grand Haven Charter Township
13300 168th Avenue
Grand Haven, MI 49417

Subject: Variance for 11837 Garnsey (Parcel No. 70-07-21-102-012)

Dear Zoning Board;

We have lived at 11810 Garnsey for the past 34 years.

We would approve the variance to keep the footprint of the property as it has been.

Sincerely

A handwritten signature in black ink, appearing to read "Les & Bern Lewis". The signature is fluid and cursive, with a large initial "L" and "B".

Les & Bern Lewis
11810 Garnsey

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 Dennis Dryer

Phone 616-846-5400 Fax _____

Address 220.1/2 Washington Street

Email Address dryerarch@gmail.com

Owner Information (If different from applicant/appellant)

Name Paul & Suzanne Kobel

Phone 310-567-1937 Fax _____

Address 11837 Garnsey Ave

Email Address phkobel@gmail.com

Property Information (Include a survey or scaled drawing)

Address 11837 Garnsey Ave

Parcel No. 70 - 07 - 21 - 102 - 012 Current Zoning R-1

Lot Width 125 feet Lot Depth 415 feet

Parcel Size 1.16 acres Parcel Size 50,834 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) 20.03 J-3
3. Relating to Accessory Buildings and Structures - Location Requirements - 25' from principal building
4. Structure/Land Use (After Variance) R-1
5. Overall Building Size (After Variance) 3,299 sf (house+ attached garage) / 828 sf (accessory building)
6. Setbacks from lot lines (After Variance):
 - a. Front Yard 279'-0" feet
 - b. Rear Yard 61'-6" feet
 - c. Side Yard #1 31'-9" feet
 - d. Side Yard #2 32'-1" 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):

N/A

APPEALS AND OTHER APPLICATIONS *(If applicable)*

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

N/A

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

6/06/18

Date

Signature of Zoning Administrator

Date

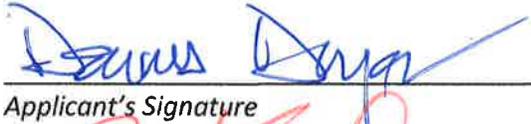
For Office Use Only

Date Received _____

Fee Paid? _____

RELEASE FORM

The undersigned has applied to the Grand Haven Charter Township Zoning Board of Appeals for a variance. The undersigned hereby authorizes the members of the Zoning Board of Appeals and appropriate Township staff members to inspect the property (*address stated below*) at reasonable times, in regards to the consideration of my request for a variance.


Applicant's Signature

6/06/18

Date


Owner's Signature (if different from applicant)

6/06/18

Date

11837 Gamsey Ave.
Property Address

ACTION TAKEN BY TOWNSHIP BOARD OF APPEALS

- () Application Approved
- () Application Denied

Description of variance granted or other action taken including conditions imposed, if any:

Grounds for Board action including findings as to standards and requirements prerequisite to imposition of conditions under ordinance:

Signature of ZBA Chairperson

Date

DRYER ARCHITECTURAL GROUP, PLC

220.1/2 Washington
Grand Haven, MI 49417
Phone: 616.846.5400
E-Mail: dryerarch@gmail.com

ZBA Basic Conditions Response

DATE: June 6, 2018
TO: GH ZBA Members
RE: Kobel Variance Request
11837 Garnsey Ave

Conditions:

- #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. Exceptional or extraordinary circumstances or conditions include:
 - a. Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Ordinance, or amendment thereto;
 - b. Exceptional topographic conditions;

Pushing the house further to the west will make it very difficult for the owner to install a pool in front of the house, as the grade drops into >33% slope.
 - c. Any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; or

The garage and house locations are existing. We planned to reuse the existing foundation, but further inspection of the foundation led us to a complete rebuild. We would like to place the new house in the same location, to avoid digging at another location for a basement, and avoid pushing to pool to close to slopes greater than 33%.
 - d. By reason of the use or development of the property immediately adjoining the property in question.
- #2. Such 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.

This variance is necessary to preserve the existing locations of the house and garage, and to allow adequate space for a pool on the west side of the house.

- #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.

The approval of this variance will have no effect on adjacent properties. The accessory building is proposed to remain in its original location. The alternative would be to move the building approximately 25 feet closer to the road (5' rear setback), which would have a larger impact on neighboring properties.

- #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.

This is a rare situation where an accessory building is located this close to a principal building. The original plan was to rebuild the home on the existing foundation, but further inspection of the foundation suggests complete replacement of the foundation.

Respectfully Submitted:

FROM:
Dennis Dryer - President

DESCRIPTION

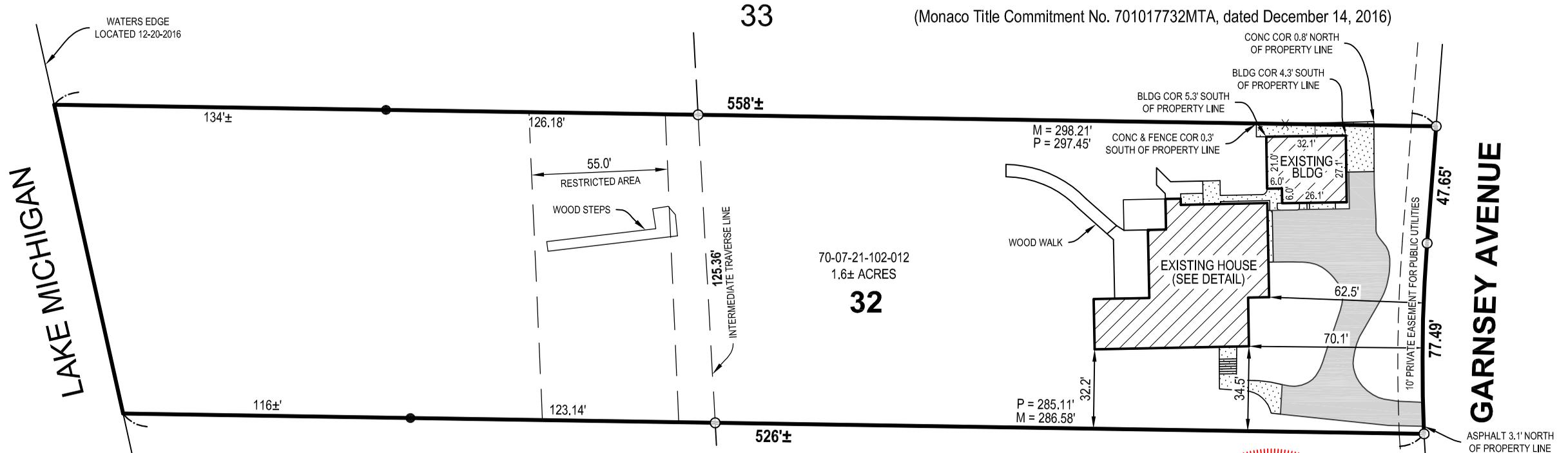
Land Situated in the State of Michigan, County of Ottawa, Township of Grand Haven.

Lot 32, Juniper Hills North, according to the recorded plat thereof as recorded in Liber 22 of Plats, Page 47, Ottawa County Records.

(Monaco Title Commitment No. 701017732MTA, dated December 14, 2016)

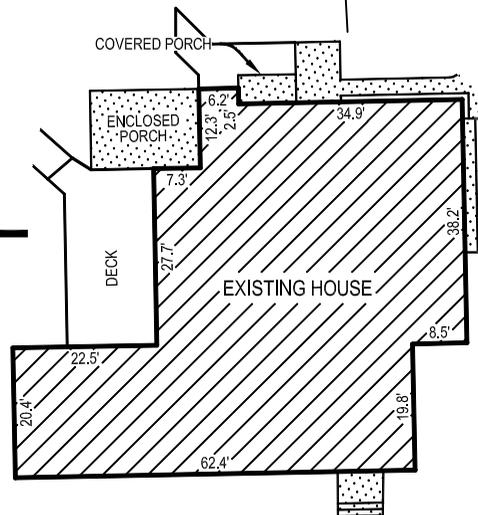
RIPARIAN DISCLAIMER:

The boundary lines shown hereon do not represent the ownership of any riparian rights, littoral rights, bottom lands or submerged land on, beneath or appertaining to the subject property.



DETAIL

1" = 30'



LEGEND

- Iron - Set
- Iron - Found
- X — X — Fence
- Asphalt
- ▨ Concrete
- ▩ Building

We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

By: *Scott A. Hedges*
 Scott A. Hedges Licensed Professional Surveyor No. 47953

SCALE: 1" = 50'

RE/MAX Lakeshore Sandi Gentry 133 Washington Avenue Grand Haven, MI 49417		
Paul & Suzanne Kobel 11837 Garnsey Avenue		
DRAWN BY: HM REV. BY: REV.:	DATE: 12/20/2016 REV. DATE:	PRJ #: 16201924 1 OF 1

RENOVATION & POOL FOR:

PAUL & SUZANNE KOBEL

11837 GARNSEY AVE
GRAND HAVEN, MI

dryer architectural group

architecture/interiors/design consultants

2201/2 Washington

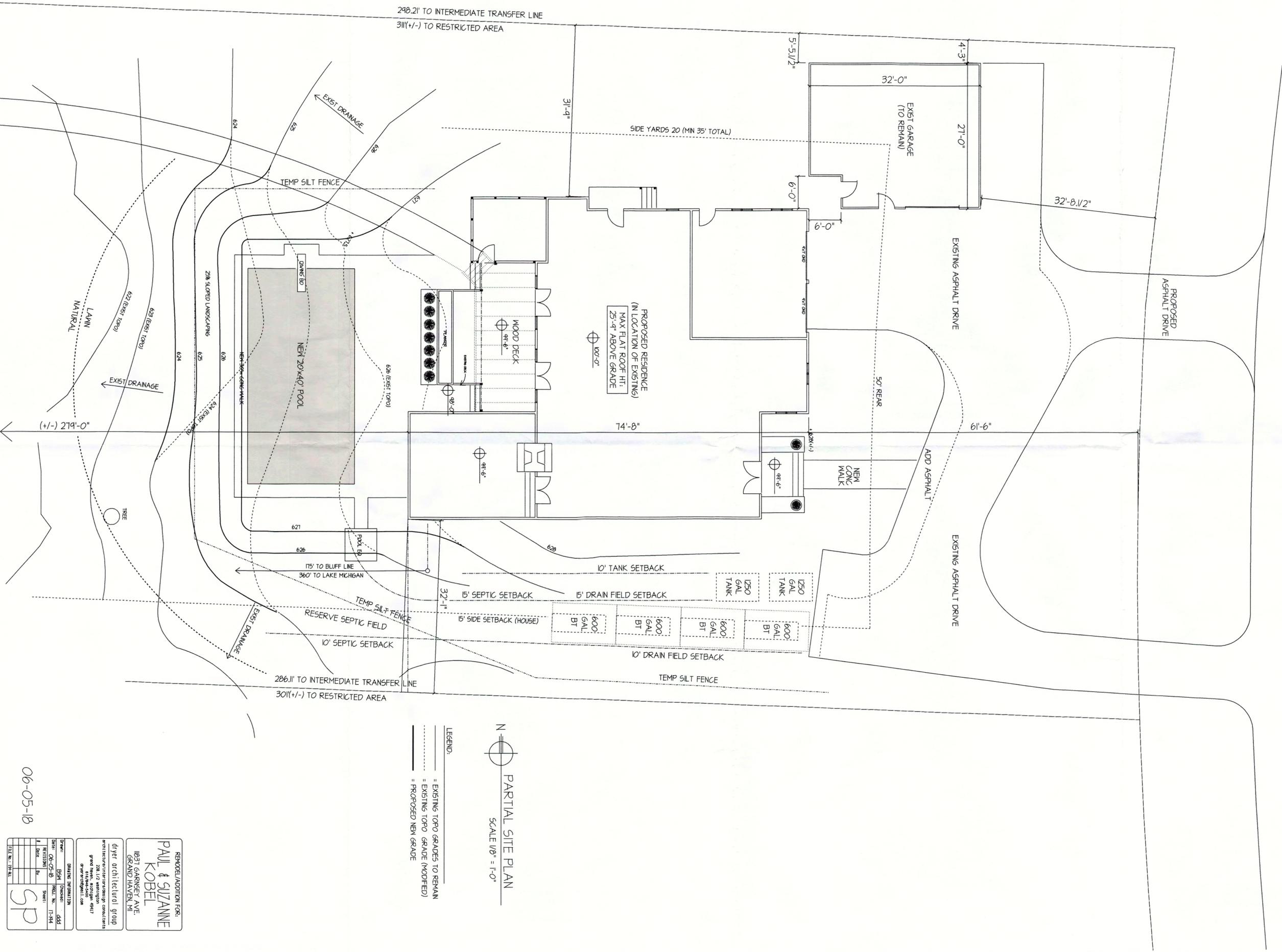
grand haven, michigan 49417

616/846-5400

dryerarch@gmail.com

DATE: JUNE 05, 2018

FILE: PRR ALL



PARTIAL SITE PLAN

SCALE 1/8" = 1'-0"

- LEGEND:
- = EXISTING TOP/O GRADES TO REMAIN
 - - - = EXISTING TOP/O GRADE (MODIFIED)
 - = PROPOSED NEW GRADE

06-05-18

REMODEL/ADDITION FOR:

PAUL & SUZANNE KOBEL

11837 GARNSEY AVE
GRAND HAVEN, MI

dryer architectural group
architecture/interiors/design consultants
2201/2 Washington
Grand Haven, Michigan 49417
616/846-5400
dryerarch@gmail.com

Drawn:	ESM	Checked:	DDJ
Date:	06-05-18	Scale:	1/8" = 1'-0"
Sheet:	SP		

FILE NO.: PRR ALL



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: June 21, 2018

TO: Zoning Board of Appeals

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

RE: 2017 Zoning Board of Appeals Report

The following annual report is submitted to the Zoning Board of Appeals:

ATTENDANCE

There were 4 meetings of the ZBA during 2017. Below is the attendance record of each member:

Member	Excused Absence	Unexcused Absence	Meetings Attended
Robertson (Chair)*	0	0	2
Voss (Chair)**	0	0	4
Slater (Vice-Chair)	1	0	3
Loftis (Secretary)	0	0	4
Behm (Trustee)	2	0	2
Hesselsweet***	0	0	1
Rycenga (Alternate)	1	0	3

* Robertson resigned 6/27/17

** Voss appointed as Chair 10/24/17

*** Hesselsweet appointed as member 8/14/17

TRAINING

It is noted the Township Board strongly encourages members of the Zoning Board of Appeals to avail themselves of training opportunities, which is a significant factor for reappointments (*i.e., two*

training sessions during each appointment period. Training completed as part of a member's professional career can be applied to this training requirement).

Member	2017 Training Session(s)	2015 – 2017 Total Training
Robertson (Chair)	Strong Towns	4
Voss (Chair)	None	2
Slater (Vice-Chair)	ZBA Basic	3
Loftis (Secretary)	ZBA Basic	1
Behm (Trustee)	None	0
Hesselsweet	MMMA, Cousins, 10 CE Hours	13
Rycenga (Alternate)	None	0

COMMITTEES & JOINT SESSIONS

There was one committee during 2017— Zoning Ordinance Update Subcommittee:

Zoning Ordinance Update Subcommittee*	6 Meetings
Loftis (ZBA Representative)	5
Voss (ZBA Representative)	1
Cousins (Planning Commission Representative)	2
Wagenmaker (Planning Commission Representative)	6
Gignac (Township Board Representative)	3
Redick (Township Board Representative)	4

* Voss resigned after first meeting, and replaced by Loftis. Redick resigned on 1/8/18.

ACTIVITY

Application Type	Project	Status
Dimensional Variance	Case 17-01: Deck (Reimink)	Denied
	Case 17-02: Parking Lot (Spartan Stores Fuel LLC)	Approved
	Case 17-03: Accessory Building (Hall)	Approved*
	Case 17-04: Garage (Jansma)	Approved
	Case 17-05: Elevated Walkway (Job and Mika)	Approved

* Conditional approval based upon applicant receiving a permit from the Ottawa County Environmental Health Department to relocate the Reserve Area drain field.

BUDGET

Line Item Account	Budget Item	Budgeted	Expenditures	Percent Used
702, 707, 715	Wages, FICA, Committee Pay	\$2,230	\$1,940	87%
801	Legal & Consulting	\$2,500	\$286	11%
802	Training, Dues, Subscriptions	\$300	\$245	81%
861	Travel & Mileage	\$100	\$65	65%
101-722	Total	\$5,130	\$2,536	49%

Please contact me prior to the meeting with questions or concerns.