

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
TUESDAY, FEBRUARY 27, 2018 – 7:00 P.M.

I. CALL TO ORDER

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

II. ROLL CALL

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

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 October 24, 2017 meeting were approved.

IV. NEW BUSINESS

A. ZBA Case #18-01 – Dimensional Variance – Urbytes

Party Requesting Variance:	Mitchell and Susan Urbytes
Applicant Representative:	Jeff Swieringa, ReNew Construction
Address:	1378 Spinnaker Ct, Holland 49424
Parcel Number:	70-03-32-132-022
Location:	18326 Holcomb Road

Mitchell and Susan Urbytes, represented by Jeff Swieringa, are seeking a dimensional variance to allow a Side Yard 1 setback of 3-feet, and a Side Yard 2 setback of 7.75-feet to construct a 12' x 26' deck with attached 11' long staircase and a 6' x 2' deck extension. Section 21.02, and its associated Section 21.01.16 of the Zoning Ordinance requires a 10-foot minimum, with a 23-foot total combined side yard setback in the R-1 Single Family Residential Zoning District for a lot <70-feet in width. Due to the small, and narrow, nature of the lot the decks cannot meet the setback requirements.

Fedewa provided an overview of the application through a memorandum dated February 22nd.

Following the initial discussions, the Chair invited the applicant's representative, Jeff Swieringa of ReNew Construction, to speak:

- Board inquired why the proposed south deck extended passed the door.
 - Owner intends to replace existing door with French doors, and place their outdoor grill within the extra space east of the new doors.
- Confirmed the dwelling is constructed of block.
- Will be replacing all windows throughout the house, along with other renovations.

The Board discussed the four standards and noted the following:

- Questioned if the proposed width of 6-feet for the deck along the south wall was excessive.
 - It was noted there is an existing projection on the house that is also 6-feet in width as well as a small portion of a 6-foot wide deck, so the proposed deck expansion would add bulk in the required side yard, but not create a greater nonconformity than already exists.
- Inquired why the porch on the east side of the wall was not included in the application.
 - Per Fedewa, the porch was existing and are replacing at a slightly smaller size. Section 25.02.4 allows for this to occur without a variance.
- It was noted the applicants also own a 5-foot wide swath of land directly south of the subject property. The two lots have not been combined (*and cannot be required to combine*), but does provide for additional buffer space between the proposed deck and adjacent premises.

Standard No. 1 – Exceptional or extraordinary circumstances:

- Exceptionally small lot
- Exceptional narrowness

Ayes: Voss, Loftis, Slater, Hesselsweet

Nays: None

Standard No. 2 – Substantial property right:

- Majority of properties along Lake Michigan have a series of decks that provide views.
- Due to narrowness of lot any and all decks would encroach into the required side yards.

Ayes: Voss, Loftis, Slater, Hesselsweet

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

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

Nays: None

Motion by Slater, supported by Hesselsweet, 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. **Which motion carried unanimously**, as indicated by the following roll call vote:

Ayes: Voss, Loftis, Slater, Hesselsweet

Nays: None

Absent: Behm, Rycenga

B. Housekeeping

i. Appointment of Officers

Motion by Slater, supported by Loftis, to nominate and reappoint the existing officers for their current positions. **Which motion carried unanimously.**

ii. Approve 2018 Meeting Date Schedule

Motion by Voss, supported by Hesselsweet, to **approve** the 2018 Meeting Date Schedule as presented. **Which motion carried unanimously.**

V. REPORTS

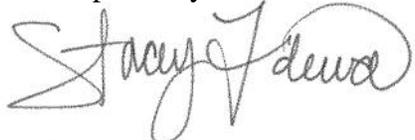
A. Next Zoning Ordinance Update Committee meeting is March 22nd at 6pm.

VI. EXTENDED PUBLIC COMMENTS – None

VII. ADJOURNMENT

Without objection, the meeting was adjourned at 7:22 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.

Stacey Fedewa

Acting Recording Secretary