

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JUNE 22, 2021

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, Loftis, Behm, Hesselsweet
Board of Appeals members absent: Voss, Egedy-Bader (alternate)

Also present: Community Development Director Fedewa

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

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

Without objection, the minutes of the March 9, 2021 ZBA Meeting were approved.

V. NEW BUSINESS

A. ZBA Variance Application No. 21-03 – Huddas – Replace Retaining Walls

Party Requesting Variance:	Richard Huddas
Address:	14939 Mercury Drive
Parcel Number:	70-07-01-130-011
Location:	14939 Mercury Drive

The applicant is requesting to replace a series of retaining wall systems in the front yard. Will not exceed existing footprint. Height and setback violations of Section 14.13 of the Zoning Ordinance.

Fedewa provided an overview through a memorandum dated June 18th.

Applicant Huddas was present to provide information.

The Board discussed the application and noted the following:

Standard No. 1 – Exceptional or extraordinary circumstances:

- Narrow lot
- Elevation change of nearly 20-feet.
- Walls are existing and over 50-years old.

Ayes: Slater, Behm, Loftis, Hesselsweet
Nays: None
Abstained: Voss, Egedy-Bader

Standard No. 2 – Substantial property right:

- Existing walls in need of replacement.
- Topography changes.
- Adjacent homes have a similar need for retaining walls due to topography.
- Necessary to maintain a usable front yard.
- Protect the property from the negative of impacts of potential future flooding.

Ayes: Slater, Behm, Loftis, Hesselsweet
Nays: None
Abstained: Voss, Egedy-Bader

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

- Abutting neighbor has submitted correspondence expressing they have no problems with the application.
- Existing walls are in disrepair and need to be replaced.
- Replacing the existing walls within the same footprint is the safest approach.

Ayes: Slater, Behm, Loftis, Hesselsweet
Nays: None
Abstained: Voss, Egedy-Bader

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

- The combination of a narrow lot and elevation change, along with maintaining the existing footprint and not creating additional encroachment is unique.

Ayes: Slater, Behm, Loftis, Hesselsweet
Nays: None
Abstained: Voss, Egedy-Bader

Motion by Behm, supported by Hesselsweet, to **approve** a dimensional variance from Section 14.13 to rebuild three existing retaining wall systems within the same footprint at 14939 Mercury Drive. Resulting in the following setbacks:

1. Terraced System A – 12’ overall series height; 8’ front yard setback; 0’ side yard setback (southeast lot line);
2. Terraced System B – 10’ side yard setback; and

3. North Wall – 9’ side yard setback.

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

Nays: None

Abstained: Voss, Egedy-Bader

VI. REPORTS – None

VII. EXTENDED PUBLIC COMMENTS – None

VIII. ADJOURNMENT

Without objection, the meeting was adjourned at 7:19pm.

Respectfully submitted,

Stacey Fedewa, AICP

Stacey Fedewa
Acting Recording Secretary