

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
TUESDAY NOVEMBER 26, 2019

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

Also present: Assistant Zoning Administrator Hoisington, and Community Development Director Fedewa.

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

III. APPROVAL OF MINUTES

Without objection, the minutes of the June 25, 2019 ZBA Meeting were approved.

IV. OLD BUSINESS

Motion by Voss, supported by Slater, to remove ZBA Case #19-01 from the table for reconsideration. **Which motion carried.**

1. ZBA Case #19-01 – Dimensional Variance – Rust

| | |
|----------------------------|--|
| Party Requesting Variance: | Dale and Mary Jo Rust |
| Applicant Representative: | Curt Hall, LandTechwmi LLC |
| Address: | 1939 Koehling Rd, Northbrook, IL 60052 |
| Parcel Number: | 70-03-32-331-017 |
| Location: | 18165 Shore Acres Rd |

Dale and Mary Joe Rust, represented by Curt Hall, are seeking a variance to construct a series of retaining walls and decks that would violate Sections 21.02, 20.22.1, and 20.22.2 of the Zoning Ordinance.

Hoisington provided an overview of the application through a memorandum dated November 21st.

The applicant provided supplemental information pertaining to scope of the project.

The Board discussed the application and noted the following:

- Verified the information requested from the May meeting has been provided.

- A simplified site plan and relevant height and setback details were provided.
- An EGLE Permit has been issued for the project.
- Based on further discussion the western most deck is no longer a concern.
- Confirmed the scope of work has not changed since the time the application was first presented.
 - The variance items have been identified and reduced from what was anticipated based on the initial application because of details provided.

Standard No. 1 – Exceptional or extraordinary circumstances:

- Exceptional changes in topography.
- Located within the Critical Dune Areas.

Ayes: Voss, Slater, Loftis, Behm, Hesselsweet
 Nays: None

Standard No. 2 – Substantial property right:

- Many homes along Lake Michigan have a series of decks to provide views.
- The proposed retaining walls will help preserve and stabilize the house.

Ayes: Voss, Slater, Loftis, Behm, 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, Slater, Loftis, Behm, 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, Slater, Loftis, Behm, Hesselsweet
 Nays: None

Motion by Slater, supported by Behm, to **approve** a dimensional variance from Sections 21.02, 20.22.1, and 20.22.2 of the Zoning Ordinance to construct a series of retaining walls and decks. The details are as follows:

1. Dimensional variance from Section 20.22.2 to allow a 4' tall retaining wall to be built to the property line that will result in setback variance of 2'.
2. Dimensional variance from Section 20.22.1 and 20.22.2 to allow a series of retaining walls totaling 11' in height that will result in a height variance of 3' and a side yard 2 setback variance of 6'.
3. Dimensional variance from Section 20.22.2 to allow a retaining wall (not to exceed 8' in height) to be built to the property line that will result in a front yard setback variance of 19' and a side yard 1 setback variance of 15'.
4. Dimensional variance from Section 21.02 to allow a deck that will result in a side yard 1 setback variance of 15'.
5. Dimensional variance from Section 21.02 to allow a deck that will result in a side yard 2 setback variance of 6'.

Approval of this variance is based upon this Board's findings that all four standards have been affirmatively met.

Which motion passed, as indicated by the following roll call vote:

Ayes: Slater, Loftis, Behm

Nays: Voss

Absent: Hesselsweet

V. NEW BUSINESS

1. Housekeeping Duties – Appointment of Officers & 2020 Meeting Schedule

Hoisington provided an overview of the topic in a memorandum dated November 21st.

Current appointments include:

- Chairperson Voss
- Vice Chair Slater
- Secretary Loftis

Motion by Hesselsweet, supported by Behm to reappoint current members.

Which motion carried unanimously.

The meeting calendar was reviewed and no conflicts were noted.

Motion by Slater, supported by Loftis to approve the 2020 Meeting Date Schedule as presented. **Which motion carried unanimously.**

2. 2018 ZBA Report

Hoisington provided an overview of the report in a memorandum dated November 21st.

It was requested that Staff seek out additional training opportunities for the Board.

The Board affirmed the findings and information provided in the report.

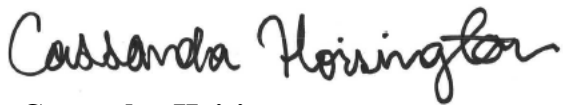
VI. REPORTS - None

VII. EXTENDED PUBLIC COMMENTS – None

VIII. ADJOURNMENT

Without objection, the meeting was adjourned at 7:17 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Cassandra Hoisington". The signature is written in a cursive, flowing style.

Cassandra Hoisington

Acting Recording Secretary