

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
JUNE 28, 2022

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

Also present: Senior Planner Thibault, Deputy Clerk DeVerney

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

III. APPROVAL OF MINUTES

Without objection, the minutes of the May 24, 2022 ZBA Meeting were approved.

IV. NEW BUSINESS

A. ZBA Variance Application No. 22-07 – Kuiper – Dimensional Variance

Party Requesting Variance:	Floyd and Marilyn Reimink Trust, represented by Kelly Kuiper
Address:	3471 146 th Ave., Zeeland, 49464
Parcel Number:	70-07-26-200-002
Location:	15540 Lake Michigan Dr.

The applicant is seeking a variance for a land division creating 2 parcels (herein referred to as A&B) that would result in Parcel A - a 1-acre lot with a lot width of 209.97-feet, and Parcel B - a 1.07-acre lot with a lot width of 271.83-feet. The proposed lot sizes would violate Section 2.08 of the Zoning Ordinance which requires a minimum lot size of a 20-acres and minimum frontage of 330-feet for the Agricultural zoning district.

Thibault provided an overview through a memorandum dated June 23.

The applicant, Ms. Kuiper, was present to provide information.

- Emphasized that the application meets all 4 standards.
- Described the property as unique since there are two residences currently on the parcel.
- Stated that the houses are not intending to be demolished and that they would be used as rentals if application is denied.

- Opined that a land division would allow the parcels to be more conforming to the current Zoning Ordinance.

The Board discussed the application and noted the following:

- Questioned if the ultimate intention of the parcels, if approved, would be to sell the lots.
- Clarified the entitlements for a PRE, and the current state of the property, including the options available to the applicant.
- Noted that the lots remain buildable, and compliant options are available through lot line transfers with the adjacent properties under the same ownership.

Standard No. 1 – Exceptional or extraordinary circumstances:

- The property has two legally non-conforming dwellings with road frontage. Legally non-conforming dwellings are allowed to remain provided that the dwelling is not enlarged or otherwise increases the degree of non-conformity.

Ayes: Hesselsweet

Nays: Voss, Loftis, Behm

Absent: Slater

Standard No. 2 – Substantial property right:

- The separate houses on the parcel are able to be separately addressed, and it is possible to receive a Principle Residence Exemption on the property.. A lot line transfer is possible to include one of the residences on the adjacent Agricultural parcel under the same ownership.

Ayes: None

Nays: Voss, Loftis, Behm, Hesselsweet

Absent: Slater

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

- No letters of opposition were received for this application (*as of June 28th*).

Ayes: Hesselsweet

Nays: Voss, Loftis, Behm

Absent: Slater

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

- The Zoning Ordinance restricts any lot of record which allows single family dwellings to have only one dwelling per property. However, 36 parcels in the Township have multiple dwellings on their lots. If a variance was granted, a precedent may be created that would result in property owners applying for a variance based on the same merit.

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

Motion by Loftis, supported by Behm, to **deny** a dimensional variance from Section 2.08 to approve a land division at 15540 Lake Michigan Drive. Denial of this variance is based upon this Board's findings that all four standards have not been affirmatively met.

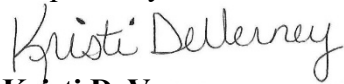
Which motion carried unanimously, as indicated by the following roll call vote:

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

- V. REPORTS - None
- VI. EXTENDED PUBLIC COMMENTS – None
- VII. ADJOURNMENT

Without objection, the meeting was adjourned at 7:48pm

Respectfully submitted,



Kristi DeVerney

Acting Recording Secretary