

PROPOSED MINUTES
LAKETOWN TOWNSHIP
ZONING BOARD OF APPEALS
4338 BEELINE ROAD
ALLEGAN COUNTY
HOLLAND, MI 49423
(616) 335-3050

July 25, 2018

ARTICLE I. CALL TO ORDER

Chair David Weishaar called the regular monthly Zoning Board of Appeals meeting to order at 7:01 P.M.

MEMBERS PRESENT: David Weishaar, Jim Johnson, Marcia Perry,
Casey Kimes, Richard Swanson
MEMBERS ABSENT: Carl Blauwkamp, Ed Stielstra
STAFF PRESENT: Al Meshkin – Township Manager
Diane Ybarra – Recording Secretary

ARTICLE II. APPROVAL OF MINUTES

The Zoning Board of Appeals members reviewed the minutes of the June 27, 2018 meeting. **A motion was made by Johnson and seconded by Kimes to approve the minutes as written. Chair Weishaar called for a vote on the motion. VOTE 4 TO 1 MOTION APPROVED**

ARTICLE III. OLD BUSINESS

A. VAN ACKER VARIANCE REQUEST

Ted Van Acker, owner or agent of property located at 2215 Griswold, lot #179 of Macatawa Park, that being tax parcel #0311-340-179-00, requests a variance from section 38-242 of the Zoning Code. This section requires a minimum front, rear and side yard setbacks. Mr. Van Aker would like to construct a new cottage on this parcel that would not meet these minimum setback requirements.

Weishaar and Meshkin reviewed the advice of Township Attorney Ron Bultje. Johnson stated that he went to the site and did not see new stakes in place and noted that the setback is further decreased from the road at Griswold. Meshkin explained that it does not go to the middle of the road due to it being a plat and nothing in Macatawa lines up properly, he recommends using edge of concrete for measuring. Johnson stated he is uncomfortable with the setbacks as he does not feel the placement of the structure is properly staked in order to make an educated decision on the request.

Chuck Posthumus represented Van Acker and explained the survey done by Nederveld. Posthumus offered to provide a foundation survey to confirm compliance. Kimes asked to clarify the setbacks are the exact same as the original was 27 x 45 and the new is 32 x 45. Posthumus confirmed the setbacks have not changed. Meshkin suggested an after foundation survey is provided for final clarification and that it be a condition of the approval with “stop work” authority if it is not in compliance. Posthumus added that the waterfall has been removed and the retaining wall will be on the east side of the existing concrete.

Perry struggles with the legal aspects and questioned that the initial approval could not be challenged. Meshkin said the previous approval was appropriate and nothing has changed in the last year. Kimes agreed with the setbacks and initial approval, however is disappointed in the increase in size of the structure. Meshkin stated that the Planning Commission did approve this site plan. Johnson wants to ensure the approved setbacks are met. Posthumus stated that the fireplace will also comply with the setback of 8’6”.

Following discussion, **a motion was made by Kimes and seconded by Swanson to approve the Van Acker Variance Request Section 38-242 of the zoning ordinance being met, compliance with the plan dated January 2017, approved setback of 8’6” to include the fireplace, post foundation survey be submitted for approval by Meshkin and “stop work authority”, compliance with the application and compliance with all federal, state, county and township laws and ordinances and the verbal representation provided at this meeting and in the minutes. Weishaar called for a vote on the motion. VOTE 4 to 1 - MOTION APPROVED**

ARTICLE IV. NEW BUSINESS - None

ARTICLE V. CITIZENS COMMENTS – No comments.

ARTICLE VI. ADJOURNMENT

A motion was made by Kimes and seconded by Johnson to adjourn the meeting at 7:26pm. Chair Weishaar called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED