

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

August 28, 2019

ARTICLE I. CALL TO ORDER

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

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

ARTICLE II. ELECTION OF VICE CHAIR

Following discussion, **a motion was made by Perry and seconded by Swanson to appoint Casey Kimes as Vice Chair of the Zoning Board of Appeals. Kimes called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. APPROVAL OF MINUTES

The Zoning Board of Appeals members reviewed the minutes of the May 22, 2019 meeting. **A motion was made by Swanson and seconded by Perry to approve the minutes as written. Kimes called for a vote on the motion. UNANIMOUS DECISION - MOTION APPROVED**

ARTICLE IV. OLD BUSINESS - None

ARTICLE V. NEW BUSINESS

A. LIBERTY HALL LLC VARIANCE REQUEST

Liberty Hall LLC, owner or agent of property located at 4703 Indianapolis Avenue, Holland, MI 49423, that being tax parcel #0311-120-069-00 requests a variance from sections 38-242(3) and 38-

703(a) of the zoning code. Section 38-242(3) requires a minimum 40' rear yard setback. Section 38-703(a) restricts the expansion of nonconforming structures. Liberty All LLC would like to construct an addition on an already nonconforming home. This addition would have less than the required 40' setback.

Randy Schipper represented Liberty Hall LLC and reviewed the proposed addition. Schipper reviewed the conditions of the Critical Dunes area noting the applicant has received the permit from the former DEQ now called DEGLE. The addition would have an approximate 20' setback but there are no residents to the west that would be impacted. This is the best plan for the addition given the lot.

Kimes asked if the sides conform and Schipper said yes, the existing structure would stay and is within the side and front setbacks. Nienhuis confirmed the other setbacks are in compliance. Perry asked which is the "bat" tree. Jim Hall, applicant, explained that it is leaning toward the house and will have to be removed, however new trees will be added. Perry asked about the history of the neighboring lot that has just a foundation. Meshkin said the previous owner thought it would be advisable to put in foundations in some lots because of possible changes to the critical dune law but never built the homes. Swanson said he heard only support from neighbors for the Liberty Hall project when he visited the site.

Kimes opened the public hearing.

A letter of support was received from Susan Tabor Wahman of 4700 Indianapolis Avenue.

A motion was made by Perry and seconded by Swanson to close the public hearing. Kimes called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED.

Following discussion, **a motion was made by Swanson and seconded by Stielstra to approve the variance request from sections 38-242(3) and 38-703(a) of the zoning ordinance noting that the addition will be more in compliance than the current structure, meets the critical dunes requirements, in keeping with the character of the area, meets all other necessary setbacks, in compliance with the site plan submitted, in compliance with the application; compliance with all federal, state, county and township laws and ordinances and the verbal representation provided at this meeting.**

Kimes called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

ARTICLE VI. CITIZENS COMMENTS – No comments

ARTICLE VII. ADJOURNMENT

Kimes adjourned the meeting at 7:20pm.