

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

SEPTEMBER 28, 2022

I. CALL TO ORDER

Kimes called the regular monthly Zoning Board of Appeals meeting to order at 6:01 p.m.

Members present: Casey Kimes, Marcia Perry, Richard Swanson

Members absent: Jim Delaney, Barbara Hibiske, Bob Slikkers, Steve Penfield

Staff present: Al Meshkin – Manager; Jim Hayden – Public information officer; Michelle Sall, community development director

II. APPROVAL OF MINUTES

Motion by Swanson, second by Perry, to approve the July 27, 2022, minutes with change to New Business (B) Giovannucci Variance Request to read “Meshkin suggested that a wooden deck at grade is acceptable as do a retaining wall and fill.” Chair Kimes called for a vote on the motion. VOICE VOTE, MOTION UNANIMOUSLY APPROVED 3-0.

III. OLD BUSINESS – None

IV. NEW BUSINESS

a) Condit Variance Request

Don Condit, 2427 Crescent Walk, Macatawa, parcel # 0311-340-155-00, at lots 155, 156, 157 and 158, zoned R-2, request a variance from Sec. 38-242(1) of the zoning code to construct an addition and elevator with less than the required 40-foot minimum setback.

Brian Miedema of Insignia Homes, 5168 Beltway Drive SE, Caledonia, addressed the board on behalf of the Condits and explained the elevator proposal, noting the set back is now 2 ½ feet and the addition will make it 11 3/16 inches.

Kimes opened the public hearing at 6:13 p.m.

Miedema read a letter from Joel E. Krissoff, Macatawa, supporting the proposal.

Meshkin noted the letters in support on the proposal from Joel E. Krissoff, Macatawa; Dale Dellacqua, 775 Lakeside, Macatawa; and Richard Boerema, 779 Lakeside.

A letter from John Timmons from Bubba's Cottage LLC, opposed the proposal.

Sue Condit, 2427 Crescent Walk: Owner. Noted that "Detail B" in the proposal was not accurate. Meshkin said the deck and stairway are now all on the property. The survey is old and the matter was corrected in 2018.

Motion by Perry, second by Kimes, to close the public hearing at 6:20 p.m. Chair Kimes called for a vote on the motion. VOICE VOTE, MOTION UNANIMOUSLY APPROVED 3-0.

The board discussed the issue.

Kimes noted that "Detail B" is not accurate and that the letters of support from neighbors are key.

Meshkin said the home was built by different owners in 1990. The owners came before the township on Feb. 14, 1990, for critical dune approval. The township sent the proposal to the zoning board, planning commission and engineer. The township has granted approvals to the property since the beginning.

Motion by Kimes, second by Swanson, to approve the variance request at 2427 Crescent Walk from Sec. 38-242(1) of the zoning code to construct an addition and elevator with less than the required 40-foot minimum setback, noting that "Detail B" on the submitted plans is not up to date, that the approval does not allow the structure to be over the property line, allows the 11 3/16 inches setback, no parking allowed on Crescent Walk, in compliance with application and materials submitted, representation both written and verbal, meeting all federal, state, county and local laws, ordinances and regulations. Chair Kimes called for a vote on the motion. VOICE VOTE, MOTION UNANIMOUSLY APPROVED 3-0.

b) Knitter Variance Request

Lara H. Knitter and Stephen H. Knitter, owners of property at 2351 Maksaba Trail, lot 329 and 334 and part of lot 336 of Macatawa Bay Addition, parcel # 0311-320-334-00, zoned R2, requests a variance from Sec. 38-242 of the zoning code to construct an addition with less than the required minimum front, side and rear yard setbacks. The Knitters are also requesting interpretation that the proposed addition is not an accessory unit per Sec. 38.5.

William Sikkel, attorney for the Knitters, explained the proposal to build an addition with a garage and living area above it. The proposed addition would be 6.8 feet from the east property line. Sec. 38-242 requires a minimum 10-foot setback for a side yard. The garage would be 37.7 feet from the rear lot line and a 40-foot setback is required.

Sikkel also stated that per the definition in our ordinance an accessory dwelling unit requires a locked door and that the Knitters have no intention of making this addition an accessory dwelling unit.

Kimes opened the public hearing at 7:10 p.m.

No comments. No letters. No emails.

Motion by Perry, second by Swanson, to close the public hearing at 7:10 p.m. Chair Kimes called for a vote on the motion. VOICE VOTE, MOTION UNANIMOUSLY APPROVED 3-0.

The board discussed the issue.

Meshkin said the next owner of the home will need to come before the planning commission and have a public hearing for the property to get changed to an accessory dwelling unit if they wish to use it as such.

Motion by Perry, second by Swanson, to approve the setback variance request at 2351 Maksaba Trail from Sec. 38-242 of the zoning code in compliance with application and materials submitted, representation both written and verbal, meeting all federal, state, county and local laws, ordinances, and regulations. This is not an approval for an accessory dwelling unit. Any such proposal must be reviewed by the planning commission. Chair Kimes called for a vote on the motion. VOICE VOTE, MOTION UNANIMOUSLY APPROVED 3-0.

V. CITIZENS COMMENTS – None

VI. ADJOURNMENT

Chair Kimes adjourned the meeting at 7:20 p.m.