

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

OCTOBER 25, 2023

I. CALL TO ORDER

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

Members present: Jim Delaney, Charles Martin “Marty” Hysen, Stephen Penfield, Marcia Perry

Members absent: Barbara Hibiske, Chairperson Casey Kimes, Bob Slikkers

Staff present: Michelle Sall - Community development director, Jim Hayden – Public information coordinator

II. APPROVAL OF MINUTES

Motion by Delaney, second by Penfield, to approve the Sept. 27, 2023, minutes as presented. Perry called for a vote on the motion. VOICE VOTE, MOTION UNANIMOUSLY APPROVED 4-0.

III. OLD BUSINESS

1. Variance request of Brent Hoytenga

Brent Hoytenga, agent of property at 2342 Maksaba Trail, Macatawa, MI 49434, tax parcel #0311-320-341-00, zoned R-2, is requesting variances from Section 38-241 Height regulations and Section 38-242 Area regulations of the zoning code. These sections in part state the maximum building height allowed, and minimum setbacks needed for yards. Hoytenga is asking for variances for the purpose of building a new home.

Attorney Bill Sikkel and Realtor Ron Webb, agents for Hoytenga, addressed the board. Sikkel said the lot is unique due to the triangle shape of the property, the significant slope and critical dune designation. The garage and driveway allow parking for six vehicles.

Sikkel said the height variance is no longer needed.

The board discussed the issue.

Penfield noted options are to shrink the house or remove the garage to fit the setbacks.

Perry asked why the house can't be smaller.

Sikkel said the owner is trying to accommodate parking and that the proposed house is smaller than neighboring houses.

Perry said a variance needs to be issued for a good reason, something that does not apply to other properties.

Sikkel said the shape of the lot and slope are unusual factors.

Perry said the house could be built smaller to meet setbacks.

Webb said parking becomes an issue if the garage is changed. He said the house is not going to be a short-term rental.

Perry said a larger house means more people; a smaller house means fewer people.

Motion by Delaney, second by Penfield, to approve the variance as written and requested. Perry called for a vote on the motion. ROLL CALL VOTE. YES: PENFIELD, HYSEN, DELANEY. NO: PERRY. MOTION APPROVED 3-1.

IV. NEW BUSINESS

2) Variance request of Martha Gregg

The variance request of Martha Gregg, agent or owner of property located at 6705 Audubon, Holland, MI, 49423, that being tax parcel #0311-380-045-00. Gregg is requesting variances from Section 38-242 Area regulations of the zoning code. This section in part states the minimum setbacks needed for yards. Gregg is asking for variances for the purpose of building a new home.

Sall presented modified plans received that day that change the requested backyard setback from 27 feet 3 inches to 29 feet 4 inches, as well as reduced the building height. Side setback variance remains as requested. Jim Gregg, spouse of Martha, and architect James Silvestro addressed the board. They said they plan to demolish the current house. The new house design has been modified to meet neighbor concerns, including moving the house two feet south and changing the roof from a taller gable to a hip roof on the north side.

Motion by Penfield, second by Delaney to open the public hearing at 6:39 p.m. Perry called for a vote on the motion. VOICE VOTE. MOTION UNANIMOUSLY APPROVED 4-0.

Peter Malin, chairperson of the Architectural Guidelines and Construction Standards Committee for the Castle Park Association (via Zoom): Worked with Greggs, support plan.

Jim Gregg: Lot is small, worked with neighbors and association on plans.

Sall noted two pieces of correspondence:

- Peter Malin. Support.
- Jeffrey D. Hibbard. Neighbor. Support.

Motion by Penfield, second by Delaney, to close the public hearing at 6:44 p.m. Perry called for a vote on the motion. VOICE VOTE. MOTION UNANIMOUSLY APPROVED 4-0.

The board discussed the issue.

Delaney said the footprint is not impacted.

Penfield said the lot is challenging and the Greggs worked with neighbors to come up with new design.

Perry asked why the Greggs can't make the new house fit with existing ordinances.

Jim Gregg said the house needs internal bedrooms and that the lot is small.

Motion by Penfield, second by Hysen, to approve the variance as presented at tonight's meeting with adjustments noted. Perry called for a vote on the motion. ROLL CALL VOTE. YES: PENFIELD, PERRY, HYSEN, DELANEY. NO: NONE. MOTION APPROVED 4-0.

3) Variance request of Brian & Sue Smit

The variance request of Brian and Sue Smit, agent or owner of property located at 2244 Maksaba Trail, Holland, MI, 49423, that being tax parcel #0311-320-354-00. The Smits are requesting variances from Section 38-242 Area regulations of the zoning code. This section in part states the minimum setbacks needed for yards. The Smits are asking for variances for the purpose of building additions on a home.

Brian Smit addressed the board. He said he came to the board three years ago for similar changes that were approved but not built. He has submitted plans to the state Department of Environment, Great Lakes and Energy and is waiting for approval. He said they changed the construction plans because both he and his wife are now working from home, each need their own space, and children are coming to the house. The house is not a short-term rental.

The comparisons to the August 2020 approval are:

- Kitchen bump out on the west is extended to 14 feet compared to 12 feet in the 2020 request approved by the board.
- Addition on the east side is going from a side yard setback of 5 feet to a setback of 2 feet 6 inches when compared to the original request. The addition is now two stories and includes a front porch. The dimensions are now 12x26 compared to 12x13 in the 2020 request approved by the board.

The board discussed the issue.

Delaney said he once lived in the house.

Motion by Penfield, second by Hysen to open the public hearing at 7:02 p.m. Perry called for a vote on the motion. VOICE VOTE. MOTION UNANIMOUSLY APPROVED 4-0.

Bob Malone, 2261 Maksaba Trail: Lives across the street. Supports.

Sall said there was no correspondence. She handed out an aerial photo of the property.

Motion by Delaney, second by Hysen, to close the public hearing at 7:04 p.m. Perry called for a vote on the motion. VOICE VOTE. MOTION UNANIMOUSLY APPROVED 4-0.

The board discussed the issue.

Perry asked why the house is exceptional and does not have to follow the ordinance.

Smit said the home does not have office space now, there is a steep slope and critical dune. He said there was no way to add to the house without getting a variance.

Delaney said the board already approved plans in 2020, that the changes are not impeding on other's land, no safety issues, neighbors OK with changes.

Penfield said the board gave approval in a prior meeting, the latest changes don't have much of an effect, neighbors support plan.

Perry said the proposal does not meet the standards for a variance.

Motion by Delaney, second by Hysen, to approve the variance as requested by Brian and Sue Smit as it is written. Perry called for a vote on the motion. ROLL CALL VOTE. YES: PENFIELD, HYSEN, DELANEY. NO: PERRY. MOTION APPROVED 3-1.

V. CITIZENS COMMENTS

Start: 7:15 p.m.

No comments

End: 7:15 p.m.

VI. ADJOURNMENT

Perry adjourned the meeting at 7:16 p.m.