

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

NOVEMBER 22, 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, Marcia Perry, Bob Slikkers

Members absent: Barbara Hibiske, Chairperson Casey Kimes, Stephen Penfield

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

Perry congratulated Hibiske for completing continuing education in zoning board training.

II. APPROVAL OF MINUTES

Motion by Delaney, second by Hysen, to approve the Oct. 25, 2023, minutes as presented. Perry called for a vote on the motion. VOICE VOTE, MOTION UNANIMOUSLY APPROVED 4-0.

III. OLD BUSINESS -- None

IV. NEW BUSINESS

1. Troutman Dimensional Variance request

The variance request of Whitney Troutman, agent or owner of property located at 6547 138th Ave., Holland, MI, 49423, that being tax parcel #0311-027-031-00. The request is for the approval of a variance to a side yard setback, per Ordinance Sec. 38-214, for the purpose of building a detached accessory dwelling unit rental home. The property is zoned R-1.

Troutman addressed the board. She requested that the 20-foot side-yard setback be reduced to a 4-foot side-yard setback. She said her lot is long and narrow and the topography, which includes slopes and a pond, limits the location of the proposed structure. She said other property owners have accessory buildings and she should not be denied the opportunity to build

hers; the proposed structure does not impair anyone, and the proposed structure meets all other setbacks; the topography does not make building the structure reasonably practical anywhere else; and the issue was not self-created because she did not set the property dimensions.

Motion by Slikkers, second by Hysen, to open the public hearing at 6:09 p.m. Perry called for a vote on the motion. VOICE VOTE. MOTION UNANIMOUSLY APPROVED 4-0.

John McDonald, 6542 Windemere Way (Zoom): Has a lot directly behind the property being discussed. Asked if he would see the proposed building, hear noise from it or see renters? Troutman responded that the proposed building would be in the front of her parcel, not near McDonald's property. McDonald said he has no objections to the proposed request.

Sall said there was no correspondence.

Motion by Slikkers, second by Hysen, to close the public hearing at 6:12 p.m. Perry called for a vote on the motion. VOICE VOTE. MOTION UNANIMOUSLY APPROVED 4-0.

The board discussed the issue.

Slikkers went through the standards listed in Sec. 38-118, saying that there is plenty of room on other parts of the property to meet setbacks, the building could go elsewhere on the property so the right to use the site for a rental still exists, the 4-foot setback is a detriment to neighbors because it is too close to the property line and this is self-created.

Hysen said he agrees with Slikkers and asked if the proposed structure could be put east of the existing home? Troutman said there is a retaining wall near that area which allows only six feet to get through. Hysen asked if the proposed structure could be moved to the south? Troutman said the area is sloped with mature trees.

Delaney said he agrees with Slikkers. He said there is plenty of room to move things around and be reworked to make the proposed structure fit without a variance.

Perry went through variance standards and the need for a variance is not indicated. The proposed building could be placed in other areas including the driveway turnaround. The variance could be a detriment to adjacent property owners in the future because a variance goes with the land. Troutman recently received approval to convert a portion of her barn to an accessory dwelling unit so she has another option.

Delaney asked who is the house for? Troutman said it would be a rental or eventually be for her parents.

Motion by Slikkers, second by Delaney, to deny the variance request by Whitney Troutman with the rationale that the following facts and conditions exist per Sec. 38-118: there are not exceptional circumstances, there are ample areas to accommodate the proposed structure; a 4-foot side yard setback is a detriment to the next door property; the issue is self-created by the placement of the house and there are other places to put the proposed structure. Perry called for a vote on the motion. ROLL CALL VOTE. YES: SLIKKERS, HYSEN, PERRY, DELANEY. NO: NONE. MOTION APPROVED 4-0.

V. CITIZENS COMMENTS

Start: 6:28 p.m.

John McDonald, 6542 Windemere Way (Zoom): Had no objections to proposal, hopes Troutman can proceed with what she wants to do.

End: 6:29 p.m.

VI. ADJOURNMENT

Perry adjourned the meeting at 6:29 p.m.