

PROPOSED MINUTES
LAKETOWN TOWNSHIP
ZONING BOARD OF APPEALS
4338 BEELINE ROAD
ALLEGAN COUNTY
HOLLAND, MI 49423
(616) 3353050

February 23, 2009

ARTICLE I. CALL TO ORDER

Herb Johnson called the regular monthly Zoning Board of Appeals meeting to order at 7:00 P.M. Mr. Johnson introduced the members of the board and staff to the audience.

MEMBERS PRESENT: Herb Johnson, David Weishaar, Bob Scanlan, Glenn Vos

MEMBERS ABSENT: Carl Blauwkamp, Steve Brunink, Bob Slikkers

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 November 24, 2008 meeting. Following discussion, **a motion was made by Dave Weishaar and seconded by Glenn Vos to approve the minutes as submitted. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. OLD BUSINESS

A. NYKERK VARIANCE REQUEST

Mr. Todd Nykerk, owner or agent of property located at 2372 Belmont Way, that being tax parcel #0311-340-325-00, requests a variance from section 7.04(a) and 7.04(b) of the Zoning Ordinance. Section 7.04(a) requires 40' front yard setback. Section 7.04(b) requires a 10' side yard setback.

Mr. Nykerk would like to enlarge the existing structure by adding two lower levels. The building would not meet the required minimum front and rear setbacks. The applicant expects to have a Critical Dune permit in hand by the meeting date.

Kurt Volbeda representing Todd Nykerk provided a response to the issues raised at the last meeting concerning the proposed building plan. Mr. Volbeda reviewed the six changes as noted on the new plan provided to the Board. The changes are as follows: 1) Move house west 7 feet; 2) Add a new driveway and possible garage level with entry from the west; 3) Add a new deck 18' x 11'; 4) Add a third story addition at 35 foot maximum height; 5) Convert both porches into 4-season rooms; 6) Build new stairway in the south porch walkway.

Chairman Herb Johnson stated that there is still not an adequate setback on the front of the lot. Mr. Volbeda stated that the physical structure of the hill is a hardship that does not allow for the proper setback.

Dave Weishaar commented that this plan is better but there are uncertainties as to whether all details will be completed, such as the garage. Can something this uncertain be approved? Al Meshkin responded that all issues have been addressed with the exception of the front yard setback. The new driveway will have the required two on site parking spaces. The garage is not necessarily required.

Herb Johnson expressed concern for adequate access for emergency response vehicles. He asked if there is anything that can be done to improve that issue. This concern was also raised at the last meeting.

Glenn Vos asked what the purpose was for enclosing the porch. Mr. Volbeda responded that the client would like the option of year around residency.

Mr. Volbeda stated that he feels that all issues have been addressed and moving the house back is not an option. Al Meshkin stated that the hill does present a hardship but other new structures in that area are held to the five foot setback. This structure is like a new house since it will be moved and have a new foundation. Herb Johnson supported Al's comment. Herb stated that he could not approve anything less than the five foot setback. Mr. Volbeda agreed to move the building south five feet. Glenn Vos commented that this would be a great solution to the neighbors' concerns. He commended Mr. Volbeda on the changes he has made to the plan.

Al Meshkin asked for confirmation that this would be a single-family home. Mr. Volbeda acknowledged it would remain a single family house.

Following discussion, **a motion was made by Glenn Vos and seconded by Bob Scanlan to approve the request for a front yard variance finding practical difficulty with the slope to the**

south of the house, contingent upon the following requirements: minimum five foot front yard setback, achieve a minimum ten foot side yard setback on the east line, driveway to the west of the structure with possible lower level garage, remain a single family dwelling and height of structure shall not to exceed 35 feet. UNANIMOUS DECISION – MOTION APPROVED

ARTICLE IV. NEW BUSINESS

A. ELECTION OF OFFICERS

Following discussion, **a motion was made by Glenn Vos and seconded by Dave Weishaar to reappoint Herb Johnson as the Chair, Dave Weishaar as Vice Chair and Bob Scanlan as Secretary. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE V. CITIZENS COMMENTS - None

ARTICLE VI. ADJOURNMENT

Herb Johnson adjourned the meeting at 7:25 P.M.