

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

March 27, 2019

ARTICLE I. CALL TO ORDER

Chair David Weishaar called the regular monthly Zoning Board of Appeals meeting to order at 7:00 P.M.

MEMBERS PRESENT: David Weishaar, Marcia Perry, Jim Johnson,
Casey Kimes, Ed Stielstra, Richard Swanson
MEMBERS ABSENT: Jim Johnson
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 February 27, 2019 meeting. **A motion was made by Stielstra and seconded by Swanson to approve the minutes as written. Chair Weishaar called for a vote on the motion. UNANIMOUS DECISION - MOTION APPROVED**

ARTICLE III. OLD BUSINESS

A. BREDEWAY VARIANCE REQUEST

Brian Bredeway, owner or agent of property located at 6444 145th Avenue, Holland, MI 49423, that being tax parcel #0311-010-046-00, request a variance from section 38-214(4) and 38-471(1) of the Zoning Code. Section 38-214(4) requires that a parcel have a minimum of 200' of road frontage. Section 38-471(1) prohibits an accessory building on a parcel that does not have a principal building. Mr. Bredeway would like to split this parcel creating one new parcel that would have less than 200' of road frontage and another new parcel that would have accessory buildings but no principal building.

Brian Bredeway of 6444 145th Avenue explained that he is now asking for a variance to be able to split the said parcels in a manner that would make the road frontage of each parcel more equal and

keep all existing structures together on one parcel. One variance is being asked to allow one parcel at 150 feet wide. There will be 400 feet of frontage over two parcels and each parcel will be bigger than most others in the neighborhood. The split line would be to the west side of the barn which would then be maintained.

Kimes asked what the proposed distance is to the main barn and Bredeway said approximately 25 feet. Weishaar confirmed that there are alternatives to the request. Stielstra thanked Bredeway for the good work that he has done. Kimes asked if Bredeway's ideal state would be to build a new home on one of the new parcels and Bredeway responded it is. Stielstra said we normally do not encourage flag lots but this is a large lot. Perry spoke to the standards of the ordinance, particularly the self-created hardship. Swanson addressed the neighbors' concern about the barn which creates an impediment to compliance with the law. The barn is decrepit and would take considerable effort to repair. Stielstra took the other side of Swanson's position, we would be making an exception but he is not concerned to do so. Stielstra feels the request is in the character of the township. Weishaar said the zoning rules and laws create the attractiveness of Laketown Township. Kimes said if the barn comes down, the parcels could be split to meet the requirements. Kimes asked what the motivation is to repair the barn and Bredeway responded that he has already begun to do so. Perry said the planning commission decision goes with the land and not the owner. The future owner of the parcel in which the barn will be left, may not want the barn. Bredeway said he does not have a sentimental connection to the barn.

A motion was made by Swanson and seconded by Perry to deny the Bredeway Variance Request.

Swanson said the decision pertains to the land and not the barn. Perry would like to see the barn preserved but the board is not here in the interest of someone's economic advantage. Perry cannot see a basis for approving the request. Swanson supported stating residents in Laketown like the 200' frontage on the lots.

Bredeway said he is not creating new laws and other lots in the neighborhood are smaller. He does not feel this would be a precedent to be concerned about.

Swanson said taking the barn down would be your option if this is not approved.

Kimes agrees it is a unique situation in that the barn exists. As much as he would like to agree with granting the variance the law has been in place for 30+ years and there are a number of economic factors involved. He feels it be best to uphold the law as intended and Bredeway can review the various options including purchasing additional land.

Stielstra said he understands the ordinances were created to support the township. When he looks at 150' frontage for 6 acres, he suggests the 200' frontage with 3 acre lot is less desirable. The proposal is more in line with the character of the township. He feels this proposal promotes Laketown as we like to envision it. He supports the request.

Weishaar stated he does not support Stielstra's position.

WEISHAAR CALLED FOR A VOTE ON THE MOTION. MOTION APPROVED TO DENY THE REQUEST 4 TO 1 VOTE, Stielstra dissenting.

ARTICLE IV. NEW BUSINESS - None

ARTICLE V. CITIZENS COMMENTS

Keith Becksvoort of 4468 64th Street thanked the board for turning down the request because the drain and DEQ approvals had not been obtained.

ARTICLE VI. ADJOURNMENT

A motion was made by Kimes and seconded by Perry to adjourn the meeting at 7:34pm. Weishaar called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED