

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

June 24, 2013

ARTICLE I. CALL TO ORDER

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

MEMBERS PRESENT: David Weishaar, Glenn Voss, Bob Scanlan,
Steve Brunink, Carl Blauwkamp

MEMBERS ABSENT: 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 April 29, 2013 meeting. **A motion was made by Glenn Voss and seconded by Steve Brunink to approve the minutes as submitted. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. OLD BUSINESS - None

ARTICLE IV. NEW BUSINESS

A. FRIELING VARIANCE REQUEST

Mr. Kevin Frieling, owner or agent of property located at 4350 61st Street, that being tax parcel #0311-013-004-00, requests a variance from section 38-185(2) of the Zoning Code. This section requires residential structures in the Ag Agricultural District to have a combined side yard setback of not less than 50', with no one side being less than 20'. Mr. Frieling would like to remove an existing attached garage and construct a new attached garage on his existing house that would not meet these minimum requirements.

Mr. Kevin Frieling explained that the current garage and entryway was built in 1950 and is in need of major repair or replacement. He would like to remove the current structure and add a new garage, entryway and a covered porch around the front of the house. The new garage would extend an additional 6 feet toward the property line and the porch would be 6 feet closer to the road. The property is only 105 feet wide and the house located where it is on the lot, makes it impossible to do any improvement without violating the setbacks more than the current violation. The parcel was created prior to the township having a zoning ordinance. The property to the south is enrolled in the PA116 Farmland Preservation program so it is not available to purchase. The new garage would be approximately 32' wide by 44' long and 26' high.

Steve Brunink asked how close to the stakes the new structure would go. Mr. Frieling estimates that it would be approximately 5 feet to the property line.

David Weishaar asked what the current setback is and Kevin responded that it is approximately 12 feet now. He also has stated he has letters of support from his neighbors.

Glenn Voss asked when the plots were parceled off. Al Meshkin stated the house was built in 1950 at which time there was no zoning. The property and the house predate the zoning and due to the PA116 program it is not possible to purchase additional land.

Chair David Weishaar opened for public hearing. Lloyd Scholten of 4343 61st Street explained his grandfather had built the house and plotted the property but it is tied up in PA116 Program is the Farm Land Preservation Act which provides tax breaks for a contracted amount of time (99 years) as long as the property continues to be farmland and not developed. Lloyd stated that he does not plan to develop and he would give the property to Kevin but it is not an option. It was a legal lot at the time it was built. A new structure would make an improvement to the house and the quality of the property.

Al Meshkin read into the record two letters of support one from Larry Scholten and one from Lloyd Scholten.

Following discussion, **a motion was made by Bob Scanlan and seconded by Carl Blauwkamp to close the public hearing. UNANIMOUS DECISION – MOTION APPROVED**

David Weishaar asked the board members for feedback. Carl Blauwkamp stated that there is clearly a hardship present.

Following discussion, **a motion was made by Glenn Voss and seconded by Bob Scanlan to approve the Frieling Variance Request as submitted in the application finding there is a practical difficulty due the parcel being created prior to the township having zoning and is undersize by current standards; and to the PA116 Program the property needed is not available for sale.**

UNANIMOUS DECISION – MOTION APPROVED

ARTICLE V. CITIZENS COMMENTS – None

ARTICLE VI. ADJOURNMENT

A motion was made by Bob Scanlan and seconded by Glenn Voss to adjourn the meeting at 7:11 P.M.