



PARK TOWNSHIP

## ZONING BOARD OF APPEALS

*Regular Meeting*

October 25, 2010

Vice Chair Lu Reyes called the regular meeting of the Park Township Zoning Board of Appeals to order at 6:30 p.m.

Present: Lu Reyes, Doug Dreyer, Nicki Arendshorst and Joannie Bouman

Absent: John Foster

### **MOTION**

A motion was made by Arendshorst and supported by Dreyer to approve the agenda as presented.

### **VOTE**

Motion carried: 4-0

### **MOTION**

A motion was made by Dreyer and supported by Bouman to approve the minutes for the September 27, 2010 regular meeting as presented.

### **VOTE**

Motion carried: 4-0

### **ANNOUNCEMENT**

Jerry Felix introduced Andrew Bowman, Interim Planning Consultant.

**Item #1** A variance request by H. Peter Deede for a lesser side yard setback and a lesser rear setback than allowed for an addition per section 38-246 of the Park Township Code of Ordinances, Said land and premises are located at 2438 S. Idlewood Rd (Parcel # 70-15-28-138-002 R-2)

H. Peter Deede, stated he bought his house in 2007 as a cottage. Since that time they have decided to make this their permanent home. The house sits on a slab therefore creating a storage and space issue. Due to the small lot the house sits on setback requirements can't be met, He would be unable to expand the house on the east or west side of house or in the rear as they stand. He also stated his original plan was to expand the garage in the front yard by nine (9) feet but has now asked for an amended expansion

of an additional six (6) feet making the total expansion fifteen (15) feet with a setback of thirty nine (39) feet from the center of the road. An amended request has been made to build a second story over the garage and a second story addition to the master bedroom. By architectural design the proposed second story addition and one and a half (1 ½) story addition as proposed have been determined to be the only practical solution.

The public hearing was opened at 6:39 p.m.

No one spoke.

The public hearing was closed at 6:39 p.m.

Arendhorst asked if they have spoken with the neighbors regarding their amended plan.

Deede stated he had spoke with several neighbors and they are okay with his amended plan as presented.

Bouman stated applicant has the smallest house in the neighborhood and non conforming side yards. Most of the neighboring homes are all two (2) story.

### **MOTION**

A motion was made by Bouman and supported by Dreyer to approve the variance as requested because the standards can be met.

Bouman went over the four standards with the answers interspersed in bold.

- a. That strict compliance with the zoning ordinance regulating the minimum area, yard setbacks, frontage, height, bulk or density, or other regulation would render conformity with those restrictions of the zoning ordinance unnecessarily burdensome.

**Strict compliance would be burdensome because rear yard and side yard setback requirements can't be met plus there isn't a basement .**

- b. That granting the requested variance would do substantial justice to the applicant as well as to other property owners in the zoning district. If a lesser relaxation than that applied for would give substantial relief to the property owner and be more consistent with justice to other property owners in the district, the board of appeals may grant a lesser variance provided the other standards are met.

**Granting a lesser relaxation is not necessary. Granting the variance would do substantial justice to the applicant and no harm to other property owners. All neighboring houses are 2 stories making this second story addition more consistent with other homes.**

- c. That the plight of the property owner/applicant is due to unique circumstances of the property e.g., an odd shape or a natural feature like a stream or a wetland) and not due to general conditions of the zoning district.

**Uniqueness comes from applicant's desire for more room. There isn't a basement.**

d. That the practical difficulties alleged are not self created.

**This is not self-created.**

**MOTION**

A motion was made by Bouman and supported by Dreyer to approve the amended request.

**VOTE**

Motion carried: 4-0

Meeting adjourned.

Peggy Van Eyk  
Recording Secretary