

## MINUTES

### PARK TOWNSHIP ZONING BOARD OF APPEALS

Regular Meeting  
November 28, 2011  
6:30 P.M.

#### DRAFT COPY

Chair Foster, called the regular meeting of the Park Township Zoning Board of Appeals to order at 6:30 P.M.

Present: John Foster, Joannie Bouman, Doug Dreyer, Dennis Eade, Sally Pollock

Absent: John Barwis, Andy Bowman, Staff Planner

Staff: Ed de Vries, Code Compliance Officer

#### **MOTION**

A motion was made by Dreyer and supported by Bouman to approve the minutes of the October 24, 2011 regular meeting as presented.

**VOTE:** Ayes: 5, Nays: 0 Motion carried

**AGENDA Item #1 A variance request by Benjamin T. and Robin Ipema for a lesser side yard setback than allowed for a proposed residential addition, per section 38-246 (2) of the Park Township Code of Ordinances. Said land and premises are located at 2591 Lakeshore Dr., Holland, MI (Parcel #70-15-16-398-027, R-2)**

de Vries introduced the agenda item. The request is to expand an existing second story on the home to match the current main wall footprint of the existing first floor. The house was built prior to establishment of zoning rules and is currently legally non-conforming since it does not meet zoning side yard requirements.

Bowman had prepared a memo which gave background information for the Board's consideration.

de Vries reviewed the findings of staff regarding the property.

Eade asked if the chimney and fireplace on the north side of the house will be eliminated in the plan.

Busscher replied that the north side chimney will be removed but the footings will be used to build the second floor. The second floor will be built on the first floor footprint.

Eade said he appreciated the detailed drawings and asked if the patio on the north side infringes on the property to the left.

Busscher said it does not and will be removed.

Foster asked if the owner has discussed the proposed building plan with the neighbors.

Busscher said they do not object to the addition.

Eade asked if the building on the front of the property is a dwelling.

Busscher said it is unclear what its purpose has been in the past but it will remain.

Pollock said the neighbors should be in favor of the proposal because the new building will be much more in keeping with the rest of the neighborhood.

## **PUBLIC COMMENT**

Jeff Atkinson, 2601 Lakeshore Drive – is a neighbor and agrees with the proposed building plan and is happy that this improvement is taking place.

Public Comment closed.

## **MOTION**

Bowman moved and Dreyer seconded to approve the second floor plan on the existing first floor.

Bouman reviewed the standards:

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

**In this case it is the only way to build the addition.**

- 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.

**The proposed addition does justice and is consistent with the architecture of the rest of the neighborhood.**

- c. That the plight of the property owner/applicant is due to the 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.

**It is a very narrow lot of record.**

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

**The present owner did not build the home and it will be an attractive upgrade to the community.**

**VOTE:** Ayes: 5, Nays: 0 Motion carried.

## **PUBLIC HEARING**

None

## **ANNOUNCEMENTS**

Pollock asked if the Board of Appeals will have any further discussion on rules concerning bump outs, etc.

de Vries said there was discussion at the last meeting and Bowman plans to take the key points from that discussion to a Planning Commission meeting.

Foster asked if it will go to the Planning Commission in December.

de Vries thought it would if there is a December meeting.

Dreyer recommended the Board of Appeals send applicants official notification of ZBA action on their applications, whether it be approval or denial. He observed that applicants often leave a Board of Appeals meeting not knowing what the next step is in the process and who to contact at the Township Office. Follow-up in some form of communication would be a positive step in helping people understand what to do once they have had their application considered.

de Vries agreed it would be a good procedure for the staff and would share the suggestion with the appropriate personnel.

Foster asked de Vries if the Board of Appeals will meet in December; the regular date would be December 26.

de Vries said applications have to be submitted by the first Monday of the month so that information should be known in a week.

The Board agreed to leave the meeting date open based on what the staff recommends.

Pollock asked if the Board of Appeals is required to meet every month.

Dreyer noted there is probably a required minimum number of meetings that have to be held.

## **ADJOURNMENT**

## **MOTION**

Pollock moved and Eade supported to adjourn the meeting at 6:52 PM.

**VOTE:** Ayes: 5, Nays: 0 Motion carried.

Respectfully submitted,

Judith R. Hemwall  
Recording Secretary  
November 30, 2011