

**VILLAGE OF SPRING LAKE
ZONING BOARD OF APPEALS**

MINUTES

July 8, 2014

7:00 PM

REGULAR MEETING

Barber School Community Building
102 West Exchange Street
Spring Lake, MI 49456

I. Call to Order

Lukas Hill, Zoning Administrator called the meeting to order at 7:00 PM.

II. Roll Call:

Members Present: Scott VanStrate, John Wyhowski, Elizabeth Wheeler, and Don Munski.

Members Absent: None

Staff Present: Lukas Hill, Zoning Administrator

III. Election of officers: Wheeler nominated Munski to be Chairman of the ZBA. The ZBA unanimously approved this nomination. VanStrate nominated Wyhowski to be Vice-Chair. The ZBA unanimously approved this nomination.

III. Approval of the Minutes

A. Approval of the Minutes of the January 11, 2011 Regular Meeting.

Motion by Wheeler, support by VanStrate to table approval of the minutes as they appear to be incomplete. All in favor, motion carried.

IV. New Business

Public Hearing

A. 0 Dewitt Lane – Variance Request by Bernard and Chris Wade

The Zoning Board of Appeals will hold a public hearing to consider a front yard setback variance for the property located at 0 Dewitt Lane, Parcel # 70-03-23-130-015. The specific request is to reduce the setback from 25 feet to 15 feet.

Chairman Munski introduced the request and asked the applicant to provide an overview of the request. Bernard Wade explained that they want to build their retirement home on this lot and

that it is small and contains regulated wetlands. Wade explained that the home would be the same size or smaller than most of the homes in the surrounding neighborhood. He went through the ZBA review criteria stating why he felt this application met those criteria. David Bos, the builder for the Wade's, explained that they designed the building for the site and that is an "empty nest" home design.

Chairman Munski opened the public hearing. Dave Kauchek explained that he built next door and had to comply with the ordinance at the time he built. He explained that the setbacks Hill refers to in his memo appear to be inaccurate. He further explained that a ten foot setback reduction is too much of a request and that he would be ok with a few feet.

Hill read three letters into the hearing record, all of which were opposed to the variance.

VanStrate moved to close the public hearing with support from Wheeler. Motion passed unanimously.

Hill read the three review criteria in Section 21.4 of the Zoning Ordinance for consideration of a variance. Chairman Munski clarified that all criteria must be affirmative to approve the variance.

VanStrate felt that a house meeting the minimum square footage standards could be built on the site. Munski concurred that even though the lot was small, it was large enough to accommodate a home that met the Village single family home criteria. Overall, it was the general consensus of the ZBA that criteria one and two in Section 21.4 of the Zoning Ordinance were not substantially met with the request. Wheeler felt that maybe a compromise was possible if the request was reduced.

A motion was offered by VanStrate and supported by Wheeler to deny the front yard variance request of 10 feet from Section 16.5 of the Village Zoning Ordinance for the property located at 0 Dewitt Lane, parcel # 70-03-23-130-015 as presented as it did not meet all of the criteria in Section 21.4 of the Zoning Ordinance.

Chairman Munski called for a roll call vote.

ROLL CALL – AYES: VanStrate, Wheeler, and Munski
NAYS: Wyhowski

Motion carried. The variance was denied.

V. Adjournment.

There being no further business, motion by Wheeler with support by VanStrate to adjourn the meeting. All in favor, meeting adjourned at 7:45 PM.

Respectfully submitted,

**Lukas Hill, AICP
Zoning Administrator**