

<p style="text-align: center;">YANKEE SPRINGS TOWNSHIP ZONING BOARD OF APPEALS MEETING</p> <p style="text-align: center;">Tuesday, August 11, 2015</p> <p style="text-align: center;">Yankee Springs Township Hall 284 North Briggs Road, Middleville, Michigan 49333</p> <p style="text-align: center;">MINUTES</p>	<p>FINAL MINUTES Approved Sept. 8, 2015 As corrected Page 1</p>
<p>Meeting called to order at 7:00 PM by Jake Welch, Meeting Chairman</p> <p>Roll Call: Present: Al Schwennesen, Richard Beukema, Roger Rottschafer, Chuck Biggs, Jake Welch</p> <p>Also Present: Rebecca Harvey, Professional Planner</p> <p>Absent: Absent with notice: Mary Cook, ZBA Chairperson</p> <p>PLEDGE OF ALLEGIANCE –</p> <p>Staff Present: Larry Knowles- Zoning Administrator, Sandy Marcukaitis, Jim Orr, Constable, Mark Englerth, Supervisor, Frank Fiala and Greg Purcell of the Planning Commission.</p> <p>Visitors: 4- not including staff present</p>	<p>CALL TO ORDER</p> <p>ROLL CALL</p> <p>PLEDGE</p>
<p>ADDITIONS OR CORRECTIONS TO AGENDA: None.</p>	<p>ADDITIONS TO AGENDA</p>
<p>APPROVAL OF MINUTES:</p> <p>Motion by Rich Beukema with support from Chuck Biggs to approve ZBA meeting minutes of July 14, 2015 as presented. All ayes. MOTION CARRIED.</p>	<p>APPROVAL OF MINUTES:</p> <p>Minutes of ZBA July 14, 2015 Meeting approved.</p>
<p>OPENING OF MEETING: Jake Welch, Meeting Chairman (Vice-Chair)</p> <p>Reports:</p> <p>Planning Commission: Beukema commented on the last PC meeting. The PC approved a requested SEU of High Ridge Construction for the VanKampen property on Archwood, temporary housing was approved for a gentleman on Bluff Dr. Proper P & Z procedures were discussed for involving the twp. attorney in Planning and Zoning affairs. Also August 12, 2015 will be a planning seminar attended by five planning commission members at Western Michigan University.</p> <p>Board of Trustees: Rottschafer commented on a meeting tonight regarding fire committee after the ZBA meeting and Thursday's meeting (8-13-15) before Board meeting will have Dr. Lynn Harvey present at 6:00 p.m. At that meeting, the Yankee Springs Board, City of Wayland, and Wayland Township Board will be looking at having a fire authority.</p>	<p>OPENING OF MEETING:</p> <p>Page 1 of 4 ZBA 8-11-15</p>

NEW BUSINESS:

Motion to open public hearing at 7:05 p.m. Motion by Rottschafer, support by R. Beukema. All ayes. MOTION CARRIED.

ZBA 15-08-10 Parcel ID 08-16-155-057-200 Property address: 1864 Parker Drive

- a. A request by Doug Ybema for a variance to the minimum side yard property line setback requirement: Every dwelling or structure shall have a minimum side yard setback of five (5) feet or ten (10) percent of the width of the property whichever is greater. Applicant is requesting a setback variance which would result in at structure setback less than the minimum required. Article XII – Sect. 12.4.2
- b. A request by Doug Ybema for a variance to the minimum road side setback requirement: Every dwelling or structure shall be setback at least ten (10) feet from the public or private road right-of-way or easement boundary line. Applicant is requesting a setback variance which would result in a structure setback less than the minimum required.

Doug Ybema, of 1864 Parker Drive, explained his request.

Test of Practical Difficulty was read by Jake Welch

Rebecca Harvey commented on validating the ordinance on each variance request.

The ZBA Board continued to ask questions and deliberate regarding the discussion.

Two letters were sent in and presented in the Ybema request.

Mike Varano, of Parker Dr. commented that D. Ybema shouldn't be penalized for the building that was built in 1961. The garage will look aesthetically terrible if it has to be built next to the old garage according to Mr. Varano. Varano commented on issues with snow plowing, and other previous issues realized by neighbors.

Motion to close public hearing at 7:35 p.m. Motion by Rottschafer with support by Beukema to close public hearing. All ayes. MOTION CARRIED.

It was determined that Chuck Biggs would be a voting member in tonight's meeting due to the absence of Mary Cook.

Motion by Rottschafer with support from Biggs to decline both variance requests of D. Ybema as presented due to no show of hardship. ROLL CALL: Beukema: yes, Schwennesen: yes, Rottschafer: yes, Biggs: yes, Welch: no. Yes: 4, No: 1. MOTION CARRIED.

NEW BUSINESS:

Motion to open public hearing.

ZBA 15-08-10 Parcel ID 08-16-155-057-200 Property address: 1864 Parker Drive. (D. Ybema)

CLOSE of Public Hearing

Motion to decline both variance requests of D. Ybema as presented due to no show of hardship. MOTION CARRIED.

OLD BUSINESS:

ZBA 15-07-09 Parcel ID# 08-16-215-021-00: Property Address: 11444 Lighthouse Ct., Middleville,

1. A request by Tom Boersma for a variance to the minimum rear property line setback requirement: Every dwelling or structure shall be setback at least ten (10) feet from the rear property line. Applicant is requesting a setback variance which would result in a structure set back less than the minimum required.

This request was tabled at the last ZBA meeting due to the township attorney or professional planner not being available at the last ZBA meeting.

R. Harvey commented on the particular neighborhood involved in the variance request.

Discussion took place among the board members.

Motion to open public hearing by Rottschafer support by Welch. All ayes. MOTION CARRIED. (8:11 p.m.)

No comment from the audience or Mr. Boersma.

Motion to close public hearing by Rottschafer with support by Welch. All ayes. MOTION CARRIED. (8:13 p.m.)

Final Board deliberation

Motion by Welch with support from Biggs to approve a variance of a 5' (five foot) setback to the rear property line by reason of use or development of the property immediately adjoining the property in question whereby the literal enforcement of this requirement of this Ordinance would involve practical difficulty.

Roll Call: Beukema: yes, Schwennesen: yes, Biggs: yes, Rottschafer: no, Welch: yes. Yes: 4, No: 1. MOTION CARRIED.

Discussion regarding having similar requests coming into the ZBA and relaying this to the Planning Commission. R. Harvey commented on having a liaison from the PC on the ZBA and having this information in the ZBA minutes. R. Harvey also commented on a finding of meeting the criteria and an understanding of what those criteria are. Uniqueness or lack of uniqueness of property was mentioned as well.

Beukema mentioned a need for having a separate zoning category for smaller lots such as in mobile home parks.

G. Purcell of the Planning Commission commented that it would be helpful to see a listing of ZBA cases- having some documentation or list of the kinds of cases that have come before the ZBA that have raised an issue for them and created a concern that the ZBA wants to express to the Planning Commission that they'd like the PC to take a look at the zoning ordinance and maybe do something to make some changes.

OLD BUSINESS

Open of Public Hearing (8:11 p.m.)

Close of Public Hearing (8:13 p.m.)

Motion to approve Request of variance. MOTION CARRIED.

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Frank Fiala commented on finding out how dense (in terms of lot coverage) does the ZBA want the mobile home park concept to be. Fiala commented on trying not to have standards too high so that eventually, over time, it will be a better place to live. Further discussion took place.

ADJOURNMENT: It was motioned by Rottschafer and seconded by Welch to adjourn at 8:34 p.m. Approved by all. **ADJOURNMENT**

Approved Date: Sept. 8, 2015.

Janice C. Lippert, Township Clerk

Respectfully submitted by:

Deb Mousseau
Recording Secretary
Aug. 12, 2015

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